



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**

**SELECT COMMITTEE ON ESTIMATES 2017-2018**

(Reference: [Appropriation Bill 2017-2018 and Appropriation \(Office of the Legislative Assembly\) Bill 2017-2018](#))

**Members:**

**MR A WALL (Chair)**  
**MS B CODY (Deputy Chair)**  
**MR A COE**  
**MS C LE COUTEUR**  
**MR M PETTERSSON**

**TRANSCRIPT OF EVIDENCE**

**CANBERRA**

**MONDAY, 26 JUNE 2017**

**Secretary to the committee:**  
**Mrs N Kosseck (Ph 620 50435)**

**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>Chief Minister, Treasury and Economic Development Directorate ...</b>	<b>579, 610, 633</b>
<b>Environment, Planning and Sustainable Development Directorate .....</b>	<b>579, 610</b>
<b>Office of the Commonwealth Ombudsman .....</b>	<b>679</b>
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*Amended 20 May 2013*

**The committee met at 9.30 am.**

Appearances:

Gentleman, Mr Mick, Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal

Environment, Planning and Sustainable Development Directorate  
Ponton, Mr Ben, Director-General

Chief Minister, Treasury and Economic Development Directorate  
Bulless, Mr Neil, Acting Deputy Director-General, Economic Development, and Coordinator-General, Urban Renewal  
Tennent, Mr Simon, Acting Director, Strategy and Project Design  
Collett, Mr David, Executive Director, Public Housing Renewal Taskforce  
Wilden, Ms Karen, Director, Office of the Coordinator-General, Urban Renewal  
Gordon, Mr Tom, Executive Director, Greenfield, Land Development Agency

**THE CHAIR:** Good morning, and welcome to day seven of the Select Committee on Estimates 2017-2018. In today's proceedings we will be examining the expenditure and revenue estimates for the Environment, Planning and Sustainable Development Directorate in relation to budget statements E, as well as Access Canberra, which sits in budget statements B. Finishing off today, we have the Speaker of the ACT Legislative Assembly and the Acting ACT Ombudsman.

I will give the usual reminder that the proceedings are being recorded by Hansard, and they are also being broadcast live and online. If you are taking a question on notice, could you please clearly state, "I will take that question on notice," just to make it easier for Hansard and the committee secretary as they take the minutes. Before we kick off, can I check that everyone is familiar with the pink privilege statement that is in front of you, and its implications?

**Mr Gentleman:** Yes.

**THE CHAIR:** Excellent. Minister, we will go to you, for an opening statement.

**Mr Gentleman:** Thanks for the opportunity to speak on the work the government is doing on urban renewal. The success of our program has been one of the catalysts for strong economic growth that we are experiencing at the moment. One of the major changes to urban renewal in this budget is the creation of the City Renewal Authority. The authority will deliver a design-led, people-focused approach to the development of a vibrant city. The Northbourne city precinct will be a showcase for what is possible when urban renewal uses a coordinated and innovative approach.

The authority is being provided with \$57 million in this budget to deliver key projects, including \$37 million to progress the next stage of the city to the lake program, completing the boardwalk and reinvigorating the area with the adjoining parkland. This is a project which will be enjoyed for generations to come, and I am excited by

the opportunities that this will bring.

One of the other significant projects for the City Renewal Authority will be the revitalisation of Haig Park. Haig Park is an important city and neighbourhood park. This year's budget will begin to deliver on the community's vision for Haig Park through targeted intervention and implementation of the master plan. Once works have been completed, it will reinstate the iconic site as a place for all Canberrans to enjoy. In large part this will be due to the high level of engagement from the community and their generosity in providing their views in a creative and constructive manner.

The government continues to focus on the ongoing economic growth and prosperity of the ACT. As such, we continue to provide a sensible and coordinated land release program. Over the next four years we are targeting the release of 16,250 residential dwelling sites, 264,100 square metres of mixed use land, 120,970 square metres of commercial land, 160,000 square metres of industrial land and 323,240 square metres of community land.

The objective of the residential program is to maintain a stable supply of land to build new homes at a level over and above the anticipated demand. This strategy is an effective way to ease pressure on prices and assist with housing affordability for homebuyers and renters. It also ensures that we maintain the momentum of economic growth that has been seen, as the ACT is one of the leading jurisdictions in Australia.

During 2017-18 we will continue to deliver the asset recycling program. This program, along with light rail, will see the Northbourne corridor transformed into a vibrant precinct which every Canberran should be proud of. This year's budget will see the progression of a number of exciting projects which are happening throughout Canberra. Projects like the Canberra brickworks and Kingston arts precinct have captured the imagination of the community and challenged them to think about what is possible with these iconic sites. Their rejuvenation into places where people can meet, work and generate new ideas highlights our commitment to creating a sustainable and innovative city.

These types of projects also highlight this government's innovative approach to community consultation and engagement. We are committed to ensuring that the ACT community has multiple channels to get involved and make Canberra the envy of every other city in Australia. This is an exciting time for Canberra. Our government has set an ambitious urban renewal agenda. I am confident that, once delivered, the ACT will cement itself as the premier place to be. My officials and I will be happy to answer any questions that the committee might have.

**THE CHAIR:** For the benefit of committee members, in this session can we stick to output class 4.2, urban renewal, and output class 4.1, land policy, as well as questions relating to the City Renewal Authority. Minister, I would like to talk to you about the land policy. The government in the budget this year has highlighted that it is going to be decreasing the supply of land that government brings to market. What has been the underlying motivator for that change?

**Mr Gentleman:** As I have just read out in my speech, there is quite a lot of land

release coming up. We expect that we will be releasing more land than is actually required during this process. That is the four-year program.

**THE CHAIR:** The government's target figure has been reduced, and there is a reliance on the private sector to bring to market additional blocks of land: the CSIRO development at Ginninderra, Denman Prospect, as well as the Riverview development at Belconnen. What proportion of land are you expecting from those three non-government release sources? What action can government then take, at very quick notice, to meet the demand of the market should that supply not be up to expectation?

**Mr Gentleman:** I will ask Mr Tennent to give you some details on that.

**Mr Tennent:** In my role I am responsible for the land release program. The magnitude of the land release program in the next financial year, being 16,250 dwellings, is about 1,000 fewer than the previous four-year program. That is very simply a reflection of the influence of the asset recycling initiative, which comes to an end in year 3 of the program. Largely, the magnitude of land release that government is providing to the market is the same, bar a fourth year, where we do not have the influence of bringing forward those asset recycling properties.

In terms of looking forward, as the minister has said, the demand for residential property in the ACT sits at about 2,800 to 3,000 per annum, which, over a four-year land release program, is sites of about 12,000. To be releasing a land release program of about 16,000 demonstrates the government's commitment to releasing over and above.

Importantly also, we have heard from industry over the past decade about the importance of providing opportunities not only for the private building industry but also for the development industry. So the land release program does reflect quite a magnitude of releases that are now available as englobo to the private sector, in particular in Denman Prospect and a number of opportunities around there. So there is a mix of opportunities not just for government but also for the private sector.

**THE CHAIR:** The question was: what volume of land in the greenfield space do you expect those non-government development estates to be producing for market? Is there flexibility to then ramp up should the demand be there for residential dwellings?

**Mr Tennent:** I would have to take on notice the precise magnitude of what the private sector has in the pipeline. Obviously, Denman Prospect is the largest supplier of land from the private sector at this stage. That does have a long life. The pace at which they release will be up to them. I know that early indicative measures are about 300 dwellings per annum. There is the opportunity for the government to ramp up supply, if need be. We now have a reasonable pipeline of sites in the forward program.

**THE CHAIR:** How long will that ramp-up take? Are those blocks shovel-ready, ready to go to market, or will they be 12 or 18 months off to release, should the private sector not be meeting demand, or if there is a spike in demand?

**Mr Tennent:** There is a measure of land in the pipeline. What we do know for sure is

that in previous years it was about 18 months to two years between the sale of a property and being able to build on it. That has compressed substantially over the past 12 to 18 months. We are now down to a period of about six to eight months between sale and being able to build on it. So the ability to ramp up has improved over the past couple of years. Going forward, the land release program has a considerable amount of work in the land servicing pipeline. I would have to take on notice exactly what that number is, but it is as high as we have seen in quite some years.

**THE CHAIR:** What forecasting or estimates have been underlying the revenue aspects of land sales? We have seen blocks selling for close to \$1,000 a square metre out in Gungahlin. What is the forecast for land prices over the outyears, come 2019-20?

**Mr Tennent:** The sale of land at \$1,000 per square metre was one small release in one single suburb, the suburb of Throsby. If we look at the full spread of the sale of single residential sites over the past two years, we have seen numbers much lower. For example, in the 2016 calendar year the median price of a site in Moncrieff was about \$565 a square metre. That has increased in 2017 as it becomes more of a desirable place to be. We have seen that edge up to about \$600 to \$700. The first quarter of 2017 has seen sites at an average of about \$800 per square metre.

Having said that, there is no like with like when it comes to releasing individual sites across these suburbs. Some sites within some suburbs are highly anticipated and highly coveted and demanded whereas, with others, where the supply is slightly higher in different locations, we have seen much lower prices. We do not forecast prices. Obviously, that is set by the market. The government does not set the price.

**THE CHAIR:** Certainly, an assumption needs to be taken, particularly when putting in a revenue line item for land sales?

**Mr Tennent:** The revenue numbers are calculated by the Land Development Agency; going forward, obviously, it will be the SLA and the CRA. Our role is just to ensure that we have the magnitude of sites available for release such that we can cater to population demands.

**THE CHAIR:** Where does the crossover come between the land policy and renewal, which is this section, and the Suburban Land Agency? What are the functions of each office?

**Mr Gentleman:** As we have said previously—of course, the legislation was in the Assembly about the set-up between SLA and the renewal authority for the city—the City Renewal Authority will look at—

**THE CHAIR:** I get the difference, minister, between the two agencies, but where then in the mix between the Suburban Land Agency and output class 4.1, which is land policy, is the break-up of responsibilities between those two, given that it is in part largely new land to market?

**Mr Gentleman:** For the planning of future release land?

**THE CHAIR:** Yes.

**Mr Ponton:** Essentially, the split is that the policy work is undertaken by the directorate. In this case, in relation to land release targets, the land release work, land economics and the like, that will be undertaken from 1 July by the directorate. The role of the Suburban Land Agency then is essentially to deliver the land release. In simple terms, that is the split between the two.

**THE CHAIR:** So you set the direction and the other implements on the ground?

**Mr Ponton:** Absolutely, yes.

**MS LAWDER:** I have a supplementary question. I want to ask about the next four-year indicative land release program that is due to be published at some point in 2017-18. Do you have an indicative time frame for when you expect that to be published?

**Mr Tennent:** Are you talking about the 2017-18 land release program?

**MS LAWDER:** The four-year indicative land release program.

**Mr Tennant:** Commencing in the 2017-18 year?

**MS LAWDER:** Yes. Is that the one that is in the budget papers, on page 22?

**Mr Tennent:** That is correct. That was published with the budget.

**MS LAWDER:** It was intended to be a target for 2017-18 and you have already done it; I am talking about the next one after this one.

**Mr Gentleman:** In four years time?

**Mr Tennent:** We review it annually, so that will come out of next year's budget, and we will add the fourth year to that particular program.

**MS LAWDER:** It comes out each year in association with the budget?

**Mr Tennent:** That is correct.

**MS LAWDER:** Have you already achieved your 2017-18 target or does that target relate to next year's budget? I am referring to the table on page 22 of budget statements E.

**MS CHEYNE:** It says it covers the publication of the 2017-18 to 2020-21 program, and that says 2017-18 to 2020-21.

**MS LAWDER:** I am just asking whether that is the target that is in that, and you have already achieved it.

**Mr Gentleman:** It is the target that is set. As the land gets released it will be achieved.



**Mr Tennent:** That target is actually measuring whether we have or we have not released a land release program. The release of that particular land release program with the 2017-18 budget means that we have met the target of releasing a program.

**MS LAWDER:** So it is for the 2017-18 year forward, not that you are going to publish it during 2017-18?

**Mr Tennant:** No.

**MS LAWDER:** Okay, thanks.

**MS CHEYNE:** Of the 16,250 residential dwellings to be released, what is the split between apartments and other?

**Mr Tennent:** The split is 4,100 individual blocks of land for what we refer to as freestanding houses. In addition to that, there are 1,600 blocks that we refer to as medium density—so, townhouse, villa-type product—and the balance will be what we refer to as apartments of three-storeys or more.

**MS CHEYNE:** I talked about this in the annual reports hearings. I am pleased to see that the maps on the back have been slightly improved. But should we expect in the next land release program that they will be even more improved? I guess what I am talking about is not just referring to the split of residential, mixed use et cetera in each district but actually pointing to what the block is so that people can visualise it or at least what the suburb is so that people can see it?

**Mr Gentleman:** Yes, we are certainly trying to get better opportunity for people to see what is occurring close to them in their suburbs and what is available for them later on as well. We will be improving the maps. We are using some technology that we are working through at the moment which also looks at LIDAR opportunities to do three-dimensional studies for building clients. That new tech is quite exciting to look at. You should be able to see that as we go forward.

**MS CHEYNE:** Thank you, chair.

**MR MILLIGAN:** In relation to the public housing renewal program, what specific provisions have been made for Indigenous public housing?

**Mr Gentleman:** We will get that answer for you shortly. Mr Collett, welcome to estimates.

**Mr Collett:** The housing task force works with the Community Services Directorate and specifically with Housing ACT on the relocation of public housing tenants. The focus for the work is to provide new dwellings and to support the public housing tenants in their relocation. The replacement of housing is based on the tenants who are occupying the properties at the moment. Where those are Indigenous, they will be provided with housing but it does not have a focus other than that.

**MR MILLIGAN:** Do you know currently how many Indigenous residents there are

in the public housing that is due to be relocated?

**Mr Collett:** Housing ACT would have those figures. I can find those for you and take it on notice.

**MS CODY:** Minister, you mentioned in your opening statement activating the corridor for light rail and working with helping to guide policy. Can you expand on that a little and the initiatives that you are using on Northbourne Avenue?

**Mr Gentleman:** Yes, certainly. You would be aware that the directorate has done studies as well. We took a delegation over to the US to have a look at what is available in respect of activating corridors for light rail and what occurs in those situations. We saw in all of the areas there much more excitement about what could occur. We have planned that for the ACT as well, for stage 1 down Northbourne Avenue.

We see opportunities for urban renewal, a bit more densification and the opportunity for people also, of course, to leave their car at home and take public transport. There are some really exciting opportunities there. We saw in Tucson, for example, that very short light rail corridor. But for the first time there was new investment in hotels and cafes along the light rail route; for the first time in some 50 years.

**MS CODY:** You would expect those sorts of things to happen not only along Northbourne but obviously along the corridor into Woden to help to build vibrancy in the Woden area?

**Mr Gentleman:** We predict that in stage 2 of light rail for sure, from the city to Woden. Of course, that will be borne out when we see more sales down Northbourne Avenue and the opportunity for more vibrancy along the light rail corridor.

**MS CODY:** How are our time frames going for the activation and the vibrancy renewal along the corridor at the moment?

**Mr Gentleman:** Pretty good, I think. The actual construction of light rail is going very well. I will hand over to Mr Bulless and, of course, to Ms Wilden, to talk about some sales opportunities and what is occurring on the corridor.

**Mr Bulless:** I might hand over to Ms Wilden, who is actually responsible for city activation.

**Ms Wilden:** When it comes to activation, it is a fairly fluid set of time frames that you work with. What we have been focusing on at the moment, particularly within the city area, is having a better understanding of the public realm. We had a number of activations through last year—actually, sorry, this current financial year—looking at places like Garema Place. We are actually having an activation of Hobart Place on Friday. It is about seeing how to get people to come into the city and use spaces in a more effective way. We have worked both with private groups and also run some activations just with the city activation unit itself, such as the one on Friday.

In respect of the opportunities down the corridor, that also goes into sales of

government assets under the asset recycling initiative. We do have a couple of sites there—two in particular—that are due for sale this coming financial year. They are the Northbourne flats in Braddon and Turner. They are important because of the Haig Park master plan work.

As part of the work to develop the master plan, we are looking at this knowing that we are going to have not just adjacent development but also densification of the corridor. You actually have to look at what you are doing in a park in a way that is going to be catering for a lot more people than it currently does. That is part of the master plan work.

**MS CODY:** Obviously, we would see that continue into the redevelopment of the Woden corridor as light rail moves through to stage 2?

**Ms Wilden:** I cannot speak about the second stage. This is more around what the city renewal authority is going to be doing and what we have been doing prior to their commencing on 1 July.

**Mr Gentleman:** But we will certainly have some learnings through this process for stage 2 as well.

**MS LE COUTEUR:** Can I ask a bit more about stage 2? I have been to at least one public meeting and heard many comments from people that the consultation that recently occurred on light rail stage 2 was very hard for people to be engaged in, because we had no idea about the implications. For instance, the question asked many times was: “If a stop is built somewhere, does this imply urban densification?” It seemed reasonably obvious that it would, but there has not been any clear information even about this. The other one, of course, was the proposal to send the light rail to the hospital and then down to Tuggeranong on Yamba Drive rather than Athllon Drive and what that does for the proposed change in zoning along Athllon Drive.

**Mr Gentleman:** There is still quite a bit of work to do I think before the route is settled for stage 2. In regard to densification, I imagine that will start to happen around the Woden town centre, for example, and on the way. But, of course, NCA are involved in that as well. It is important to understand what implications they have for stage 2 as well.

**MS LE COUTEUR:** My understanding is that the NCA’s control basically stops at Kent Street, where you have got the blue overpass—because the NCA liked it blue. After that, it becomes ACT control. Obviously, a fair amount of the route is under ACT control. I am assuming that you have done some work around the likely implications. Are you saying that it is just going to be densification in Woden town centre?

**Mr Gentleman:** No, I imagine that is probably where it will start, though, as we see for stage 1. We have seen those routes down Northbourne Avenue lead to an expectation that densification will occur there first. I would expect Woden. Mr Ponton?

**Mr Ponton:** Thank you, minister. Ms Le Couteur, in relation to the consultation

engagement activities currently underway, obviously they are being undertaken by our colleagues in Transport Canberra and City Services. It is important to note that this is the first step in the engagement process. The current engagement activities are around the alignment specifically for the light rail. As with stage 1, there will be further opportunities for engagement. As we get a clearer picture of where the alignment is going to be, then the planning authority will work concurrently with our colleagues in Transport Canberra and City Services to undertake that more detailed planning work that I think you are referring to in relation to exactly where and how increased density might occur.

**MS LE COUTEUR:** But when you say “alignment” I think you mean what in the consultation was called “route”.

**Mr Ponton:** Yes.

**MS LE COUTEUR:** Because that was the thing that was particularly confusing. The alignment you are talking about was either in the middle of the road or not. That is obviously important when you build it, but not very important to the questions that we are talking about, I would have thought. If the densification will be happening at Woden town centre, what is going to be the purpose of the stops after Woden—the Curtin stop and the horse paddocks stop? Where will you get the customers for it?

**Mr Ponton:** Again, that is work that needs to be done in relation to the finer-grain planning to look at opportunities for increased density. To say that the increased density will occur only in the Woden town centre I do not think is correct. I think that when you look at light rail in Canberra and also at light rail around the world, because of the fact that the alignment is there and the light rail is running through a particular area, you will start to see people investing and people wanting to live along that corridor. In terms of exactly where and how that is going to occur, that work still needs to be done. We are in the very early stages at this point.

**MR COE:** That alignment down Adelaide Avenue, that is unlike many other light rail alignments around the world. It is obviously not an area that has the same sort of capacity for frontage that other areas have.

**Mr Ponton:** Correct, yes.

**MR COE:** Is it possible that you would actually leave that as, in effect, a commuter leg, and not actually have the densification along that corridor?

**Mr Ponton:** That is certainly possible, Mr Coe, yes.

**Mr Gentleman:** You raise a very important point. Whilst we do light rail to provide that certainty of transport, we look at timing as well. If we decide to take a different route around the parliamentary area to pick up people from perhaps a bit east of Parliament House itself, then we might need to make up some time. If there is an opportunity there to get a faster route to Woden from that change to the east of the parliamentary triangle, there is an opportunity for that as well. So you need to balance up that part about invigorating and the opportunities for investment, but also delivering the time line for the light rail route.

**MR COE:** But, likewise, you have to be careful that you do not, in effect, become half-pregnant here and not achieve either. You might have a light rail service that does not get the frontage, does not get the activation and is not as fast as the existing bus. If you are not careful, you end up getting the worst of both worlds, not the best.

**Mr Gentleman:** In the jurisdictions where we have had a look at light rail, it has been successful on both counts.

**MR COE:** But what other jurisdiction is there that you know of where there is a five-kilometre stretch down the median of an arterial road? Have you visited one?

**Mr Gentleman:** I have not yet, but I would certainly like to.

**MR COE:** When you find one, let me know.

**Mr Gentleman:** Okay.

**MS LE COUTEUR:** I am not sure if I can ask this or not. When I turned up this morning, I thought we were talking about the CRA, but then I read this. My first question is: where can I talk about the CRA? Is now okay?

**Mr Gentleman:** Yes; you can talk about it now. Yes, for sure.

**MS LE COUTEUR:** Okay, great.

**Mr Gentleman:** If there is anything we cannot provide, we will take it on notice.

**MS LE COUTEUR:** Okay. It is really about the CRA and the SLA. It is about the boards, and I was figuring that we could ask about both of them together, given that if the CRA is okay, I am fairly confident the SLA should be. The government announced the board members last Wednesday. I have to say that each individual person seemed a fine, worthy person but, as a whole, my concern is that they are lacking in significant experience of and enthusiasm for environmentally sustainable development and affordable housing expertise. My question is: did the recruitment process specifically look for people with that sort of expertise?

**Mr Gentleman:** Yes. I will ask Mr Ponton to give you the details about the recruitment for the boards.

**Mr Ponton:** Thank you, Ms Le Couteur, and thank you, minister. The short answer is: yes, absolutely. I do not actually have the list in front of me—I do have a table that identifies the particular individuals—I was not anticipating that question. In terms of the mix of people that we have across both boards, there is portable housing expertise and also environmental credentials. I might just look to my colleague. Do you have that table? No. Ms Le Couteur, I can certainly provide you with a table that specifies where we have listed each person and the particular criteria that we were looking at.

**MS LE COUTEUR:** You do not need to provide me with that, Mr Ponton, because I am a member of the planning committee, and the planning committee looked at it and

saw that table. I would say that, with many of the people, where affordable housing and sustainable development expertise were identified, some of them clearly did have that but quite a number of them would appear particularly to have been lawyers or non-executive directors on the boards of organisations which had some interest in this. It was not at all obvious that they had any personal interest or expertise in it; it was just your typical board. Tick; we have a lawyer. Tick; we have a non-executive director. The impression was that governance issues may have been the number one criterion. I am not saying, particularly given recent history, that governance history issues are not important, but they are not the only things of importance.

**Mr Ponton:** Absolutely. You are correct; governance certainly was a priority for the selection panel. But, having said that, we had before us all the criteria provided for in the legislation. I sat on the selection panel. We were very keen to ensure that we had a really good mix of candidates with skill sets across all of those. We were confident that we had people with affordable housing, environmental sustainability, legal, governance, and the like.

**MS LE COUTEUR:** Was the short-listing completed before the legislation was passed with the amendments?

**Mr Ponton:** In terms of when it was passed? That is correct. However, we—

**MS LE COUTEUR:** Sorry, I could not hear you.

**Mr Ponton:** When the legislation was passed, the short-listing had occurred prior to that. But, having said that, we did have the draft legislation before us.

**MS LE COUTEUR:** And you took the likely amendments into account?

**Mr Ponton:** Yes.

**MS LE COUTEUR:** My point is that the draft legislation was significantly amended, and that is where we put in the environmentally sustainable and affordable housing.

**Mr Ponton:** Yes, and certainly we went back through it before settling our recommendation and looked at the amendments that had been made to the legislation.

**MS LE COUTEUR:** Okay, good. I perceive a weakness, which you may or may not, but how are you going to make sure that the two agencies really put environmentally sustainable development and affordable housing front and centre?

**Mr Gentleman:** They report up to me, so I will be driving that from my office through the director-general, Ben Ponton, who is very keen, of course, to ensure that we have those issues respected in any decision-making of the two boards.

**Mr Ponton:** And it is not to be forgotten that we had the statement of expectation, where the minister can make clear the expectation in relation to expected outcomes and the way the organisation will operate, particularly in relation to the City Renewal Authority.

**MS LE COUTEUR:** When are they likely to come out? That is presumably when we will see the targets for affordable housing and public housing. Will the two of them come out together? And when are we likely to see them?

**Mr Ponton:** It is different ministers, but very soon. We are currently settling those for consideration by the ministers.

**MS LE COUTEUR:** Would you be doing them together in concert?

**Mr Ponton:** Yes.

**MS LE COUTEUR:** It would seem to make sense.

**Mr Ponton:** It is all done through my directorate, yes.

**MS LE COUTEUR:** That makes sense.

**Mr Ponton:** Yes.

**MS LE COUTEUR:** Thank you.

**MR COE:** Just a supplementary to that, if I may?

**THE CHAIR:** Yes, certainly.

**MR COE:** With regard to the governance issues that obviously plagued the LDA, I think part of the problem is just going to continue. There is a minister for planning, a minister for suburban development and a minister for urban renewal. Then you have these agencies that have split responsibilities. Do you not envisage that either there is going to be buck-passing or there is going to be this big grey area in the middle that ends up being neglected?

**Mr Gentleman:** No, I do not think that is the case, Mr Coe. We identified a way forward from the Auditor-General's report, we have acted on that, legislation is going forward, and we will have two new boards that will report, with chairs as well, and two ministers. That is the way forward.

**Mr Ponton:** If I may, minister—

**Mr Gentleman:** Yes.

**Mr Ponton:** Keep in mind that under the legislation the directorate does have a key role in relation to oversight, particularly around governance. I think that is the key difference in terms of clarity of roles and responsibilities: the policy setting is the responsibility of the directorate, providing advice to the relevant ministers, and then the entities are responsible for delivery. But, having said that, there is reporting through to ministers. It is important to note that greater clarity of roles and responsibilities.

**MR COE:** The policy setting is coming from the directorate.

**Mr Ponton:** To the minister. We provide advice to the minister but, ultimately, the minister will make those decisions.

**MR COE:** It begs the question: if they are just delivery mechanisms, and the policy is coming from the directorate, why do you need two separate agencies—if they are just delivering, and all that strategic and policy advice is actually coming from the directorate?

**Mr Gentleman:** For better clarity and reporting.

**MR COE:** That does not make sense. If the direction is coming from the directorate, why would you have two delivery mechanisms rather than just one?

**Mr Ponton:** Ultimately that is a decision for the government and the Assembly, but in terms of my understanding, looking at the legislation, I think the important point of distinction is particularly around the City Renewal Authority. It does have additional roles and responsibilities over and above what the Suburban Land Agency does, particularly around a focus on encouraging investment in the city, which is a key priority for the government. In response to that, as I said, it is ultimately a matter for the government and the Assembly as to what the bureaucracy works with, but it would seem as though there is a distinction between those two entities and the greater focus on the City Renewal Authority ensuring delivery of key government priorities.

**MR COE:** Okay. I think it sounds very odd. Going to the substantive question, can you please talk me through what the staffing profile is going to be for the SLA and the CRA?

**Mr Ponton:** Yes. I do not have the figures in front of me but, as I recall, and I am happy to be corrected by my colleagues in the gallery, the staffing profile for the City Renewal Authority is 23 people. That will consist of the chief executive officer and three streams. It is important to note that this is the draft structure that has been put in place by the directorate to hand over to the new board and the CEO, who may choose to do something different.

**MR COE:** Sure.

**Mr Ponton:** Our role was to ensure that we got something that was workable.

**MR COE:** The three streams are?

**Mr Ponton:** The three streams are sales, marketing and urban; finance and governance; and business operations.

**MR COE:** What about for the SLA?

**Mr Ponton:** The Suburban Land Agency again has the chief executive officer. I have just confused the two, haven't I? That was the SLA. Yes. Sorry, I have just given you the SLA. I will hand over to Mr Bulless for the detail.



**MR COE:** Yes, sure.

**Mr Bulless:** CRA is going to be structured in two streams, with support from a business operations element as well. As Mr Ponton said, there are three streams. One will be community engagement. The other will be the delivery of urban projects or CRA projects in the new structure, supported by business operations functions.

For the SLA, it is somewhat similar. There is again a split between a finance function; a greenfields function, which is largely the same as the current LDA delivery; and a third element, which is urban projects, sales and marketing. That organisation is also supported by a business operations area.

The logic for the business operations is recognition of some of the legacy issues with LDA, in terms of better support for governance, to assist the new boards, to ensure the proper accountabilities under the legislation. That is an enhanced function in the new structures.

**MR COE:** With the sales and marketing area of the SLA, what work do they do?

**Mr Bulless:** Sales and marketing, within the stream of urban projects and sales and marketing, does the roles of actually selling land and also the community engagement through the mingle program. It also undertakes the roles of valuations and supporting the role of the asbestos taskforce.

**MR COE:** Does the SLA sell the land or do agents sell the land?

**Mr Bulless:** The SLA sells the land, and it uses agents as its front end, if you like.

**MR COE:** What are the sales people doing, then?

**Mr Bulless:** They will do things like programs, in terms of programming the sales into the future. They will do marketing, for example, for ARI sites such as Bega Court, which was released recently. They will shape the look and feel of the sales campaign; they will transact all the actual sales. While the agent is the facilitator, the back end of the SLA, currently the LDA, is the contracts. The contracts are exchanged and settled with purchasers of property, whether they be individuals or larger commercial-type operations.

**MR COE:** How many people are going to be in this sales and marketing area of the SLA?

**Mr Bulless:** Just let me look at my notes. In terms of the SLA, its initial staffing profile is 77. It will be split between about 14 people in sales and marketing and the mingle program. There will be about 14 people involved in urban releases and about 27 in greenfields. The valuations and estate management team is about seven. There is a finance function of 11. There are also about five staff allocated to the chief executive's office; that includes chief executive support staff and the business operations function.

**MR COE:** What about the CRA?

**Mr Bulless:** Sorry; I will take that on notice.

**MR COE:** Okay.

**Mr Ponton:** Sorry, in terms of the numbers?

**Mr Bulless:** Yes.

**Mr Ponton:** It is 23.

**MR COE:** But the breakdown within those streams. What sales and marketing expertise will be in the CRA? I see there is a business area cum delivery, community engagement and business operations or something like that. Where are the sales and marketing people there?

**Mr Bulless:** The arrangement proposed, subject to the views of the boards and the chief executives, will be that the SLA will provide the sales and marketing function on behalf of the CRA. For example, if it is marketing an ARI site or if it is actually marketing land sales in a couple of years time, the SLA will do that role for them on an arrangement. So how to actually transact—

**MR COE:** It does beg the question of why you have two agencies, doesn't it, once again?

**Mr Bulless:** It goes back to what Mr Ponton says about what the government is seeking to achieve from the two agencies. With CRA, it is clearly about the activation of the city centre through to the lake, and then back up Northbourne Avenue to Dickson. They have very different focuses and, in terms of what the Chief Minister has outlined, a very strong focus on delivery of revitalisation and intensification along the corridor.

**MR COE:** But that policy is coming from the directorate.

**Mr Bulless:** No; the directorate is articulating the policy set by the government.

**MR COE:** Yes. That is the intellectual rigour. That is the expertise that is directing, and these two agencies are the delivery mechanisms.

**Mr Bulless:** As Mr Ponton said, the CRA has slightly different responsibilities and powers from the SLA. The SLA is more purely a delivery agency. The CRA has slightly different components in its act which allow it to do more activations and look at urban renewal particularly within the city centre.

**MR COE:** But you have just said that it is actually the policy setting that comes from the directorate.

**Mr Gentleman:** Comes from the government, and the directorate informs that work so that we can deliver what the government wants to do.

**MR COE:** That is right, which begs the question: what is the expertise required within the CRA if the strategy and policy is coming from the directorate? Aren't they really both delivery mechanisms?

**Mr Gentleman:** No, they are different, as we explained earlier. One is concentrating on delivering urban renewal in a corridor. Through that, they have to advise us on the best way to do that. The other one is doing the suburban land.

**MR COE:** Delivering suburban land.

**Mr Gentleman:** Organising and delivering suburban land.

**MR COE:** That is right, so they are both delivering.

**Mr Gentleman:** Yes, in that sense.

**MR COE:** Thanks.

**MS CHEYNE:** I have some questions about the article in the *Canberra Times* last week about CRA assuming the responsibilities of In the City Canberra. Can you talk to me about how that will work, what it will look like and, in that split of responsibilities that we were talking about, what numbers of staff will be dedicated to that?

**Mr Gentleman:** Certainly. Ms Wilden has a lot of experience here.

**Ms Wilden:** The announcement has only just been made and we are now looking at working with In the City. We have already met with the CEO and the chair of the current board to get a more detailed understanding of the full scope of work they currently do. Some of it is operational and some of it is more augmentation of work the government currently does.

At the moment we have four staff doing the city activation function. That is where there was starting to be a lot of crossover with what In the City was doing. We have been engaging with In the City around the activation work they have been doing. Going forward we now need to look at some of the infrastructure work and some of the cleaning around the city that they were facilitating, which is where they were dealing mainly with TCCS. From there we need to develop advice to the incoming board and CEO around the full range of functions or augmentation of what the city activation unit is currently doing to ensure continuity of the key things that need to be done while also giving us an opportunity to look at some of the work that could maybe be done more efficiently, particularly if it is now going to be primarily led by directorates.

**MS CHEYNE:** The article quotes a letter that says there will be a substantial increase in the funds available to undertake work in the city area and to run more events. Again, I appreciate it is only seven days old, but is that substantially more events or different events, and will there be the marketing and the clean-up we are talking about? I was looking through the priorities for and the purpose of the CRA on pages 52 and 53 of budget statements E, and I could not really see much in there. There is a lot about

promotion of urban renewal, but those bread and butter things like a clean-up and making sure things look good—

**Mr Gentleman:** And activation opportunities as well.

**MS CHEYNE:** Yes, activation, which comes into marketing and promotion.

**Ms Wilden:** The activation also informs us as to the infrastructure changes you might need to make a space work better. With Garema Place the skating in the city is happening, but after that in the spring time we are going to do another activation with the support of TCCS. That will be a micro park, which obviously relates to another government commitment. By then we will have some sense of the basic infrastructure that needs to change.

In terms of having more money available, it is not just about the CCMIL; it is also about other commitments the government has made as part of the budget for some additional capital works in the area. One of the reasons more money will be available is because we will be using existing staff to administer the levy, which means you remove the overheads which currently exist in order for In the City to function. The staffing and other overheads they have will not be covered by the CCMIL because we have already got the staff to do the work.

We will also be looking at ways in which, in particular, we can develop new and more innovative relationships with TCCS because they do a lot of the city presentation work. Some of the things we have been starting to look at—and it was certainly done by In the City as well—is where you have a government commitment to do some works, like an upgrade of a roundabout within the city area, that you can look at augmenting it with other public realm improvements by using the levy.

The really important opportunity here is to change the interaction with the levy payers. We are looking at better ways of being able to get a broader sense of their views about how they would like the levy spent. Certainly some of the feedback we have been getting over the past year is that they do not mind events but they want events that support them. It is about being able to provide opportunities for business owners and lessees to get involved in their own area as opposed to importing events. But they also want more money on public realm capital improvements.

How you come to that balance will be very much led by what we learn in the coming months through more engagement with not just levy payers but also the shop owners. Obviously if they are successful the lessees are happy because they are getting rent. It is a complex relationship between all areas, and this is a great opportunity with the new authority being able to specifically focus on it to look at how better to combine the work of the government plus the money that can be spent through the levy on, in particular, public realm improvements.

**Mr Gentleman:** The other very important part of this too is community engagement to see what the community wants in the area as well as the levy payers. That will be an integral part of the CRU activity. We will look at evaluations and community feedback from the activation agenda and those conversations we are having with businesses but also the community and the creative sector as well.

**MS CHEYNE:** Engaging more with business owners, levy payers and the community, how do you envisage that working?

**Ms Wilden:** It gets tailored to each area. We will need the broad engagement with the levy payers to get a better sense of, “Are we hearing you right in terms of how you want the ratio of money spent between activation and public realm improvements?” Haig Park is a good example where the engagement was tailored for that particular project. Given that it sits right at the edge of the levy payers, it has a potentially significant impact on the levy payers in the Braddon area.

What we have done with the engagements or the activations to date is we have had onsite engagements. We have had people out there getting people to do surveys on our iPads. If you just say, “Go to this website when you go home,” there is a fairly good chance that people will not do it. Looking at the opportunities for how we use social media, we have found that with Facebook, Twitter and that sort of realm—in which I am not an expert—particularly with Haig Park, between that and various website interactions that is where we are getting the bulk of our feedback, so being there face to face with people as opposed to just saying, “Here. Go to this website and fill it in.” You do get people who will do that, but you need to find different mechanisms depending on what you are trying to achieve and who your target is.

**Mr Gentleman:** A really good example of that sort of work with surveys occurred with Access Canberra and their new shopfronts. They have an opportunity when you leave the shopfront to do a short survey; you scan your ticket number and then do a short survey. But in preparation for that we had Access Canberra staff talking to people as they entered the shopfront saying, “Look, if there’s an opportunity when you go, can you please do a short survey?” That encouraged many more people to take part in the survey.

**MS CHEYNE:** I am a big fan of what you are talking about with public realm. I think there are certain improvements that would really make a big difference. Something that quite a few business owners and people on the street have raised with me is lack of bins in Braddon on Lonsdale Street. I am trying to work that through in my mind. The placement of bins is the responsibility of, I think, TCCS. In what way would the CRA be working with TCCS to put in a public bin, for example, if that is what the community was shown to want?

**Ms Wilden:** You will be pleased to know that In the City did work with TCCS on the bins issue and I believe there are going to be more bins in Braddon very shortly, so that is very good.

**MS CHEYNE:** Great. Hopefully the *Canberra Times* reports that, if they are listening.

**Ms Wilden:** This is where it comes down to the ability of the CCMIL money to be used for specific events over and above what the government is doing or to augment it. One of the really important things about the relationship, just as we have now but moving into the new structure, is there is no point responding to feedback from the community or business owners saying, “Well, we want this,” and we go off and do it and then TCCS says, “Well, it doesn’t meet our standards and our research says

something different and this is the amount of money we've got." It is about coordinating the efforts to make sure we are getting that sort of feedback and TCCS is aware of it and we can work together on, "What's the priority? How much will it cost? What do we need? What's in your bucket of money? Is this something that it would be appropriate to use the levy money on to augment so that we can get the work done?" That is one example of how you would work with them.

**THE CHAIR:** I have some quick supplementaries. I will go first and then pass to Ms Le Couteur. How do you balance the wants and expectations of the broader community against the levy payers, particularly in the space of activation when it generally brings in events, food and entertainment and when the predominant number of businesses in the city CBD and Braddon areas are in that hospitality and entertainment space?

**Ms Wilden:** It is an ongoing challenge. Again, you have to look at it by the particular areas and the particular requests being made. But you also have to balance it in terms of the equitable distribution of the levy. Braddon might pay X per cent, but you have got a bigger city area where they might be paying a greater percentage. It is about trying to be equitable in making sure that all areas of the city that pay the levy are seeing some benefit.

For example, In the City is looking to do a Braddon street party. They also did the lights down Lonsdale Street. But then you have to ask what city west is getting out of the levy. That is the reason we have gone over to Hobart Place to determine whether there is available infrastructure such as water or power and how do people use it. But you also have very different activity because it is not where all of your cafes and restaurants are. You might have a pub and a nice coffee house, but you are trying to cater to the legal precinct and a much greater proportion of private sector businesses.

You also have it right on the edge of the ANU so you have a really diverse group of people. One of the things we want to look at is better connections between the ANU and the city. The ANU say they want to be part of the city, so what do you need to do in those spaces to make people want to go across Childers Street into the city? It is a really difficult balancing act.

One of the keys is working out a governance structure that ensures a really good spread of levy payer input. If they see people are coming into the city and the spaces outside of their shops are being activated and it is bringing more business, then you hopefully get to the point where the aspirations are compatible and the actions to maintain that activation are compatible as well.

**THE CHAIR:** Are you able to advise the committee what proportion of the levy is spent on capital improvements and activation against administration and management?

**Ms Wilden:** In relation to the current situation I would have to take that on notice. We would need to get some updated figures from In the City.

**THE CHAIR:** If we can get both the current situation and what is proposed going forward with the changes?

**Ms Wilden:** In terms of what is proposed, there is no set figure at the moment. Again, that is going to be driven by the engagement with the levy payers, business owners, and community and looking at options there. That will also be in relation to the money specifically given to the CRA for capital improvements anyway: will it be augmentation, will it be additional or will we do more activation? That will be developed over the coming months and obviously put to the board once it has been established and has been briefed.

**MS LE COUTEUR:** My question is continuing along the same theme of how you balance this. You have the levy payers, you have the business owners and you have the closer community and the wider community. I imagine the people living in the city have a quite different view than people living in Tuggeranong or Gungahlin. Obviously there are some fairly large levy payers. QIC, I assume, would be the biggest. The tenants and the businesses—the levy payers who you talk about frequently—are the people who are paying. The interests of the businesses and interests of the levy payers will not always align; clearly we have the narrower and broader community. How—

**Mr Gentleman:** It is reasonable to say, Ms Le Couteur, that the levy payers want to see more activation in the city. If you are able to provide incentives for people to come into the city and do their shopping and dining, then that provides that dual work, if you like. That is the big challenge Ms Wilden was talking about earlier on: actually identifying what can be done to satisfy all three groups.

**Ms Wilden:** I have been looking for the wisdom of Job, but it has not appeared yet. It is a big challenge, but it is that thing about saying that if you find a way to get more people in the city, that is the point of the activations: trying different things in different spaces to see what people want to participate in and the things where people go, “Well, it was kind of nice but it wouldn’t be something I’d come back for.”

**THE CHAIR:** It is almost an unfair imperative if the activation is through the forms of night food markets and those sorts of things when many of the levy payers are, in fact, food businesses. If you attract people into the city with a pop-up food market, it is at the expense of the levy payers who are restaurants and venues in their own right.

**Ms Wilden:** That has been one of the comments made, but then you look at what In the City has done with the curry festival, my understanding from a recent board meeting is that basically all of the stalls were from city and Braddon businesses. That is one way in which you can do those sorts of activations but still benefit the levy payers and, the next step down, the shop owners.

The other thing we have been trying to look at is doing activations that are not just about food and drink, because it cannot just be about that. That is where Haig Park becomes a really important part of saying that it is part of the city renewal precinct and it serves multiple purposes. With some of the activations we did last year, like KIDSCAPE, yes, there was a coffee van for the parents who were bringing the kids down, but it was really about the kids doing the nature play and the temporary pop-up bike paths and seeing whether that is a space that can support that while obviously respecting the heritage registration and values.

That is what the Haig Park master plan is about, that is, there are lots of things you can do around improvement of public realm spaces that are not just about doing a pop-up market. That is not sustainable into the future. You want to have spaces that can provide for it, but that is not the be-all and end-all. Activation is not just about the bright, shiny toys; it is also about leading to more long-term fundamental changes to spaces so they function more effectively not just for the people who sit in them for their lunch but also for the people who have businesses around them.

**MS LE COUTEUR:** You made a comment about lacking the wisdom of Job. Have you considered some sort of consultative committee for this part of your work? It is clearly quite different from the CRA board's interests. They have got bigger toys than what you are talking about.

**Ms Wilden:** There is work that has just commenced on developing a governance framework that includes how best to consult all of the stakeholders. Yes, that will definitely be part of the work going forward because it also has to be transparent, it has to be accountable and you need to be able to report on it. Certainly part of the work is also looking at what is the reporting framework and how do we independently assess it, say, after the first year or two years to say, "Is this working or do we need to change the model?"

**MR COE:** Minister, what is actually the reason for drifting away from the contracted model to in-house?

**Mr Gentleman:** I think the stakeholders involved were the ones who felt it would be better if we tried something a bit different. They were not as happy with the current arrangements as they could be.

**MR COE:** What were they not happy with?

**Mr Gentleman:** With the arrangements, as I just mentioned. They felt that there might be an opportunity to try a different model. That is why we are moving to it.

**MR COE:** What arrangements were they not happy with?

**Mr Gentleman:** I think it was in relation to the amount of money expended on activation as against, if you like, the management of the In the City program.

**MR COE:** Which begs the question why you did not have an answer to a question that was put earlier: "What is the breakdown going to be between administration and delivery?"

**Mr Gentleman:** We will certainly come back to you.

**MR COE:** Why is there not an answer to that if that is actually a core reason why you have changed the governance and the delivery mechanisms?

**Mr Gentleman:** The actual amounts will depend on the levy but that is one of the key reasons for the changes.



**Mr Ponton:** If I may, I might look to Ms Wilden but I do believe that Ms Wilden was talking about up-to-date figures to give the committee the most recent figures in terms of we have an indication, we have a fairly good idea of what that amount will be, but in terms of answering the question fully we wanted to just go back and make sure we had the most up-to-date data from In the City. Is that correct, Ms Wilden?

**Ms Wilden:** Yes. In a previous answer I said that one of the differences is that we already have four staff. None of the levy will be spent on staff. That is the first fundamental difference. The levy at the moment—

**THE CHAIR:** Will 100 per cent of the levy be going back into programs and capital improvements?

**Ms Wilden:** There is probably going to be a small administration—

**THE CHAIR:** Minister, there was a nod there. Is that a yes?

**Mr Gentleman:** Apart from perhaps a small administration cost.

**THE CHAIR:** To what extent would that small administration cost be?

**Ms Wilden:** For example at the moment there is a \$25,000 administration fee for the administration of the performance and funding agreement and there will be a performance and funding agreement of some sort. We are just taking advice on that at the moment because the appropriation will actually be to the directorate who will then have an agreement for the CRA on how that needs to be spent. They are the technicalities of it but at the end of the day we have a levy that is currently funding salaries and office overheads and all those sorts of things. We will not have that as a required expenditure because there are already staff funded to do activation and other work and they will be taking on this function.

**MR COE:** Whilst there will be more money going into delivery that means it is actually going to cost more then, doesn't it? If there is still going to be the administration done then surely that means there is going to be additional expenditure for the area?

**Mr Gentleman:** We will be able to use those four staff in-house to do that work.

**MR COE:** That is right; but if, in effect, you are hiring public servants in addition to spending the levy does that not mean that the total combined expenditure is going to be more as a result of this?

**Mr Ponton:** It is important to note, if I may, that those people already exist and will be absorbed into additional functions.

**MR COE:** What were they doing that they will not be able to do now because of this new responsibility?

**Ms Wilden:** They are already working in this space. It is not like they do not know

how to do the work. It is not like they do not do the structures.

**MR COE:** I understand that they have been busy doing other things. What are they going to forgo in the future because they are now doing this as opposed to what they were originally hired to do?

**Ms Wilden:** They were originally hired to do city activation work, and that is what they will continue to do. The other thing to recognise is that programs roll in and out. For example, they are spending a fair whack of their time on the Haig Park master plan. That actually will come to an end.

But there is also the reality that when you do these programs you partner with other directorates. We have people from TCCS who are also involved in the master plan work. Part of the benefit of this arrangement is that you can collaborate with directorates to get work done. TCCS is one of the most obvious directorates where the work will just be rolled in with what we do.

This is about finding efficiencies. It is not to say that we are going to have to hire a whole lot of extra staff to do this. It will be done with the four staff in collaboration and with work hours from other directorates as we go forward. It is about recognising roles.

The other point is that you have other staff in the In the City program who have skills that can also be brought in to assist with the work. Again that is about the peaks and flows of the work we do. You schedule it in and you work out how to do what you have to do with the resources you have.

**MR COE:** Is that a headcount of four or FTE of four?

**Ms Wilden:** It is an FTE of four. One of those positions has been vacant because we had someone who got a promotion and went off to the commonwealth but that position is about to be filled.

**MR COE:** And they are permanent or contractors?

**Ms Wilden:** They are permanent.

**MR COE:** You said they were hired for the city activation originally, but originally there was also the outsourced In the City model. Were they actually working on CBD or the levy area activation before or is it—

**Ms Wilden:** Just to clarify, city activation, when it was first established, had one staff. That was within the office of the coordinator-general. As the work began to ramp up and we got funds to do more, I did an internal reorganisation and that was how it ended up going to four. That was actually looking at, “What is the work we need to be doing going forward?” There are substantial programs of works but again they come on and they go off. They come on and they go off.

Those four people also work with project managers. For Haig Park you will see the improvement works that have been done around the pathway and the lighting. There

is a project manager who, as one of his many projects, is actually running that as well. Particularly now that you have the City Renewal Authority, some of the work will actually be taken on by them as they have capacity and that will be up to the board and the CEO what the priorities of the authority are and how then the work is actually distributed between the teams. But they are already funded positions.

**MR COE:** I understand that there are efficiencies and there is expertise but I think it is important that we obviously acknowledge that is not necessarily like for like in terms of the scope of work that was done before versus what you are looking at doing beyond 1 July. Is that fair to say?

**Mr Gentleman:** I think we will be doing more work.

**MR COE:** That is right. That is the point. Therefore it is very hard to make a direct comparison between the current outsourced arrangement and the new in-house arrangement.

**Mr Gentleman:** Sure.

**MR MILLIGAN:** It seems to be a fairly hot topic that has been going on for quite some time. I would like to know a little more detail of the activities that you think CRA will be doing differently in comparison to In the City; and, more importantly, what do you think that In the City has done, or failed to do, to warrant the transfer of the levy to the CRA? What will happen to the staff currently employed under In the City?

**Mr Gentleman:** Activity first.

**Ms Wilden:** Can you repeat the question?

**MR MILLIGAN:** What other activities will the CRA do differently in comparison to what In the City was achieving; what areas did you see that In the City were failing in to warrant the transfer of the levy to the CRA; and what will happen to the staff currently in the In the City program?

**Mr Gentleman:** I will talk to the first part first if you like. In addition to the events that we have discussed that bring people into the city we will be doing the implementation of the city action plan. That includes continuing the conversation with the community on how, where and when a program of renewal and activation should be administered and the implementation of a renewed model specific to the Canberra market to facilitate the activation of vacant commercial space as well. They are two very integral parts there.

**Ms Wilden:** One of the important things about the CRA is that it is an opportunity to redefine what city activation is going to look like in the city. As to the question of what they did wrong, we were basically asked to do a review of the levy. Once it was understood that there was going to be a new City Renewal Authority that was really focused 100 per cent on the city precinct, it presented an opportunity to look at the administration of the levy within a single place. Advice was put to government on options and government chose to take this option. Our job now is to implement it in a

way that will be of benefit to the levy payers and the people who live and work in the city.

We will basically go through a process with staff of In the City to end their contracts. We have already said that if there are positions coming up that are available they are welcome to apply. We will make sure that they are aware of those positions but they will all be competitive processes. At this stage we are not intending to do any recruitment beyond the four positions that we have.

**Mr Gentleman:** Another important part in decision-making on this process is of course that we did not have the CRA before. It has new synergies that are available across directorates and also new commercial opportunities. That is where we see those administrative savings being of more benefit at the same time.

**MR MILLIGAN:** CRA is the new agency. Obviously new positions will need to be created to fill them but are there going to be any positions specifically created to maybe offer to In the City staff or potentially for them to apply for?

**Ms Wilden:** At this stage, as I have said, we have four positions that are being moved across from the office of the director-general into the CRA. One of the important things in the next number of months is actually going to be about understanding better what In the City was doing because, as I said, we did not always have visibility of a lot of the little things we were doing. We might hear that they were cleaning pigeon pooh and cleaning pavers. We need a little more clarity around that. We need some more robust information about what arrangements they had about who was being employed to do what. That will form part of our analysis going forward.

If it gets to the point where six months on it looks like there might be a need for additional resourcing, then that will be a matter for the CRA. But at this stage we have already said to In the City staff that we would like to work very closely with them to get more information because it is important to ensure that we identify the key work they have been doing that needs to move forward and continues to be paid for at that the level.

Our view is that we want to work cooperatively with them. We have put that offer forward and I am sure that they will take it up because they are very passionate about making sure that some of their key projects are continued.

**Mr Gentleman:** I should respond too to Mr Coe's statement about what they did wrong. They did a lot of very good events and we should thank the In the City group for the work that they have done. But there is a focus now and an opportunity for us with CRA to move forward and allow more of that levy money to be spent on activities and promotion in the city.

**MS CODY:** You have just discussed the work that you are going to be doing, evaluating how we move forward and how CRA improves provision of services to promote the city. Will some of those learnings flow through to activating other town centres across Canberra?

**Ms Wilden:** Absolutely. One of the key things is trialling different ways of getting

information out there as well as collecting the information. In terms of issues for town centres, there are some similarities. I would certainly think that there are a lot of really good learnings, not just for town centres but for the public realm in general.

**MS CHEYNE:** Will this require a legislative change to the Rates Act?

**Ms Wilden:** No. The provision to collect the levy is already there. As to who actually administers it, as I said, there is an agreement.

**MS LAWDER:** I have a follow-up, before my substantive question. To go back full circle to the bins in Braddon, where I think Ms Cheyne started off, it would seem that, over time, as the businesses in Braddon change, from garages and car service places to food and beverage, hospitality and some residential, why is it that it was so hard to get bins? Why is it that a levy has to be imposed? Is that a model that applies in other town centres or other areas where there are a lot of food and drink places?

**Mr Gentleman:** I think the bins were a decision made by TCCS at the time. With the availability, of course, it is a bit like building structures. If you build something, people will come. If you put bins out there, people will use them, and sometimes not in the best way. Braddon has a really good history of, as you have said, formative change, from its very early days as an automotive area—and I remember it fondly—when there was hardly any dining at all. In fact Louie's cafe was the only place that you could get a toasted sandwich. Now it is incredibly different, which is great. But that is the change in its use and, of course, we do need to provide opportunity for people to get rid of their rubbish. We do hope that in most cases people will take their rubbish with them and dispose of it appropriately.

**MS LAWDER:** Obviously, that has not been the case in Braddon. The businesses have been calling for bins for some time. My question remains: is it normal to charge for the provision of bins in a busy food and beverage area and does that apply in any other areas across Canberra?

**Ms Wilden:** The provision of that sort of infrastructure primarily sits with TCCS. We would need to take that on notice in terms of how they manage the prioritisation and allocation of bins across the area.

**MS LAWDER:** You seem to feel it is a good or relevant use of the levy to provide bins?

**Ms Wilden:** What the levy can be spent on in terms of the agreement is fairly broad. In the City took the decision that that was a priority that their levy payers had; therefore they were prepared to use the levy to do that.

**MS LAWDER:** We could talk about this for some time, but I will continue. My question is about the introduction from 1 July of a huge increase in the codified lease variation charge for unit titling. In your introduction, minister—and I am not sure if it is a direct quote but I tried to write it down—you talked about innovative approaches to community engagement. But we heard last Friday—Friday a week ago—from the MBA and the Property Council that they certainly were not engaged with or consulted about this enormous change. It was quoted in the *Canberra Times* as saying:

They also accuse the government of attempting to feather its own nest, by making its own land in the Northbourne corridor, the Fluffy blocks and new suburbs the only land viable for redevelopment.

Can you talk to us about what you mean by innovative approaches to community engagement and how or why that did not happen in the case of this enormous increase in the lease variation charge for units?

**Mr Gentleman:** We continue to have conversations with those key stakeholders in regard to these proposed changes. The direction I was giving in my speech was more about how we engage with the community. What is well known, I think—and you would bear witness to this, at the Tuggeranong Community Council—is the engagement process through community councils, and the opportunities that they have taken up in communicating with a younger demographic. We want to do the same thing.

We saw in one of the most recent community council meetings that they have a youth committee. They invite young people from schools to come to talk about their issues and the opportunities for young people, too. We want to do that from a government perspective as well, and there are better ways of doing it than we currently do. We have already seen that. In fact you saw at Tuggeranong Community Council a young person had their updated flyer from the government that they had just rescued from the recycling bin because normally they just throw that stuff away. We need to find ways of communicating with that younger demographic and the people who do not normally use printed material, and that is the real crux of what I was saying in the speech.

**MS LAWDER:** So what you are saying is that you are not interested in engaging with or communicating with bodies such as the MBA and the Property Council?

**Mr Gentleman:** Not at all. In fact I have had a number of recent meetings with both groups.

**MS LAWDER:** I am sure you have.

**Mr Gentleman:** They are quite excited about the plans for the future of Canberra. Indeed where there are issues that arise, such as these issues—we always talk about LVC—there may be opportunities to make it a little bit easier for them while still respecting the need for a lease variation charge.

**MS LAWDER:** What impact assessment did you do before deciding on this change, to look at how that would affect other people in this space as opposed to the government land, the inner corridor and the Mr Fluffy blocks? What assessment did you do other than a strictly financial gain assessment and are you able to table that information?

**Mr Gentleman:** These are matters that our colleagues in treasury have been working through, but I will take that on notice and get a response from treasury for you.

**MS LE COUTEUR:** Can you take the full modelling, so that you are looking at how many blocks the government expects this will be used for, and what impact that is having on the number of infill developments? Presumably, you guys provided the expertise behind that. Treasury could not. You must have done the substantive work on that.

**Mr Gentleman:** Certainly. I will get the detail of that for you and come back.

**MS LAWDER:** Thank you. Finally, how does the introduction of this enormous increase in the codified lease variation charge for unit titling align with the government's policy of creating more affordable housing?

**Mr Gentleman:** Again I will take that on notice, talk to my treasury colleagues and come back with an answer for you.

**THE CHAIR:** Who ultimately was responsible for setting the new codified unit titling fee under the lease variation charge? Is it a decision of the planning directorate, your directorate, minister, or is it a treasury decision?

**Mr Gentleman:** A decision of government.

**THE CHAIR:** Of government? What input does your department have in the decision-making process on whether or not to adjust the fee?

**Mr Gentleman:** The directorate gives advice to cabinet on their decision-making for the future.

**THE CHAIR:** What modelling was done on the impact of increasing the fee from \$7½ thousand to \$30,000 per unit?

**Mr Gentleman:** As I said I will talk to our treasury colleagues and come back with a detailed answer.

**THE CHAIR:** What modelling was done by your department in respect of that decision?

**MS LE COUTEUR:** As we said, your department must have had the expertise, because treasury clearly would not have this expertise.

**THE CHAIR:** Yes, Treasury is always looking at new ways to raise revenue.

**Mr Gentleman:** Mr Ponton—

**THE CHAIR:** But obviously there is a need to look at what impact that has on—

**Mr Ponton:** Our colleagues in treasury do in fact have the expertise in relation to modelling. We did provide data in terms of the number of dwellings that may be impacted, or the number of blocks and DAs—

**MS LE COUTEUR:** That is the question, really.

**Mr Ponton:** So it was raw data. We did provide that in terms of raw data, and our colleagues in treasury then worked through that and arrived at the recommendation to government in relation to the increase in LVC. As the minister said, in terms of providing more robust information to the committee for their benefit in their further deliberations, it would be best if we liaise further with our colleagues, take that on notice and provide the information to you.

**MS LE COUTEUR:** But you could provide the information that you provided to treasury about the number of blocks that would be affected?

**Mr Ponton:** In terms of the number of DAs, absolutely, yes.

**THE CHAIR:** What is the number of DAs that, in the last year, would have been in that category?

**Mr Ponton:** I would need to—

**Mr Gentleman:** We will take that on notice, as we said, and come back to you with a detailed answer.

**THE CHAIR:** If you are going to take it on notice, instead of just 12 months, can we perhaps look at the past three to four years?

**Mr Gentleman:** Sure.

**THE CHAIR:** Just to get a bit more of a longitudinal view of that.

**MS LAWDER:** I want to ask about land release in relation to Kenny. I know there was discussion about it as far back as about 2011, at least. Can you give us an update on where the development of the new suburb of Kenny is up to?

**Mr Gentleman:** Yes, I can, Ms Lawder. Mr Tennent will have the details for you.

**Mr Tennent:** Kenny still remains very much in the early planning pipeline. In order to progress planning around Kenny, we have put it onto year 4 of the land release program. Quite typically, when development opportunities go onto year 4, the precise detail is not generally agreed at the time, and it basically triggers a much higher level of due diligence. At this stage there are no firm details on the precise locations of future development there.

**MS LAWDER:** I note that the Gungahlin strategic assessment annual report of 2015-16 says:

The development of Kenny has been delayed due to development constraints identified on the site. Further work is being undertaken ...

Could you explain what the development constraints are that are referred to in that report?



**Mr Tennent:** Yes. The development constraints are largely the aquifer that exists within Kenny, from Mount Majura as it heads down towards Sullivans Creek, a highly important consideration when it comes to the environmental considerations of Kenny; hence we are putting it on the program to allow that next level of due diligence to see what sort of development opportunity there might be there.

**MS LAWDER:** Has there been a Territory Plan variation including Kenny at this point?

**Mr Tennent:** Not at this point.

**MS LAWDER:** Do you have any idea of when that would be?

**Mr Tennent:** Typically, a Territory Plan variation would be sought once we have full details of the site. Territory Plan variations typically take around 12 months, so we would still be a couple of years away from any consideration of a Territory Plan variation in Kenny.

**MS LAWDER:** How do you expect to overcome the development constraints such as the aquifer?

**Mr Tennent:** We will rely on the expertise, obviously, of the people who will be engaged by the suburban land authority. We are, of course, the land strategists, so we are mindful that there is a possible opportunity in Kenny, and putting it on the program then allows that level of due diligence to commence. In terms of the precise solutions as to how we might overcome the issues, we need to fully understand what the issues are before the authority might consider how they might like to go forward with Kenny.

**Mr Bulless:** Ms Lawder, I will just correct that statement. Going forward from 1 July, the responsibility for the planning and due diligence will rest with the directorate. All of that preparatory work, studies and solutions around engineering outcomes et cetera would be advanced by the directorate, with advice to cabinet and the minister. The SLA, after that point, assuming that government wants to release that land, would just deliver the land, the civil works and the sales.

**MS LAWDER:** My colleague Ms Le Couteur referred earlier to the CRA and SLA board about environmental sustainability. I am sure she is concerned environmentally as well. Is it possible in any way that Kenny may not take place, given that important aquifer?

**Mr Bulless:** In terms of the development, yes, it is possible. One of the reforms that have come out of the new arrangements applying not only to the new agencies but to the directorate is that the advice from the directorate is now sitting under one deputy director-general. In terms of the land, environmental and planning outcomes for the directorate, the advice that goes to government will be coordinated, so that there is a fully articulated piece of advice to government for it to consider. We will balance all of those factors in terms of that advice. Ultimately, it will be advice for cabinet's consideration of if and when to release suburbs like Kenny.

**THE CHAIR:** We will adjourn for a morning tea break.

**Hearing suspended from 11.01 to 11.16 am.**

Appearances:

Berry, Ms Yvette, Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Women and Minister for Sport and Recreation

Environment, Planning and Sustainable Development Directorate

Ponton, Mr Ben, Director-General

O'Neill, Ms Carolyn, Senior Manager, Land Development Governance Project

Chief Minister, Treasury and Economic Development Directorate

Bulless, Mr Neil, Acting Chief Executive Officer, Land Development Agency

Tennent, Mr Simon, Acting Director, Strategy and Program Design

Gordon, Mr Tom, Executive Director, Greenfield, Land Development Agency

Collett, Mr David, Executive Director, Public Housing Renewal Taskforce

Bailey, Mr Daniel, Executive Director, Sales, Marketing and Property Management, Land Development Agency

**THE CHAIR:** Welcome to the second session of today's hearings. In this session we are going to be looking at the Land Development Agency's statement of intent—it is a discontinued agency—and also the Suburban Land Agency. We have Minister Berry here. Minister, do you have an opening statement?

**Ms Berry:** I do, thank you. Thanks for giving us the chance to appear before you today. This budget confirms the ACT government's commitment to facilitate the growth and long-term prosperity of the ACT. As you would be aware, this budget reflects the new arrangements for land development in the ACT, with the creation of the Suburban Land Agency and the City Renewal Authority. I understand that Mr Gentleman was here earlier taking questions on that.

The Suburban Land Agency will support land development within our new and existing suburbs which enables affordable housing and a safe, healthy population, social inclusion, housing choices and environmental sustainability. The government will soon release a statement of expectation which will guide the new agency's agenda for the year ahead. The new board brings its skills and expertise to deliver innovative solutions to land development in the territory, which is particularly important as the government moves towards a new housing strategy and new affordability measures.

We are committed to the efficient and timely development of land to meet the current and future needs of our city. Major developments planned for 2017-18 include the continued release of Throsby and Taylor; the development of Ginninderry; the sale of sites listed in the asset recycling initiative, including the Red Hill public housing precinct; and affordable housing initiatives.

Undoubtedly, one of the success stories of the LDA has been the mingle program, under the Suburban Land Agency. This program will continue its widely applauded work, building vibrant communities through a range of activities such as new residents programs, family events and working groups. Ensuring that our communities

are fully engaged has been an ongoing commitment of this government, and I look forward to the continued success of mingle into the future.

The ACT government is committed to integrity throughout its operations. As such, ensuring that we have appropriate governance for the new entities has been paramount. The budget has provided significant resourcing for a strong and effective government oversight function in the Environment, Planning and Sustainable Development Directorate, which will work closely with the new entities.

Once again I thank you for the chance to appear before the committee today. Chair, I have some answers to some questions that were taken on notice from the previous hearing. We can provide that information for the committee now.

**THE CHAIR:** If they were taken on notice, the preference normally is that they are given back in a written form.

**Ms Berry:** We can give it to you now. It is just numbers.

**THE CHAIR:** The preference is that they are submitted in a written format, please, so that they can be put back in the minutes in the right position.

**Ms Berry:** Fine. I just thought we would get it out of the way. That is all right.

**THE CHAIR:** Ms Cody, a substantive question from you to kick off?

**MS CODY:** Sure. I note that on page 60 of budget statements E, you talk about some of the things that the Suburban Land Agency is doing. A couple of the dot points that interested me are about affordable housing. I was wondering, minister, if you could give us an update on the work you are doing on the new housing strategy in relation to affordable housing.

**Ms Berry:** Thank you for the question. Yes, we have been working hard within the areas that I am responsible for in bringing together a group of individuals in the ACT and the broader community to talk about the development of an affordable housing strategy. That was a commitment that was made in the election and is also part of the parliamentary agreement, so we are keen to keep going with the work that we have been doing in that space.

What I have done, with the advice of the experts in the sector, is set up an advisory group. The advisory group consists of Travis Gilbert from ACT Shelter; Adina Cirsin from the ACT Property Council; Christine Shaw from Luton real estate; Chris Redmond from Woden Community Service; Professor Meredith Edwards from the Institute for Governance and Policy Analysis at the University of Canberra; Neil Skipper from Havelock Housing; and Leanne Hardwicke from the ACT chapter of the Australian Institute of Architects. We also will soon have a couple of public housing tenants that will join the advisory group.

What I have attempted to do with this part of the conversation is have a group of people who would not normally get to sit down and hear each other's stories or share their experiences of affordable housing, and then work towards a strategy that

everybody can agree on. People will come to the advisory group with different perspectives, but at the end of the day we want all those different perspectives to come together and move towards a summit later on in the year, when we will be able to work on a strategy for affordable housing—and social housing as well, because we do not want to exclude that from being part of the conversation. So far we have had four meetings. Mr Tennent, do you want to add something.

**Mr Tennent:** I am the acting director of strategy and project design, and I am also responsible for affordable housing policy. The four initial ministerial advisory groups have taken place. The topic of conversation within those particular meetings was informed by Minister Berry's first community consultation that took place back in July of 2016. Clearly there was a real desire to focus on households in the lowest two income quintiles. The existing affordable housing strategy has existed for the last 10 years. It has been an all-of-market response. The refocusing is very much on the lowest two income quintiles. The experts in the room have been very forthcoming on their experiences and have provided us with a lot of material to go to phase 2 of what will be a quite involved community consultation process.

There is the housing and homelessness summit, which I think is scheduled for October; that is a key date for us as well. And we would be looking to bring forward in the next budget a number of initiatives that will start to address housing stress for those in the lowest two income quintiles.

**MS CODY:** Thank you. Sorry, you are looking forward to bringing together some what? What was the last statement? I just missed the end.

**Mr Tennent:** Budget initiatives in the June 2018 budget related specifically to housing and affordability.

**MS CODY:** Thank you. Can you expand a bit more on the homelessness summit that was mentioned?

**Ms Berry:** As I said, it is part of the parliamentary agreement, and an election commitment which we are meeting. We are taking the advice of the advisory group and others in the sector about the best way for us to go forward with a summit. But rather than people coming to a summit and learning about what is happening in the ACT and the country in affordable housing and homelessness, we want people to come to the summit already with that information at hand so that they are ready to be part of the decision-making process. At this stage, we are really just putting together information in a way that can be consumed, providing as much detail as we can before the summit through lots of different kinds of focus groups. The advisory group are really leading the way on how we should progress with that.

As to the summit itself, we do not yet have a lot of detail about where that is going to be. We are still deciding where would be the most appropriate place, in consultation with this group and other individuals, and deciding about the format of the summit. We are still working through what is the best way of forwarding that. I did not want it to be an ordinary summit and, talking to the experts in the group, we did not want it to be an ordinary summit where people come along, you come up with a document and people go away and that is the last thing you hear about it. We want it to be an

ongoing, continuous piece of work where we check back in with the sector to see how we are going with the outcomes that we have developed through the conversations we have had so far and through the summit, to see if it is working.

**MS CODY:** I have one more question that you may or may not know the full answer to. Have you thought about the types of people that would be invited along to the summit or is that still growing and moving?

**Mr Tennent:** That will be informed by our consultations going forward. As the minister said, we wanted to get the views of an independent advisory group for starters, those who have expertise not just in homelessness services and community housing but also in built form. From those particular meetings, names are flying around. Obviously there are some key players within the ACT that have got a lot of experience and history with housing those most in need. They will certainly be at the table in the lead-up to the summit. As to what the final make-up of the program and the summit look like, we are still giving ourselves a number of months to ensure that the advisory group are along for the journey.

**MS CODY:** Thank you.

**MS LE COUTEUR:** You were talking about currently having working groups on affordable housing and that one of the ideas about doing this was to inform the debate. My question is: will you be publishing, making available to the community as a whole, the information that this group is getting together? Will the minutes be published? Will materials or papers be in any way published for a community debate?

**Mr Tennent:** Yes. I can confirm that currently, following the completion of the fourth ministerial advisory group, we are now working on material to take to a public audience. There will be a public discussion paper.

**MS LE COUTEUR:** Great.

**Mr Tennent:** And there will be many opportunities for public consultation. We are proposing a number of different ways of getting to the public, from some of the newer electronic means right through to the good old-fashioned drop-in opportunities. All of these will be developed as part of the engagement plan, which has gone through a number of iterations but is still being worked on and will be with the minister shortly.

**MS CODY:** That is excellent. The current advisory group—is that the group you mentioned before, minister? Is that also available on the internet—information about the people that are sitting on that advisory group? Or is that something that—

**Ms Berry:** It will be now, because I just listed them all.

**Mr Tennent:** At this stage, they are not publicly listed. I guess it has just been a thought process, but now the terms of reference are being locked in, and there is the role of the advisory group going forward, following their initial sharing of ideas. This is going to be a lot clearer in the coming month.

**MS ORR:** You started to list some of the ways you were looking at engaging with

people on this. Can you provide a bit more of an overview of what you are looking at at this point in time in the sense of engaging on the housing affordability work that you are doing?

**Mr Tennent:** Yes. The engagement strategy, as I said, is currently being worked on. There are some very clear industry and community sector representative groups that have been quite vocal about housing affordability in the past. They will certainly be key stakeholders in the consultation process. As I have mentioned, and as the minister mentioned, we do not want to keep hearing from the same old faces, so we are absolutely opening it up. There will be an opportunity on the your say website. There will be an opportunity also, as I mentioned, for some scheduled drop-in sessions.

Rather than just describing housing affordability as one single thing and having people coming in and sharing ideas, we will try to better target some of the issues related to housing affordability, from affordable home purchase for moderate income earners right through to private rental solutions and then the all-important community housing sector, as well as homelessness and housing assistance. We will try to really target those particular sessions. They will be well and truly promoted and advertised publicly, and there will be opportunities for anyone to come and share their thoughts. The thoughts obviously will be collected. They will be presented back not only through government but also through the advisory group, and this will form what we will then take to the larger summit in October.

**MR PARTON:** It sounds like a robust process and I commend the minister and the directorate for the way you are going about it. Is it indicative of a genuine appetite for policy change as a result of this consultation? That is, I guess, what I would like to know.

**Ms Berry:** I think there are two things that brought us to this way of having a conversation with the community. If you hang around the same people and get the same story all the time, not much is going to change. I do not agree, and the ACT government does not agree, with the ACT Property Council's position regarding negative gearing and capital gains tax. We are very clear on both our very different positions in that space. But the Property Council has a very important role to play in the delivery of public housing and affordable housing in the ACT. It is important that we have them at the table, but it does not necessarily mean we are going to agree on everything. We do not. That has been made very clear by each of us on a number of occasions.

This conversation for the ACT is timely because after a number of years of agitation by state and territory ministers around housing, with a national partnership agreement that was going to expire, we have now been successful in getting that carried over into a national agreement on housing. That is going to be up for renegotiation as well. The timing of that conversation, the affordable housing summit and the conversations that we are having with the advisory group and others put us in a really good position to be very clear about what we want to see in the affordable housing agreement that we renegotiate with the federal government.

**MS LAWDER:** In the budget papers one of the strategic outputs is to support competitive land development. The objective is to achieve satisfactory returns on the

sale of unleased land. How do you balance that with the objective to provide affordable housing, especially supporting young people and first home buyers?

**Mr Gordon:** Could you repeat the question, please?

**MS LAWDER:** Yes. I was interested to see how you balance the objective to achieve satisfactory returns on the sale of unleased land as opposed to the objective to provide affordable housing with a specific focus on perhaps young people and first home buyers.

**Mr Gordon:** I think with all developments there are many opportunities and constraints that feed into a project. Affordable housing is one of those. We look at performance margins for a return on the individual developments. The board will look at those margins, determine what is appropriate for that project and consider the opportunities and the constraints that are provided in that project. Those margins are considered by the board as to whether, yes, this is appropriate for that development.

**Ms Berry:** I think it is an interesting question, though, in looking at how you can develop affordable housing. What does that mean? What responsibility does the developer or the owner of the land then have in making sure that after it is built the house is affordable, and will it continue to be affordable?

One of the projects that we are looking at through the parliamentary agreement is a housing model called Nightingale. One of the things that is interesting about that is that it really pushes the developers to think differently about the profits that they can make from housing—actually changing the way that they are thinking when they develop this particular product which meets the needs of a particular cohort of the community. It is not going to suit everybody, but it really makes the building owners, the architects and everybody who is part of that project think differently about their profit margin.

**MS LAWDER:** Is that model, the Nightingale model, the one that Mr Rattenbury referred to when he was questioned about his ownership of a property in the Northbourne Avenue precinct?

**Ms Berry:** No, it is different.

**MS LE COUTEUR:** I would love to continue with housing affordability. I applaud the greater consultation that is going to happen. My question relates to the LDA speculative purchases of rural land to the west of the urban areas, specifically Lands End, Milapuru, Fairvale and Huntly. At the annual report hearings we heard from EPSD that there was no planning support for this land being developed because the western edge study has not yet been done. But on the same day we were told by Economic Development that the LDA was continuing to pursue Huntly. Is the SLA going to continue working towards the development of these areas?

**Mr Bulless:** I think it is important to note that the acquisitions made by the LDA over the last few years are in the context of the existing planning environment, which dates back to 2004. The spatial plan of 2004 clearly articulated areas of future urban growth on the western edge of Canberra sitting within the urban growth containment line as it



is articulated in the map in that document.

The acquisitions have been within that containment line and those relating to Glenloch and Wintergarden actually fall within the residential intensification line. So they are consistent with the planning documents articulated by the government and reaffirmed in the 2012 planning strategy, which identified an area to the western edge for future urban use. In terms of the question on whether the SLA will continue to have a role in that, as we alluded to in the previous sitting, the change of governance arrangements applying to land development from 1 July will mean that any acquisitions considered by government will be undertaken by the directorate. In terms of the assessment—

**MS LE COUTEUR:** By the directorate, sorry?

**Mr Bulless:** The EPSDD. The role of SLA going forward is that it will have the mechanism to acquire a property if it is agreed to by the government. It is very different to the LDA model. It is clearly articulated in the objects of the act. The role of the directorate will be to consider possible acquisitions. For example, if a lessee comes to the government looking to sell their property, that will involve undertaking an assessment consistent with the planning framework and also the objects in terms of what we are achieving by purchasing that property. It will then advise, through the minister, and the government will make a decision on whether or not to acquire the property. The SLA's only role will be the mechanism to acquire that property. It will not have a decision-making role and it will not be assessing or undertaking any other roles that have previously been undertaken by the LDA.

**MS LE COUTEUR:** That will all be done by EPSD?

**Mr Bulless:** Yes.

**MS LE COUTEUR:** You talked about this area having been planned since 2004. I will do some looking to see whether I totally agree with that, but—

**Ms Berry:** We can send you the link.

**MS LE COUTEUR:** Yes, that would be great because there was somewhat contradictory evidence given in the annual reports hearings. But if it has been planned since 2004, how is it that there have been longer term leases given to landholders in that area? Once upon a time I think most of Gungahlin was on 99-day leases. The longer leases mean that the ACT government is paying substantial amounts of money for this land. If, in fact, we planned for it so long ago, why are we paying out long-term leases which we created?

**THE CHAIR:** Just before we kick off there, could I confirm that the provision of that link will be taken on notice?

**Ms Berry:** Sure.

**MS LE COUTEUR:** It is effectively the *Canberra Times* story. I am asking why. If it was in 2004 that we worked it out, why are we doing this now?

**Mr Ponton:** Thank you, Ms Le Couteur. Mr Bulless has referred to the 2004 spatial plan that did identify the western edge as a potential future urban area and the 2012 planning strategy that identified the area where the work would need to be undertaken. I would need to go back and look at the record in relation to exactly when those 99-year leases were issued, whether it was before or after the 2004 spatial plan. I know that it was certainly in the early 2000s, and some were in the late 1990s. But can I take that on notice and go back and check the record?

**MS LE COUTEUR:** Thank you. That would be great. Clearly the properties which have been purchased are not the only potential areas if Canberra keeps on expanding. How are you managing the risk of speculators purchasing rural land on the outside of Canberra? I know that in Sydney and Melbourne that is one of the real costs of their expansion. It has not been in Canberra in the past because they have been short-term rural leases. How are you managing this to keep housing affordable?

**Mr Ponton:** In reality it is difficult to prevent people from purchasing land with the expectation, based on government policy, that they may be able to develop it or make a profit at some point in the future. We are seeing that even now in relation to the Northbourne Avenue corridor. As a result of the government's decision to invest in public transport infrastructure, we are seeing people developing or purchasing land and developing in that area. It is difficult to absolutely prevent speculation. I guess at this point all that we can do in relation to the planning side of things is to identify where, and contain where, we think that future expansion might be so that we do not end up with uncertainty around where the future growth of the city will occur.

**MS LE COUTEUR:** Will you be looking at providing advice on the length of leases in areas which have been identified as potential future urban areas? Presumably you would have, as the Gungahlin 99-day—

**Mr Ponton:** Already in the territory there are three-month leases, there are 10-year leases and there are 99-year leases. Where the 99-year leases are already occurring or have been granted, that is where it is going to be more difficult. Certainly where there are three-month leases or 10-year leases, the opportunity is greater for the government to control.

**MS LE COUTEUR:** Yes, and I am not seriously suggesting that all rural land should be on a three-month lease. That is obviously a ridiculous concept. I am not trying to say that. I am just thinking in these terms: if you have identified areas, clearly we have a lease variation charge further downstream. But this is sort of below the re-zoning stage, where clearly land has been purchased in the anticipation of potential windfall profits being made.

**Mr Ponton:** I guess all I can say is that if we draw a line in terms of what has occurred, as I have pointed out, there are currently three-month leases, 10-year leases and 99-year leases. Where there are 99-year leases, we have to deal with those, should the government choose to be the developer, as we move forward into those areas. Where the government identifies future expansion opportunities into the areas where there are currently 10-year or three-month leases, there is certainly the opportunity to really explore ways to prevent speculation.

**MS ORR:** I pick up on the theme of the greenfield releases that we are talking about. Are you able to give me an overview of what land is actually sitting in the greenfield pipeline at the moment?

**Mr Tennent:** We have a pipeline which is measured by a planner's pipeline, a developer's pipeline and a builder's pipeline. That acknowledges the progress of land as it goes through those various levels of development. We currently in the greenfield have 15,450 dwelling sites. These are potential dwelling sites. Obviously, as more due diligence occurs those yields can change, but there are about 15,450 in that pipeline. Currently in the developer's pipeline, which is land that is entering the estate development plan process or, indeed, is actually undergoing site servicing, we have 7,234 sites. In the builder's pipeline, which is land that has gone out the door and has not yet been completed, we have 4,150 dwelling sites.

Sorry, this was a question that was asked in the last hearings that I did not have the answer to, but I do now. It is the englobo joint venture land that is in the pipeline. There are currently five different estates there; 5,500 are in the planning pipeline, 5,308 are in the developer's pipeline and the builder's pipeline is about 341 sites. That is a reflection of the construction activity that is happening out in Denman Prospect just at the moment.

**MS ORR:** Where around Canberra are the majority of those sites? Obviously I represent Yerrabi. At Gungahlin we have a lot of building. How much is left in Gungahlin and for how much of it are we going to start looking elsewhere?

**Mr Tennent:** There are just a couple of suburbs left in Gungahlin. I will call those up. In Gungahlin it is the suburbs of Taylor and Jacka that are currently on the land release program. Jacka is listed for 2019-20. Taylor is happening as we speak. That will continue over the next four years. We also have Throsby releases over the next four years—I guess the remaining parts of Throsby, including a community facility site. Then we also have Kenny appearing on the fourth year of the land release program. As I mentioned earlier, it is very much on the early due diligence side of things.

**MS ORR:** Would they fit into the planning section of the pipeline? Would they be in that 15,450 or would they fit into other parts of the pipeline?

**Mr Tennent:** They would fit into predominantly the developer's pipeline; so those either being serviced as we speak or EDPs that are pending.

**MS ORR:** With the 15,450 sites, whereabouts are you looking at locating them?

**Mr Tennent:** Those sites are spread wide. If we talk specifically about the planner's pipeline, we have got Jacka 2; we have got Denman Prospect 3; we have the Molonglo commercial centre, which will have some residential in there. Molonglo 3 has a yield of around about 9,500. North Weston still has 400. In terms of Gungahlin, most of it is sitting in the developer's pipeline, reflecting the maturity of that particular district as we get to the tail end of it. Those particular releases, as I mentioned, will be Taylor stages 1, 2 and 3. Throsby still has 1,000 currently in the

developer's pipeline and then we have four stages of the suburb of Whitlam which are currently in the developer's pipeline again, which is around about 2,100 dwelling sites.

**MS ORR:** Okay.

**MRS DUNNE:** Can I go back to the questions that Ms Le Couteur asked and ask: in the short to medium term what are the policies for managing the rural land that has been acquired? Some of it is outside the building envelope but I would like a quick rundown on what the management policies are and how it is being managed.

**Mr Gordon:** The land primarily sits as rural land and will continue to be used for rural purposes. The management of that is undertaken by various forms of licence for or subleases on the land, and they will continue to be in place until such time as they are deemed necessary to change.

**MRS DUNNE:** Could you go through some of those? There is Wintergreen, which is in Cook, which is in the building envelope but is not designated residential. How is it going to be managed?

**Mr Gordon:** That has a sublease on it at the moment and there is opportunity within that lease for us to withdraw land as necessary. I think there are some works that go along William Hovell Drive and the intersection of John Gorton Drive as it approaches William Hovell. There will be works that will be undertaken there. There is water supply that comes through that land down to the top end of Molonglo 3, I think the suburb of Whitlam. It comes through into that area. It will be managed in the same context as it has been in other years and, as there is a need, land will be withdrawn from it.

**MRS DUNNE:** Glenloch comes into the Molonglo 3 development, does it not?

**Mr Gordon:** Yes it does. Currently the existing licence on it has expired and the resident has left, the one that was on it. It will be looked at in terms of, again, the short-term management of either a licence for or a lease or sublease on the land.

**MRS DUNNE:** There is still stock on it at the moment?

**Mr Gordon:** Yes, to put stock on it.

**MRS DUNNE:** There is stock on it at the moment?

**Mr Gordon:** Around it or actually on it?

**MRS DUNNE:** On it?

**Mr Gordon:** I would need to take advice on the stock levels.

**MRS DUNNE:** There is Huntly as well. What is the arrangement for Huntly?

**Mr Gordon:** Huntly has a sublease on it, again to manage the property in the same manner it has been for many years. It will run stock on that.

**MRS DUNNE:** What about the historic home?

**Mr Gordon:** Currently it is not occupied. LDA is putting a bit of money towards ensuring that repairs are done and maintained so that the property retains its heritage value.

**MS LE COUTEUR:** Can I ask: what are the financial arrangements, given that traditionally rural industries have not been the most profitable? Is the government making money out of these? Is the government subsidising it? Do you have a rate of return that you are looking for?

**Mr Gordon:** Longer term, there is a process of going through and bringing those into commercial arrangements. In the shorter term, as we pick them up, we have got management issues. We have to manage the requirements of bushfire and weed infestation and things like that. We will continue to have licences on that to ensure that those things are occurring.

That comes at some cost to us if we do not have someone on the property. Having someone on the property does manage it in that way. With Huntly we were able to go out to the market and test the market's response to taking on a property, and there is a commercial sublease on that land.

**MS LE COUTEUR:** The aim for all the land is that you will not be subsidising their operation?

**Mr Gordon:** Generally that is the case.

**THE CHAIR:** Can you please provide for the committee's benefit, with regard to the rural leases that the LDA had acquired and that have been either sublet or have someone living on or using the land under licence, the value of those contracts, individually?

**Mr Gordon:** Yes.

**MR COE:** I have a supplementary. For Huntly, was a new lease issued or was the former rural lease transferred?

**Mr Gordon:** Sorry?

**MR COE:** For Huntly, was a new lease issued or did the former rural lease transfer to government ownership?

**Mr Gordon:** The lease was purchased by the LDA. The lease transfers and then there is a sublease on the land.

**MR COE:** It is still the original rural lease in place right now?

**Mr Gordon:** Yes.

**MS LE COUTEUR:** Is there any proposed subdivision of that lease?

**Mr Gordon:** At this point, no.

**MR COE:** Are you sure that lease allows for subletting?

**Mr Gordon:** We have gone through the planning agency to organise a sublease. We have used the government solicitor's office's advice to do that.

**MR COE:** It is my understanding that rural leases could not be sublet.

**Mr Gordon:** I think they have an assignment clause, and if it is run through the planning authority I think that is allowed.

**MR COE:** What compliance is there with regard to each of those land management agreements?

**Mr Gordon:** The properties that we acquire will continue the land management agreement. We have responsibility to ensure that, whatever the requirements of the agreement are, they are undertaken. Where we enter into a licence or a sublease, those responsibilities remain with the LDA but the actual activities undertaken are done by the sublessor or the licensee.

**MR COE:** My substantive question is: what is the current status of the land acquisition policy framework?

**Mr Bulless:** The framework still applies and will apply till 30 June. As you might recall from our annual report hearing when you asked a similar question—"Is the LDA complying with it?"—yes we are complying with the framework and it will continue to apply until it ceases to exist on the 30th.

**MR COE:** What notification has there been that it will not exist beyond the 30th?

**Mr Bulless:** The framework is, I think, a notifiable instrument which expires on the 30th. I understand there are some arrangements embedded in the new legislation that require reporting of acquisitions. I think it was some of the amendments made to the act. The SLA will comply with those when it commences from 1 July.

**MR COE:** But how does it expire on 30 June? What is actually the mechanism for its expiration?

**Mr Gordon:** I will get advice on this but I understand that it applies to the LDA, and when the LDA ceases to exist with the new legislation applying from 1 July that framework will also cease to exist in its current form.

**MR COE:** Is it the intention to put in place a new notifiable instrument?

**Mr Gordon:** Others can answer that question as well. I just make the point that under the new governance framework the SLA has no power to go and acquire land in its own right. Its power is delegated to it by the minister.

**MR COE:** I understand the directorate is now going to be doing that. You could have a framework that governs the directorate as well. I am curious: what is actually going to be the policy framework that directs the directorate?

**Mr Ponton:** In short the answer is yes, there will be a new instrument because the act requires us to do so.

**MR COE:** When will that be operational?

**Mr Ponton:** We are working on that so that it is operational very soon after 1 July.

**MR COE:** If the act requires it, it has got to be in place on 1 July, is that correct?

**Mr Ponton:** 1 July is a Saturday. I expect it might be the Monday but I might look at that question.

**MR COE:** But it has been written and it is good to go?

**Mr Ponton:** It is. We are currently settling all the relevant documentation that is required for 1 July.

**MR COE:** How will it differ in practice or in principle from the thresholds that are listed in the existing one?

**Mr Ponton:** It is currently being prepared for consideration by ministers. I would not want to pre-empt the decision of ministers.

**MR COE:** But are we likely to have a five, a five to 20, and a 20-plus threshold?

**Mr Ponton:** I might ask my colleague Ms O'Neill to come to the table. Ms O'Neill has been working on all the relevant documentation for consideration.

**Ms O'Neill:** The short answer is, as already touched on, the new legislation that comes into effect on 1 July requires that that framework be established. The thresholds that it may set, as to whether it accords with what is currently in place, are for active government consideration at the present. So I cannot comment on what the terms of that framework will be but the government will meet the requirements of the legislation as passed.

**MR COE:** This is obviously the estimates process for the next financial year. It has been something which has been central to this whole issue. Is it really going to be the 11th hour before this critical issue is actually addressed?

**Mr Ponton:** There were a number of matters that needed to be addressed once the legislation was passed, and we have been actively working on all of those aspects. There are a number of documents, delegations and the like. We have been working through assets and relevant instruments. It is getting very close but, as Ms O'Neill said, it really is a matter for the relevant minister or ministers in relation to making those final decisions. Our advice will be provided to them as soon as we practically

can do so.

**MR COE:** What is included in this spate of uploads that we are about to see in the notifiable instrument or disallowable instrument or regulation space?

**Ms O'Neill:** In part the act requires several and allows for others. We can expect from the 1st that there will be a declaration of the precinct by which the City Renewal Authority will operate. That is by way of a notifiable instrument. From recollection, and I do not have the act before me, it also requires the establishment of affordable housing targets and the acquisitions framework which we are currently touching on. The act does allow for directions to be issued but that is a matter of discretion for the government. I would have to take it on notice to give you the full list of exactly what instruments will otherwise be declared.

**MS ORR:** I have a supplementary. I want to go a bit broader than that one document that Mr Coe was talking about. I am interested to hear how the new Suburban Land Agency and the work that is being absorbed into the EPSDD is going to be managed, and a bit more context around who is going to be doing what under the new arrangement.

**Mr Ponton:** We have been working through and have now settled the directorate structure that brings a range of land and economic development functions into the directorate. I can provide a copy of the organisational structure, if that helps, because it has been framed in a way that we hope is sensible and logical when somebody first looks at it; it makes clear what it is that we are seeking to achieve.

This links back to the earlier conversation that we had around the roles and responsibilities of the two entities and reinforcing the role of the directorate, both in terms of governance and in terms of the policy setting. Essentially, we have two streams within the directorate now and we ensure that there are land planning and environment functions in each of those streams. We had initially focused on the policy area and the delivery area, but, like any small jurisdiction, it is not easy to simply make that distinction.

We have used that as the basis or the starting point and, as we have developed the structure, we now have essentially the land strategy and environment stream that looks after all the work that Mr Tennent has been talking about in terms of the land release program, land economics, some due diligence work and the like. We also have the planning policy stream, the traditional strategic planning, and also the environment team, which includes parks and conservation service.

The reason we have done that is to reinforce that we have responsibility for that deputy director-general, from managing the land in its purest form, in terms of before anything is done, working through planning policy, land release and due diligence, right through to the point where we can hand over to the new entity for land development. In the other stream, that is more about the development assessment and programs-type work.

**MS ORR:** So most of the planning functions are going to come back into the EPSDD?



**Mr Ponton:** Any planning-related functions or forward-looking functions that were undertaken by the Land Development Agency or economic development are now within the directorate.

**MS ORR:** Given this restructure, is there also an opportunity, and are you going to be taking the opportunity, to undertake engagement with the community on these issues? What sorts of changes are you putting in place, if any?

**Mr Ponton:** The short answer is yes. The longer answer is: you are absolutely right, Ms Orr; that is a very key focus, and our portfolio ministers have made it abundantly clear to me, having commenced in this role nine weeks ago, that the way that we engage with our community is critically important to our success, and we need to think about new and innovative ways to undertake that engagement. Minister Gentleman talked a little bit earlier this morning about some aspects of that.

What we have done to reinforce how important we are taking this change of direction around community engagement—and by “community” I am not just talking about residents; I am talking about any citizen of Canberra. That may include the development industry, builders or anyone who lives and works or undertakes business in this city. We have created a specialist engagement team that reports directly to me. I have done that to reinforce how important we are taking this—that it is not going to be buried somewhere within the organisation but it will be a function that I am personally responsible for as director-general.

We have some engagement people embedded within the organisation. We are bringing all of those people back into this one team. We have looked at the capability of our people within that team and we are looking to have as many people as possible certified within the team, IAP2 certified, to ensure that we deliver in relation to what the government expects of us to improve our community engagement.

**MS ORR:** What is that?

**Mr Ponton:** IAP2 is essentially a recognised framework internationally for the way that governments or anybody ought to engage. I can provide some more information if the committee is particularly interested. It starts to make the distinction between being clear up front about why you are engaging. So is it in fact a collaboration, where you are starting from scratch, or is it about informing? Is it about education? Once you are clear about the “why” then you can start to think about the “tools” and the “who”.

In the past there has been a tendency to think about the tools and what it is we are wanting to put out to communities without actually understanding what we want out of this exercise. That is something again that the portfolio ministers have made abundantly clear to me in this role—that we need to better understand the “why” before we start talking about the “tools” and the “who”.

**MS ORR:** With this team that is reporting to you, what do you see as some of their first work that they are going to be doing? Where can we see the application of this? It sounds good, sitting here.

**Mr Ponton:** The first thing that we are working on is a program. Given that there is so much coming in to the directorate, and the directorate already undertakes a range of engagement activities, we are quite keen to ensure that we do not overload the community in relation to what it is that we are doing. We are starting to map out exactly what it is that we are proposing to do for the next 12 to 18 months, in terms of what is known, in consultation with our portfolio ministers. We are also looking at synergies in terms of engagement activities across portfolio ministerial responsibilities so that we can ensure that there is a greater alignment between those activities.

Again this comes back to making sure that we do not overload the community in terms of going out week after week, and actually start to get people to think about the areas they might be particularly interested in. We were talking earlier about housing affordability. There are some synergies there with some of the work in the planning space that we are currently working through, and we will provide advice to ministers in due course.

**THE CHAIR:** A final supplementary on this one, Ms Cheyne, and then we will move on to Mr Pettersson for a substantive question.

**MS CHEYNE:** I am happy for a short answer to this. With the staff in the LDA previously, on page 279 of budget statements B the estimated outcome for the financial year that we are in for the next few days was 122, and then we talked about the SLA having staffing of 77 and the CRA having staffing of 23. Is everyone transitioning over? If not, is it just due to things like natural attrition or have people gone to EPSDD instead?

**Mr Ponton:** I will do my best to give a short answer, Ms Cheyne. That particular table refers to the Land Development Agency. There is also economic development within the Chief Minister's department functions that is transitioning to the directorate. So there will be people from the LDA transitioning across to the directorate. The others will either go to the Suburban Land Agency or the City Renewal Authority.

In terms of the specifics of your question, there are some executives within the organisation whose roles have understandably changed significantly. Those executives have been offered the opportunity to transition into various parts of the new arrangements. There are a number of those people who have taken the opportunity to request that we exercise the termination clause within their contract as a result of those changes. Certainly, they were provided with the opportunity to transition, should they wish, but under the contract their duties had changed.

**MS CHEYNE:** Are the CRA and SLA hiring any new staff or perhaps staff with different capabilities that might not exist?

**Mr Ponton:** Yes, indeed. First of all, with the chief executive officers of the two new entities, recruitment is currently underway for those two roles. As a result of some of those transitional arrangements that I referred to, in terms of a number of executives moving on as a result of changed requirements, that has resulted in those new positions becoming vacant. We will expect to advertise for those in coming weeks.

**THE CHAIR:** Mr Pettersson, a substantive question?

**MR PETTERSSON:** I would like to pass it on to Ms Orr.

**MS ORR:** I want to keep running with the theme of community engagement, but within the context of the public housing renewal task force. Could you advise what the government has been doing to engage with communities where public housing is being built?

**Ms Berry:** There have been a whole lot of conversations, from the start of this public housing renewal program, with both public housing tenants who will be moving into newer and more sustainable homes and residents within community facility zoned land area suburbs, as well as the broader community, about this entire program. It has been in previous budgets and in our current election commitments, as well as the parliamentary agreement, to continue with the public housing renewal program. It is important for our community to have good public housing that meets the needs of our tenants, and it is better for our community and our government to have housing that is newer, more sustainable and does not cost as much for our tenants to heat and cool.

The consultation program that has been occurring since July last year has been significant. I might ask Mr Collett to go through the program of conversations that have been held with the broader community, as well as with the different residents groups.

**Mr Collett:** As the minister has stated, we have been undertaking substantial consultation with the community around the program of works that we have. That includes an active website, publishing information and producing documentation with regard to public housing tenants who may be affected by the changes or the preparatory work for the disposal of the sites.

In more recent times our consultation has focused on the community facility sites that we have been looking at bringing forward as part of our program. There have been extensive meetings with local residents from those suburbs. As well as engaging with the residents, we have engaged with the regional community services and with the community councils. We have had good support from those as well.

It is not only the community facility sites that we are consulting on. There is also a range of sites in residential areas where we are bringing forward proposals and listening to the community, and, sometimes, when it is appropriate, changing the proposals in response to those comments and inputs from the community. I mention those particularly because they often embody a lot of local knowledge that we do not have from people who are actually working and living in the immediate neighbourhood. For instance, with the site in Greenway, on section 28, we have made substantive changes to the housing proposals for that site in response to the community's comments.

**MS ORR:** What are some of the concerns that have come out of the consultation process? You alluded to it with the Greenway site; you said you have made a lot of changes. What are some of the experiences you are seeing where that consultation with the community is being taken on board and fed into the process that you are undertaking?

**Ms Berry:** From the start of this conversation, the government had always made it very clear what kinds of feedback we were happy to receive from the community around public housing renewal, including the amenity, the size, how it fits in with the existing community, parking, transport and traffic issues. We were very keen to hear from the community about that because, as Mr Collett said, people who live in a suburb know their suburbs best. They are able to provide advice to the directorate and to the task force about those kinds of things, particularly around traffic flow, but also what the needs of the existing community are around gardens and existing open space and what could be a better use for the community and the new residents that would be moving into that space.

The task force received more than 150 pieces of feedback from the conversations that we have had so far, through letters, emails and online forums. All of that is documented and available on the website. We have tried to collate it and provide responses where we have had similar questions or ideas from different resident groups. Do you want to add anything to that, Mr Collett?

**Mr Collett:** As the minister says, often it is access and traffic issues that are of paramount concern, because of that local knowledge. Roads might be within design standards but for some reason there might be a bottleneck at pick-up-from-school times, and those sorts of things.

It is important in respect of that, and all of the other issues that the community brings forward, that we engage with the rest of the ACT government. Roads and traffic, for instance, in TCCS have been very generous in terms of the time that they have spent on site talking to people. It is a two-way process. They are helping us to understand the concerns that we need to accommodate in our designs and documentation, at the same time as they are getting feedback from the local community. So that has worked well.

Often the local community has a particular view about what is important in terms of the landscape, the colour and the form of the materials. They are often keen to see the public housing fit into the neighbourhood, which we are also keen to do. So we get a lot of input around that. A good example of that is with the Chapman group, where they have identified a number of public housing developments in the broader region that they think fit well with the community values. They have asked us if we can adopt the same sort of colours, materials, housing forms, roof pitches and those sorts of things.

**MS ORR:** When you say the Chapman group, is this residents of the suburb of Chapman that you have been working with?

**Mr Collett:** Yes.

**MS ORR:** Can you expand on the conversations you have been having with them?

**Mr Collett:** They are similar to the other conversations we have been having. The group formed out of the earlier, larger scale consultation processes that we had. They have identified the scale and form of the surrounding houses; the necessity to maintain

an escape route from Percy Crescent in the event of a bushfire. They have identified the location of driveways in the abutting properties as being significant, from their point of view, and asked us to give consideration to that. They have asked for enclosure of garages so that there is better security for the tenants and an improved visual outcome. They have talked about returning existing trees on the site—not only retaining those trees but also building them into our landscape approach. The full range of design characteristics that you would expect from a residential development in a suburban area are coming forward from the community.

**MS ORR:** With all those community views, how do the tenants feel once they move in? Have you had any feedback from tenants who have moved into these places that have gone through this? It sounds like it is quite a rigorous process in producing something that fits quite well within a neighbourhood. What is the feedback you are getting?

**Ms Berry:** The best feedback is when a tenant has moved from older public housing that does not suit their needs and they move into much newer, higher quality homes that better suit their needs. It can change their lives. Certainly, that is the feedback from the tenants that have been relocated into newer homes that I have had so far.

The best feedback that I have had from people from the community is when they have gone to look at the public housing that we have developed within existing suburbs, particularly around the city here, in O'Connor and Lyneham and places like that. When they have gone looking for the public housing, they have come back and said, "I couldn't find it. You haven't built it there." It is just because they could not tell that it was any different from any other homes in the area.

The best outcome for tenants is that they are accepted and are part of the community. It is more than just the amenity of the building; it is important that they are accepted as significant members of the community that they are moving into. The feedback has been very positive and it is making a difference to our public housing tenants' lives.

**Mr Collett:** Another aspect of that consultation and the dual issues of the tenants and the surrounding residents comes from the work that we have done with some of those residents' groups in making them aware of the processes that are used by us and by housing in selecting tenants to go into those properties. That is coordinated at a high level by the link group, which involves the community service organisations and some of the non-government agencies that are involved in providing services and support for the tenants through their relocation, as well as housing staff and members of the task force.

Quite recently, a group of residents from Holder had the opportunity to attend one of those meetings of the link group and they came away with a significantly changed view of how much care goes into the selection of the tenants and what were the challenges for tenants relocating, to the extent that they have taken it upon themselves to write a letter of welcome for public housing tenants who will in the future be moving into the suburb, telling them what they think is the history and the character of the suburb, and welcoming them to the community. We are looking at doing that for the rest of the groups as well, with supported housing.

**MR PARTON:** Minister, you have just said that you have made it clear what sort of feedback you are happy to receive in regard to these community consultation processes. Does that mean that there are types of feedback that you are not happy to receive and, more simply, choose to ignore?

**Ms Berry:** No, not at all. I wanted to make it clear from the start, and the Chief Minister made it clear from the very start, that the public housing would be built in these areas. The kind of feedback that would be useful during these developments for both the existing community and the public housing tenants who would be moving in would be around ensuring that the building form fits in with the existing community; that the needs of the existing community are met through the development; that traffic and parking issues were able to be addressed in conversations with the task force; and if there were other ideas that the existing community have, and there have been many ideas for those existing suburbs, on how they can improve the amenity around that area. All of those suggestions and ideas have been considered by the task force, and the responses to those are available on the website.

**MR PARTON:** Could I ask if there have been changes made to your consultation strategy as a consequence of the community feedback in relation to Chapman, Wright, Holder and Mawson? Or is it just always a work in progress. Are there any specific changes that have been considered? Would you consider that that was a successful operation?

**Ms Berry:** I think every community has different needs, so we need to take that into account in the conversations that we are having with them. I think it would be fair to say that through the conversations that we have been having with these groups, with the Holder, Mawson, Wright and Chapman groups, they are at different points in the conversation. The Holder group are at a different stage of the conversation than perhaps some of the other groups. I think I would be right in saying that, Mr Collett?

**Mr Collett:** Yes.

**Ms Berry:** We are wanting to make sure that when we are having the conversations with different communities, we take into account the needs of those different communities. If it means that for some groups we need to have a conversation that goes for a bit longer or we can bring forward other considerations from different groups a bit sooner, all of those things are what we have been doing with these different groups.

**MR PARTON:** Finally, in relation to the renewal process, last Monday the Chief Minister said something along the lines that it was an urban myth that there will be no public housing on Northbourne Avenue and expressed the firm view that there would, in fact, be public housing on Northbourne Avenue. In previous statements, minister, and in committee evidence, you have confirmed that there will be no public housing actually on Northbourne Avenue. What is the actual case?

**Ms Berry:** First of all, I would have to check exactly the words that were used by the Chief Minister.

**MR PARTON:** He was very clear.

**Ms Berry:** I was not listening as closely as you were whenever that happened, so I will check the words on that. Secondly, the Northbourne corridor is more than just within the city.

**MR PARTON:** I understand, but his comments were specifically about Northbourne Avenue. He specifically said that there would be public housing on Northbourne Avenue. Do we have existing public housing residents that are being retained and not sold off as part of the asset recycling initiative?

**Ms Berry:** Certainly within the corridor.

**MR PARTON:** No; he was specifically talking about Northbourne Avenue.

**Ms Berry:** I would have to go back and check the record on his actual comments so that I can make a comment accurately on that.

**MS ORR:** We have heard a bit about specific groups that you have been working with and consulting around public housing, but I was interested in how the ACT community in general responds to public housing in their neighbourhoods. What have you found? This is more than a program that is going out to Chapman and Wright.

**Ms Berry:** Generally it has been fairly positive, I would have to say. Canberra is a very progressive town, a very welcoming community, and wants to make sure that those people in our community that do not have the same kinds of chances or opportunities as the rest of us get those, and give them a hand up when they can. Housing that meets the needs of public housing tenants is important for our tenants but it is also important for the strength of our community. Where we can recognise that not everybody has the same kind of equal start in life and where we can give them a hand where they need it, that makes us all a better and stronger community.

Chair, if you would not mind, I will have to check the comments that Mr Parton is referring to that the Chief Minister made, but if the Chief Minister was referring to the existing public housing residents on Northbourne Avenue, if those were the ones that he was referring to, at this stage my understanding is that there would not be public housing built on those. But I would not say that would mean that that was the end of the conversation if that is what he is inferring. I would have to go back and check the context of where he made the comments and which part of Northbourne Avenue he was referring to.

**THE CHAIR:** From memory, minister, just to clarify, when you respond to Mr Parton, the Chief Minister's comments were in relation to acquisition of new public housing. If you can check that transcript and respond to Mr Parton's question on notice, that would be appreciated.

**MR PARTON:** I always listen intently to the Chief Minister.

**Ms Berry:** We will take that on notice. I would take your word for it, but I might just go and check the *Hansard* instead.

**MS LAWDER:** I have some questions relating to Hume and the sale of a property to the Foy Group for a proposed plastics to fuel facility. What process did the LDA use to value the land? How was the decision made about the market value? Was it an open tender? If not, would a greater return have been achieved through an open tender process where the money was held in escrow? How much did the works on the site take as a condition of sale, et cetera? Would you like me to start again?

**Mr Bailey:** I will be able to address the valuation questions there and even the method of sale. The LDA use a wide range of sale techniques to sell land. We base that on a number of different efforts but also agent advice. When we engage the agents, quite often, for different types of land, they are better sold by auction or via a tender process. When we actually sell them, they are based with a reserve. That is also determined by valuers. We get that done by independent valuers and determine that amount, set the reserve and then take it from there.

**MS LAWDER:** Did you receive three valuations for the land, this particular block?

**Mr Bailey:** I will have to take that on notice, sorry.

**MS LAWDER:** Could you please take that on notice and, if necessary, also take on notice what was the final asking price compared to the three valuations.

**Mr Bailey:** Yes, I will take that on notice.

**MS LAWDER:** The Foy Group have publicly stated at a public meeting that they purchased the land for \$3.1 million. Was the money held in escrow for the sale?

**Mr Bailey:** No. They would have paid a deposit as part of the original exchange, which would have been held within the LDA.

**MS LAWDER:** You received, I think they have stated publicly, \$155,000 for the deposit. Given that, I would like to ask about the inquiry panel and whether the government, the LDA or otherwise, is seeking to recover the costs of the inquiry panel as per the Planning and Land Development Act 2007, section 233, page 287, whereby the government can recover direct and indirect costs for an inquiry panel from a proponent.

**Mr Ponton:** I would need to take that on notice in relation to whether the Planning and Land Authority is seeking to recover those moneys, but my understanding is that no, that was considered as part of the ordinary fees paid in relation to this matter.

**MS LAWDER:** What was the cost for the inquiry panel, including direct and indirect costs—time, material?

**Mr Ponton:** I would need to take that on notice, primarily because that relates to matters that would ordinarily be addressed in Wednesday's hearing so I do not have that information before me now.

**MS LAWDER:** You have got a bit of prior notice of what might come up. Does the LDA arrange or do due diligence to determine whether the company has the financial



capacity to pay when they enter into that arrangement?

**Mr Bailey:** For processes like that, no, I do not think there is a process that takes place.

**MS LAWDER:** Is there any mechanism by which, if the plant does not proceed, the deposit may be returned to Foy, or will it definitely be retained by the government?

**Mr Bailey:** My understanding is that this is a standard land transaction so it is not linked to anything at all. So this sale is a purchase of land. If there are other reasons as to what their future use has changed, that will not change the fact that this is a sale.

**MS LAWDER:** So they will not get their money refunded?

**Mr Bailey:** It would be standard practice that if they are forfeiting the settlement or something like that, the LDA can retain the deposit.

**MS LAWDER:** Yes, it can, but I am asking you: will you retain the deposit no matter what?

**Mr Bailey:** I would not be able to answer that.

**THE CHAIR:** Is there a settlement date scheduled for that transaction?

**Mr Bailey:** My understanding is that we have to undertake some additional works on that block before it is settled. There are some LDA works that are to occur, and settlement will follow.

**THE CHAIR:** Can you provide some more detail on that, please, Mr Bailey, as to what those works are and what the contractual arrangement is.

**Mr Bailey:** I think there is an issue—there may be more—with water on the site, a spring that has popped up on the site that we are just remediating, and then settlement can occur.

**MS LAWDER:** I think that was one of my questions you might have missed in the changeover: how much of the work conducted on site as a condition of sale cost the ACT government. Obviously that is ongoing work. Are you able to take that on notice?

**Mr Bulless:** We will take all that on notice, including aspects that the chair has asked about.

**Ms Berry:** Chair, just before you finish, I can say that there are 169 dwellings of public housing that still are on Northbourne Avenue, which include Havelock House.

**THE CHAIR:** Thank you. It is 12.30, so the committee will adjourn for lunch.

**Hearing suspended from 12.30 to 2.02 pm.**

Appearances:

Ramsay, Mr Gordon, Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors

Chief Minister, Treasury and Economic Development Directorate

Peffer, Mr Dave, Deputy Director-General, Access Canberra

Simmons, Mr Craig, Director, Community, Business and Transport Regulation, Access Canberra

Jones, Mr Greg, Director, Construction, Environment and Workplace Protection, Access Canberra

Pitt, Ms Leesha, Director, Projects Governance and Support, Licensing and Registrations, Access Canberra

Stankevicius, Mr Adam, Director, Government Reform, Policy and Cabinet

**THE CHAIR:** Welcome to the afternoon session of today's estimates hearings. This afternoon we are starting off with the Minister for Regulatory Services looking at output class 2, Access Canberra. I ask witnesses when they speak for the first time to indicate that they are aware of the pink privileges statement and its implications. Minister, I assume you have an opening statement.

**Mr Ramsay:** Yes, I have. Thank you, chair, for the opportunity to make an opening statement in relation to this portfolio area. In late 2014 the Chief Minister created Access Canberra. It was to provide a no-wrong-door approach to make it easier for businesses, community organisations, and individuals to get their business done in the territory while ensuring that community safety is preserved. Two and a half years later I am confident Access Canberra is continuing to do a great job in delivering on that vision.

In the time that I have been Minister for Regulatory Services I have seen the breadth and the complexity of matters that Access Canberra deals with on a daily basis. For example, the customer service arm takes thousands of calls a week and serves hundreds of thousands of citizens in our shopfronts each year registering births, deaths, marriages, vehicles, land titles and rental bonds and providing support for some of our most vulnerable citizens, such as setting up arrangements for infringement payment plans.

The regulatory arm assists Canberra businesses to operate by: conducting inspections and providing a range of approvals; supporting industry to operate safely by providing advice on protecting the health and safety of workers, the community and the environment; and holding to account those who deliberately or repeatedly fail to meet those standards.

Access Canberra has focused on putting the customer at the centre of the way it designs its services. It seeks feedback on these services and it changes the way it operates to improve the customer experience. In the last year Access Canberra received over 200 suggestions from customers. Some of the changes made in response to this feedback include: redesigning the Access Canberra website with navigation tiles to make it easier for customers to choose what they want to do online; providing

real-time information on service centre waiting times; and working to provide online forms to allow individuals and businesses to apply for, transfer and renew their licences in a single process.

A great example of Access Canberra putting the customer at the centre is the case management service model that has been applied to events and liquor business approvals. Prior to Access Canberra's inception, an event organiser could need to engage with up to 17 different government agencies for approvals. The event approvals team was established to provide a single point of contact responsible for negotiating and case management the application's progression throughout its agencies.

Since 2015 this team has worked with over 800 organisers and coordinated over 16,000 individual approvals on behalf of the organiser. This is estimated to have saved organisers and the community approximately \$1 million in time and resources per year. This is based on calculations indicating that an average 10 hours of organisers' time is saved for each event. For 2,000 events assisted each year, that is 20,000 cumulative hours saved for the community.

Based on the successful events business model, a similar service has been established to case manage new liquor businesses through the complex government process. The liquor licensing team works closely with teams within Access Canberra and across government to support innovation and economic activity in the territory.

In 2016-17 Access Canberra interacted with the Canberra community via our shopfronts, our contact centre and website more than 13 million times, and they had a 91 per cent satisfaction rating. Further, 95 per cent of people surveyed indicated they were satisfied with the ease of interacting with Access Canberra. Of course, these results have not happened by accident. Access Canberra have been working hard to make it easier and simpler to transact with them, making sure they are here to help.

In 2016-17 Access Canberra: made an additional 77 transactions available online; introduced an online renewal process for liquor licences which cut down the processing time for low-risk applicants in particular to just minutes; laid the foundation to implement single business licensing from a number of licensing categories; supported 508 event organisers to run 960 events, delivering significant savings in time and money for these organisers in navigating the approvals process; expanded the services of the events approvals team to include support and case management for new businesses needing a liquor licence; launched a web chat feature for people using the Access Canberra website; and undertook joint inspections in sectors involving liquor, gaming, smoke-free places, plastic bags, tobacco, security, egg labelling, events, Australian consumer law, workplace safety and workers compensation. All of this means that businesses can spend less time with government and get on with running their businesses.

Access Canberra also undertook proactive education campaigns for businesses to help them understand and comply with their regulatory obligations. Some of these campaigns included: consumer rights and workers compensation obligations in retail; product safety of cots, show bags, children's toys and risks associated with toppling furniture; attendance at key events to support safe set-up and operations; underquoting

at real estate auctions; apprentice safety on construction sites; and visits to brownfield and greenfield construction sites to engage and educate about illegal parking, site pollution and containment, damage to public assets, approval and signage, and work health and safety.

That is not to say there is not room for improvement. Access Canberra has made changes to its accountability indicators for the coming year in recognition of this fact. This will help us keep track of the impact Access Canberra is having both on consumer service and on community safety. Access Canberra is eager to demonstrate the efficiency of its service design and its delivery outcomes. To achieve these improvements Access Canberra has established a robust set of accountability indicators in order to accurately measure and evaluate its performance.

Further, the indicators reflect the need to demonstrate public value by measuring the impact of Access Canberra's activities and focus on the benefits to the community. The indicators will provide the agency with evidence of whether their activities are contributing to the delivery of its objectives: the protection of workers, the community and the environment; supporting businesses to achieve their goals while reducing regulatory impacts; and supporting government to operate in a streamlined and customer-centric manner.

I conclude by saying that Access Canberra is committed to being a leader in the provision of customer and regulatory services. Looking forward, Access Canberra is making sure it is an organisation that is ready for the future not only with improvements to business systems, data and service delivery models but also by looking at the workforce and culture needed to meet the needs of the Canberra community and businesses now and in years to come. We will, indeed, continue to work to provide a service that is easier and simpler, because I can guarantee that Access Canberra is here to help.

**THE CHAIR:** Minister, for the benefit of the committee, you are in this session for output class 2 and you are listed on our schedule later for output class 2, Access Canberra, but relating to small business. Are officials here for both sections now or do you want to try and target questions?

**Mr Ramsay:** There is no need to separate the two.

**THE CHAIR:** Thank you. The first question I have relates to the staffing profile of Access Canberra. What is the current FTE and can you give a breakdown of how many are full-time staff, temporary staff or contract staff?

**Mr Pepper:** Certainly. In terms of the headcount, in the community, business and transport regulation division we have 76 permanent officers, five temporary officers and no casual officers, for a total of 81. We also have five contractors working in that total. In construction, environment and workplace protection we have 101 permanent officers, 12 temporary officers and no casual officers or contractors, so 113 officers in total. In customer coordination there are 142 permanent officers, 31 temporary officers and 86 contractors for an FTE of 173. In licensing and registrations we have 98 permanent officers, 38 temporary officers and 10 contractors. In the office of the deputy director-general we have three permanent officers and two temporary officers

for a total of five. In the projects, governance and support division there are 54 permanent officers and seven temporary officers for a total of 61. In total there are 670 in that headcount.

**THE CHAIR:** Licensing has ten contractors, and what was the area that you mentioned before that, Mr Peffer?

**Mr Peffer:** Customer coordination.

**THE CHAIR:** So that is largely the call centre and the shopfront or—

**Mr Peffer:** That is right. There are a number of teams within that division. It includes each of the customer-facing shopfronts that we have across the city. It includes the contact centre and it also includes the team that builds a lot of our customer experience, including our digital online presence and a range of applications that are used by our teams throughout the organisation.

**THE CHAIR:** Why is there a preference to maintain those positions on a contract basis? I have noticed they are quite substantial contracts and have been rolling for a considerable period.

**Mr Peffer:** We use a combination of short and long-term contracts just because of the nature of the work and the nature of the business essentially being a 24-hour business. We have core hours that are worked by a large part of the workforce, but the contact centre, for instance, takes calls 24 hours a day. Some of those calls are taken through a partnership arrangement with a third-party provider. In terms of the hours we provide through our own workforce, it is a broader range of hours than you would normally find within a typical public service workforce. Therefore, it is necessitated by the business that we deliver that we have those arrangements in place. It also means that in times of public holidays or other periods where a large part of our workforce would be on leave we can maintain that continuity of service for the community.

**THE CHAIR:** Is there any flexibility in the public service EBAs and the like to allow for 24-hour rostering and public holiday staffing?

**Mr Peffer:** No, this is a decision we have taken based on our current workforce and where we can see our workforce headed in the future. We know that digital service delivery is going to be quite a disruptive element that will affect not just this government but all governments, so in planning for the future we feel this is a responsible staffing profile to maintain.

**MS CODY:** Minister, in your opening statement you spoke about the Access Canberra move to the new premises in Woden. Can you tell me more about that particular process: how we got there and why we chose that location?

**Mr Peffer:** Absolutely. I am happy to lead off and then I might ask Mr Simmons to expand on this. From the outset, when we designed the organisation—very much as the minister said in his opening comments—we were looking to place our customers and citizens at the heart of what we did. Through that there has been extensive time invested in how we structure our service delivery and essentially how we have our

teams working together to provide that one-stop shop, that wraparound service delivery.

An important part of that has been recognising that the built space that we occupy supports the way we are seeking to operate as a regulatory organisation and promotes the sorts of activities and behaviours around collaboration that we want to see within the organisation. Our Woden hub has been, I guess, a flagship, with considerable time and effort invested in design and the thinking around how it is structured and how it promotes certain activities in the workplace. Mr Simmons has led the work on that initiative. I will hand over to him to expand.

**Mr Simmons:** Thank you. I can assure you that one of the great joys of the public service is to be given the job of looking after moving people's accommodation. It has its challenges. To start, Access Canberra was in many, many locations across the city. I think at the start it was as many as 14 different locations. Trying to bring together people from seven different directorates to work collaboratively to improve the quality of service for our community provided some challenges for us in the early days. Initially, I did not get the whole project. Jon Quiggin, who was with us, had done some work. He came back to exec and said that we really needed to locate ourselves both northside and southside so that we could service the city. Then there was a decision made that Woden was a place where the government would like us to have a location.

We went out to market. We were very fortunate. There was a very competitive process at Woden. We got a very good price on the building that we had selected, which is the Cosmopolitan Building, right on top of the bus interchange. It is good for a whole range of other government activities: active travel, high use of public transport, reducing the reliance on private transport. It all ticked a lot of boxes for us. It was then a case of what type of design we wanted to have inside a building. If anybody has been to level 4 or 5 of Nara House, just across the road, that was the government's first experiment with activity-based work, which is a particular form of working. We took the decision as an executive that we should go down that path as well and seek to create a really different type of space for our staff to work in.

Activity-based work has a series of challenges to it. It is often misunderstood; it is called hot-desking; it is called open plan; it has a range of descriptions, none of which are really what the environment is and what you are trying to build. We wanted a space where, upon going into it, you immediately knew you were not in a normal ACT public service fit-out. I think anybody that has been there would say that that is the case. It is quite a different environment. It has a different look and feel to it. It is designed to do a number of things. It has quite a large end-of-trip facility, which is where we bring people in. We encourage our staff to pursue the active transport option, although I have to say the encouragement this time of year is a bit harder than in the warmer months. But we do have some people, even those sitting to my right, who have actively pursued that transport option that is provided because we have a lot of space for pushbikes and a dedicated facility for people.

Our shopfront is a very different shopfront in terms of the contact centre we built there. It is quite open; it is large; it has removed all the barriers that you would previously have seen when you walked into Woden. Woden felt like you were in a

bank from somewhere between mid-1975 and mid-1985. There were a lot of barriers between people. It is now a really open shopfront and there is quite a deal of space there. It is easier to use and it has got a lot of electronic service delivery there where we can show people and teach people how to use our services online.

As you move through the shopfront there are in fact semi-private spaces and bookable rooms there so that people coming from the outside can meet us. We have spaces down there for people to meet and, in less formal circumstances, to have discussions about things they might want to do. Sometimes people will come to us and they may have an idea. They are not quite sure what part of government is going to help them or what they need to do. We have created spaces where people can come in, sit down and have that discussion in a quite open and friendly way. Our ground floor actually supports that taking place.

We are across three levels. We are across levels 3, 4 and 5 of the Cosmopolitan Building. Level 4 is a space which has design elements to it that encourage both collaboration and spaces for quiet work. We have libraries—we call them libraries; they do not actually have books in them. They do have bookshelf wallpaper, which defines the space. But it is designed to be quiet.

**Mr Ramsay:** It looks quite good.

**Mr Simmons:** It is actually designed to be a quiet space. I do not know if anybody remembers when they were at school. That is probably the time you spent most of your time in a library. There are always one or two students who like to be noisy. We similarly have ways of having to move people on when they want to have a conversation in those spaces. But, generally speaking, they are where quiet work gets done and there are individual quiet spaces that we have built.

We also have a lot of meeting rooms. Some meeting rooms you can book; some you cannot. Some are on the basis of first in, best dressed. We also have a large space where we can talk to a large number of our own people but also people from outside if we want to give presentations. It is called the stadium. It has some tiered seating and it has the capacity for 20 or 30 people in a relatively small space, which is not something you can easily do in other buildings in the ACT government. That gives us an opportunity to present, to be able to convey large amounts of information to people within our organisation but also people on the outside who we might want to bring in and have discussions with. That has varied from not just external people; other government agencies have used that space and other ACT government organisations have come in and used that space to give their presentations to other members.

As we move through those spaces, we built very large areas for people to be able to mingle and catch up with and meet other staff. Our kitchens are not the poky little spaces that you might traditionally think a public service building will have. They are really quite large and open, but they have a dual purpose because they can be used for other people. Everybody in the environment uses mobile technology. Everybody has laptops. All our desks are sit-stand. Again, that is about being able to be active and moving in the workspace so that people are not sitting down. We were interested in their health and safety whilst they are at work and making sure that they are active while they are at work. All those elements have been put into the building.

In respect of the journey there, taking people, I had some people who were in teams at the Dickson motor vehicle registry. The Dickson motor vehicle registry from the outside may be a loved building for many. I find it a fairly confronting building. When you go in there it is the most like a hospital I have ever had to work in without actually being in a hospital: a long corridor perfectly capable of isolating every team that worked in the building up on level 2 from everybody else. Nobody knew what was going on.

But there were people who moved into that building when it opened in 1968. Moving to Woden was the first time they had worked in another building in the ACT government. When you are saying to people like that that you have to go, leave the desk that you have known for a very long period of time—sometimes they were 10, 20, 30 years in the same space—lose the desktop, move to a laptop, use soft phones, it can be quite confronting. So you actually have to do a lot of work with your staff before they get there.

There is no point in turning up and saying, “It’s Friday; on Monday you will be in Woden; hope you can find your way there. There will be a laptop and the desk phone will be gone.” It does not work like that. As early as we could—for us it was at least two months out—for everybody we were able to put the mobile tech in their hands, outline the new form of working and start to experiment with that before they got there so that the environment was not as confronting as it might otherwise have been.

There is a huge issue around how you manage as well. It changes the nature of management. It is one thing to sit in an office, look out and see everybody out there and say, “I can see people; ergo, they are working.” It is what we refer to as changing from management by presence to managing by outcomes and performance, because you might not necessarily be able to see the person who works for you now. They could be somewhere else in the building and you have got to have ways of doing that. You have got to be really clear about performance. For people who have been middle frontline supervisors for decades without having that, it was quite a confronting challenge. We had to put a lot of time into some training and bringing people through. But nothing really prepares you for it; you actually have to experience it.

It would be incorrect of me to say that everybody wanted to embrace the idea, that everybody was enthusiastic about changing. But one of the things that is really important is how this thing gets led. The first and most important thing was a very early decision by the executive of Access Canberra that we were not going to build offices. Yes, for some of us an office is a grand thing. It is a nice way to isolate yourself from what is going on: to close the door, sit down and not have to confront some of the reality of management if you do not want to.

But that decision, led by Dave, was an important one for all of us. We had all moved out of our offices at least 18 months before we moved. So we had learned a range of things about our organisation and we were mobile as well. That decision not to build offices gives you a lot more space. It creates a different environment and sends a really strong message to your staff that you are in this with them. Some people were, despite that, still not enthusiastic. Other people were really enthusiastic. But it varies in terms of how they get there. Some people who were enthusiastic found that whilst



the environment initially was really exciting, it was not as exciting as they thought it would be. So there was a bit of a dip. Then they had to spend some time back in an old office and they came back and settled.

Other people who had said to us quite clearly, “We do not want to go to this; we think it does not work,” within a very short time said, “We were wrong. It is much better than we thought it was going to be.” So we have had the full range. Every day brings questions and challenges around how the environment works, but we work through those. Dave and I had sessions every fortnight from the first week for everybody in the organisation. We said, “If you have a problem, come and talk to us.”

Noise obviously is an issue. That has gone away, largely. But as everybody raised issues we worked through them in the environment, and we are very happy at the moment with where we have got to. We are not resting on our laurels, though. We are building some new tech into the building at the moment. There is a local start-up who came to us through some other ACT government interactions. They have got some technology which not only will improve our energy efficiency but is also capable of tracking movement through the spaces.

When you build an activity-based workspace, you make some assumptions about how the space is going to get used. Everything that comes after that point is pretty much subjective: “Yes, that space gets used; that does not.” But there is no objective empirical data. What this will give us is actual empirical data about how spaces get used over time. But we will also be able to provide real-time information for our staff. When they come on the floor they will be able to look at one of the TV screens and see whether a space is or is not being used. In a heavily used space, there are lots of people. You get all your extroverts turning up there. All the quiet spaces are where your introverts can go to. Then there will be some ambiverts who float around the middle, I suspect.

Being able to provide that information also will help us when we come to do further design around activity-based work. We are now looking at building our northside hub. We will go into the new Dickson government office block. In the meantime, when we finish our next move, there are some elements of activity-based work that we have some constraints around, but it is all about looking at design and how design works to maximise the use of space. It has provided opportunities for our staff that I do not think we would have had. Just the physical location provides some of those things. We are very pleased with where we have got to. We do know we have some further work to do, but we are working through each of those issues.

I think it has been one of the real standout things that happen when people go into the Cosmopolitan Building. I think one of the tests for us has been that both the builder and the architect have sought to bring their own clients back through. We have had CSIRO come through; we have had Prime Minister and Cabinet come through; and we have had other commonwealth agencies having a look through. People who thought they had done activity-based work and had pretty schmick fit-outs have come through and said, “We did not quite hit the mark there.”

The other thing is that, on the raw numbers, we were in 4,800 square metres with this many staff before we moved. We are in 3,500 now. This is a one-third reduction in

our space. We have come out of much more expensive accommodation in some cases into much better priced accommodation. In those terms, as well as reducing the space, if people walk in there, most people think we have got probably the most open space. Everybody pretty much has access to light. It is one of the things—it is a really light-filled fit-out. Some people asked whether we could please block out some of the windows for them. We said, “No, we are okay.” That is pretty much where we have got to.

**MS CODY:** That is really great, and it sounds as though you are doing fantastic things to help staff cope with the changes. How is the community finding the new facilities? I used the old ones quite often, and they were pretty ordinary. How are you finding the community is coping with the new facilities?

**Mr Peffer:** We have had very positive feedback from the community to date. As Mr Simmons outlined, the model that we have shifted to, from something like an area in an era gone by to something with quite a modern look and feel, really changes the vibe when you go into the shopfront. If you go in and observe the design, you will notice that something that stands out straightaway is the use of wood panelling. It is quite extensive throughout, and that has not been by accident at all.

It is well understood that wood panelling can have quite a calming effect. In the past, we might have had some perhaps aggravated behaviour because people are behind perspex; there is that sense of frustration and it feels more like a concrete bunker than a nice space. If you move into the new shopfront now, it has very much the look and feel of a nice café. We provide services such as free wi-fi when people are there, so if you are there for a few minutes you can just jump on and check your emails or watch a YouTube clip, whatever you seek to do.

In terms of the feedback that we have had from customers, it is absolutely, tremendously positive. The feedback that we have received from our other shopfronts as they have been converted to the new service centre model has been exceptionally high, given that most people are attending a shopfront to pay us money, at times for something they do not want to pay money for. So that has been quite pleasing.

Something else that we have done within the shopfront, and I guess to some degree more broadly throughout the building, is use digital quite extensively. We felt this was a capability that we could expand on in the new fit-out. Throughout the building, we have screens up that essentially give all of our team members, not just in the shopfronts but in all of our teams, a great insight into the work of the broader organisation.

One of the key points in bringing this many people together was to give people an insight into how different parts of the organisation work and what they do. We have a continued stream of information that is provided to our individual officers so that they can see that that arm of the business is issuing this many permits, we have this many matters before the court today, or this shopfront is particularly busy for whatever reason. So real-time data is fed into that continued data stream, which is helping to really build that team environment across the board.

There was the expansion of digital services into the shopfront itself, with a range of

touch screens. Where people come in and are happy to transact digitally with us, we will work to assist them so that there is no wait time. They do not have to take a ticket and have a seat; it is a matter of: when you come in we will immediately help you to do your transaction and you can be on your way.

One other thing that has been quite pleasing to see in that building is that we had an issue two to three weeks ago where a water main had been struck and we had to close the building for reasons of fire safety. There were 350 people displaced. For an organisation like ours, that is a big deal. The impact on our productivity was nothing. For a full day, we were able to have people working in their teams in cafes or in other government buildings, with no downtime. Our business just continued.

Shifting to a much more agile approach within the workplace provides us with those opportunities for far better continuity of service. We would not like to see that on an ongoing basis. There are very good reasons why you bring teams together: to have the toolbox talk and to meet and understand what is going on. But I suppose it gave us a degree of confidence in the actions that we have taken with this particular fit-out and the use of technology that something like that, a disruptive event, could occur and our teams could continue to provide the important services that they provide to citizens in the community.

**MS CODY:** I note that currently there are no cash payments available at the Woden shopfront. Is that correct?

**Mr Peffer:** That is correct.

**MS CODY:** That seems to be going okay? People seem to cope well with that concept?

**Mr Peffer:** Yes. There has been a declining trend in the use of cash as a form of payment across all of our shopfronts. It is declining quite rapidly. Over the last five years, we have seen this ongoing trend, and we expect that it will continue into the future. One of the decisions that we have to take in designing a shopfront is whether we will offer cash payments. We look at the availability in the surrounding area for people if they need to make cash payments. Where we are located, in the Cosmopolitan Building, it is less than a hundred metres to the post office, so where people come in and say, "No, I really want to pay cash to register my vehicle," it is not a problem. Often our staff will actually walk them to the other facility so that they can do that.

Designing the concept of a shopfront where cash is not taken as a payment source provides far greater opportunity in the design elements that we do or do not incorporate, on the basis of safety for our own team members but also because of the cost that it introduces. For a shopfront, outside the actual design, the recurrent costs of having cash as a form of payment would probably exceed six figures. We know that the cost of having cash transported regularly is about \$70,000 or \$75,000 per shopfront. On top of that, we know that for our team members to balance at the end of each day there is a process that needs to be gone through for integrity purposes. Floats are counted and tracked, and they are double-counted just so that we are absolutely certain what money has been received and what has been banked. It adds quite

extensively to the time that our team members need to spend in the shopfronts after the doors close and we have served our last customer. These are all the sorts of factors that go into consideration of the decision on whether we will or will not accept cash.

**MS CODY:** Finally, going to accessibility, I assume that, being a new shopfront, it is much more accessible for people with a disability.

**Mr Simmons:** Yes. It is compliant with the most recent form of the building code, so that has been much easier. We are right next to the glass elevator outside the new stairs, so in terms of access from the bus interchange level up to our level but also in the town centre as well, we are on the same level and it is straight all the way into our shopfront. We are happy with that.

**MS CODY:** That is great. Thank you. I am sure I could continue, but I will leave it.

**MS LE COUTEUR:** I want to ask basically about buildings and regulations and your role in that. I am talking to EPSD about this as well, on Wednesday. The government had a review on improving the ACT's building regulatory system. Which of the Access Canberra actions have been delivered successfully and which elements are not on track?

**Mr Jones:** Sorry. Could you just repeat that?

**MS LE COUTEUR:** There was a government policy or process called improving the ACT's building regulatory system reforms.

**MS CODY:** It was in the budget, wasn't it?

**MS LE COUTEUR:** I could read out its web address, but I have just closed my computer. I could restart it, but—

**Mr Peffer:** Ms Le Couteur, are you talking about the reforms the government announced in the lead-up to the October election? Is that what you are talking about?

**MS LE COUTEUR:** I think it was around that time. If you want to be absolutely sure as to what date it was—sorry; I actually had the PDF open, but because I was going to be asking you questions I closed my computer so that I would not spend my time looking at it.

**THE CHAIR:** How about we go to Mr Coe, and then we can come back to you once you track down what the site is?

**MS LE COUTEUR:** Okay.

**THE CHAIR:** Mr Coe, did you have a question?

**MR COE:** I might defer to Ms Lawder.

**MS LAWDER:** I have a question about complaints about the smell from the tip. Could you give us an update on the frequency of complaints at present? I know they

have been reducing, but the smell is still evident on occasions. Can you give us a bit of an update?

**Mr Jones:** Certainly. The number of complaints that we have had, perhaps over the last 18 months or so, is over 100, but there have only been around 20 in this calendar year. So in the roughly six months for this calendar year there have only been 20, compared to 100 over the last 18 months. So they have significantly reduced from late last year to this year.

**MS LAWDER:** To what do you attribute the change in the frequency of complaints?

**Mr Jones:** We have been working very hard with NOWaste and Remondis, the operator of the Mugga Lane resource centre. When NOWaste advertised for the operator's contract at about this time last year, approximately 12 months ago, we took the opportunity of making sure that the environmental authorisation that they would need to operate on that site was reviewed and updated in a number of areas, including coverage of old waste areas, the depth of soil over the top and operations on a day-to-day basis, in terms of closing off the actual active tip face at the end of each day, whereas there was an option earlier on for the operator to have thick blanket-type material just to cover the tip face overnight. We changed that and made it mandatory under the revised environmental authorisation that a certain depth of soil is put over that tip face at the end of each day and then is reopened first thing in the morning—also, depending on the demand of that day, to keep a minimal active tip face open during daily operations.

I refer to that, plus a lot of work that NOWaste have been doing in controlling leachate that comes out of old waste areas, in the design and construction of new cells which are being developed at the moment for future waste and the treatment of leachate, and the capture of that coming out of there. Particularly, we focused on the depth of coverage over old waste, to minimise the escape of odours and/or methane, and also the capture of methane from those areas that are decomposing. With all of those measures and a much more active involvement from EPA, NOWaste and Remondis themselves, as a requirement under their new EA, we think that has contributed regarding any smells that may have been coming from the tip.

**MS LAWDER:** In summary, you are not investigating any other possible source. You believe the odour was coming from the tip and that the new environmental authorisation and the capping of the tip face are making a difference; is that right?

**Mr Jones:** It is fair to say that we have focused on the tip. There is no definitive evidence that that is the source, and the only source, of odours in that valley area. There is still potential for other sources of odour; however, our focus has been on the Mugga Lane tip area as perhaps the largest area of potential sources. We had previously done a fair bit of work with Corkhill, with their organic waste recycling, to ensure that their activity was not contributing to any potential waste there, to the extent that Corkhill have moved a lot of their composting activity a significant distance out of town, on effectively rural land, well away from any residential areas.

There have been a whole range of activities, including checking alternative sources, which we did with Icon Water in terms of a sewer, and perhaps ponds. We have been

checking stormwater areas to make sure there has been no pooling or whatever of water there. So there have been a range of activities that we have been following through. As you suggested, we have been focusing on Mugga Lane, and we think the additional activities and coverage seem to have reduced the smell overall in that area.

**MS LAWDER:** I think you said there were about 100 complaints in the 18 months, and about 20 in this calendar year?

**Mr Jones:** Yes.

**MS LAWDER:** How does the frequency of the odour complaints compare with other types of complaints that the EPA receives—noise or whatever else?

**Mr Jones:** With the number of complaints that EPA receive all up, in 2015-16 it was a total of just over 2,000, of which noise was the most significant—about 1,500 out of the 2,000. So noise is about 70 per cent. In terms of odours and pollutants, I do not have a specific one for odours. Certainly, the majority of complaints we receive are firstly about noise. Air pollution, which tends to be smoke and occasionally dust, provides about 300 out of that number of 2,000. That is probably the next most significant area. Complaints that are quite specific to air pollution are about solid fuel heaters, which are obviously putting smoke into the environment, especially in winter, where there are inversion layers with the cold air, and the smoke tends to get trapped. That probably gives you a pretty good idea that, with smell complaints, even if we escalated that to approximately 50 in a year, for example, that is quite small compared to the total of over 2,000 complaints that we receive.

**MS LAWDER:** What if you look at it in terms of localisation? There are perhaps four suburbs that may be affected by the odour, as opposed to 110 or 120 suburbs in Canberra overall. If you reduced it to an average of just a couple of suburbs, would you say it is a significant proportion of complaints?

**Mr Jones:** A lot of the complaints come from—shall we call them repeat complaints?

**MS LAWDER:** Probably because they live there.

**Mr Jones:** Yes. As you said, it is an isolated number in an isolated area.

**MS LAWDER:** Obviously, it is not going to affect people in Belconnen because of the distance from the tip.

**Mr Jones:** Sure.

**MS LAWDER:** My point is that, whilst it may only be 20 out of 2,000, if you looked at it in a concentrated area, if you took those four suburbs of Macarthur, Fadden, Gowrie and Gilmore, perhaps, how would that compare against complaints for those four suburbs for noise, air pollution and wood fires?

**Mr Jones:** I do not have data on the range of complaints for each individual suburb, but I could comment that, while there are those suburbs mostly affected by the smell or potential odour, the EPA focuses on what is controllable and what we can do to

minimise the level and quantity of odour and the extent of the odour coming out.

We have been pretty active in using our legal controls in boosting our environmental authorisation to have mandatory odour controls and odour monitoring of the activities that are going on at the time, but we also ensure that there is as much information available not only to the operators but also to the consumer about what they can do to make their complaint. We encourage them, as you are aware, to do so in a timely manner so that at least our field staff can get a chance to identify the source of the odour.

Usually, when we do get a complaint we contact Remondis, the operator, to see if there is any unusual or different activity which has been undertaken at that site. For example, they may be upgrading the drainage or the leachate site and they may have had to open some of the old landfill areas. At least we would be in a position to be able to assist and control when that is done, and done in certain climatic conditions. What we cannot control is the climatic conditions of wind direction, inversion layers and some of those climatic peculiarities, especially around that valley area, which may or may not exacerbate, for those suburbs admittedly, that odour extent.

**MS LAWDER:** In the budget—not in your directorate—there is a significant amount of money for additional landfill capacity at the Mugga Lane Resource Management Centre to ensure continued operations beyond 2020, when current capacity is expected to expire. Is it your understanding that your new, higher level environmental authorisation will apply to that, or will it be stricter again, given the increasing volume of waste being held at the landfill?

**Mr Jones:** Each time that we look at the appropriate environmental authorisation, we do it on a case-by-case basis for each particular cell, because the cells can be located in different areas in terms of gradient and whatever, as they move around in what is obviously a fairly large site. Each time we review or we put on an environmental authorisation to control activity there, we take into account the volume, the size and even any information we get on the changing nature of rubbish that is being disposed of, in terms of the focus on recyclables and things like that.

The actual content of the rubbish does change, which then affects the modelling in terms of what is likely to happen, the types of odours, the type of methane or other gases that could be emitted, and also, depending on the physical environment there, the level of leachate that might come out of that site. So each time they build a cell, we look at the peculiarities of the landscape, the changing nature of the tip and any other experience or information that we get from that site.

**THE CHAIR:** Ms Le Couteur, have you managed to find—

**MS LE COUTEUR:** Yes. It was put out in June last year. As I said, it was called *Improving the ACT Building and Regulatory System*. I have the document, which is a summary of reforms, and it has Minister Gentleman's smiling face on it. It is from June 2016. Does this ring any bells?

**Mr Peffer:** There is some activity going on on this front, Ms Le Couteur. Our focus to date, in terms of the operational side, has been largely in the licensing space. I must

take a step back. The government has been very keen on these reforms, framed up collectively with industry and community stakeholders. It established a building regulatory advisory committee, which has representation from engineering, legal, building, the government architect and a range of others who sit on that committee. As the government seeks to make changes to each aspect of the building regulatory regime, discussions are held with that group about shaping it in such a way that it does not unnecessarily hinder activity occurring and ensuring that it has the intended impact that the government is seeking to get from changes in that space.

Something that Access Canberra has been working on is the introduction of licensing exams for builders. This is recognising that there is variability in the quality of training that tradespeople can receive, which takes them to a position where they may seek to apply for a builder's licence. It is the case that we have some exceptional training organisations. It is also the case that there are some that perhaps are not producing applicants that have the desired knowledge that we would expect to see in a builder.

We have worked through this group to frame a class C builder's licence exam. The intention is to essentially say that if people are going to hold themselves out as being able to build a residence, there are certain capabilities that we would expect them to have. It started in the area of a C-class licence holder. There has been a failure rate that exceeds 50 per cent to date, so we are now looking, with the assistance of the BRAC, to expand that into B and A-class licence holders, and that work will continue this year.

**MS LE COUTEUR:** I am looking at the document, and there is a whole section under builders and building and surveyor licensing. Is that really where you have done a lot of work to date?

**Mr Pfeffer:** That has been the focus. That is not to say that there are not other discussions going on about the compliance regime.

**Mr Jones:** As Dave said, the licensing has definitely been the focus, but there is some ongoing work in the policy space, through extensive consultation with us as the regulator and with MBA and other interested groups, to expand the reforms beyond the licensing. The class C licence exams are a pretty good start, and in some ways we are seeing what the impact of that will be before it is effectively rolled out to other areas. There is certainly support to do that in terms of quality.

It is also looking at other legislative reforms like reducing red tape where it is not necessary and tightening up where it is likely to have an effect, such as the way building surveyors or certifiers operate in undertaking their work and perhaps having a system of increased inspections so that the quality can be checked at more frequent levels than perhaps is the case in some cases at the moment. So there are a range of reforms which are ongoing that were initiated in June last year and which, as you would probably be aware, received a funding boost in the government's most recent budget.

**MS LE COUTEUR:** I was going to ask about the matter, because it is on page 160, budget paper 3. This was what we were talking about. I think that is what you are



saying.

**Mr Jones:** Yes, it is feeding into that. I guess a lot of the development work was initiated in June last year, knowing full well that the time frame leading up to the election last year was going to be pretty tight. I guess those reforms were a start and were modest, with the view in mind of moving on post-election. As it turned out, there were more substantive reforms which were announced by government in the most recent budget. There were a series of fairly substantial reviews and reforms in licensing, in policy and in other areas, with a fairly substantial commitment of financial resources to give that a boost.

**MS LE COUTEUR:** Can we continue with the building? As you can imagine, I get a lot of questions from people about solar access. Is this an area that you have given any focus in your work? I continually get comments from people that their neighbours have built and they have lost their sun. Some of them come up with diagrams which certainly appear to show to me, and to them, that the rules simply have not been applied.

**Mr Jones:** There are planning rules in relation to overshadowing of properties and impacts on neighbours from a whole range of things, whether it is a physical amenity or whether it is shadow and all those sorts of things. In terms of the approval process through the DA, which is required for building processes, they need to go through that process where—

**MS LE COUTEUR:** I appreciate that there are people who come to you when there are complaints. That is how the system works. Have you put any focus on solar access? People are significantly complaining. One of the things they are saying is that the DAs simply were not evaluated appropriately, because they do not meet the rules. Are you getting many complaints and have you taken any enforcement action?

**Mr Jones:** I am not aware of any particular peak or substantive number of complaints specifically on solar. As you would imagine, we get a range of complaints across a whole range of things—some very small and some quite substantial. But I am not aware of any particular peak or focus on, I guess, solar panels or whatever impacting on neighbours that—

**MS LE COUTEUR:** Not solar panels impacting. I have never heard of anyone talk about a solar panel impacting on their neighbours.

**Mr Jones:** Passive solar.

**MS LE COUTEUR:** It is generally passive solar. People are complaining that they used to have sun in their house or on their veggie garden. Due to the neighbour's new building, they cannot. Sometimes the problems are that solar panels no longer get sun. I have never heard of solar panels overshadowing other people, although clearly you have.

**Mr Jones:** Yes. I guess it is part of an overall building footprint and site. But in terms of, I guess, building in general overshadowing neighbours, there is not anything in particular which has piqued our attention to say that this is a major issue compared to

other matters.

**MS LE COUTEUR:** It sounds like the answer is no, you have not taken any enforcement action regarding this in the last 12 months.

**Mr Peffer:** There is a particular example which has been of interest to the committee previously: a garage wall. It was raised with us some time ago in terms of the impact on the amenity of the neighbouring property. This was an issue where the DA was approved but then the construction sat outside the envelope that was approved.

**MS LE COUTEUR:** Yes, significantly so.

**Mr Peffer:** I understand that the owner has lodged an amended DA. However, the decision has been to accept parts of the DA but not others. The parts that were not accepted included the construction of a garage wall which had exceeded the height limits. On that particular issue, in terms of enforcement action, we made contact with that builder on 21 June. We understand the builder's architect has met EPSDD to discuss possible solutions for that wall. That decision is still subject to appeal.

But we have been in contact with the builder and advised that if the current DA decision stands we will be issuing a notice for the garage wall to be rectified within three months of the notice being issued. We have put the owner and builder on notice that, depending on what happens through the appeal process, that is our intended action in response to that. We will continue to maintain that contact as we go through.

**MS LE COUTEUR:** The only consequence will be that they have to rectify their mistake; there will not be any other consequences?

**Mr Peffer:** Can I say that is quite a significant consequence. This is a structural wall.

**MS LE COUTEUR:** I have seen the wall.

**Mr Peffer:** It is a structural wall. What that will actually require is some considered thinking in terms of redesigning that aspect of the house to be able to deconstruct that part and reconstruct it in a way that is compliant with the approved DA.

**MS LE COUTEUR:** Can I ask, carrying on from what you say: will you have a tracking system for your complaints? You seemed a little unclear about what the numbers would be for solar access complaints, for instance. Do you have some sort of tracking system?

**Mr Peffer:** We do have a tracking system. In fact, within our organisation we have just recently taken steps to combine the teams from right across the organisation that receive complaints and undertake that triaging process. This has been in recognition that we will be in a position to be a far more effective regulator if we have that complete oversight through quite a robust system that enables us to do that regular reporting. As you might appreciate, within the different regulatory arms that form Access Canberra a series of systems or databases or even Excel spreadsheets has previously been used, which means it has not always been easy or effective for us to

quickly access that data and access it in a useful way. However, this new complaints management team, which brings all that together, will give us access to that data.

**MS LE COUTEUR:** So you do not at present have any way of tracking these complaints, but in the—

**Mr Peffer:** We do. Sorry, let me clarify. Every team has some form of tracking system. Those tracking systems are not necessarily all to the same level of maturity of standard. The changes we are implementing right now, and which will be operational within weeks, will shift the complaints activity within the organisation to a single team that will undertake a range of triaging activities as the complaints come to the organisation. That will determine whether there is a serious risk to life, for instance, which would require an immediate response, or whether it is more of a minor matter that might require a response in 48 hours or perhaps a longer time frame. It will also determine the engagement of our specialised teams.

Some of the complaints that we get might be the number of raisins that are pictured on a piece of raisin toast on the packaging of a product which has been purchased from a retailer as opposed to the number of raisins that have been counted in that slice of bread. When we receive complaints like that, obviously the response might be quite different to where we receive a more serious complaint. But, in responding to the question, certainly we do have case management for all our complaints that come in at the moment. It is about to be vastly improved in the very near future, in the coming weeks. And going forward we will have far greater ability to interrogate that data quite quickly.

**MS LE COUTEUR:** Could you take on notice a question about the nature of complaints and what people are complaining about? Particularly in the building space, what are they complaining about? I assume you would not have those figures to hand.

**Mr Peffer:** We do not have those figures to hand, but we could take that on notice.

**MR DOSZPOT:** I have a supplementary question to Ms Le Couteur's. I also have a number of constituents who have made the same complaints where the overshadowing has quite an impact on the neighbour that is in the shadow, to the extent that they cannot really utilise the solar options that were available to them before. Just to clarify, it is not the solar part that is causing the problem; it is the neighbour's overshadowing that blocks the effectiveness of solar. I am a little surprised, Mr Jones, that you mentioned that you were not aware of many of these complaints. We have had a number of complaints, and Ms Le Couteur has, from what she was saying.

**MS LE COUTEUR:** We have had a number of complaints too.

**MR DOSZPOT:** Could I reinforce the request to have a look at how many of these complaints are coming in? They are causing extreme problems for the constituencies. I think this is all over Canberra. Something really needs to be done. Unless you are aware of the severity of the problem you may not be looking at it with quite the same gusto, if I can put it in those terms.

**Mr Jones:** I think that also would need to be looked at through the planning laws and

the planning requirements in terms of how the DAs are accepted.

**MR DOSZPOT:** The constituents are saying that they are not anti the development that is taking place next door to them but the actual building is in contravention of the DA that was approved. That has got to be done, because this is happening. There are buildings that are going ahead on the basis that it is contrary to the development application.

**MS LE COUTEUR:** Or the DA when the next-door neighbour finally really looks at it and realises that the angles are wrong. It has been approved with the wrong winter sun angle. The fact the DA has been approved does not mean, unfortunately, that it is totally compliant with the rules.

**THE CHAIR:** We will suspend now.

### **Hearing suspended from 3.12 to 3.28 pm.**

**THE CHAIR:** Welcome back. We are continuing with output class 2, Access Canberra, as well as asking questions regarding Minister Ramsay's responsibility for small business.

**MR PETTERSSON:** I have some questions about the hoarding task force. Is there an update? How many active cases are there under the hoarding task force at the moment?

**Mr Jones:** We will have to take that on notice. I know there are a number, but I could not give you the exact number, Mr Pettersson.

**MR PETTERSSON:** The approach you have been taking with some of these cases involves engagement, education and enforcement. Can you explain that to me?

**Mr Peffer:** I will start in the broad, Mr Pettersson, and then I might ask Mr Jones to elaborate. With that as our regulatory philosophy, you would see that it is one of our accountability indicators in the budget papers for the first time this year.

**MR PETTERSSON:** What page?

**Mr Peffer:** Page 35 in budget statements B, for Chief Minister, Treasury and Economic Development Directorate. With that as our philosophical approach to regulation, in setting out to be a leader in regulatory agencies around the country, one that contributes to an accessible government but also fosters economic growth and a safe, sustainable and vibrant community, we recognise that transparency has to be at the heart of how we perform as a regulator and how we discharge our regulatory activities.

In April 2016 the government agreed to the Access Canberra accountability commitment. This document is on our website, and basically it outlines our contemporary approach to customer service, dealing with complaints, and regulatory enforcement in terms of the management of risk and harm to the community. That document contains the principles that underpin our regulatory activities—that is, to be

risk based, proportional, effective, constructive, accountable, transparent and also timely. It outlines in greater detail how we put that into practice in our regulatory approach to fostering voluntary compliance wherever possible but in escalating into enforcement actions where required.

Sitting alongside that accountability commitment is a series of compliance frameworks for specific industries. That provides a greater level of detail on the regulatory tools available to our team members as they undertake their duties and how we will use those tools in different situations, escalating from engagement through to enforcement where the situation requires it.

In terms of the performance indicator and this approach of engagement, education and enforcement, the KPI in the budget papers in no way dilutes or limits the actions our regulators will take, depending on the situation they are actually responding to. In terms of engagement, this is seeking to, wherever possible, ensure that around 70 per cent of our resources are invested in engagement activities. We know from extensive research not just within the territory but across the country and across the world that the vast majority of people want to do the right thing. So, where regulations change, what motivates people to do the right thing is not always enforcement activity but more often than not that desire and moral obligation to comply with the law.

In terms of our 70 per cent attached to engagement activities, this is really just engagement in dialogue. If you consider the activities of Access Canberra as an organisation, the vast majority of interactions we have with the public are on an entirely voluntary basis, where members of the public will access our websites for information or to understand what their obligations are under the law; attend our shopfronts—over half a million will come in to pay, to register, to licence, to obtain permits and the like; or call us over the phone, and we will take around 760,000 calls this year. A lot of our activity is in that space.

In terms of education, where we have 20 per cent of our resources deployed, this is providing more targeted advice and guidance on regulatory obligations. In our inspection activities, for instance, we will base that on a risk assessment and we will apply a targeted educative compliance approach to industries, businesses or individuals that appear to have engaged in non-compliant conduct that has caused minimal harm or no harm. A good example of this might be in the small business space where a business simply did not understand what its obligations were and was not actively seeking to generate any harm, and it might be the case that no harm has been generated at all. We will work with that business to educate them on their obligations, for them to be compliant with the law, rather than coming in with enforcement activity.

Enforcement, where we have 10 per cent of our resources invested, is that formal exercise of statutory power. This is essentially where we are taking choices away. Across our different regulatory arms we have a vast array of tools we can use, from simple infringement notices that we can issue right through to criminal prosecution. We use that full range of tools depending on the situation that arises. This is where there is demonstrable significant harm or the potential for that harm to eventuate if no action is taken.

We know that the better we are at engaging and educating, the fewer individuals or businesses are likely to end up at that harder end of enforcement. That is why we focus much of our attention there, because it is really moving us into more of a preventative space than a reactive space. In terms of some specifics of what that might look like, though, I will pass to Mr Jones.

**Mr Jones:** With hoarding or untidy blocks, as you are aware, some of the situations are really complex in terms of the issues we need to deal with, including the potential mental health issues of some of those residents. Clearly just going in with an enforcement attitude is not going to resolve the situation and, if anything, is likely to make it worse. Based on expert advice and assistance, we engage with a range of government stakeholders, including health and TCCS, to work out what the issues are and encourage the person to recognise that some of their activities and behaviour are impacting on the community around them. Quite often that level of engagement brings a realisation with it that perhaps something needs to be done.

There are a couple of really good examples we have of various suburbs where some of these situations have been going on for many, many years and we have managed, through our cooperative effort within ACT government, to resolve them. In one case hundreds and hundreds of whitegoods were stored on and around not only the property but unleased territory land. We were able to have them removed and the issue was resolved with minimal fuss, based on that engagement type of approach. Especially with hoarding, we find engagement is the best answer, given the complexities not only with mental health but sometimes with what can be fairly aggressive behaviour by some residents who have a reaction when they think their rights may be being reduced.

**MR PETTERSSON:** So the 70, 20, 10 split, based on your description, is across Access Canberra? That does not delve into individual regulatory areas? That is how you would break up your resources across Access Canberra?

**Mr Peffer:** That is correct. We look at it in a global sense. It is absolutely the case that we have some teams that operate purely in the engagement space, and likewise education. Then there are some teams, major investigations for one, which essentially operate for purely enforcement purposes.

**MR DOSZPOT:** I have a supplementary, further to Mr Pettersson's question. Access Canberra now includes previous management units, including the office of regulatory services, the environment protection agency, construction, client services and so on. How is the effectiveness of these arrangements evaluated?

**Mr Peffer:** What we have sought to do, Mr Doszpot, off the back of our hearings last year, is construct a series of indicators which are measurable, which are meaningful and which look essentially at the impact we have as an organisation rather than the activity that we undertake. Some of the feedback that we had previously on our indicators was that they were largely activity based: the indicators could move up or down and it did not necessarily give a good sense of whether we were discharging our responsibilities in a way that was improving the livability of the city, be that in terms of safety, equity and fairness in commerce markets or the general environment that we live in.

What we have sought to do this time around is work to construct a variety of indicators that improve upon what it is that we are setting out to achieve and go much more to the heart of the impact that we are having. In measuring overall effectiveness, we know from one perspective—and that is the perspective of our customers or the businesses that we interact with—that the feedback is enormously positive. This year we will have spoken to around 3,600 individual businesses, many of which are small businesses across the territory that we have inspected for a variety of reasons. We have introduced this feedback mechanism so that we as a regulator get a sense of the impact that is being felt out in industry and whether we are actually helpful when we go about our duties.

You will see one of our indicators that we have there is helpfulness after issuing a notice. We know that, due to the nature of business activity across the territory, it is likely we will never see 100 per cent compliance on 100 per cent of what we actually regulate. What is really important to us is how quickly we can get organisations or individuals compliant after we have identified that there is noncompliance. Often that can mean businesses dealing with areas where they are a little uncertain. Having this as an indicator is, I guess, a statement by us that, for those businesses and individuals that are operating in a non-compliant way, we want to help them get compliant as soon as possible.

We also measure the satisfaction that individuals and businesses have when they engage with Access Canberra; that is a key measure to us. I would like to very quickly talk about the sorts of results that we see through that. Each year we undertake a survey around March. We get that done by an independent organisation. It talks to a range of citizens, but also businesses, about not only their experience with Access Canberra but their perception of us as a regulator and our general effectiveness.

In terms of satisfaction, in our service centres in 2017 it has increased from 94 per cent to 97 per cent, so there is not too much room to move. In the contact centre it has increased from 87 per cent to 91 per cent; that is off the back of the willingness of staff to assist people in getting their business done with government. Website satisfaction has also increased, from 78 per cent to 83 per cent. That is an independent survey.

Going to another thing that we measure, for everyone coming through the doors of our shopfront, we ask that they provide us with some feedback then and there on the spot. To date, this financial year, I believe we have had in excess of 50,000 people provide us with feedback, and the feedback is in line with those figures there, so it is exceptionally high. A key reason for that feedback being so high has been that people are able to get things done in the one spot. Rather than people having to go to multiple different shopfronts or different arms of government, we seek to work with everyone who comes through the doors to understand their problem and to resolve it.

**MR DOSZPOT:** Obviously staff are very important to you, because you have to have effective staff to get those sorts of figures. Earlier you mentioned having 607 total staff, I think.

**Mr Peffer:** It is 670 headcount, yes.

**MR DOSZPOT:** You mentioned three categories: full-time permanent, temporary officers and contractors. How are contractors contracted? Is it through a contracting agency or do you have direct contracts with individuals?

**Mr Peffer:** It is a combination of the two. We have a range of ACT government contracts in place with certain staff; then we also go through a number of labour hire firms for other contracts. We utilise the government's Contractor Central system, which piggybacks off the New South Wales government arrangement for those labour hire arrangements.

**MR DOSZPOT:** Do the arrangements, the agreements, that are negotiated between Access Canberra and agencies for the provision of staffing services enable the staff of Access Canberra to assume the responsibilities of the agency from which they are working?

**Mr Peffer:** To some extent, yes. In recognising that we took the operational arms of a range of directorates across the public service and located them in Access Canberra without the policy function—and that was a deliberate decision to separate the operation and policy—we signed off on a memorandum of understanding with each of the policy organisations. That was really just a clear statement, for transparency purposes, about the functions that we would undertake and the nature of the relationship. In some cases, it may be that a policy directorate owns a business system that we administer and effectively use, or vice versa. Through those MOUs we have sought to outline and capture the nature of the relationship that occurs.

In terms of discharging the functions of other directorates, there was an amendment made to the Public Sector Management Act some time ago. I cannot recall the precise date. Essentially what it did is vest in the director-general powers of quite a number of regulatory acts, in the position of the head of Access Canberra. Essentially my role functions as the D-Gs of those agencies when it comes to the operations of Access Canberra.

**MR DOSZPOT:** I understand the complexity of the work that has been done across a whole range of agencies. Perhaps I can use an example to highlight the questions that I have got on this. This is through constituents. Let us say that a citizen sees that there are several dangerous dogs in his or her area, in their street, and they are approaching children and harassing children and adults. The citizen takes action to contact you in the first instance.

**Mr Peffer:** That is right.

**MR DOSZPOT:** Who do they contact?

**Mr Peffer:** My understanding, for an example like that, is that our contact centre will be the first point of contact, that sort of door into government. We will then work with domestic animal services, which is an arm of Transport Canberra and City Services, about what steps need to be taken up to that point.

**MR DOSZPOT:** Can we take it in stages, because this is actually quite important.



Should they ring or send an email, or fill in a form letter, to do this?

**Mr Peffer:** I guess that is up to the individual citizen. I imagine they will make their judgement call about the severity at the time.

**MR DOSZPOT:** And the severity or the time sensitivity is decided by the initial person who takes the call?

**Mr Peffer:** It depends on what it is.

**MR DOSZPOT:** We are talking about a dog attack in this instance.

**Mr Peffer:** For a dog attack, where it is not a team of Access Canberra—and domestic animal services actually sits in another directorate—we will attempt to get that call straight through to that team. My understanding is that it would not be one of our officers that makes the call to say, “No, that is a matter that gets dealt with tomorrow.” Wherever possible, we will seek to put that call through.

**MR DOSZPOT:** How long would you anticipate it would take a person accepting the call from a client or a citizen to make that information available to domestic animal services if the caller cannot be transferred? What happens then?

**Mr Peffer:** My understanding is that we would seek to pass that information on as soon as we could. It may be the case that in some circumstances certain teams cannot be contacted. That might just be the result of their workforce being entirely in the field or something like that. Wherever possible, we will leave messages or send through emails, depending on—

**MR DOSZPOT:** What would you expect would be a normal response time to that person’s call about concerns about the safety of individuals? How long before someone should get back to them?

**Mr Peffer:** I would be speculating here, not knowing the specifics of that individual matter. I would imagine that the teams involved would make their best estimate based on the information that is available to them, but I could not give you an answer on what is—

**MR DOSZPOT:** Would it surprise you to hear the following? I received an email from a very frustrated constituent citizen who reported this. This is an actual case, but I am not going to mention names. The message was that these dogs were, essentially, a danger to the public in this particular area. The call was made. After 10 days, they had still not heard back from anyone, either you or animal services. They wrote to us, and I think they have written to Minister Fitzharris. This is an actual case, and I guess it is for your benefit as well to understand the nature of the concern that people have out there. I know that we are taking direct questions on this. If you cannot answer any of them directly, I understand that, but I think it would be useful, from your point of view and for informing the public, to know how these circumstances should be treated.

**Ms Pitt:** With dog attack calls, usually customers ring directly through to 132 281, because of the nature of those incidents.

**MR DOSZPOT:** Yes, which is what I understand they did.

**Ms Pitt:** When those calls come through, usually what happens is that some very basic details are taken about location and what is actually happening et cetera and the team will call the on-call officer at TCCS, Transport Canberra and City Services, in the domestic animal services area. There are arrangements and escalation processes in place for those calls to be taken out of hours, but obviously that team's resources are still subject to annual leave, sick leave and things like that.

The general process is that if, for some reason, the on-call officer is not able to answer that, there are a number of other phone numbers that the contact centre attempts to transfer that call through to. If, for some reason, those calls are not directly connected through to a staff member at domestic animal services, the team will typically record the details and send them through in writing to the email addresses so that that can be dealt with immediately.

**MR DOSZPOT:** So there is a sense of urgency based on the information that I have given you.

**Ms Pitt:** Absolutely.

**MR DOSZPOT:** In this case that I mentioned, 10 days later the person who rang with all this information had not been contacted by anyone. There was a second incident where she felt concerned enough to ring again, but then she decided to contact us as well, because she had been waiting for 10 days.

**Ms Pitt:** I am not aware of the particular case that you are speaking about, but just because the call is transferred does not mean that domestic animal services does not have their own triaging process in place. They may take that information and say, "Well, in relation to all the other cases that we are currently dealing with, this is where we see that in terms of priority." Certainly Access Canberra attempts to make sure that the customer is transferred and dealt with as quickly as possible, but Access Canberra cannot always be responsible for actually dealing with the incident in question. Domestic animal services would be able to answer questions about how they triage different incidents, but, generally speaking, dog attacks are considered the highest priority.

**MR DOSZPOT:** That was one of my original questions as to the engagement between animal services and your agency. And is there any follow-through to ensure that it has not fallen through the cracks between both of these agencies?

**Ms Pitt:** In relation to those matters, no, Access Canberra does not do any follow-up; it places the responsibility on domestic animal services to follow those matters up.

**MR DOSZPOT:** So you pass the problem on, but you are not aware of whether domestic animal services have received it?

**Ms Pitt:** We make sure it is actually put through. It is either put through directly to a person that Access Canberra speaks to, and that person will take that call, have that

call transferred through, or we will email the contact details and all the relevant case details that we have received in relation to that, as well as, in between, attempting a number of different escalation phone numbers that TCCS has provided us with as alternative contact points. Particularly with dog attacks, we take those calls at all hours of the day and there are escalation processes in place. How TCCS resources that is a question for them, and how they triage that is a question for them.

**MR DOSZPOT:** My last question is this. I understand we have to get on, but there are a number of questions I will forward to you on notice. In this instance, I have given you some information. I am happy to give you more information so that you can check your records. I would be very interested to know what happened in this particular instance and whether adequate attention has been received or whether there are still a couple of dogs that have been out there now for something like 20 days and still have not been apprehended or the issue addressed. I ask you to take that on notice.

**Mr Peffer:** Yes, I will take that on notice.

**MR DOSZPOT:** Thank you.

**MR DOSZPOT:** You spoke about how you measure activities. On page 35 of budget statements B you mention that a number of accountability indicators have been discontinued. Why discontinue accountability indicators if you are really interested in finding out how you are going? And I think about five have been discontinued. On page 35, under “Notes” it states:

2. Discontinued accountability indicator. The number of interactions with Access Canberra was measured across the financial year. This accountability indicator measured the number of interactions with the Canberra community by Access Canberra.

That is discontinued, and then at points 3, 5, 7, 8 and 9, all of those accountability indicators have been discontinued. My simple question is: why have they been discontinued?

**Mr Peffer:** The decision to discontinue certain accountability indicators and replace them with others was a result of the recommendation of the estimates committee from 12 months ago that reviewed those indicators, asked a series of questions of the organisation based on those indicators and then came back with the recommendation to review and change them. So that is what we have done. Wherever possible we have sought to shift our focus purely from activity, where movements up and down in activity might signal a range of things but might signal nothing at all, and instead develop indicators which have far greater meaning to us as an organisation but, most importantly, to our citizens and the community more broadly.

In terms of some of the indicators we have discontinued, the number of interactions with Access Canberra is something we will continue to count, but whether there should be a particular target on that is not particularly clear to us. We did some thinking on this. Is it a good thing if there are far greater numbers in this space? Is it a good thing if there are fewer? The answer is probably both, so on that basis it is very hard for us to point to an increase in the number of engagements or the number of

people accessing websites and all that sort of thing and to say that is a good thing. It may simply be that we have constructed fact sheets that are incredibly hard to understand, so people are coming back for more and more information.

**MR DOSZPOT:** But you have been getting pretty good results, so you would think that the accountability indicators have been addressed, and probably positively, yet you are getting rid of five or six different accountability measures. I fail to see why you need to get rid of so many.

**Mr Peffer:** Mr Doszpot, something that surprised me and perhaps other parts of the organisation was when we surveyed our citizens about what is important to them in their engagements with us through the shopfronts and the contact centre. For instance, you might expect that service time would be number one, but it was not, and neither was wait time. In fact, two per cent of our citizens said that was the most important thing to them. Thirty-three per cent said that what was important was, when they got to the desk or the counter, there was someone who smiled and was polite. That was by far the most important thing.

In terms of other things that were important to our citizens, it was that our people knew what they were talking about and were knowledgeable, that we actually took the time to understand their situation and where they were coming from, and that we took the time to try to help them resolve their issue. In picking up on what our citizens are telling us and using that to construct our indicators, if we set targets for our staff on lowering the cost of interaction, we are asking our team members to churn people through. We could do that; we could significantly reduce the cost, but is that really what is meaningful for our citizens? They have told us it is not.

In parts of our business we have started to shift the way that we measure and benchmark our performance. If I think about the contact centre as one of them, to begin with, we have exceptional waiting times in there—around two minutes. Service NSW is more than seven, and a range of commonwealth entities are 30 minutes-plus. So we have quite good wait times in there. But in turning off the monitors that actually measure how long people have been on the phone and how long people are waiting in the queue, our satisfaction has gone up. In terms of people actually engaging with us and the way that our staff are structured now to deal with our community, people are far more satisfied with the service that seeks to understand them and their situation and that is less about just turning them into a number and churning them through.

The range of changes we have made to our indicators is done off the back of considerable thought, of evidence about where we seek to be effective and of evidence about what is important to the organisations that we are regulating and the citizens whose lives we impact as we regulate. What has prompted us to change six of our indicators and introduce a range of new ones is that shift in what is actually important.

**MR DOSZPOT:** My final question: in 2015 it was stated that Access Canberra aimed to set a benchmark for integrated and seamless service. What was that benchmark and how was it measured?

**Mr Peffer:** One of the problems we set out to solve with the announcement of this initiative and the design of our organisation was that fragmentation which can occur when many different arms of government seek to regulate the same entity or individual as they go about their activities. We have been able to observe that, in some cases, we would interact with a particular business up to 17 times from different parts of the organisation. Wherever possible, we have sought to join that up.

Perhaps the best example of how we have structured that and the feedback we have had to date is in the event space. The minister spoke about the work of that team and what it looks like in practice. Where we previously had events organisers that would have to deal with up to 17 teams, obtaining up to 30 approvals, we have now got that down to events organisers dealing with one person. The sort of feedback we have had from organisations in the events space has been quite extraordinary. I will read out one from the Pop Inn, a recent pop-up wine bar which is proving to be quite successful across the city:

We recognise that the Pop Inn would not have been possible without the support and significant efforts of the Access Canberra team in supporting new businesses and creating an environment for new ideas and business models.

Having had that team in place for well over a year and recognising the success that that was able to deliver to a range of small businesses, community groups and event organisers, we have now sought to expand the coverage of that team. The first area we have expanded to is liquor businesses. These are quite complex businesses when you think about the range of approvals: from design and construction, in terms of the materials that are used in a fit-out, through to workers comp and health and safety, liquor licensing, food licensing and noise. Across the board, there are so many, many touch points with government.

I am pleased to say that since we have expanded the events team into the business space the feedback has been absolutely extraordinary. It is quite a hard thing to measure the dollar impact of that. However, our estimate, as the minister outlined, purely in the events space, has been around \$1 million a year in community and citizen effort to try to coordinate approvals which we now handle internally. I would expect that, through time, the savings to business would be just as much, if not more. In terms of the measure of effectiveness, that is the sort of thing that guides us.

**MR DOSZPOT:** Is the benchmark still in operation?

**Mr Peffer:** The benchmark?

**MR DOSZPOT:** The benchmark I referred to at the beginning: in 2015 it was stated that Access Canberra aimed to set a benchmark for integrated and seamless service. Is that still in operation?

**Mr Peffer:** It certainly is. I am very pleased to report that the impact our organisation has had within our economy has drawn the attention of other state and territory governments. New South Wales has recently announced a commerce regulator. It is looking to bring together some of its commerce-related regulators in an attempt to replicate what we have. Access Canberra was a key part of an independent review

done by one of the big fours into regulator effectiveness, which looked not just at regulators in Australia but also at some regulators overseas—Canada and Europe, I believe. Access Canberra was the most integrated of any regulator that was a part of that review. That is now setting the benchmark for other jurisdictions to look at how they can integrate their inspection and licensing activities in an attempt to follow what we have done.

**MR DOSZPOT:** Has the benchmark that is still in operation been independently audited as well?

**Mr Peffer:** I think it is a statement rather than a number, Mr Doszpot. In terms of how we measure our effectiveness, we look at estimates of the time saved by us internalising regulatory complexity rather than individuals or businesses or event organisers having to go through that process themselves. I guess we would say the benchmark is to be the most integrated of any regulator both here in Australia and around the world. Certainly in Australia we are well and truly in front of other jurisdictions. Whether that is the case right around the world, we have not done that analysis, I must admit, but we would certainly seek to be the best that we could be on that front.

**MS CODY:** Mr Doszpot was asking about some of the initiatives, and you mentioned the Pop Inn wine bar. Are you doing other things to help reduce red tape for small business?

**Mr Peffer:** Yes, we certainly are. We are uniquely placed, with so many regulatory arms that we get to see the interactions of the regulator with business. That has given us a great insight into particular areas where regulation can make it unnecessarily difficult for a business idea to get off the ground and for people to get moving. It also puts us in a position where we have a full range of suggestions that come in from the organisations we regulate and we are able to make changes.

I will outline some of those briefly and then I will ask Mr Stankevicius to expand on that. One of the recommendations we have had from citizens and from businesses about our website is that it is a key information transfer from government to regulated entities and citizens about what compliance looks like and how they can meet that compliance. We had some suggestions about how we could redesign that, so we have gone about that and the feedback on that has been tremendously positive.

We also have worked tirelessly to put many licensing and permit and approval forms online. This year we have introduced 77 new digital services, and the take-up of many of them has already been in the thousands, which means more and more businesses are able to transact their business with government online at a time that suits them, which might be outside normal operational hours. We have done a range of operational things and we have also worked with the reform team to introduce a range of legislative and regulatory changes.

**Mr Stankevicius:** Obviously regulatory reform is a key initiative of the government. It started in the 2014-15 budget, when the Chief Minister outlined the government's objectives in regulatory reform, reducing red tape and established the regulatory reform team within the policy and cabinet division of his directorate. He also made it

a responsibility of all directorates across government to undertake regulatory reform activities in their areas of policy and legislative responsibility. If you look across the budget papers for 2017-18 you will see that agencies are predicting that during the next financial year they will undertake at least 13 regulatory reform activities, in everything from education to health. There are some really high impact ones; there are also some that focus on process reform.

The key for us has been the red tape reduction bills. We have had four since 2014. That has been a process of government, particularly this team, working with the other directorates, key peak bodies, key consumer groups, key businesses and charities and working out the priority for reforms for the next red tape reform bill. We have done everything from the security industry to greyhound muzzling and firewood merchants.

We have previously supported a lot of the work that Mr Peffer has been talking about in Access Canberra's reforms, things like liquor licensing reform, new agents licences, work in the lottery space and the security industry space, and those broader things such as ACT government directorates no longer needing to put a public notice in a paper circulating daily in the territory. That has obviously reduced a compliance burden for people like agents, who, under the other agents legislation, had to publish their name in a paper circulating daily in the territory in order to apply for a licence. It has reduced regulatory compliance for directorates, which do not have to publish all those public notices in a paper. Obviously we now do that through a very comprehensive online process. Those are the kinds of things that we have been working on.

When I asked the team to pull together the list of organisations that we consulted on the most recent regulatory reform bill, it had gone to 30 or 40 organisations and individual businesses. We start with wanting to, as Mr Peffer said, fix those problems for businesses, not-for-profits and individuals. We work with them to co-design in some cases but certainly consult and engage with them on the process of reform and regulation on the way through.

**THE CHAIR:** Thank you, minister and officials. Next up we have the Speaker and the Office of the Legislative Assembly.

Appearances:

Burch, Ms Joy, Speaker of the Legislative Assembly for the Australian Capital Territory

Office of the Legislative Assembly

Duncan, Mr Tom, Clerk of the Assembly

Duckworth, Mr Ian, General Manager, Business Support Branch

Skinner, Mr David, Director, Office of the Clerk

Prentice, Mr Malcolm, Chief Finance Officer, Business Support Branch

**THE CHAIR:** We welcome the Speaker of the ACT Legislative Assembly, Ms Burch, as well as the OLA officials. I trust that everyone is aware of the pink privilege statement and its implications. Madam Speaker, I will pass to you.

**Ms Burch:** Thank you, chair and members of the committee. I will make some brief opening remarks before the Clerk, officers and I take questions about the budget estimates for the Legislative Assembly. In respect of the 2017-18 financial year, the office finds itself having worked successfully over a number of years to transition to the larger Assembly, with the main building works now finalised, a revised office staffing structure and an expanded committee system. I believe the Assembly is well prepared to acquit its accountability and the representative roles demanded of it.

It was gratifying to see that the funding sought by the office to enhance the security functions in the Assembly precinct has been included in this year's budget. The funding will put the office in a strong position to build on security arrangements that already apply in the Assembly building and work towards maximising performance against the protective security policy framework that operates across the ACT.

Being very mindful of the time, I will make just a couple more comments. Later this year the office will be undertaking a strategic planning exercise to map the path it will take from 2018 through to 2020. As part of this exercise, the office will draw on the input of staff, its management and the views of the administration and procedure committee as it considers the broader direction of the office as it supports the 25-member Assembly. We are working well with officers of the Assembly through budget protocols as we review that process over the coming 12 months.

For the information of committee members and others, on 30 June I hope you will wish Mr Ian Duckworth a happy birthday. He has the great, unique privilege of having a birthday at the end of the financial year. With that, we are happy to take questions. I did promise I would embarrass him. I try to commit to my promises. Thank you. I am happy to leave it there.

**MS LE COUTEUR:** MLAs no longer receive the communications allowance administered by the Assembly. Basically, we get the allowance directly into our personal accounts; so essentially it is an increased salary which we can spend as we choose. Given this, what role, if any, does OLA or the Clerk have in adjudicating the use of these materials? We also have an office stationery allowance. It is entirely unclear, or at least a little bit unclear, what rules—



**Ms Burch:** I think Mr Duckworth will go to the comms allowance. It is the OSA now, the office support allowance.

**Mr Duckworth:** Yes. Ms Le Couteur, the office support allocation, as it is now known, replaced what was previously called a discretionary office allocation, which, as you will recall from your previous term here, was a larger, bigger beast. The Remuneration Tribunal in considering a number of requests from successive Speakers and a number of members to dismantle that arrangement did so in the middle of 2014. At that point the Assembly did seek the tribunal's indulgence, I guess, to retain a small allocation so that members did not have to be paying for office stationery, copying, printing and so on within the office. We saw that as being somewhat cumbersome.

The tribunal's view was that it wanted to see the previous discretionary office allocation completely dismantled, but it did say that a small sum could be retained for access by individual members for things like office printing and copying, office stationery and certain IT expenses that act as an adjunct, I guess, to the standard IT equipment given. I appreciate that there are questions from time to time, but I am not certain that I have ever described it as unclear, as perhaps you indicated. I would certainly be happy to take on board any feedback from members about the issues that are unclear.

Members have a report sent to them each month outlining their copy and print counts. They order stationery through the OfficeMax contract and are provided with a summary of that expenditure. I think the one area where it does vary quite considerably is how members use those funds for certain IT equipment, whether it is, for example, software or Citrix login tokens. But all the information I see is that it seems to work fairly well—certainly better than the old scheme.

**MS LE COUTEUR:** I have an email from one of your staff which said I “couldn't use printing for any communication to the electorate” and I thought that was quite bizarre. What else would I be printing, basically? I mean, I can be printing out multiple copies of the annual reports and meeting papers, but once we have passed that, one of my primary jobs is to communicate to the electorate. That is what started this line of questioning. What can I—

**Mr Duckworth:** Thank you for drawing my attention to that particular matter.

**MS LE COUTEUR:** You did come back to clarify that a bit, but I feel very unsure about what is regarded as “reasonable”.

**Mr Duckworth:** The issue cannot be clear-cut, otherwise there would be very explicit advice. The advice we have always given all members—we have been quite candid about it—is that the office allocation is intended to do the copying and printing within the office that you need to perform your roles as Assembly members, committee participants and so on. At the other end of the scale, it is accepted by all that large-scale mail-outs to the electorate and the printing and distribution of those is a cost that members must bear themselves. I do not think there is any argument between those two extremes.

There can be areas that might require discussion and adjudication. Certainly a view that we workshopped amongst us and that has been the subject of a lot of advice to members is that if it is unsolicited communication that does not decide the matter, but it is a strong factor that influences it. If you are writing to individuals who have not written to you and have not sought your views, it may well be that that is a communications allowance matter.

**MS LE COUTEUR:** Is party branding regarded as a relevant consideration?

**Mr Duckworth:** We have always taken the view that members should not hide behind the parties they represent in the Assembly. So we have never had a particular difficulty with members identifying themselves as the Liberal member for this electorate or whatever. But I think, obviously, it has a connotation in election campaigns. As we get closer to those, that has always been an area where we have strenuously encouraged members to avoid appearing to be promoting their party or promoting themselves as members of a particular party.

**MR COE:** The New South Wales parliament, in particular, but also the federal parliament, does have quite clear guidelines in this space. I am just wondering why the ACT has never gone—

**Mr Duckworth:** I am not sure that I would actually agree that it is quite clear.

**MR COE:** Well, the guidelines I have seen look pretty straightforward, so far as I am concerned.

**Mr Duckworth:** There is new determination—in fact, I think it is a law—that the federal parliament have passed only recently. I became aware of that definition of “parliamentary business” last week. It is probably something that we will look at. But, with respect, I think it is the first time I have ever heard it suggested that there is a clear—

**MR COE:** I think they have a very simple 10-point checklist. You have got to tick all the boxes before you can do it, or the opposite. But one way or another, I think it is pretty straightforward, actually. As far as safeguarding the interests of taxpayers, I think those sorts of guidelines make it very clear for all concerned.

**Mr Duncan:** Madam Speaker, I and Mr Duckworth appear before the Remuneration Tribunal every year. It is the Remuneration Tribunal that gives members this allowance. We can certainly draw to the Remuneration Tribunal’s attention the fact that members might think there is a lack of guidelines. But really it is the Remuneration Tribunal that bestows this allowance upon you and the conditions under which the allowance is used.

**MR COE:** I note that same determination also says that it is within the purview of the Speaker to determine guidelines for how this allowance is to be administered.

**Mr Duncan:** It is, but we take the lead, I guess, from the parameters, the broad parameters. The parameters that the rem trib has set are that for anything

communicating with the electorate, the communications allowance is to be used. It is the broad philosophy that we operate under.

**MR COE:** Yes, but we are talking about printing something in the office here. So—

**Mr Duncan:** And communicating with the electorate.

**Mr Duckworth:** And our advice to members is that if you are printing in the office, your OSA is clearly able to be used. All we have said is that if you are printing in the office with the intention of distributing that widely in the community, you may find yourself in a situation where you have engaged in activities that were intended for the original communications—

**MS CHEYNE:** Related to that—

**MR COE:** It is for that reason that I think most opposition members have got another printer in their office—so they can do other printing. I think it is unfortunate.

**MS CHEYNE:** Related, is there a way, then, that the printer could be used so that, if you did happen to print something that was a thousand letters to the electorate, instead of that coming out of your OSA you could declare that it was to the electorate and then OLA could bill that to your comms allowance?

**Mr Duckworth:** I think that is fraught. I really think that is fraught. You are placed in a situation where members are effectively undertaking printing within their office and, subject to a declaration, then saying, “You had better bill me for that.” I think that is where we have been and I do not think that is where—

**MR COE:** That already happens with room bookings.

**Ms Burch:** Can I just—

**Mr Duckworth:** Well, we could talk about room bookings, but I am talking about—

**Ms Burch:** If I may, I know this was discussed in the previous Assembly as well. I think there is a big difference between writing to the 10 people that have written to you. When I tuned in this morning, the issue of the Mugga Lane tip came up. It is a very different thing to be responding to five, 10, 20, 30 people that write to you about that than putting out a letter to 300 people saying, “Look at me; I am the best thing since sliced bread,” and charging that. On the matter of charging, this was discussed through admin and procedure, I think it must have been, in the last Assembly. It was deemed that if you want to print 300 or 1,000 copies there are any number of local providers that could do that. It is an even cleaner way to go to the local provider than to use our facilities, like you would go to Kwik Kopy, for example.

**MS CHEYNE:** Yes.

**Ms Burch:** It is fraught, but we are happy to look at it if there are new federal or New South Wales guidelines to use.

**THE CHAIR:** I was going to suggest that it is a perennial issue. It seems to come up in every annual reports hearings, every estimates hearings, and it is often raised in other forums. It suggests that members continually have a challenge with where the goalposts are on this issue. The entitlements are constantly changing as well, which makes it even more complicated, because it sort of resets the whole—

**Ms Burch:** And the reporting under the Electoral Act as well?

**THE CHAIR:** Yes.

**Mr Duckworth:** Without trying to prolong the discussion, Mr Chair, I add that in respect of the issue of members not knowing where the goalposts are, I hope it is understood that we look hard to try to establish where the goalposts are, but it is not always clear to us, either.

**THE CHAIR:** I guess the challenge is, if we kick wrong and miss the goalpost, we end up on the front page of the *Canberra Times*.

**MS LE COUTEUR:** Yes.

**THE CHAIR:** We largely rely on the advice provided by OLA and others—

**Mr Duckworth:** Yes, I appreciate that.

**THE CHAIR:** to ensure that we act in the spirit of the allowances and entitlements bestowed upon us—

**Ms Burch:** Which I think is the move to the declaration. Again, that was as a result of the previous admin and procedure committee, whereas with the monthly arrangement, you declare that it is done within a reasonable use of an allowance for performing your job. You putting out 1,000 letters come 20 October saying, “Look at me. I am the best thing since sliced bread,” is not in the spirit of it.

**MS CHEYNE:** Is that the same for incidental personal use? Personal use under the declaration is entirely banned. But we are talking about public funding. Federal government departments are funded by the taxpayer. Yet many federal government departments allow for incidental printing—like a movie ticket or something.

**Mr Duckworth:** I do not think there has ever been any pretending that that does not happen. I just cannot imagine that you could eliminate that. The cost of eliminating that would be ridiculously—

**MS CHEYNE:** But we have to sign a declaration that says we are not doing any of that. You just used the same example to say that if we signed the declaration and then asked for it to be billed, that that would be fraud.

**Ms Burch:** Fraught.

**MS CHEYNE:** Oh, fraught.

**Ms Burch:** Fraught.

**MS CHEYNE:** I thought you said “fraud”. Okay, yes, I take that.

**Mr Duckworth:** For the record, I did not accuse any members of fraud.

**MS CHEYNE:** Yes, fraught.

**Ms Burch:** Yes.

**MS CHEYNE:** Got it. That clears up everything for me. Okay, I take it back. All right.

**Ms Burch:** If members want to look at this again through admin and procedure, as it was looked at in the last Assembly—

**MS CHEYNE:** I am sure Mr Wall and I—

**Ms Burch:** you may have a go.

**MS CHEYNE:** would be stoked to do that.

**THE CHAIR:** I feel a letter coming on.

**Mr Duncan:** Mr Chair, I just remind members that the old regime was one that we tried to move away from. That was a situation where the Clerk and the General Manager were vetting every communication that was going out to constituents. That was something we felt very uncomfortable doing.

**MS CHEYNE:** Yes.

**Mr Duncan:** We were playing god and we really wanted to have a situation where it was up to the members. We wanted to give an allowance to members. We pushed very strongly with the Remuneration Tribunal to give members a communications allowance. So, effectively, it became a relationship between the tax office and the members that they used that communications allowance and we were not involved in that process. That was the philosophy behind that. By all means, if there is a need for guidelines, we can certainly suggest guidelines to the Speaker. But we do not want to get into a situation where the Clerk and General Manager are vetting every communication that is going out.

**MS CHEYNE:** No.

**MS LE COUTEUR:** No.

**MS CHEYNE:** No, we all agree.

**MS LE COUTEUR:** I think that we are all—

**Ms Burch:** Nor the Speaker, for that matter.

**Mr Duncan:** Yes.

**MS LE COUTEUR:** I think the comms allowance is clear and fine; we understand what that is for. The issue is small-scale communications where we have got past one letter and we are under the thousands. It is small-scale communications which could be afforded under your OSA, and you just go, “Oh, yes, I must do blah. Bright idea: let’s send them off to these 50 people or whatever.” That is the hard part. It is not the communications allowance. That is clear. Have you looked at the other way of doing it—not saying, “This is too hard,” but saying, “You’ve got an allowance; you can print that much and not max out.” By definition, regardless of what you are doing, you cannot be doing that much of it, if you know what I mean. Just do not stress about—

**Mr Duckworth:** I think that is a really valid point, that the amount of OSA is a small subset of the old arrangements.

**Ms Burch:** It is, and it is limited.

**MS LE COUTEUR:** And it is limited.

**Mr Duckworth:** To be honest, generally speaking, across the board the OSA does not seem to be an inadequate amount of money. We actually have members who are printing across the year. There is enough money there. If everybody was on the threshold, we would probably be looking at it from a different perspective. At the end of the day, the maximum that you could be printing is a couple of thousand dollars worth a year.

**Ms Burch:** I look forward to the recommendation on—

**MS LE COUTEUR:** That is my suggestion. Just say, “Look, let’s not stress about that, because we just spent some time not being able to work out precisely what we mean.” Let’s say, “Okay, this is the fuzzy zone, but it is only a small fuzzy zone.”

**Ms Burch:** I look forward to Mr Wall and Ms Cheyne—

**MS CODY:** I just have one brief question. I know Mr Coe mentioned New South Wales having some sort of guidelines that seem to be relatively clear. How do we compare to other jurisdictions—do we know?—in regard to the communication allowance/OSA situation?

**Mr Duckworth:** Every jurisdiction is different; that is one thing that is clear. As I said, with the greatest of respect to Mr Coe’s earlier comment that the feds possibly have now a very clear process, I am unaware, from many years in this business, of anyone having a clear process. Parliaments around the country grapple with this. I think we are very much in a situation where in recent years we have had some certainty, notwithstanding that there is some residual uncertainty. I think the best thing we can do is to look at those other jurisdictions which apparently have got better clarity. We will perhaps bring it to the Speaker and the administration and procedure committee and see what can be done with it.

**MS CODY:** Thank you.

**MR COE:** I was wondering if you could please give an overview of the impact of the adjacent construction works on the Assembly precinct.

**Ms Burch:** I think that in annual reports I said that I had written that there has been a churn of staff in the group in the directorate arm that will oversee that. Mr Kefford, as I understand, has now got carriage of it. Is that right? And I have reminded them, through a letter, of a follow-up briefing so that I can get some advice about where we are at. I think construction is to start with some bollards in December or January. December?

**Mr Duckworth:** Yes, December. The latest advice we have is that the closure of the site or the commencement of site preparation is scheduled for early December. It is not an exact date, but early December is the latest we have heard. The disruptive work—it could be argued that there are going to be several years of disruptive work—in terms of digging down for three basements of parking is expected to commence in February and run through to at least, I think, May or June, if not longer. That is the issue that has had probably the sharpest focus in terms of the disruption it could cause, particularly for the people living on the southern side of the building.

We are in discussions with Mr Kefford and his team. The Clerk and I met with them several weeks ago about a number of measures which could possibly include—I do not want to create any expectations—some double glazing being fitted to the windows on the southern side of the building. The OLA executive management committee has certainly given serious consideration to this estimates committee process next year perhaps operating out of another location because of the proximity of this room to those works. But that is just something that we are contemplating, and obviously we would continue to talk to the Assembly about it.

**MS CODY:** Has one of the discussion points been thinking about night works rather than day works?

**Ms Burch:** Night works, day works, their being respectful of our sitting week pattern, and how they could modify or change some of their work planning to accommodate those. That was from a conversation some months ago, I must admit. We are picking that up now that those agencies and the directorate staff have settled. It will change. Life as we know it, as I think I said in annual reports, will change once the fencing goes up. The immediate one is car parking. Sometime this week I will be sending an email to Mr Wall and Mr Coe about when we start to think about parking and other bits and pieces.

There is noise; there is the management of traffic. What are the final plans going to look like? Just having a building within a throw of a tennis ball out of that side of the building, with 3,000 people sitting in it, will be different. It will be different for us. It is a work in progress. As I have raised in admin and procedure, once we get a final idea of what it will look like, everybody in this building should be informed of it so that there are no surprises.

**Mr Duckworth:** Just to clarify, the advice we had from the project team was that the territory's contract with the developer does include some scope for them to not work on Assembly sitting days. That is something that I think was identified early on in the planning and has been factored in. But as for the days when the Assembly is not sitting, let us not pretend; we acknowledge that work goes on here most business days. But there is the expectation of having it rested on sitting days; there will be relief.

**Ms Burch:** So there could be scope for committees, if they have hearings, to choose to do them out of the Assembly. There is more homework to do, so to speak, before we start on that decision-making process.

**MR PETTERSSON:** I will change tack. I will give you all a break. I noticed that you are increasing—

**Ms Burch:** It is only Monday.

**MR PETTERSSON:** You are increasing the staffing of the OLA. Where are you expanding?

**Ms Burch:** If you give the Clerk a chance, he will say, "We have a record number of committees in this Assembly, and a good lot of the staff growth accommodates that." Clerk.

**Mr Duncan:** Thank you very much. Yes; we have 11 committees at the moment, and Mr Coe, in his budget reply speech, proposed a 12th committee, I notice, so that may well be another feature of this Assembly.

**MR COE:** It was actually PAC.

**Mr Duncan:** I thought it was a public works committee, but anyway.

**MR COE:** Yes, that PAC take on the role of public works.

**Ms Burch:** Yes, within PAC.

**Mr Duncan:** That relieves you, Mr Coe.

**MR COE:** You can still use that as an opportunity to take on another eight staff.

**Mr Duncan:** Yes, 12 roles. We did seek and get granted some additional funding for two extra committee secretary positions, which we have recruited for and filled, I am pleased to announce. Also, you will see in the budget papers that we did seek some extra funding for the other half of the security position that the Assembly passed from the appropriation bill last year. We put a further argument before budget cabinet when I appeared that we do need a full-time security facilities manager. That funding was forthcoming. So we have effectively 2½ extra staff over and above the complement that we had last year.

**MR PETTERSSON:** Thank you.



**Ms Burch:** Did you say all the committee positions have been filled?

**Mr Duncan:** All been filled.

**Ms Burch:** So the recruitment is now settled?

**Mr Duncan:** Yes.

**Ms Burch:** For those.

**Mr Duncan:** Yes.

**MS CHEYNE:** I want to talk about committee inquiries and the promotion and advertising of them. I need to be careful in advance of a committee meeting tomorrow, but in my own interactions both on Facebook and publicly and reading the comments on websites like RiotACT there is quite a lot of commentary about a particular inquiry that closed last week: "This is the first time I have heard of it and I would have liked more time." I want to know: what funding is allocated in the OLA budget to promote these and what ways we go about doing that?

**Mr Duncan:** I will start, but David Skinner might come in. Several years ago, recognising that social media was becoming a bit more of a feature of modern communication and engaging with the constituency, we created a public affairs officer position, a part-time position which now sits in the Office of the Clerk. The role of that part-time position is to manage the Twitter feed for the Legislative Assembly, the Facebook feed, publish the annual report and engage as much as possible, create some videos.

You would have all received emails or letters in recent months asking you to be interviewed for the purposes of going on the Assembly website to communicate what the role of an MLA is. There are already videos on the role of the Speaker and the role of the Clerk. In fact, on Wednesday we are filming a video on the importance of the mace to the Legislative Assembly and what the mace signifies. We are trying to promote as much as possible the role and operation of the Assembly. We rely on Assembly committee secretaries to provide the public affairs officer with relevant information.

**MS CHEYNE:** And do they all do that?

**Mr Duncan:** They do. We had some teething problems, I think, this year with new staff and new committees, the 11 committees that we are supporting.

**Ms Burch:** It is 11, is it?

**Mr Duncan:** It is 11.

**MS CHEYNE:** At the moment. That is good.

**Mr Duncan:** At the moment. But certainly we have got a good operation. David, do you want to elaborate on that?

**Mr Skinner:** Yes. What the public affairs officer does as part of a whole range of duties is operate two social media accounts. They are very, perhaps, vanilla flavoured in the sense that they are all about pointing to proceedings on the Assembly website. They are not used as a two-way form of communication; they are not used to engage in a dialogue, which, it would seem, is much more typical on Facebook and Twitter. In fact, that is much of the value and the basis for which people are interested in that sort of form. We use it much more to point to proceedings and we do that primarily for procedural reasons. We want the proceedings to speak for themselves, if you like.

One of the things that the public affairs officer does before doing any Twitter activity is make sure that the committees, for instance, have authorised that there be some comment on a matter. But, as a matter of course, if there is a call for submissions or a public inquiry and the committee secretary has made contact with the public affairs officer, it is pretty much standard practice that that will go out via that route. In terms of actively promoting a particular inquiry, that will be a job, I guess, around what the committee envisages, how it envisages it would like to promote such a proceeding and working with its secretary and, through the secretary, getting the public affairs officer to do that. That will vary from committee to committee, secretary to secretary and inquiry to inquiry.

**MS CHEYNE:** While you have got quite a decent Twitter following, Facebook is just 87 likes.

**Mr Skinner:** Yes.

**MS CHEYNE:** Has there been any investment in Twitter promotion or Facebook advertising?

**Mr Skinner:** No. The Facebook page is relatively recent, in the last five months?

**Mr Duncan:** Yes, within the last year.

**Mr Skinner:** Whereas Twitter has been around for a bit longer and it does seem to be the thing. In essence, the model is essentially to use them as pointers to our primary content, particularly through using shortened URLs saying, “Here is the actual proceeding, here is the actual transcript, here is the committee page and here is the daily on demand,” rather than engaging in some more—

**MS CHEYNE:** I think I am more talking about the reach that you are getting. Surely on a page of 87 people, unless you invest quite a bit of money into advertising, your reach is just not going to be there.

**Mr Skinner:** I would tend to agree with that. I think at this stage—unless the Clerk corrects me—our primary way beyond the website has been Twitter, and Facebook is very much an adjunct and a bit of a trial to see how that goes. One of the challenges, of course, in having the Facebook page is that you do give an impression that you are inviting some broader discussion and interaction with the community, which, again, for a range of procedural reasons, is difficult. I know other parliaments do it.

**MS CHEYNE:** I think ACT Policing, for example, do it quite well and they say, “Don’t report the crime here.”

**Mr Skinner:** Again, I regard some of those issues as fraught, procedurally fraught, in terms of how the legislature might be able to hold forth on particular policy issues that are ventilated in that space. How does the office engage? Most of what we are interested in communicating are process issues, not outcomes issues, not the policy per se but how does the policy or the proposed policy or legislation or a committee inquiry work its way through that democratic process. That does not lend itself to that interaction in the same way as even a government department who is responsible for delivering an outcome, which might have that capability.

**MS CHEYNE:** I am looking at the Facebook page right now, and your cover says:

Office of the ACT Legislative Assembly. Democracy is always at its best when citizens become part of the process.

I do not think you should change that. It is no tail wagging the dog here, but I think there could be different ways.

**Mr Skinner:** We may need to be careful. I will have to go and check that URL that you have got. I know that there has been a sort of a mimic—

**Ms Burch:** It has been hijacked?

**MS CHEYNE:** I am very confident it is yours. Finally, as well as Facebook and Twitter, have you also thought about investigating other social media, like Instagram or Snapchat?

**Mr Skinner:** Those issues have come up in broad discussions, certainly around Instagram. I do not know about other social media channels. Going back to my comments about the utility of doing that, looking at what do we gain from, for instance, having an Instagram feed, there are pros and cons but, with half a person in this case devoted to that function, how many social media platforms can we maintain meaningfully is a question. I am happy to continue that dialogue internally and see where that might lead, but at this stage certainly I would say that our website is our main online presence. Twitter is a means for directing people when content has changed and drawing attention to proceedings. Facebook at this stage is a similar ancillary, but it is still in its early days. But I am happy to take some of those sorts of—

**MS CHEYNE:** Just to finish the circle of questioning, the inquiry in question obviously, from my anecdotal understanding, did pretty well in terms of submissions and eventually getting out there, but the way that people became aware of it was not through the Assembly’s means; it was through some people taking interesting photos of themselves in interesting locations, a RiotACT post and eventually a *Canberra Times* post and things like that. Of course, getting media can take on a life of its own, but I think that the Assembly has a number of really important inquiries on all the time, especially at the moment, and how we are going about getting as much feedback about those as possible is key. In particular, we have just gone through a round where

we know there is feedback out there that people felt that they did not know about it early enough. Perhaps that is an impetus to revisit some of those processes.

**Mr Skinner:** I think they are all really important points. In fact, a committee inquiry, a public inquiry, is not quite what it could be if it does not reach as many people that actually know in the community that it is on. One of the challenges, of course, is that the committee itself needs to, I guess, decide if it wishes to engage in certain ways. For instance, it is not up to anyone other than the committee to resolve, for instance, for the chair to make a public statement about what the committee is up to. There are, again, little procedural quirks where, unless there is a singular view of the committee about how it wishes to publicise and go about promoting an inquiry, you can run into these little issues that you would not normally find if it was just any other body in the public service. I just put that out there.

**Ms Burch:** Members that can re-tweet need to be cautious about how you promote an inquiry, but members can as many times as they like just share and re-tweet in committees what has gone out from OLA, again, to promote. You may have a tad more than 87 on a Facebook page.

**MS CHEYNE:** Not much more.

**Mr Skinner:** For instance, the chair putting out a tweet or a Facebook posting about the work of the committee without having actually moved a resolution that that was okay presents a problem. We have got that same problem. We are very cautious about how we publicise things and when and on whose instructions. Typically, what we are doing is saying, “We recognise some procedural event has occurred, have a look over here,” rather than, “Right, let’s see how we can use every creative means at our disposal to publicise this particular committee proceeding.”

**MS CHEYNE:** I guess from my perspective it is due to the quirks and the peculiarities of how the Assembly runs that sometimes the—

**Mr Skinner:** I will take all of that on board in our discussions.

**MS CHEYNE:** I appreciate it.

**MR WALL:** Madam Speaker, can you give the committee an update on the development of a protective security plan for the Assembly and where that is up to at the moment?

**Ms Burch:** I am happy to. We recognise the additional staff member will go some way to progress that. Mr Duckworth.

**Mr Duckworth:** The protective security policy framework, which was developed between territory agencies, is certainly something that we have been tuned into for some years. There are about 23 different measures under that framework that agencies are expected to comply with or adhere to. There are a couple that are not particularly relevant to the Assembly but, by and large, we have continued to measure ourselves against those 20-odd measures for well on two years now.

The one area where we have never been able to get that level of compliance or adherence has been in those areas where, for example, one of the measures is that agencies should have a security plan. Other ancillary measures include things like a good promotion of security practice, revised procedures or procedures that have been reviewed and so on. Now that we have our security manager position permanently funded and recruited to, that is definitely a priority for us in the coming year.

We still rate ourselves as travelling pretty well against the framework. There are no areas where we are largely non-compliant, but we have just got some work to do. With that overarching security plan, which will largely be a document that brings together a synopsis, I guess, of our resources, of our procedures, of our risks, we certainly know that there are some design issues that we could deal with that would improve the security of our building. But, by and large, I would see it as something we would devote further work to in the coming year, with a view to being compliant to a very high degree with that framework.

**THE CHAIR:** When is the security plan likely to be implemented in full? Is there an expectation of when that should be completed?

**Mr Duckworth:** I think it is fair to say that the executive management committee has not endorsed an actual date, but I would say that there would be no reason why a fairly decent looking security plan could not be finalised this calendar year, before the Christmas period.

**THE CHAIR:** And that is all going to be done entirely in-house, with the additional staffing resource, or will there be external consultants engaged as well?

**Mr Duckworth:** A lot of the legwork has been done. And it is going to be dynamic. The plan does not ever end; it is effectively something that, I guess, describes our current situation, our particular priorities, what resources we will devote to particular issues. Some of the issues in the plan may be contingent on further budget funding, which is always a big contingency. To the extent that it is a plan that we would keep under review each year going forward, I do want to emphasise that we would expect that over the next six months we would be able to complete a lot of the unfinished work on that.

**THE CHAIR:** What collaboration is there with other agencies such as the AFP or federal security agencies about the potential risk or threat to security that may be posed here at the Assembly?

**Mr Duckworth:** We have always had a line of communication with the AFP. We have been fortunate that we probably do not have the risk exposure that some of the other iconic places in this town do in parliamentary contexts. But we maintain close contact with the AFP. On the odd occasion that there is a threat—and usually a threat will not be anything on a large scale—it will usually be an individual who might be disgruntled, might have made some mutterings about causing a bit of a scene. We just heighten our awareness, work closely with them and certainly in the event of a serious incident in the building the AFP would respond in accordance with the normal arrangements that apply.

**THE CHAIR:** I noticed last week that there was a reasonable-sized protest that occurred at lunchtime out the front of the Assembly building which brought with it a significant police presence. Is there information sharing when those sorts of events are happening, between the Assembly and the AFP, to notify building occupants or the like?

**Mr Duckworth:** I think the AFP have always kept us informed of issues where they believe the threat might relate to us. In instances like those protests, they would make an assessment of whether or not the particular group would see the Assembly as a potential target. If they thought we were at risk, history tells us that they would talk to us.

**THE CHAIR:** Are there any further supplementaries on that or are we happy to suspend and bring in the ACT Ombudsman?

**MR COE:** I have a quick question. How much does the Assembly pay to Shared Services for the provision of IT and related services?

**Ms Burch:** I am happy for Mal to answer that.

**Mr Duckworth:** While Mal is gathering his figures, and just in general terms, the main service that we procure through Shared Services is the ICT. Obviously a lot of those charges are actually for devices and so on and user support. We do not use their HR function because we have our own. We do not use their finance function.

**Mr Prentice:** In the 2017-18 budget coming up, the payments for IT total \$864,000. Some of that relates to phone line rental, which is not always through Shared Services. That is the total amount, \$864,000. The majority of the phone line stuff is through Shared Services. There is a little bit that goes out through Telstra, but not much.

**MR COE:** And that includes a couple of hundred computers and everything else?

**Mr Prentice:** Yes.

**Mr Duckworth:** All the charges associated with the multifunction devices. We pay part of the salary for the ICT support officer. There is a Shared Services ICT person that comes on site, but we pay, I think, 60 per cent of that individual's salary to have them on site here rather than members and staff having to phone a 7555 number.

**Ms Burch:** It is much better having that person in the building.

**MR COE:** It also includes payroll support for—

**Mr Duckworth:** No. We do not—

**MR COE:** Completely done here?

**Mr Duckworth:** Yes. We do not pay for the executive. That cost that Malcolm has outlined is basically an ICT cost. There are some records storage charges that will be bundled in there, again, because they just manage—

**MR COE:** So none of the Shared Services payroll capability is used here?

**Mr Duckworth:** No.

**MR COE:** None at all?

**Mr Duckworth:** Not for the non-executive side. The executive and their staff are on the Shared Services payroll, yes.

**THE CHAIR:** We will suspend for a couple of minutes while we change groups.

**Ms Burch:** Can I just say thank you to the OLA. I think they provide a great service to all members here. So thank you.

**Short suspension.**

Appearances:

Office of the Commonwealth Ombudsman

Gibb, Ms Doris, Acting ACT Ombudsman

Welton, Ms Erica, Acting Senior Assistant Ombudsman, Integrity Branch

Bell, Ms Chelsey, Acting Senior Assistant Ombudsman, Immigration, Industries and Territories Branch

**THE CHAIR:** Welcome to the ACT Ombudsman. Ms Gibb, the floor is yours.

**Ms Gibb:** Thank you for the opportunity to appear today. Mr Michael Manthorpe is the newly appointed ACT and Commonwealth Ombudsman, and I am appearing on his behalf. I am the Acting Ombudsman while he is on leave, and in my substantive role as a senior assistant ombudsman, I have responsibility for the ACT portfolio.

**MS CODY:** You take full responsibility for the ACT?

**Ms Gibb:** As a senior assistant ombudsman it is usually part of my role to look at ACT Ombudsman. Mr Manthorpe is the ACT Ombudsman proper.

**MS CODY:** They are full-time positions in both respects?

**Ms Gibb:** There is not a deputy per se in the ACT space. Within the office all the senior assistant ombudsmen have responsibilities and jurisdictions, and it just so happens that the ACT jurisdiction sits with my other responsibilities. Ms Chelsey Bell is the director for ACT as a team, and Ms Welton is the director that looks after the inspections for policing.

**MS CODY:** I note that there are three of you. Are there more staff that look after the ACT?

**Ms Gibb:** Yes.

**MS CODY:** So what is your FTE?

**Ms Bell:** My substantive role is director of the ACT Ombudsman team in the Ombudsman's office. That team has a full-time equivalent fluctuating between five and six staff. However, we also draw upon the office complaint handling areas, its operations branch. We do not handle all of the complaints that come in under the ACT Ombudsman jurisdiction; that is done by our complaint handling area. So if you were to think about how many staff are working on ACT matters, it would be more than that five or six people.

**MS CODY:** How many complaints do you get in the ACT office in a year? I am assuming you can give me that figure.

**Ms Gibb:** For the period 1 July 2016 to 31 May 2017 we have received 351 complaints relating to the ACT Ombudsman jurisdiction and 120 relating to ACT Policing. The agencies about which we have received the highest number of



complaints this year are ACT Policing, at 120; ACT Housing, at 71; Access Canberra, at 57; and ACT Corrective Services, at 44. This reflects a similar pattern to previous years. The performance reports giving the number of complaints received and investigated are provided to the Speaker and Head of Service every quarter, so we keep them updated.

**MS CODY:** How long does it take to do a full investigation into complaints? I know it probably varies, but is there some sort of average or is there a procedure that you have in place that recommends certain lengths of time for certain inquiries?

**Ms Gibb:** You are right; it is hard to have an average. It will depend on the complexity of the complaint and on whether we receive a complaint and it is within jurisdiction, which means it comes under the jurisdiction. If it is out of jurisdiction we might refer that person to another agency or we might give them an explanation at the time and it could take that phone call to do that. If it is a longer investigation, we have service standards. I do not think I have the service standards in my pack, but we have service standards for our categories of complaints. I would be happy to give that to you out of session.

**MS CODY:** Yes. If you could take that on notice, that would be really helpful.

**Ms Gibb:** We will definitely do that. We have service standards for different categories of complaints where we have to complete those investigations within a period of time. But, as I said, it will vary depending on the complexity.

**MS LE COUTEUR:** The FOI legislation commences in January 2018. What work is underway to prepare for this?

**Ms Bell:** We have been scoping internally our new FOI functions. As you will be aware, they are quite substantial and quite new functions for our office. Currently we take complaints about ACT FOI but we do not have the sorts of functions that we will have from 1 January 2018, which include reviewing all FOI decisions, granting extensions of time and quite a lot of functions providing guidance to the whole of the ACT in terms of guidelines and advising agencies about what needs to be proactively disclosed.

We have done scoping work. As you will be aware, some funding has been identified for us in the ACT budget, and once that funding comes through we will be able to fill new staff in positions. We are looking at a new FOI team within our office which will be focused very keenly on the implementation leading up to 1 January 2018. At this stage we have been doing our internal work. We have been preparing, but we will need those additional resources to bring further staff in to assist.

**Ms Gibb:** Just be aware that we have had other reportable conduct and we have other functions, so the team has been focusing on those for now until we are funded and then we can start the FOI function.

**MS LE COUTEUR:** But you are on track, you think, to start on 1 January?

**Ms Gibb:** I qualify that with we first need to get staff in to do the function. We have

had some concerns about lead time for the FOI function, but we feel we will have the basics ready for 1 January. We might not do guidelines straightaway; we might not do some of the other functions straightaway, but we will get staffing on as soon as we are funded to start doing that preliminary work.

**MS LE COUTEUR:** I will move now to your investigative function. Do you do any breakdown of investigations, not of the agencies—clearly you have just given us that—but of the type of misconduct, like which are really serious and which are more, “Well, they didn’t follow the correct procedures, but whatever”? Do you do some sort of triage or ranking?

**Ms Gibb:** We do not necessarily. We do it by agency. We can do some work. We collect data at a macro level, but we can do some analysis of what types of complaints we are getting. Within a jurisdiction, for instance, for Access Canberra we might have more complaints about pet control or other things. So we can do a breakdown within our database. We do not do it all the time, but we can do a breakdown of that if you are interested in a particular category.

**MS LE COUTEUR:** I am particularly interested in really serious complaints, or does no-one go to you unless they have already gone through a lot of other avenues and they are only reasonably serious complaints? My question is not whether they are pets or reptiles; it is whether they are minor procedural things—“Yes, I’m pissed off. I got fined for this, but, well, actually, I kind of was doing it. I just didn’t see the sign”—versus a serious issue. That is my question: have you got any way of looking at that?

**Ms Gibb:** When we get a complaint we will determine whether that person has gone back to the agency about which they are complaining. We usually ask them to go back to the agency first, if they have not, so that the agency has an opportunity to look at that complaint itself. Then we say, “If you’re not satisfied with that, then you can come to us.” I would suggest that we get the complaints that cannot be resolved with the agency responsible for them, and then the seriousness would go to whatever the matter is about rather than it being serious because we get it.

**MS LE COUTEUR:** I appreciate that; that is the crux of my question. I am assuming that, because you have them go back to the agency, none of them are totally trivial. But do you have an idea of whether they are really serious or not. For example, something in the public arena which would qualify as reasonably serious would be the behaviours talked about in the Auditor-General’s recent report about the LDA’s land purchases. I would class those as fairly serious issues, and I would imagine that most of your complaints are not at anything like that level.

**Ms Gibb:** Maybe not. The other thing we look at in our complaints data is whether there is a trend or a systemic issue. If we have complaints coming in and we think the issue is bigger than it is, we have the ability to look at the level, and not just at the individual complaint level. We will look at trends. If we think there is an issue happening in a particular agency or a particular jurisdiction that we are concerned about, we have the ability to look at that more broadly. So it is not just complaint by complaint, but we might see if there is a bigger issue with something.

**MS LE COUTEUR:** In the ACT you work with the public sector commission if there

is a concern about people complaining about whatever? You are backwards and forwards between the two offices?

**Ms Gibb:** We do liaise with them. We do our quarterly report on our complaints, and if we see a trend we will have a talk about whether the ACT government is doing something about that and that we are satisfied it is being addressed. If we are not satisfied with that, we might start our own broader investigation of the issue. We do talk to them all the time about the complaints that are coming in and what is coming out of them.

**MS CODY:** And the same goes for ACT Policing?

**Ms Welton:** ACT Policing is a little bit different. My nominal role is director of the audit team, and part of the audit work we do in is relation to the AFP. The AFP have to categorise their complaints. We are aware of the level of seriousness, according to the AFP at least, and a subset of that would be the ACT Policing complaints.

**MR COE:** Mention was made of the reportable conduct scheme. I was wondering if you could please give an update of where that is up to and whether it is going to be at full steam come 1 July.

**Ms Gibb:** Sure. We will come back to Ms Bell.

**Ms Bell:** We have been doing a lot of work in implementation, getting in contact with all the different employer sectors that will be covered by the scheme. In the last three months, we have done, I think, between 25 and 30 information sessions for all the different sectors: the childcare sectors, the school sectors, the health sectors, out-of-home care and, of course, the public sector. We have been running those information sessions mainly for the human resource areas of those organisations, to let them know about the scheme, what it means for them and their business, what they need to tell their employees about it. We have got some really great feedback on that. I think people have been quite receptive to that.

In terms of the information that we have been able to provide for employers, there is a whole host of information on our website. We have a toolkit for employers, touching on all of the process that they will now need to be aware of with the reportable conduct scheme, and a lot of guidance materials on what is reportable conduct, what sorts of things you should think about when you are talking to an employee when there has been an allegation made about them. We have been seeking feedback on those resources for quite some months now, and we have received some useful feedback in that regard. We are fairly confident that people are aware of the scheme. They are receiving email updates every time we put a new resource on the website. We consider that we have coordinated with our different co-regulators in this space and that we will be ready to start our new functions from 1 July.

**MR COE:** What agencies are administering this facility in other jurisdictions?

**Ms Gibb:** The New South Wales Ombudsman has had a reportable conduct scheme running for 15 or more years. The Victorian Ombudsman is just starting a new scheme. When we start, at this stage, there will only be three jurisdictions that are

either considering it or already running a reportable conduct scheme. We have been working closely with the New South Wales Ombudsman to look at their lessons learned and to see what we can use in the scheme here in the ACT, noting that we need to tailor it for the sectors here and the sort of reportable conduct we think we might get.

**MR COE:** When is the Victorian scheme going to be operational?

**Ms Bell:** It starts on 1 July as well. It is a graduated commencement for them. They are covering different sectors at different times. But, yes, they will be sharing the same start date as us.

**MR COE:** Have you, in effect, been fellow travellers with them?

**Ms Gibb:** Yes.

**Ms Bell:** Yes, we have. We have been noting when their information goes up on their website and we have been discussing matters with our Victorian colleagues as well as our New South Wales colleagues.

**Ms Gibb:** What we have tried to do, noting that the royal commission will hand down its findings and recommendations at the end of the year, is work with New South Wales and Victoria to try, as much as possible, to be similar in our definitions and other things within the scheme, to make sure that if there is a national scheme, whether there is or not, we are at least talking about the same things and the same categories of abuse. We are trying to make the schemes as similar as possible, at least for definitions and reporting purposes.

**MR COE:** Obviously this establishment phase has particular resource requirements. As you move into ongoing implementation, do you have a particular budget line item for the FTE that it is going to require?

**Ms Gibb:** Yes, we do. The reportable conduct funding starts this financial year. I have it here somewhere. Do you know it off the top of your head?

**Ms Bell:** Yes. For this current financial year we have some additional funding to cover that start-up. I think it was \$473,000 for the year, additional funding. Then we are moving to, I think, around \$280,000 for the next three years, as continued funding, which equates, for us, to about two dedicated staff to fulfil that function.

**MR COE:** Now that it is so close to being implemented, are you still of the view that two staff will be enough?

**Ms Gibb:** Our original bid was for more than two people, but that is okay; the ACT gave us funding for two people. We will have discussions once the scheme starts and we have implemented probably the first six to 12 months to see whether that is adequate. I think it is fair to say that we do not know what we are going to get or what the volume will look like. We have been in close collaboration with Chief Minister's to talk about the fact that we will just monitor that and work together. If there is more resourcing needed, we have the ability to go back to government to say we need more

than that. I think it is fair to say that we will not know till we start.

**MR COE:** I am not across the details, but does the nature of the work that you are doing with this scheme actually require particular case knowledge or is it more about facilitating the overall system and monitoring everything in a more quantitative sense?

**Ms Bell:** When the scheme starts, there will be a requirement on all the employers covered by this scheme to report to the Ombudsman once they become aware of allegations about one of their employees that they have allegedly engaged in reportable conduct. The Ombudsman will then monitor the investigations that are carried out by that employer and the actions that they take in response to the allegations. Through that role, we could make suggestions, provide feedback. As the investigation is going along, we could be asking for updates. Ultimately, the employer will have to send us a final report setting out what they did in response to the allegation; what, if any, conclusions they reached; and what, if any, actions they took in relation to their employee. I guess in a sense there is that case management or oversight role that we would be playing there.

We also have a number of other functions as part of the scheme, including monitoring how employers covered by this scheme have policies and practices in place to prevent reportable conduct. We also have the capacity to take complaints about how an employer is dealing with reportable conduct, and we can investigate those, should we decide to do so.

**MR COE:** It seems like a fair workload. Of even more significance, I think, is that it is potentially quite a hefty emotional and personal burden for people to bear as well, knowing that there is always more that can be done. You cannot really leave this sort of thing at 5 o'clock when you walk out of the building. Do you have particular mechanisms in place presently to support people doing these sorts of tasks?

**Ms Gibb:** Within the office we generally have some matters that are sensitive and that are also of that nature—a little different, but of that nature—particularly with our new Defence Force Ombudsman functions. With that has come a whole wellbeing program. We have always had the EAP process for people. We are pretty good internally at having peer-to-peer debriefing. But for the ACT team in particular we will be plugging into the broader wellbeing program within the office, which has a counsellor available and also has some other mechanisms for people to self-identify.

We are also an organisation where we look out for each other. We will be making sure we are watching our staff carefully to make sure they are okay. They might not need any assistance. Certainly one of my key concerns when we took this function on was exactly that. I think it is timely that we have had another function come into the office that we can plug into that wellbeing and caring model for our staff.

**MR COE:** This committee is not going to be in existence for too much longer, but I am sure the public accounts committee, JACS or whatever would be keen to be kept across the details of whether more support is required and whether it is incumbent on the ACT government to chip into that pool.

**Ms Gibb:** Thank you.

**MR PETTERSSON:** I have what I hope is a very quick question. It is an operational question. I was looking through old annual reports and looking at resolutions. There is a section “Financial remedies”. I am very curious here. How is there a financial remedy for something like ACT Corrective Services?

**Ms Gibb:** Are you looking at the annual report?

**MR PETTERSSON:** Yes.

**Ms Gibb:** At what page?

**MR PETTERSSON:** Appendix number 1.

**Ms Gibb:** Just so that I have context for answering you. I see what you are looking at. Under “Financial remedies” there are only a few of them. That is a really good question.

**MR PETTERSSON:** I pride myself on that.

**Ms Gibb:** I am only going to guess an answer; I might take that on notice.

**MR PETTERSSON:** Okay.

**Ms Gibb:** At the commonwealth level we have things like CDDA, which is a scheme that is run at the commonwealth level for people to be recompensed for maladministration. In the ACT I am not sure what the mechanism is, but I will take that on notice and answer your question properly.

**MR PETTERSSON:** Yes; take it on notice.

**Ms Gibb:** There are a few. I imagine there is a mechanism that we would use if there was a financial remedy.

**Ms Bell:** Again, we can take this on notice, but a financial remedy might just be a refund or something of that nature. If there was a discount claimed, it might be that discount being provided. Depending on the nature of the complaint, there could be a financial component of it that is within the existing scheme, I suppose.

**Ms Gibb:** Because there are so few—there are six there—what we might do in our response to you is give you more of a granular idea of what sorts of financial remedies there are within that six. It is a very good question.

**MR PETTERSSON:** I am happy to learn more.

**THE CHAIR:** I do not have a question. Does anyone else have a further question for the Ombudsman? You get an early mark.

**Ms Gibb:** Short and sweet.

**THE CHAIR:** Thank you very much for coming in. A proof of transcript of the hearings will be made available for you once it is completed. There were two questions taken on notice in this session. We ask that the answers for those be given back to the committee secretary within five working days; for our purposes, day one is tomorrow.

**Ms Gibb:** Sure; that is fine.

**THE CHAIR:** That concludes today's hearings.

**The committee adjourned at 5.34 pm.**