



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

SELECT COMMITTEE ON ESTIMATES 2019-2020

(Reference: [Appropriation Bill 2019-2020 and Appropriation
\(Office of the Legislative Assembly\) Bill 2019-2020](#))

Members:

**MISS C BURCH (Chair)
MS B CODY (Deputy Chair)
MRS G JONES
MS C LE COUTEUR
MR M PETTERSSON**

TRANSCRIPT OF EVIDENCE

CANBERRA

THURSDAY, 27 JUNE 2019

**Secretary to the committee:
Ms Annemieke Jongsma (Ph 620 51253)**

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

Chief Minister, Treasury and Economic Development Directorate	1018
Environment, Planning and Sustainable Development Directorate	989, 1018
Office of the Legislative Assembly.....	1062
Suburban Land Agency.....	1018

Privilege statement

The Assembly has authorised the recording, broadcasting and re-broadcasting of these proceedings.

All witnesses making submissions or giving evidence to committees of the Legislative Assembly for the ACT are protected by parliamentary privilege.

“Parliamentary privilege” means the special rights and immunities which belong to the Assembly, its committees and its members. These rights and immunities enable committees to operate effectively, and enable those involved in committee processes to do so without obstruction, or fear of prosecution.

Witnesses must tell the truth: giving false or misleading evidence will be treated as a serious matter, and may be considered a contempt of the Assembly.

While the committee prefers to hear all evidence in public, it may take evidence in-camera if requested. Confidential evidence will be recorded and kept securely. It is within the power of the committee at a later date to publish or present all or part of that evidence to the Assembly; but any decision to publish or present in-camera evidence will not be taken without consulting with the person who gave the evidence.

Amended 20 May 2013

The committee met at 9.30 am.

Appearances:

Gentleman, Mr Mick, Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries

Environment, Planning and Sustainable Development Directorate

Ponton, Mr Ben, Director-General

Brady, Dr Erin, Deputy Director-General, Land Strategy and Environment

Simmons, Mr Craig, Chief Operating Officer

Walker, Mr Ian, Executive Group Manager, Environment, and Conservator of Flora and Fauna

Jeffress, Mr Stuart, Senior Director, Parks and Partnerships

Moore, Ms Fiona, Senior Director, ACT Heritage

Kendall, Mr Matt, Senior Manager, Catchment Management and Water Policy

Kitchen, Dr Margaret, Senior Director, Conservation Research

THE CHAIR: Good morning and welcome to the eleventh day of public hearings of the Select Committee on Estimates 2019-2020. The proceedings today will examine the expenditure proposals and revenue estimates for the Environment, Planning and Sustainable Development Directorate in relation to budget statements E, the Chief Minister, Treasury and Economic Development Directorate in relation to budget statements B, and the Office of the Legislative Assembly in relation to budget statements A. Please be aware that the proceedings today are being recorded and transcribed by Hansard and will be published. The proceedings are also being broadcast and webstreamed live.

When taking a question on notice, it would be useful if witnesses could use the words, "I will take that as a question on notice." This will help the committee and witnesses to confirm questions taken on notice for the transcript. Witnesses are asked to familiarise themselves with the privilege statement and to confirm that you understand the implications of the privileges statement.

Mr Gentleman: Yes, we do, thank you, chair.

THE CHAIR: Thank you. As we are not taking opening statements, we will proceed straight to questions. Minister, what is the ACT environment directorate's definition of a feral animal and, more specifically, a feral horse?

Mr Gentleman: In this case I will pass straight to the conservator for his definition.

Mr Walker: The definition of a feral horse is: one that is not owned or managed by a person. It is one that is free-roaming and not contained in any state.

THE CHAIR: More specifically, what is your definition of a brumby?

Mr Walker: Likewise, the same definition applies, particularly in the context of a horse that is not controlled. The same definition applies.

THE CHAIR: For the purposes of the protection of the ACT's water catchment areas, is there any different approach to a stray horse, irrespective of breeding or type?

Mr Walker: No, all horses that are not homed or not within the control of people are treated as feral horses. Therefore, management intervention would be required.

THE CHAIR: Have any feral horses been spotted in the ACT?

Mr Walker: Not in recent times.

THE CHAIR: Could you give a time frame around that?

Mr Gentleman: We have gone through a really detailed plan of management for pest animals, particularly in our catchment areas. I really want to congratulate PCS in particular for the work they have done in looking after those pristine catchment areas that contain our water for the ACT. They have done a great job to ensure that we have as few animals as possible, particularly hoofed animals, in the area. We have had a process for the removal of horses over a number of years and also a process for the removal of sambar deer. Of course, there was also the recent cull of deer across the ACT.

THE CHAIR: What has been the ACT's contribution to feral horse counts in the Australian Alps region?

Mr Walker: The ACT is part of the broader collaboration across Victoria and New South Wales. Of course, the ACT deals with the Australian Alps. That arrangement has been in place for many years. We continue to support that memorandum of understanding with those organisations, including the commonwealth government. We have contributed to the monitoring of horses in the Australian Alps and we continue to do that. That work involves a whole range of different techniques for monitoring, from using remote cameras through to aerial surveys. Collectively, that information becomes available and goes on to the Australian Alps website. The information is then publicly available.

THE CHAIR: In terms of financial resources, can you quantify an amount that is contributed to that?

Mr Walker: The contribution we make is more in time and the resource of people, as opposed to a financial contribution. That is an important element around how we participate in many of these cross-border jurisdictional issues. It is our staff and our rangers who are out on the ground doing the work that contributes to that. This year we have also played a secretariat role in supporting the Australian Alps Liaison Committee. So we provide that services as well. That rotates around the state jurisdictions every year.

THE CHAIR: Is there a number of staff allocated?

Mr Walker: We have a secretariat; so we provide that support. That is a clear allocation of a staff member in that role. But staff participate on an as-needed basis. As you would appreciate, some staff have great expertise in managing weeds, for example, or horses; so they would contribute at that time when those sorts of things occur.

The Australian Alps Liaison Committee covers more than pest plants and pest animals. They consider Aboriginal culture; they consider the catchments; they consider how the Alps are managed as a collective, recognising the important contribution and key role to Australia that the Australian Alps play in conserving biodiversity but also in supplying water effectively to most of eastern Australia.

THE CHAIR: When was the previous horse count undertaken and what was the difference in numbers between that count and this count?

Mr Walker: I am not able to provide that information without taking that question on notice. I will take that question on notice and come back to you with advice about the current numbers. Certainly in the ACT context, we do not have any horses that are wild in the ACT at this present point in time.

THE CHAIR: What does declaring a feral horse as a pest actually mean in practice?

Mr Walker: It gives us a mechanism to activate and to respond when those animals are seen within the Alps. It is a useful tool. It also highlights to other jurisdictions that we regard pest animals, wild horses in this case, as a pest species and therefore take action. Other jurisdictions have not gone to that space. For example, Victoria does not list them as a pest species because of the relationship they have with the community and *The Man from Snowy River* type of cultural context. In the ACT we do not have that same level of connection to that space.

MS CODY: Minister, why is the government replanting Ingledene forest?

Mr Gentleman: It is an important opportunity for us to look after that area that was burnt out in the 2003 bushfires. Since then we have had just a little bit of management of that particular area. We have seen invasive weeds come into the area. We have seen misuse by different groups wanting to provide themselves with some entertainment on weekends, for example. We want to ensure that we can manage that particular area.

I asked EPSDD to look at what we could do in managing it in a sense both for the environment but also in an economic sense. The opportunity to replant Ingledene means that we will have an industry occurring in the area that pays for itself. We have some carbon sequestration that is available in that process as well but, more importantly, a better recreational area, particularly for mountain bikers.

I think we have had a really good working relationship with mountain bikers across the ACT over many years. However, we have seen when we go in to harvest an area, particularly in Kowen forest, that sometimes the mountain bike tracks are damaged. So we are looking for an opportunity to be able to provide relief in areas that we are harvesting—in Kowen, for example—for mountain bikers now to go out and use Ingledene once the area is planted and finished. It means that we can move the

mountain bikers around when we need to harvest in particular areas. It is not that often that we harvest, but it does interrupt the opportunity for the mountain bikers to recreate.

MS CODY: How long will this planting and regeneration of Ingledene forest take?

Mr Gentleman: It will take quite some time. The planting is going to start reasonably quickly. We will be able to do the furrows in winter and do some planting. It will take some time, of course, for the trees to grow. In that same period, we will be able to do the management of the weeds and pests. We will be able to do the mountain bike trails and provide that recreational opportunity while the trees are growing.

MS CODY: You mentioned having to move people away from Kowen when you have to harvest. How often do you harvest?

Mr Walker: Harvesting occurs in a couple of different stages. There is a thinning process that typically is in the seven to 10-year time frame and then there is harvesting at a later time frame to remove the more mature trees in the 15 to 20-year time frame.

Radiata pine is a very sustainable product so planting and removing these trees provides a sustainable timber product used right across the country. It is a very useful mechanism to also create an environment where weeds and pest animals can be controlled. Currently the land is unutilised and therefore there has been a growth of pest plants and weeds. So creating a forest plantation gives us the ability to better manage weed-related issues and stop the spread into other areas.

As the minister said, it also provides a recreational hub for the community with mountain bike riding, walking and horse riding. Those sorts of activities can be accommodated very well in pine plantation or replanted areas where they do not have the same impact on many of our more natural areas, like Namadgi National Park, where some of those activities are constrained because of the impact they would have on the environment.

MS CODY: So it will be open to more recreational use: walking, horse riding?

Mr Walker: That is correct. Those sorts of activities are the frontrunners for the Ingledene location and other pine plantations and forest areas across the ACT. They provide a useful venue for those sorts of activities.

I will add to that by talking about the concept planning around mountain bikes. In the year ahead we are investing in developing a concept plan for mountain biking in the ACT. This mountain bike concept plan will provide the iconic experience for mountain bikers across the ACT and link a number of the trails and networks. From the Stromlo Forest Park to Kowen and other areas we are working with the mountain bike fraternity to create an iconic experience in the ACT that links networks and trails already in existence but really tries to elevate and promote those sorts of in-nature activities.

An important aspect of this sort of opportunity is that it encourages more Canberrans to be active in nature and participate in things like mountain biking or trail running or

marathons or other activities. It is very important that we provide those opportunities across the ACT and continue to provide tracks and trails, in many locations.

Mr Gentleman: While we have predominantly talked about *Pinus radiata* for the plantings, we are also looking at Australian natives for the riparian areas. Creeks run down through there eventually into the Murrumbidgee so we want to ensure that those riparian areas are a natural opportunity for reintroduction of some native species in the area.

MS LAWDER: Given that Ingledene burnt down and we know the flammability of radiata pine, have you taken any steps to mitigate the fire risk? Are you doing anything different or are you just planting it and hoping for the best?

Mr Gentleman: No, of course we are doing it within our bushfire operational plans. I think it has only caught fire once, in 2003. I cannot remember a fire in Ingledene prior to that. It is to the east of the main Namadgi ranges and east of Gudgenby River so there are a couple of breaks that assist us naturally with looking at fire.

But we have moved a long way since 2003 in addressing bushfires. With our aerial capability and our raft teams we have a much better application of bushfire management than we had in 2003. I am comfortable that whilst we are introducing new forest we will have the opportunity to be able to ensure that the bushfire risk is mitigated.

MS LAWDER: How many trees are you planting?

Mr Gentleman: Five hundred thousand.

MS LAWDER: What does that mean as a cost per tree?

Mr Walker: I will have to take that question on notice.

Mr Gentleman: We have looked at 500,000 *Pinus radiata*, then there are the native species to be planted as well. Of course the weed management and job opportunities all come into the budget figure.

MS LE COUTEUR: I have a question about the illegal removal of two heritage listed Aboriginal scarred trees from Wanniasa. I understand one of these was on the grounds of Wanniasa Hills Primary School and the other was on government land nearby. Given that both of these trees were on ACT government land, was it done by ACT government staff or contractors?

Ms Moore: Yes, the two trees were located within close proximity to each other, one within the school and one within the parkland adjacent to the school. Both matters were subject to an investigation by Access Canberra and parks and conservation. I cannot disclose the outcomes of that due to privacy laws, but in one instance we know the offender and in the other instance we do not so the approaches to remediating both the sites and responding to both those cases is different.

MS LE COUTEUR: Given that they were on ACT government land, was the

ACT government involved in doing this work?

Ms Moore: No, the removal was not conducted by ACT government staff members.

MS LE COUTEUR: Or contractors?

Ms Moore: One was a contractor.

MS LAWDER: Was it approved by the ACT government?

Ms Moore: No, the removal was not approved.

MS LE COUTEUR: But done by a contractor?

Ms Moore: Inadvertently. It was not malicious; there was no intent.

MS LAWDER: They accidentally chopped down a tree?

MS LE COUTEUR: They accidentally chopped the tree down?

Ms Moore: It was part of a larger program of works happening within the vicinity.

Mr Ponton: My understanding is that there were a number of trees that the contractor had been engaged to remove and there was a tree management plan in place. As I understand it—correct me if I am wrong, Ms Moore—they misunderstood the plan and inadvertently removed one of the trees that they should not have removed. As soon as they realised that that had occurred, they self-reported.

Ms Moore: That is right.

MS LE COUTEUR: If this had happened somewhere else, on private land, what would you have done? What would the enforcement activities have been? This clearly appeared to be illegal. It involves two heritage-listed trees. You do not appear to be taking any enforcement action about this.

Mr Ponton: I might note that Ms Moore mentioned that there was an investigation in relation to the matters. The same would occur—

MS LE COUTEUR: There was something—

Mr Ponton: There was an investigation conducted. That would occur no matter whether it was on public or private land or who was ultimately found to be responsible. We would conduct the same level of investigation. That is what has happened in this case.

MS LE COUTEUR: So there would only be investigation; there would not be any consequences?

Mr Ponton: Depending on the outcome of the investigation.

MRS JONES: What are the possible consequences?

MS LE COUTEUR: Yes; tell us about the consequences here.

Ms Moore: These two instances highlighted that there needed to be some reflection on the enforcement provisions within the Heritage Act—

MRS JONES: There are not any?

Ms Moore: and what we could do, what the range of options was. At present, the options are very black and white: it is either education or prosecution. Obviously prosecution is quite a lengthy process, subject to DPP review and uptake. The minister recognised that and has asked EPSDD to look at amending the compliance area in the legislation so that we can have a greater toolkit for situations like this.

MS LE COUTEUR: What sorts of things are you suggesting given that the tree obviously cannot be uncut down?

MRS JONES: It is rather permanent.

Ms Moore: Items being explored are issuing fines and issuing a repair order, which, obviously, on this occasion is not applicable but would be if unauthorised works were conducted on a heritage home, for example.

MRS JONES: Has any consultation been had with local Aboriginal elders about the outcome of what has occurred and what the investigations will undertake?

Ms Moore: Absolutely. Under the Heritage Act, we must consult with the RAOs, representative Aboriginal organisations.

MRS JONES: Who have you engaged?

Ms Moore: The four representative Aboriginal organisations.

MS LAWDER: In the act?

Ms Moore: Yes.

MS LE COUTEUR: What are you doing to ensure that this does not happen again? You are going to change so that you have some different compliance outcomes, but the real question is making sure it does not happen again.

Mr Gentleman: Yes. That is why I have asked the directorate to look at what toolkit we could use for enforcement and education, whether we are using contractors or not, when this sort of felling inadvertently occurs. They are doing that particular work now, and we are consulting with different groups to ensure that we have the best outcomes and the best toolkit that we can to use into the future. Once that work is done, we will be able to look at those opportunities for enforcement.

MS LE COUTEUR: While obviously you cannot rebuild the tree, what has happened

to the trunks that were cut down?

Ms Moore: In one instance the trunk was unable to be salvaged.

MS LE COUTEUR: Is that because it was mulched or something like that?

Ms Moore: Yes, correct.

MS LE COUTEUR: It was mulched?

Ms Moore: Yes; before the ACT government was aware of its felling. There was no opportunity to intervene on that occasion.

MS LE COUTEUR: And the other?

Ms Moore: The second trunk we were able to salvage. With the help of parks and conservation, we relocated it to a secure area to ensure that there would be no further damage to the trunk and in particular the scar on that trunk.

MS LE COUTEUR: Have you considered putting it back basically where it was and protecting it there?

Ms Moore: We will be guided by the representative Aboriginal organisations and their desires for the future of the trunk.

MS LE COUTEUR: The one where you have the trunk is presumably the one where your contractor self-reported the problem, and the mulched one is where you do not know what happened? Is that what is going on?

Ms Moore: It is the other way round.

MS LE COUTEUR: How did they realise they should self-report it and simultaneously mulch it?

Mr Gentleman: I think we will find that out once the investigation is complete.

MS LE COUTEUR: It does not make sense. What is going to happen as a result of this investigation?

MRS JONES: Will there be a report to the Assembly?

Mr Gentleman: Once the investigation has been completed, we will be able to look at what actions are available.

MRS JONES: Do you have any intention to report to the Assembly, Mr Gentleman, about this significant loss?

Mr Gentleman: Certainly, we provide updates on heritage opportunities throughout the year, so if there is an opportunity—

MRS JONES: I am not asking about heritage opportunities; I am asking whether you will report back to the Assembly on the findings of this investigation. It will determine what our recommendations are.

Mr Gentleman: Sure.

MRS JONES: You will?

Mr Gentleman: Mr Simmons, in a previous space, has been an investigator. He might be able to give you information on how we go about that process.

Mr Simmons: In matters under the Heritage Act the onus of proof on the territory is to prove intent; that there was an intent to damage. That is a very difficult hurdle to meet, in the way the act is constructed. As my colleague Ms Moore said earlier, there is work going on, in terms of modifications and amendments to the Heritage Act, to bring in different tests for investigators, when they look at those things. Over many years of doing this type of work in my previous roles, the element of intent with respect to heritage has been a difficult hurdle to get over within the jurisdiction. That provides the primary—

MS LAWDER: It is not a strict liability—

Mr Simmons: There is a strict liability offence within the act but it is not replicated in the Magistrates Court Act, so it does not have effect. That is not an uncommon element within the territory's statute book at the moment, so these are—

MRS JONES: It might be something to recommend to be reviewed.

MS LE COUTEUR: That might be a good recommendation.

Mr Gentleman: We have started that work already. That is what I said. I have asked the directorate to look at what we can do to strengthen the act to give us enforcement tools and a toolbox to be able to use enforcement and educate the community.

MS LE COUTEUR: Although it sounds like it is not just the act, from what Mr Simmons says; it is the Magistrates Court Act. I am very intrigued, Ms Moore. With the trunk that you have preserved, it is the one where you do not know who cut it down and it was not self-reported. How did you find the trunk? Why wasn't it mulched? It is not that I want it to be mulched but it seems somewhat strange.

MRS JONES: Usually the trunks get mulched by a specific machine as they lie on top of it, on the ground.

Ms Moore: There are parts of that question that I cannot answer, as to why it was cut down. It was reported to ACT Heritage via a member of the community.

MS LE COUTEUR: Before the mulching machine had turned up, basically.

Mr Walker: Ms Le Couteur, we have covered the compliance end of it. The other area that is important in this discussion is the education component: making people

aware of the significance of cultural sites and cultural values. We have taken steps with our colleagues in other directorates to start some training and education components around recognition and valuing cultural values or making that more observable.

We have also worked to establish much stronger relationships with our traditional custodians at a range of different levels. We have established a traditional custodian committee, who are providing the directorate with advice and direction about how to manage country and how to care for country. It is quite different to the legislative basis that Ms Moore spoke about. This group provides us with some insight into how to consider and communicate heritage values. Those sorts of engagements have resulted in scar trees being salvaged from some areas where they had previously been cut down and placed on site, so that we can communicate and educate the community broadly about the values of these particular significant trees.

A case in point is the scar tree that has been placed at Namadgi National Park, at the visitor centre. The traditional custodians were very proactive in helping us and telling the story about the significance of that tree. While it is highly regrettable that these actions occur, an important opportunity does present itself to educate and to communicate the values to the broader ACT community. We have taken that opportunity at Namadgi. Likewise at Throsby; there is a significant tree there, from a number of perspectives, both Aboriginal and non-Aboriginal heritage. There is some good work there to ensure that that tree is also still standing—step 1; that is pretty good. As the development around Throsby grows, it is about starting to again communicate the value of that tree to the community. There will be some opportunity there around signage and educating the Throsby community, effectively, as they grow around the tree and around that location.

MRS JONES: Who is on that committee?

Mr Walker: In the traditional custodian group, we have gone to the Ngunnawal community and asked for their representation to be on that committee. We have representation from Ngunnawal elders, for example, Wally Bell. We have linked up with UNEC; we have linked up with OATSIA. There is a whole group of people that we are now engaging with. This committee has had an initial two meetings; it is in the formative stage of providing us with advice and direction, as a very clear demonstration of our commitment to working with traditional custodians.

MRS JONES: Do you have any representatives of the Ngambri, the Wiradjuri or the other local community tribes?

Mr Walker: The ACT recognises the Ngunnawal community—

MRS JONES: I understand that.

Mr Walker: so that is our focus of this group—

MRS JONES: So the answer is no.

Mr Walker: because it is their country that we are delivering work on.

MRS JONES: I understand that that is a government preference, but it is not quite that simple. I think most people know that.

MS LE COUTEUR: You have been talking to the local Indigenous community. Have you talked about any sort of restoration? Is there any restoration that they have suggested would be applicable? I am not sure what you could do, but have you volunteered to do whatever can be done?

Mr Walker: I am not sure of the context in which you are asking that question. Restoration of the individual trees or more broadly?

MS LE COUTEUR: More broadly would be a great answer but it is possibly outside the scope of your bailiwick. I was meaning more in terms of these two trees which clearly should not have been cut down and clearly have caused some pain.

Mr Walker: The RAOs have been the primary path where those discussions have occurred. The committee I have mentioned is in the formative stages of giving us advice and direction. Clearly they are concerned by this and want to see action. As I said, we have taken some steps in terms of the Throsby tree.

We now have some holograms produced that will be on the signs and that will communicate with the public via iPhones how the story and connection to country occurs. Wally Bell is the case in point; Wally is on the hologram effectively talking to the community if you bring it up on your phone. That is part of our way of trying to connect more people with culture and trying to demonstrate that living culture and connection to country across the ACT.

MS LE COUTEUR: With respect to those two particular trees perhaps Ms Moore can answer my question.

Ms Moore: On both of those sites there will be an interpretation or a reflective outcome. One is being driven by Education and with the other one we will be working with the RAOs about their wishes. That is what we spoke about before: whether they want to see it back in its location or somewhere else, much like we have done down at the Namadgi visitor centre. That is still ongoing at this point.

Mr Gentleman: I congratulate Heritage on the work it does working with Indigenous groups and looking at the opportunity to provide messaging for the whole Canberra community and visitors as well. With the conversation the conservator was talking about in relation to videos and three-dimensional things, I encourage Canberrans to download the Canberra Tracks app and take the opportunity to go out and have a look.

MS LAWDER: When were those two trees chopped down?

Ms Moore: 2017.

MS LAWDER: And when were you made aware of that: within a month, within a day?

Ms Moore: One was immediately and the other from what we can glean from available evidence was about six months after it was likely chopped down.

MS LAWDER: You are still investigating?

Ms Moore: They are still ongoing because the final outcomes have not been concluded.

MS LAWDER: When do you expect that investigation to be completed?

Ms Moore: We would hope that by the end of this year the matters will be closed in their entirety.

MS LAWDER: Minister, you undertook to present the results of that investigation to the Assembly, is that correct?

Mr Gentleman: Yes.

MRS JONES: Can I confirm that there have been no sightings of feral horses in the ACT?

Mr Gentleman: While we have not seen feral horses in the ACT from the rangers' perspective, we have seen evidence of their incursion into the ACT. Stallion evidence has been seen in the territory.

MRS JONES: Has that evidence been dated? Do we know if that is very recent?

Mr Walker: Yes, we do. Over the course of the past couple of years we have seen evidence of things coming in and out.

MRS JONES: Do you have a record of that evidence?

Mr Walker: We keep those records, yes.

MRS JONES: Are you able on notice to give us a copy of your records of what has been seen?

Mr Walker: We can provide information about what has been recorded within the ACT.

MRS JONES: Page 10 of budget statements E, output 2.2 talks about conservation and land management. How does the helicopter deer cull work?

Mr Walker: One of the key challenges in managing deer is being able to access them. In the locations where the deer were being controlled the deer were in steep and relatively rugged terrain that made it difficult for ground operations to occur. The importance of undertaking a deer program is to get in front of the pest animal curve. If we have a small population we have the ability to control that population before it reproduces significantly.

Effective control means that we need to use different approaches. We have been out on the ground. We tried that; that was difficult. We could not get the range of area that we needed to cover. We then instituted an aerial control, and that requires us doing a number of flyovers of the area, one of which is to assess the suitability of using a helicopter. We then have professional shooters experienced in aerial shooting to undertake the shooting. That is supported by veterinary support which then assesses the efficacy of that control. That has resulted in 150 deer removed from that location.

MRS JONES: When a deer is shot from a helicopter how long does it take for the carcass to be removed or is it left there?

Mr Walker: The carcasses are not removed; they are left in situ primarily for the same reason that we are using a helicopter: they are difficult areas to get to and we cannot get in to remove those animals.

MRS JONES: How many personnel are on a helicopter that does this?

Mr Walker: There are a number of personnel: there is a spotter, a shooter, obviously the pilot and typically the vet in the case of the ACT.

MR PETTERSSON: What changes have been made to the processing of heritage applications?

Mr Gentleman: We have looked at speeding up the process of heritage applications, so we have extra staff on board now. I am very pleased to see that the number of applications has reduced quite dramatically. Back in 2008 we had some 320 on the list and we are down to 88. I am very pleased by the hard work the council has done, and it has also worked hard in the tribunal, which is very good. We hope to manage those numbers into the future and that is why we have provided the extra staff.

MR PETTERSSON: How much extra funding and how many extra staff?

Mr Walker: One extra FTE is proposed to come into the directorate. That position will help with managing nominations and working through that to expedite the process associated with listings.

MS LAWDER: On the processing of the registrations, the accountability indicator shows that 100 per cent of decisions were made within statutory time frames. In previous years the estimates committee has recommended more accountability indicators, for example more about numbers processed during the year. That does not appear to have been taken up as an accountability indicator or indicators. Why was that recommendation ignored? You have acknowledged that there was an issue and you have allocated more resources, yet according to your single indicator on it you are processing them within the statutory time frames.

Mr Gentleman: Ms Moore will be able to provide you with some detail on that.

Ms Moore: We did look into the possibility of introducing an accountability indicator on nominations. I think we also wrote back to Ms Lawder about this, to say that we could not quantify this indicator because it was outside the council's control as to who

it would be and when and how a nomination would be received. You could not control meeting a quota of nominations received and therefore a quota of nominations processed. Also, each nomination is incredibly different. One nomination might be for a single dwelling or a single object, and one nomination might equate to a suburb of places. The level of time and investment by the Heritage Council to make a decision on the nomination varies vastly depending on the nature of that nomination. So making a strategic indicator would not give a true representation; you would not be able to report against it, because a lot of it is outside the control of the government or the council.

MS LAWDER: That is understandable, but it leads me to wonder how useful the 100 per cent processing is. What does that actually mean? People are interested in what goes on as part of that. The 100 per cent within statutory time frames does not provide a lot of information to people.

Ms Moore: What it does tell us is that when the council begins actively assessing a nomination, from the moment it picks it up it follows that process right through within the prescribed time frames. It does not pick it up and put it down, and it does not let it lapse; when it commits to doing an assessment on a nomination waiting, it follows it through to completion. There is a level of assurance to the owner, the nominator, that when it is picked up and it is under assessment, it will be followed through.

MS LAWDER: Again, that is very important, but we have had previous examples of nominations that sat there for nearly two decades. That is what the public are interested in. Why are these things sitting there for so long before being assessed?

Mr Gentleman: The council looks at the priority assessment at the beginning of each year for those nominations, so in some cases the assessment and decision process is straightforward and quick—if it is a single residential property, for example—but in other cases, for a precinct or a suburb, it could take multiple months due to the number of complexities.

MS LAWDER: Or two decades.

Mr Gentleman: Yes, in consideration. That is the council's opportunity; they look at the beginning of each year and set a process.

MS LAWDER: Is there any other area of government where something would sit there for two decades before it was assessed?

Mr Gentleman: I will take that on notice.

MS LAWDER: I want to ask about the kangaroo management plan. Could you point me to where in the budget papers the budget refers to that?

Mr Gentleman: I do not think that it is actually in the budget papers. It is a policy plan that we have as government and in the directorate. The conservator looks after that plan. There is a funding element of \$37,000 for the implementation of the survey and the monitoring requirements of the kangaroo management plan. That was in the 2018-19 budget. This was in addition to funding for the operational aspects of the

conservation cull undertaking.

MS LAWDER: So there is nothing specifically in your directorate's budget papers about the kangaroo cull? Is that what you are saying?

Mr Gentleman: The plan was done in the last budget, as I mentioned: \$37,000. The cull itself is funding—

MS LAWDER: So there is no kangaroo cull in—

Mr Walker: It sits within the directorate's budget. We have a budget line to manage that program. The kangaroo management plan guides the ongoing management of kangaroo control across the ACT. Each year, as part of that plan, getting to the delivery of the service, we have a detailed assessment of two things. One is kangaroo numbers: we count how many kangaroos there are. Secondly, we assess the biomass level or grass level across sites as well. Those two elements when combined—there is a range of other measures in there, but those two elements in particular—determine the kangaroo numbers that we remove from the landscape. Then that is assessed across the practical nature of doing it in certain locations.

The program this year is the largest program that we have undertaken. It is planned to remove some 4,000 kangaroos from key areas where biomass and the animals that native vegetation supports are being impacted. That is the key message for this group. While kangaroo management in itself is an activity, the key purpose of that kangaroo management activity is to enable native grasses and native woodlands to recover and the species that are dependent on those ecosystems to continue to survive in the ACT. That is why we undertake kangaroo management work.

This year we have taken some novel steps in trying to communicate that to the public. We have produced a series of short videos to outline how we determine the kangaroo numbers and the reasoning behind undertaking kangaroo management control. That has been very positive in terms of how people are now starting to understand that.

We also survey the community to get their view of kangaroo management. Some 80 per cent of the community highly value the activity of kangaroo management. They recognise that it is an important step that we need to do in the ACT. Again, the reason we undertake this conservation work is for the benefit of a suite of threatened species.

MS LAWDER: How does the number this year, of around 4,000, compare to previous years?

Mr Walker: It is going up. Last year was less than that, at the 3,000 mark. It is a sort of continual growth. We know that kangaroos are favoured by the way Australians live: we retain areas of bush, but we also retain nice green pasture and watercourses or water areas for kangaroos to feed and drink from. That means that we will continue to see kangaroo management in the ACT into the future.

That does provide us with different opportunities, though. We are using different approaches for kangaroos, particularly those that are in fenced areas. That includes

darting animals and using hormone implants to reduce their fertility. We are testing different approaches and different ways of managing kangaroos without lethal control always being the option used.

MS LAWDER: The fertility trial has been going on for some years now. Have you come to a conclusion that it is useful?

Mr Walker: Certainly in enclosed areas. Where populations are fenced and kangaroos breed in those areas, it is very useful. We know that the technique works; we know that the drug works, and we can demonstrate that. Our challenge now is how we administer that dose remotely.

In the trials we have had to use a dart, anaesthetise the animal, and provide the implant. The test now is whether we can remotely deliver that, using a dart with the hormone in it, and also be able to show that that particular kangaroo has received the implant so we do not effectively overdose the animal. That is the stage we are at at the moment. The drug works. It reduces fertility; we know that. Now it is about delivery mechanisms to be deployed.

MS LAWDER: You mentioned the biomass as one of the reasons why you undertake the kangaroo cull. In your cost-benefit analysis, how have you looked at the implication of leaving the kangaroo on the site, yet infertile, and the cost of the drug and the anaesthetic et cetera, and the marking, versus the more brutal lethal side of the kangaroo cull? What work have you done on that cost-benefit analysis?

Mr Walker: Part of this process is going to that stage. We are not at that point yet. The testing and the trialling are to see whether we can administer the drug and record its use. It is those sorts of areas where we have trialled. Clearly, using a hormone, a drug, will be a greater cost initially, but it does reduce populations within an enclosed area. It is a hard question to—

MS LAWDER: But not immediately.

Mr Walker: No, that is right, because you still have a population and you still have animals that will be fertile in that population. As I said, it is a difficult question to answer because you would not do it across the whole of the ACT and therefore you would need to consider the enclosed nature of populations like the ones at Mulligans Flat.

MS LAWDER: Do you also look at road accident data?

Mr Walker: Yes, we do. I will just make a point there. In terms of kangaroo management, it is for conservation activities. What we are going to talk about now is collisions with cars. The parks and conservation service are the first responders in terms of managing kangaroo and car collisions. In the last financial year, we have run into some 3,000 animals in our cars, so there is a fair impact across the community in managing kangaroos that have been hit by cars. Our parks and conservation rangers are on call 24/7 to go to respond to those issues. If required, they humanely destroy those animals and support the person who has just had an accident. That does create a significant challenge for us as a parks and conservation service, in not only managing

the wildlife interaction that is occurring and the loss there, but also managing the distraught nature of people that have just had a—

MRS JONES: How do people call in the parks and conservation service? Is that managed with the 000 call centre?

Mr Walker: I will confirm with Stuart, but I am pretty sure it goes through the Access Canberra space.

Dr Brady: I had the misfortune of having to do it just last week, actually. You call the direct number for Access Canberra. You get two or three options. After two options, you get to the number to report a kangaroo incident. I got through quite quickly.

MRS JONES: Is that line available 24 hours?

Dr Brady: Yes, I called them at 6 o'clock in the morning. They were quite quick to respond.

MRS JONES: That is good. I am not sure the mainstream of the community knows to call Access Canberra if they hit a kangaroo. Maybe that message can continue to be pumped out.

Dr Brady: I guess I knew because of where I work. But I also did do a Google search for “Hit a kangaroo Canberra.” It does come up with Access Canberra.

MS LAWDER: Finally, in talking about traffic accidents, has there been any increase in the number of reported kangaroo collisions? Has that had any impact on your cull numbers?

Mr Jeffress: Yes, we have seen a general increase over the past decade of kangaroo-vehicle collisions across the ACT.

MRS JONES: Have the fences that were put up through the federal funding had any impact?

Mr Gentleman: Yes.

Mr Jeffress: Yes. For example, the data shows that the fence on the Tuggeranong Parkway is decreasing the number of—

MRS JONES: Do you have any statistics on the change in the number of collisions on the Tuggeranong Parkway?

Mr Jeffress: I would need to take that on notice to get the exact data.

MRS JONES: Thank you.

Mr Walker: Mrs Jones, in terms of the collisions on the road, there is good information that spatially presents that. That provides a good visual representation of where kangaroo-car accidents are occurring.

MRS JONES: Is that 12 months of data or is that snapshot in time?

Mr Walker: We collect that data. We have been collecting that data for some period of time.

MRS JONES: What is the actual thing you mentioned?

Mr Walker: It is captured on an annual basis, but it does reflect a number of years of data collection. That is the point I was trying to make.

MRS JONES: About where the hotspots are?

Mr Walker: Yes, and it is literally a hotspot map, to be brutal.

MRS JONES: I think that when the Molonglo area, for example, was beginning to be developed there were quite a few on the Cotter Road. But that has slowed down now. It does depend a bit on what is happening in the local area.

THE CHAIR: I turn to the upgrading of Lanyon Homestead. The government has committed \$3 million in capital over the next four years to protect the heritage value of the Lanyon Homestead by delivering capital upgrades, including new water infrastructure, building upgrades and better security infrastructure. Can you provide the committee with specifics on the proposed new water, infrastructure, building upgrades and security infrastructure?

Mr Gentleman: Yes, certainly. I will ask the directorate to give you that.

Ms Moore: ACT historic places will be responsible for the upgrades to Lanyon Homestead as the managers of that place. EPSDD at this point in time cannot comment on what they are proposing or how they are going to do those upgrades.

Mr Gentleman: I will take it on notice if you like, talk to our colleagues and come back to the committee with the answer.

THE CHAIR: That would be great, thank you.

MS CODY: Minister, why is the government remediating the Molonglo sewerage treatment plant?

Dr Brady: Mr Walker can probably talk a bit more about it, but it is part of the work to remediate an area for the Molonglo reserve. The funding is there to remediate that area where the sewerage pump was. The area will be made into a reserve. Do you want to elaborate on that?

Mr Walker: I guess that it is a key part of the requirements under the matters of national environmental significance. The plan is to have a Molonglo reserve special area; a park and reserve. That provides protection for nationally significant values, including the old Molonglo sewerage treatment plant, which is in that area. It gives us a place which the community, once it is remediated, can use as a recreational area and

will provide more opportunities there for park-based recreation rather than impacting on higher value areas that have significant Aboriginal cultural values and significant threatened species and communities.

It actually provides, in a park management context, one of those opportunities where you can ensure that the high value ecological cultural areas are protected. We can remediate a site that is clearly disturbed and use that for park-based recreation, for those sorts of things that you would not put into those high value areas. The park and the area, as development occurs in appropriate adjacent development areas, will become a very important area for people to recreate: to go for a walk, to sit and look over the river, all those sorts of things that good park environments have.

That is why we are also undertaking some consultation around a concept plan for the area. That concept plan will actually help to articulate where walking trails are and what other values or other things will be described. That is a really important step for that particular location.

MRS JONES: Where is that treatment plant?

Mr Gentleman: It is near the parks and cons depot.

MRS JONES: Where?

Mr Gentleman: The treatment plant is not there anymore.

MS CODY: No.

Mr Gentleman: We are remediating the area. I ask Mr Jeffress to respond.

MRS JONES: There are no heritage buildings there or anything like that?

Mr Gentleman: There used to be, just alongside the—

Mr Walker: I will ask Mr Jeffress to respond.

MRS JONES: I have not been to the depot, you would be interested to hear, so I do not know where that is.

Mr Jeffress: The treatment plan that has received funding in the budget papers is just downstream of Coppins Crossing on the Molonglo River.

MRS JONES: Where is it accessed from?

Mr Jeffress: There is a trail on the Belconnen side of the river, a fire trail—

MRS JONES: Through a gate?

Mr Jeffress: Yes. There is a locked gate. You can walk there but you cannot drive there currently.

MRS JONES: Presumably that would be quite close to the Molonglo stage 3 development, is that correct, do we know?

Mr Gentleman: Relatively, yes.

MRS JONES: Are you saying that it could end up being sports fields?

Mr Jeffress: Certainly, a park, as the conservator advised, park opportunities.

MRS JONES: General park land or sporting facilities?

Mr Walker: Not sporting facilities, general park land is the—

MS CODY: For people to be able to recreate, to go for walks, to enjoy the river—

Mr Walker: Correct, open space park environment, not recreational playing field.

MS CODY: I used to ride my horses through there a number of years ago. I know the area very well. Have we started doing some planning? Mr Gentleman seemed to indicate we had started some works.

Mr Gentleman: First of all we need to do due diligence work in that area, and that looks at the opportunity to fill land release into the future as well, and also ensure that we have the reserve in accordance with the Molonglo Valley strategic assessment NES plan. There is an opportunity just to remediate the contaminated land and make the sites safe and accessible in accordance with the land use zone as well. As we were saying, there is an opportunity for a special purpose reserve north of that area in the new Molonglo River reserve as well.

MS CODY: Will the community be involved in the ongoing—

MRS JONES: Development?

MS CODY: It is not really a development. That is why I hesitated.

MS LAWDER: Plan?

MS CODY: Sure.

Mr Walker: Like all these park and reserve areas, the community is always involved. We have prepared a management plan for the area. The community has been involved in that process. That is an important step in, I guess, setting the strategic objectives for the area. As with all plans of management, we go through our process of consultation and tabling those in the various committees and then back to the Assembly for final tick-off.

More broadly as the plan then becomes implemented, we instigate a range of programs with the community involving, for example, catchment groups through to park care groups. They are the key, I guess, ways that we engage with the local community as they, in this case, start to develop around the reserve. We will work

with our colleagues at the Suburban Land Agency who have a program called mingle. That is effectively a pathway or a gateway through to park care groups who contribute to the management of parks and reserve.

They have, I guess, that particular role around the significance of place. It becomes a really important tool for communicating to the local community. There are some really important values on this site, how to look after those values and not to undertake things that would impact those values: dropping rubbish, riding motor bikes et cetera. Those sorts of activities need to happen now as the community develops and grows around that site.

Bringing the community together, as I said, is part of the mingle program but extends to park care and catchment groups. That is why the minister announced some \$90,000 to each catchment group to actually support catchment groups building more connection with community and developing a relationship with those new, emerging communities across the ACT.

MRS JONES: It is interesting that you raise that issue of funding for the local Landcare groups. They came to see us on the first Friday of the sittings of this committee and—what is the best way to put it—had hoped for additional funds but not massively more additional funds. Why were they not given what they actually asked for, given that this work that they do is quite tangible work for the community?

Mr Gentleman: We have provided the catchment groups with funding through the directorate.

MRS JONES: Yes but it is about \$30,000 for each group less than they asked for. It is not a massive amount more. The question I asked was: what was the rationale for not giving them what they think they need, given that they operate with a skeleton staff and lots of volunteers?

Mr Gentleman: We funded the groups last time to look at opportunities for themselves to do a new business model in how they engage and operate to be financially responsible, if you like, and then they came back to us—

MRS JONES: Do you mean to get funding from the broader community or something?

Mr Gentleman: From other opportunities and to look at how economically responsible they can be. They did that work. They came to us and said, “For this year we still need some funding to continue.” We have delivered that within the directorate.

I would say, of course, that this is in relation to cuts from the federal government to Landcare. They no longer support Landcare to provide the funding to those groups. The government has had to pick up the tab, if you like, for the work that they do. And they do fantastic work. There is no doubt about that.

MRS JONES: Am I correct in my recollection that they are being funded for less this year than they were last year?

Mr Walker: In response to that, as the minister highlighted, for the program this financial year we allocated \$350,000 to the catchment groups to build their capacity to develop opportunities for them to secure future investment.

MRS JONES: From private investment?

Mr Walker: From a range of different sources, from business communities, looking at different models of approaches into the commonwealth level, looking at different ways to deliver the service through other parts of government; not just an environmental outcome but a health outcome.

MRS JONES: Again I would like to look back at the transcript. Part of what was put was that it is difficult to get the administrative funding to keep going, and that while they are happy to do applications, most of the grants that they are looking at are for projects, and they still need the administrative funding to go on. One thing about these groups is that they are so tangibly good for the environment that everyone can see how good they are and what value for money they are. I do not know that we have had an explanation as to why there is less for this financial year than the one before.

Mr Walker: I will make a number of comments to further clarify those situations. The \$90,000 for each catchment group is for providing that core support to enable the catchment groups to deliver more across the ACT. In addition to that funding, we have also been able to resource those catchment groups with funding for particular programs, which is what they have been delivering. Frogwatch and Waterwatch are two programs and areas of activity that the catchment groups historically have invested in, and we have continued to invest in those areas as well. That grows the pie of resource to the catchment groups. In addition there are some 20 new healthy waterways infrastructure projects coming onto the books of the ACT.

MRS JONES: Is that federal funding that will come through the government?

Mr Gentleman: Both federal and state.

Mr Walker: The 20 infrastructure projects have been the result of \$93 million invested into that area. Those assets now—

MRS JONES: By whom?

Mr Walker: A combination of commonwealth and state.

MRS JONES: On notice, can you break that down for us—the \$93 million?

Mr Gentleman: Yes. It was roughly \$15 million from ACT government and the rest was from the federal government. The program so far has been incredibly successful. I am very pleased to see the commonwealth's support for these projects.

MRS JONES: Is it about \$78 million from the commonwealth?

Mr Gentleman: I think it was \$80 million. We will get the complete details for you, if you like.

MRS JONES: Yes, thank you.

Mr Gentleman: The minco that I attend, the Murray-Darling Basin Authority minco, has recognised that the ACT is kicking far above its weight in this area, and have congratulated the ACT on the work that we have done. Again I thank the commonwealth for that funding. Those projects are now complete, in the sense of the infrastructure build, and now it is a matter of a little bit more time to allow the—

MRS JONES: The planting.

Mr Gentleman: The planting is done, but to allow those plants to grow into maturity, to be able to ensure that we get the best treatment of the water as it comes down.

Mr Walker: And that is where the catchment groups have also benefited.

MRS JONES: There is a program for them to help with that?

Mr Walker: That is right. Going into the next two years, the catchment groups will play a pivotal role in effectively supporting and managing those assets with TCCS, because the asset owner switches from the construction to now TCCS. In partnership with TCCS, the catchment groups and us, we have been able to put some investment into managing those assets and ensuring that the plants that have been planted in those areas will continue to grow. As I indicated with the mingle type of arrangements, establishing ParkCare groups or wetland groups associated with these new assets means that the community is now starting to own those particular assets.

MRS JONES: Is the \$90,000 about where you think it might have to stay for the administrative funding? Is it the intention to keep it at that level or to reduce it over time?

Mr Gentleman: The majority of that funding was to do the capital works, and that is now in place.

MRS JONES: Not the \$93 million, the \$90,000 that was given to each of the three groups: is that about where we hope it remains?

Mr Walker: It would be good if we could maintain an investment at that level. The key point that the minister highlighted earlier was that the land catchment groups have historically been funded by the commonwealth, and the commonwealth has reduced its investment into those areas. The ACT government is really enabling and keeping these catchment groups moving. We are looking at novel approaches to that; hence the conversation about Frogwatch and other things.

MRS JONES: I imagine that there would be good community support for them.

Mr Gentleman: There certainly is.

MRS JONES: As in if they were able to tap into it.

Mr Walker: Last week the minister also announced a series of environmental grants. We allocate funds through an environmental grants program. The catchment groups are large recipients of those grants programs because of their connection with communities. They provide a conduit for multiple communities to be involved.

MS LAWDER: There is specific mention in budget statements E of the upper Murrumbidgee Waterwatch program. What is that for? I think the figure was \$68,000. Did they make a budget submission for which you have given them that specific amount of money? What is the rationale?

Mr Walker: That money is part of supporting the regional coordination group activities across the ACT and the broader area. That work provides investment opportunities for different groups to build the catchment health indicator program, CHIP, which is part of Waterwatch. The regional coordination group provides a conduit for those things to happen at the ACT and region level.

MS LAWDER: Is that one-off funding or is that ongoing?

Mr Walker: One-off funding, but the programs that come through the regional coordination group are typically one-off investments. The other area we are continuing to invest in is around the H₂O case base, and this is a very important next step of education. Managing waterways and ensuring the community are not putting inappropriate things down the stormwater drain is a really valuable tool. The catchment groups are now picking up that responsibility and the funding to deliver that program. That was an in-house program delivered by the directorate; we are now giving catchment groups some investment to enable them to take that partnership on.

MS LE COUTEUR: I want to ask about the golden sun moth and the several recent proposals to develop land they are on, most recently at City Hill. Can you give me an overview of their conservation status and their relative rarity?

Dr Kitchen: The golden sun moth is listed under the Nature Conservation Act and has been for quite a while. We have a number of listed species which we provide actions for, and it is one of our species that is commonwealth listed as well as ACT listed. It is quite an interesting species because 10 years ago it was highly rare and we thought it was purely in native grasslands. With research and a lot of information that has come about in the past 10 years we have found golden sun moth in a lot of other areas and we have actually found it in Chilean needle grass. So we have this complex area of a listed threatened species occurring in areas where a listed weed grows, but that is what it likes.

We have done a lot of surveys for golden sun moths and we have looked at all the sites across the ACT. Any planning decision is taken in the context of environmental impact assessments. We assess what the sites are and whether they are appropriate to develop. If an area might be able to be developed there will be some offset arrangement.

MS LE COUTEUR: So you are saying that these are not small pockets that were left but that the sun moth likes Chilean needle grass?

Dr Kitchen: It likes a range of habitats across the ACT. For any development proposal we look very specifically at the area. We look at the size, whether the development is appropriate and whether the habitat is secure in another area, particularly with these species where we are learning more about where they occur.

MS LE COUTEUR: I understand that a few years ago there was a trial of relocating them from one site to another. Was that successful? It seems from what you have been saying that the sun moth is doing it for us.

Dr Kitchen: Through the offsets program we funded some research looking at taking the pupae—so the tiny little bits of the moth—and moving them. The success was mixed. I could not give you an exact example of where it worked so we are going to have to take more time to look at the monitoring and the results for this stage. But we invested in that to see if that was a likely translocation of the species to try to establish it in other sites.

MS LE COUTEUR: So, given what you said, how important are these small parcels that are left in developable sites? In particular I am thinking of City Hill. I understand the federal government wants to remove one in Barton and there is one for the Yarralumla brickworks access road. Have these now become small players in a more expanding universe of sun moth sites or are they still very important?

Dr Kitchen: The difficulty with any threatened species and with conservation in general is that fragmentation is occurring. We recently had an IUCN report showing that five things are driving our loss species, of which urbanisation is one and feral species are another.

The ACT has a very good record of conserving its threatened species, which is why we need to look at each individual site on its own. We try to look at the site and how representative that site is, whether there are alternatives and whether it can be offset and conserved in another area that might be more appropriate and have a longer term future for the conservation of that species.

MS LE COUTEUR: So that would be the approach in relation to these sites?

Dr Kitchen: That is correct, yes.

Mr Walker: The species are listed nationally and there are obligations we need to follow. They include assessing them and determining an appropriate path forward for those particular sites balancing the existence of them in other areas and their chance of survival in the space they are in.

Particularly with invertebrates, as people find more and more of them you start to get a better appreciation of their habitat requirements and their needs in the landscape. Certainly areas with good grasslands provide important habitats. We have a particularly good protective status across the ACT—some 70 per cent of the ACT is in parks and reserves—so we have a good foundation for conservation of our threatened species.

MS LAWDER: I am interested in the housing going in near the Molonglo River

peninsula at Coombs and the impact on the pink-tailed worm-lizard. Are there any other threatened species in that area that may be impacted?

Mr Gentleman: Firstly, we are providing as much habitat as we can in the Molonglo River reserve for the pink-tailed worm-lizard. We have introduced habitat opportunities there and in other areas too.

Mr Walker: As the minister has highlighted, providing habitat is the key means by which we can conserve pink-tailed worm-lizards and their habitat. The peninsula and the reserve itself provide suitable habitat. We have a national environment significance plan we are bound to follow, so we continue to implement that work and monitor and undertake activities to conserve the species there.

Part of the establishment of the reserve is about looking after those significant species. As I highlighted before, that balance around the remediation of a former sewerage plant provides a space for community activity and recreation while at the same time protects sites for the conservation of species. That includes the management of things like pest plants and pest animals or the establishment of habitat.

Part of the activities we can do is provide habitat—it might be rock boulders, it might be artificial hollows, it might be trees—for birds or other species to occupy as well. There is a range of techniques we have instigated and will continue to instigate across that area to protect the values.

MS LAWDER: Very specifically you have got your reserve and an area for it but when you are clearing the land do you go along and pick up some pink-tailed worm-lizards and relocate them? How do you ensure that you do not decimate their population in that area?

Mr Walker: In terms of the area that is set aside for the reserves, there is no clearing of the land that occurs in that space.

MS LAWDER: No, for the housing?

Mr Walker: Like all development proposals, there is an assessment done pre-development about what values are there, and if there are any values there then yes, they can potentially be relocated to other areas. That is part of the work that the developers would be required to do consistent with their development applications and processes there.

MS LAWDER: How do you know that that has happened? Do you do an audit of the number of pink-tailed worm-lizards in the area?

Mr Walker: It is unknown how many animal species would be in the area in the first place; so it is very hard to audit that. But I guess we do put in place and have people there, and the developers are required to do that sort of work.

Mr Ponton: I might add that under the NES plan, the matters of national environmental significance, there is a requirement to undertake an audit of habitat that is being impacted by development for that area.

MS LAWDER: How are you balancing the bushfire management risk against the conservation protection?

Dr Brady: I might speak to this one. We had a planning committee inquiry just recently on the Territory Plan variation for the Molonglo reserve. The Coombs peninsula was discussed there, and the head of parks and conservation talked at that time about how sometimes the bushfire management approaches that we take and the conservation management approaches that we take with such things as the—I am going to get it wrong now—the lizard can be complementary. We work out a way that we are managing the bushfire risk as well as managing the conservation value. In that particular location, Mr Iglesias at the time talked about how they can co-exist and actually support each other in that instance.

MRS JONES: I want to go to water quality in the lakes. Has the government seen the report undertaken by University of Canberra researchers about dealing with algal blooms in the ACT?

Mr Walker: I ask Matt Kendall to join us at the table.

MRS JONES: While we are considering it, do we have a response to it? It is probably the same question.

Mr Walker: I will kick off while Matt gets settled. Part of our work around improving water quality in the lakes across the ACT comes back to the investment made jointly by the ACT government and the commonwealth around the healthy waterways projects.

MRS JONES: That is the \$80 million from the commonwealth and the \$15 million from the ACT?

Mr Walker: Yes. Those projects, the 20 sites, were selected to reduce the amount of nutrient flowing into the lakes and waterways in the ACT. They provide that now, that first step in reducing nutrients flowing into the system, which ultimately is what triggers blue-green algae. The combination of increased nutrients, no rain, no wind, warm temperature, creates a blue-green—

MRS JONES: Which we get.

Mr Walker: That happens. We also need to understand that the lakes that were established in the ACT have been and were designed effectively to capture that sediment before it went further down the system. We, historically, have designed a very effective system of capturing those nutrients and we are now dealing with the consequence of that in terms of that system now producing algal blooms. In essence, we are retrofitting systems under the healthy waterways projects to mitigate the nutrients going into the system and therefore over time reducing the likelihood of blue-green algae outbreaks.

MRS JONES: Has the report from UC come through?

Mr Kendall: I just clarify that the ACT healthy waterways is a \$93.5 million project with \$85 million funding from the commonwealth and \$8.5 million from the ACT. As part of that project, as Ian has just outlined, there is a range of activities. Certainly the focus of the funding has been for the 20 infrastructure projects which have been implemented over the past five years but there have been a range of other works, and the water quality research by the University of Canberra has been an important part of that. The University of Canberra have actually done two aspects of water quality research, one looking at Lake Tuggeranong, which I will talk a bit more about, and also looking at nutrient dynamics in our urban wetlands and ponds.

In relation to Lake Tuggeranong, the University of Canberra work has firstly looked at better quantifying the nutrient dynamics in the Lake Tuggeranong catchment as well as in the lake itself to determine the relativities. I guess the advice from the University of Canberra is that Lake Tuggeranong has a high nutrient loading from its catchment but, as Ian was just alluding to, over the 30 or so years that the lake has been there, there has been an accumulation of sediments and now it has got issues with temperature stratification of the lake which allows for nutrient release from the sediments that have built up over time.

MRS JONES: It creates its own movement in the water?

Mr Kendall: That is correct. When the lake is stratified you get low-dissolved oxygen at the bottom of the lake and that can allow the phosphates that are in the sediments to be released, and that provides a source of food, if you like, for the blue-green algae. The University of Canberra advice is that, in terms of the approach to dealing with trying to reduce blue-green algae and lake closures, it needs to be an approach that looks at cleaning up the catchment, and the infrastructure works that have been implemented are a big part of that.

I have not mentioned community education but that is another important part of the healthy waterways work and encouraging the community to do practical things like raking up their leaves and stopping them going into the drains. They are part of cleaning up the catchment, and then the other part is, obviously, trying to deal with those accumulated sediments in the lake.

MRS JONES: The lake does not move much; it is fairly stable as a body of water, is it not?

Mr Kendall: The University of Canberra has done research within the lake itself. If you have been past it over the last summer, you would have seen what the University of Canberra called large plastic bags, large test tubes. The technical name is mesocosms. They are plastic bags that extend all the way from the surface right down to the sediments, and include the sediments of the lake. They allow for a controlled laboratory, if you like, to test different types of additives.

They have tested a range of additives, three different additives, as well as a number of controls. They are still assessing the efficacy of those additives. But in terms of the products that are being tested there, one is a product called Phoslock, which is a type of bentonite clay that can lock up the phosphates; effectively it caps the phosphates in the bottom of the lake. One is a product called Diatomix; that is a different type of

algae, if you like, that can out-compete the blue-green algae. The third additive is hydrogen peroxide, which specifically targets the blue-green algae as opposed to good algae or other plants and animals.

The University of Canberra have taken a lot of samples. They are still waiting for those samples to come back, so we do not have the final report though we are expecting that shortly. Over the period of their trial there have been regular updates. There have been updates to the Tuggeranong Community Council. We are hopeful that one of those options might be preferred to the others. The University of Canberra have made the point that there does not appear to be a silver bullet; it will be a long-term approach to try to deal with this problem of blue-green algae.

MRS JONES: Are you saying that the research about Lake Tuggeranong is not yet quite complete?

Mr Kendall: That is right. We are still waiting for that final report from the University of Canberra.

MRS JONES: I should also warn that I suspect Hansard will need some help with some of those terms that you have used.

Mr Gentleman: Chair, before we finish up, I have some updates in regard to kangaroo collisions. A search for “kangaroo collisions Canberra” gives you 11 seconds response to drive you to Access Canberra. Access Canberra received 466,000 calls this financial year, and 4,068 of those calls were about kangaroo collision.

THE CHAIR: Thank you. We will suspend.

Hearing suspended from 11.01 to 11.15 am

Appearances:

Stephen-Smith, Ms Rachel, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Disability, Minister for Children, Youth and Families, Minister for Employment and Workplace Safety, Minister for Government Services and Procurement, Minister for Urban Renewal

Chief Minister, Treasury and Economic Development Directorate

Nicol, Mr David, Under Treasurer

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

Jones, Mr Greg, Executive Branch Manager, Workplace Protection, and Work Safety Commissioner, Access Canberra

Young, Mr Michael, Executive Group Manager, Workplace Safety and Industrial Relations, Economic, Budget and Industrial Relations

Environment, Planning and Sustainable Development Directorate

Ponton, Mr Ben, Director-General

Rutledge, Mr Geoffrey, Deputy Director-General, Sustainability and the Built Environment

Fitzgerald, Mr Bruce, Executive Group Manager, Urban Renewal

Suburban Land Agency

Dietz, Mr John, Chief Executive Officer

Sharp, Ms Irena, Development Director, Urban Projects

THE CHAIR: We will start again. I remind the new officials joining us to confirm that you have read and understood the privilege statement. I turn first to loose-fill asbestos. Minister, how many further properties have been surrendered in the past 12 months under the buyback program?

Ms Stephen-Smith: I acknowledge the privilege statement and I will hand over to Mr Fitzgerald.

Mr Fitzgerald: I do not have the exact figure in front of me. The surrenders have slowed in the last 12 months. Off the top of my head, I would say that it is around the four mark, but I can take that on notice.

THE CHAIR: Thank you. You might need to take this on notice as well. What has been the total cost of these buybacks?

Mr Fitzgerald: Yes, I will take that on notice.

THE CHAIR: Thank you. How many properties remain in the ACT that have not participated in the buyback scheme?

Mr Fitzgerald: Currently there are 41 properties that have not—sorry, that number is now 39 that have not participated.

Mr Rutledge: I acknowledge the privilege statement. As Mr Fitzgerald said, we have

39 privately owned properties remaining. But of those, 25 are participating in the scheme. So there are only 14 that are not participating in the scheme.

THE CHAIR: How many of these blocks are due to be purchased in the next 12 months?

Mr Rutledge: That would be the 25. The buyback scheme is due to complete at the end of the coming financial year. All of the remaining 25 that are participating will be purchased. If any of the 14 that are not participating choose to participate, they would be welcome to join the scheme.

MRS JONES: As a supplementary to that, what is the current plan, what are you heading towards, for the 14 that have not participated, as far as ultimate compulsory acquisition or compulsory acquisition upon either death or sale of the property?

Ms Stephen-Smith: There is ongoing engagement with the existing property owners to inform how those affected properties will be managed after the buyback closes from 30 June next year. That includes consideration of things like supporting the elderly who may wish to remain in their home for the final years of their lives, flexible transition arrangements for those who have complex circumstances, including medical circumstances and things like the provision of tip fee relief for the disposal of private demolition waste at Mugga Lane Resource Management Centre. There is a range of considerations that we are working through at the moment in close consultation, as far as possible, with the remaining property owners.

Mr Fitzgerald: I think that that says it well. We are meeting with those 14 on a regular basis and trying to understand their individual circumstances.

MRS JONES: Is it the intention not to compulsorily acquire until their property gets sold or they pass away? Is that the general idea?

Mr Rutledge: Mrs Jones, we have not ruled in or out compulsory acquisition, but we do not think that we will need to get there. What we have found, particularly this year, is that the position remains clear that eradication of loose-fill asbestos is the ultimate goal. That has not changed. What we found is that people who are not participating in the scheme are not doing so for very different reasons—

MRS JONES: Yes, of course.

Mr Rutledge: Everyone who has participated in the scheme has also done so for different reasons. What we are doing is trying to work out individual pathways for the remaining 14. I am not sure that they will participate in the scheme. Maybe they will undertake private demolition. What we have found just by talking to them—they may come in and meet directly with an executive member of the directorate or they may talk to our personal support staff—is that people who had not previously engaged in the scheme are finding a new reason to and they are looking for those pathways. I imagine that for the remaining 14, private demolition will probably be the most likely outcome.

MRS JONES: Voluntarily?

Mr Rutledge: Voluntarily, yes. I think that that is where they will end up; so I do not think—

MRS JONES: At the close of the scheme in 12 months, will you have the majority of those 14 properties where you are still negotiating or will you have a small unit of people whom you will continue to negotiate with as time goes on? Is that the sort of general direction we are heading in?

Mr Rutledge: The buyback scheme will definitely end at the end of June next year. I imagine that there will be an ongoing commitment to asbestos removal after that. I think that the management of those properties is very important through an asbestos management plan. Those requirements will continue and—

MRS JONES: Are they current requirements as well on those people?

Mr Rutledge: Correct. So we will see where we are in 12 months but I am hopeful, perhaps, that the eradication of loose-fill will be successful.

Ms Stephen-Smith: The other thing to point out, Mrs Jones, in terms of ongoing engagement is that the government and the task force recognise that there will be, obviously, a long-term, ongoing impact of the Mr Fluffy episode on all of the home owners and previous residents of Mr Fluffy properties. There will be ongoing engagement. I met with Dr Sue Packer the other day, who is chairing the community and expert reference group around the legacy project. It was a very useful meeting to talk directly with her about the experience of the Fluffy owners and what she has experienced as chair of that group. There will be ongoing engagement around the legacy of Mr Fluffy for all of those who want to participate, in addition to the management of the houses.

MRS JONES: Minister, have WorkSafe sent letters of demand that action be taken within 28 days to any residents, and did those letters include information about possible imprisonment?

Mr Jones: In the government's ongoing involvement and engagement with the remaining occupiers of affected premises, WorkSafe has been engaging to a very large degree with the existing owners and those who have not participated in the scheme. Over the past two years we have sent a total of six letters outlining assistance, responsibilities and ways forward for the owners. We have had multiple engagements through phone calls, visits and whatever with the people. So we have ongoing engagement.

MRS JONES: Can that letter be tabled for the committee?

Mr Jones: Yes, it can be.

MRS JONES: On notice?

Mr Jones: Yes, we can do that. On an ongoing basis, and over the past two years, it has come to the point where, as regulator of the dangerous substances legislation, my

concern is for community safety more broadly, not only for the existing occupiers and owners but for those people who visit the house, tradespeople who may need to come in to work on lights or plumbing, emergency services that may get called to these premises, or our volunteer ESA people who come and fix roofs after storm damage or whatever. My concern is that these people may unwittingly, in coming to assist the owners of a house in a particular situation, be exposed to Fluffy loose-fill asbestos.

MRS JONES: Indeed, as was the case before the scheme.

Mr Jones: Indeed. That is my concern.

MRS JONES: Did WorkSafe send letters like that to the owners of Mr Fluffy houses before the scheme began, in any way?

Mr Jones: No, not to my knowledge.

MRS JONES: Even though the government was aware of where these properties were, letters like that were not sent to owners of the houses before the government's decision to enact the scheme. It could be construed that this is putting additional pressure on those final home owners.

Mr Jones: I think it is more about the awareness that the government has had, and the expert advice that it has, in terms of dealing with the program as a whole.

MRS JONES: Sure, but did the letters include possible imprisonment; was that stated?

Mr Jones: The letter that I sent most recently, in fact last week, outlined some of the legal consequences of noncompliance with the community safety responsibilities—

MRS JONES: Can you imagine how that may have been construed as threatening?

Mr Jones: Yes, absolutely; keeping in context that this is the sixth letter, as part of an ongoing, intensive two-year engagement.

MRS JONES: Will you table for the committee all six letters that have been sent to home owners?

Mr Jones: If the committee wishes, we can do that, yes.

MRS JONES: Yes, please.

Mr Jones: Certainly.

MRS JONES: Thank you.

Mr Jones: Including the last one, which outlined the responsibilities under the legislation, including the maximum penalties which, in extreme circumstances, potentially could be applied, and that is part of informing the residents of their obligations.

THE CHAIR: Of the blocks that have been sold, how many have been sold for more than what was paid to the owners?

Mr Fitzgerald: I will have to take that on notice. It will depend on the individual block and the circumstance as to whether variation 343 applied to that block. We can take it on notice.

THE CHAIR: How many owners have been required to sign non-disclosure agreements?

Mr Fitzgerald: I am not aware of any but I will take that on notice.

Ms Stephen-Smith: It might be helpful if there is a context for that question, Miss Burch, to understand what—

THE CHAIR: Is the government aware of any owners who were not able to re-enter the property market due to affordability?

Mr Fitzgerald: No.

Mr Rutledge: Miss Burch, with respect to an earlier question, in the 2018-19 year, 12 properties have been passed over to us, at a cost of \$10.066 million.

MS CODY: How many properties have been privately demolished?

Mr Fitzgerald: Thirteen were self-funded private demolition.

MS CODY: Obviously, they still have to meet the same requirements as for government demolition?

Mr Fitzgerald: Yes, that is correct.

Mr Rutledge: For those 13, we have offered a tip fee waiver and we have offered the support that we would otherwise offer. They have chosen, rather than engaging in the voluntary scheme, to take it upon themselves to undertake private demolition.

MS CODY: With the demolition, is it only the house and the slab or flooring, rather than any sheds, garden beds or driveways? They all stay?

Mr Rutledge: The demolition takes place; then we scrape and test the soil below that. We would protect the trees that are standing on the property. If there was a shed, we have had a situation where a shed has been insulated, and the shed has had to come down as well. If there were outbuildings, we would leave them in place, in situ.

MR COE: With regard to the overall cost of the scheme—sorry if this has been asked already—how does it compare with the initial projections?

Mr Fitzgerald: The initial net cost of the scheme was forecast to be near enough to \$400 million. Currently we are forecasting the net cost of the scheme to be closer to

\$300 million.

MR COE: Where were the savings?

Mr Fitzgerald: The savings have been generated predominantly through the demolition process. We have achieved quite good efficiencies through that process. We have built a skill base within the industry of people that have been able to do that at a much lower cost than we had originally envisaged. The land value has also increased.

MR COE: What about in terms of the amount paid to owners? Is that as expected?

Mr Rutledge: Yes, because the valuation occurred at the time as if the property was not affected by loose-fill asbestos. The cost of the surrender of the properties was well known but, as Mr Fitzgerald said, we have seen the price of demolition over the term of the scheme come down a lot as the industry has become extremely efficient at delivering a specialised demolition program.

MR COE: What about the amount paid to agents along the way?

Mr Fitzgerald: The cost has been lower than expected. Our commission fees have been lower. We did engage Colliers through the last round. We are currently in a situation where we are undertaking a sales process in house, so we are not in a position where we are paying commission fees.

MR COE: What was the reason for taking it in house?

Mr Fitzgerald: The reason was largely the bulk that we were dealing with. As we went through the main phase of demolition, we had quite a number of properties coming to the market. That has now slowed considerably. We have 66 properties that are currently available over the counter. We are not holding auction events at the same rate that we were previously. We will have to engage real estate agents in order to undertake auctions in the future, but that will be done using guidance from the SLA.

MR COE: Does that suggest that the price that you are asking is too high? Of those 66, were all of them put up for auction but passed in?

Mr Fitzgerald: Yes.

MR COE: That suggests that the reserve was not where the market was.

Mr Rutledge: They are still selling. We had a similar discussion yesterday, Mr Coe. The valuations have occurred, and those are the valuations. As discussed yesterday, there are many reasons why people purchase blocks of land and do not purchase blocks of land. I think it would be too early to say that the valuations are incorrect, given that the vast majority of them have sold and we only have 66 remaining.

MR COE: But what is the valuation? If it goes to auction and it does not meet the reserve, doesn't that mean that the valuation is not what the market values it at?

Mr Fitzgerald: We have had over 800 properties go to auction. Of those, we generally have clearance rates of around 50 per cent at auction. If you take the 400 or so that have been available over the counter, it does show that they sell over the counter. Some people do not like to purchase under auction conditions.

MS CODY: And isn't that auction across the board, in the marketplace generally?

Mr Fitzgerald: Yes.

MS CODY: Auctions do not have a 100 per cent clearance rate in any circumstance.

MR COE: That is right. But the difference with a private sale is that the private owner puts the price at where they want to sell it as opposed to a valuation.

MS CODY: Are you asking a question or are you trying to lecture me?

MR COE: Therefore, if it is your valuation that has set the reserve, is the valuation wrong?

Mr Fitzgerald: There could be a range of reasons why blocks do not sell. There are trees on some of these sites that hamper the sale. There are some complex needs around unit title that take a longer period to work through with the planning directorate about whether—

Mr Ponton: I think the important point here, and Mr Rutledge noted this, is that the blocks are still selling over the counter. Whilst they are not necessarily all selling at auction, we have an inventory now and they are still selling. I would be more concerned if we were not selling anything. As Mr Fitzgerald suggested, people do not always like to purchase under auction conditions. They might wait and see, after an auction is concluded, what land might still be available and then approach us separately and enter into sales at that point in time.

MR COE: Who is actually selling them then? Who acts as the seller's agent?

Mr Ponton: Currently we have an officer in house who is the nominated contact.

MR COE: So that is not in the SLA?

Mr Ponton: No.

MR COE: How frequently are they being sold?

Mr Fitzgerald: Of the 66, we have five under offer at the moment. We are averaging one to two offers per week.

MR COE: Finally, have you gone back to the original owners of those 66 and sought to enter a negotiation with them?

Mr Fitzgerald: For the acquisition of the properties? No. But what we have done is preserved where we have offered them the value. In any situation, we are not going to

go below that value. If there was an opportunity where we had to revalue the block, that would effectively be the floor at which we could offer to the market.

MR COE: So the value that you offered the original owners is now the reserve?

Mr Rutledge: No; that would be the reserve if there was any revaluation. What Mr Fitzgerald is saying is that no block of land has been sold for less than the offer that was made to the owner.

THE CHAIR: If there are no further questions on loose-fill asbestos, we will move to other areas.

MR PETTERSSON: What reforms are being made to WorkSafe?

Ms Stephen-Smith: As you are all probably aware, we had an independent review of workplace safety arrangements in the ACT last year. That recommended that WorkSafe establish itself as a separate entity, independent from Access Canberra. We have agreed that that is going to be the case. We are working through the arrangements for how that is going to be established. Mr Young can talk a little more about that.

Mr Young: I acknowledge the privilege statement. As the minister has outlined, we have a project underway which effectively is implementing the full range of recommendations arising from the independent review. We expect that a number of those will have legislative implications. I expect that the government will be required to bring forward legislative amendments at some point in the future. They will outline changes to the governance structure of WorkSafe arising from the recommendations of that review.

However, as you would be aware, the recommendations are quite broad and go to things like the use of data, allocation of compliance, enforcement resources and training of the inspectors. The recommendations are quite wideranging. We expect that the process of implementing those will occur over a period of time. The funding was included in the budget review this year to set up a project team, which is managing the implementation of those recommendations.

MR PETTERSSON: I have a couple of supplementary questions. In terms of a time line for this change to occur, when are you thinking this will be finalised by?

Ms Stephen-Smith: We are still working through exactly that. But, as Mr Young has indicated, it will require legislative change. We are expecting that that legislation will be introduced in the next period of sitting.

MR PETTERSSON: Excellent. What would a change in training inspectors potentially look like?

Mr Young: These are matters that the project team is working through, including in consultation with other jurisdictions that have well-established and quite mature training regimes in place, not the least of which is New South Wales. The exact detail is yet to be determined. Obviously, an analysis needs to be done against the training

that has already been provided, which is quite extensive.

We expect that those changes will go to matters that include changes to the national template WHS rules, which we expect to occur in the next 12 to 18 months. By coincidence, this coincides with the changes that are being made, in addition to changes responsive to the recommendations made by Nous, the independent reviewer, which go to how inspectors engage with workplaces on all aspects of workplace health and safety.

My preference, although not exclusively covered in the Nous review, is that consideration also be given to the wider range of functions in relation to which inspectors are conducting compliance and enforcement action, including, for example, workers compensation compliance. This is an area that has been of some concern to stakeholders for some time. We very much see the reforms going forward as an opportunity to improve compliance and enforcement activity generally, not just confined to workplace health and safety. That would include things like using the improved data and reporting to monitor and target compliance and enforcement activity.

MR PETTERSSON: On the topic of WorkSafe inspectors, is there a process for Worksafe inspectors to declare a conflict of interest?

Mr Jones: Yes, there is. That is either a person or a business conflict. Yes, definitely.

MR PETTERSSON: Does that happen often?

Mr Jones: No, not very often. The inspectors, who are a very experienced range of personnel, are quite aware of their obligations and responsibilities, firstly, as public servants and, secondly, in dealing with the various aspects or various areas of industry. It does happen but not very often.

MR PETTERSSON: Do they report it to their managers or is there a central collation of conflicts?

Mr Jones: The initial report would be to their manager. If it is relatively minor or low risk, then a mitigation strategy would be done at that level. If it is broader or more significant, then it would be escalated up, potentially to me. Then we would come up with a mitigation strategy to make sure that there is no actual or perceived conflict of interest with that individual.

MR PETTERSSON: Are there any mitigation procedures in place at the moment?

Mr Jones: Yes, there are, in terms of the standard public service declarations of conflicts or perceived conflicts. We, as WorkSafe, operate within those guidelines.

MR PETTERSSON: Are there any ramifications for someone not declaring a conflict of interest?

Mr Jones: Yes, as is the case with any public servant operating under the Public Sector Management Act and guidelines. Yes, there are and that would be dealt with

under the broader ACT government public sector management system. It would be dealt with under the usual procedural fairness and an opportunity to provide feedback or input from the person involved. But there is an existing whole-of-government system which we as public servants would follow.

MR PETTERSSON: Have any of those procedures ever occurred in relation to WorkSafe inspectors?

Mr Jones: Not—

Ms Stephen-Smith: Could we put a time frame on that?

Mr Jones: Yes, a time frame.

MR PETTERSSON: In the past couple years?

Mr Jones: No. I have been there four to five years now and not in my time, no.

THE CHAIR: The new work health and safety laws were enacted on 1 January 2019. Is there any evidence to suggest that this has improved safety on construction worksites?

Ms Stephen-Smith: Miss Burch, is this the new laws in relation to consultation and work groups?

THE CHAIR: Yes.

Ms Stephen-Smith: What we do know is that the active engagement of workers onsite in work health and safety generally will lead to a safer workplace. Where everyone on the site is taking responsibility and is involved in a conversation about creating a safe workplace, we can expect that that will deliver a safer workplace. In any of these things, it is hard to say what the counterfactual would be in terms of safety outcomes. Obviously, these arrangements have only been in place since 1 January.

However, I think we introduced these measures on the understanding that it is very important that workers on the ground are actively engaged in the conversation about workplace safety, have a say and are represented, and that health and safety committee members and health and safety representatives are appropriately trained to undertake that work. That contributes generally to a safer workplace.

THE CHAIR: Have any penalties been applied to any business that has been non-compliant?

Mr Jones: No, not at this stage. To add further to what the minister has been saying, certainly anecdotal evidence from my inspectors in the field is that the awareness of safety issues and the requirement and the advantage of communicating between workers and management are definitely there and are definitely positive. As the minister indicated, it is probably too early to see that reflected in any injury figures or whatever, which tend to have a bit of a lag because of the way they are collated and

collected and how they are measured. But certainly the evidence out in the field is that the awareness has definitely increased, and awareness leads to planning and preventative measures.

We are seeing a positive attitude change in terms of the engagement and, as I said, that awareness of safety issues, even if it has not necessarily been reflected in any injury figures. At this stage we are still engaging with industry to ensure that there is compliance. Generally speaking, compliance has been pretty good.

THE CHAIR: Is there a review process in place for businesses who are deemed non-compliant?

Mr Jones: Can I clarify review process in terms of—

THE CHAIR: If they are deemed non-compliant, is there then any kind of review process?

Mr Jones: We typically work with organisations. Ultimately we want compliance. If it is a lack of understanding—as the minister indicated, these changes have only been in since 1 January—some of the smaller organisations have not quite come to grips with how they are going to do that. They might have some awareness but not full awareness. Our first engagement with them is to make sure that they understand their responsibilities and to assist them to meet their compliance. We have found in every case that is sufficient to get them to be fully compliant with the legislation. We have not had to do formal reviews or formal prosecutions or regulatory action at the moment. Industry have been engaging quite well.

Ms Stephen-Smith: I think Mr Young might have some further useful information.

Mr Young: On that topic, I note that those changes were one of the matters that we engaged with on the national review template on workplace health and safety laws. One particular recommendation of that review goes to improving the way that employers must consult with workers regarding the establishment of work groups. That matter will be considered as part of the regulatory impact statement process at the national level. I think what is recommended is very much in line with what we have done, and that RIS process, I think, will be a good opportunity to canvass whether those changes were effective and then potentially see them rolled out at a national level for a wider group of employers and workers.

MS CODY: I have a follow-on from Mr Pettersson, mainly around inspectors and their roles. What do WorkSafe inspectors do to look for relevant issues on building sites? What do they do when the site does not stand up to relevant work health and safety codes and standards?

Mr Jones: WorkSafe have got a number of teams that operate and we have what we call generally a proactive or a preventative team, if you like, that do programs of spot audits for those high-risks areas which we have identified either through our own intelligence or feedback or through injury data. We will have organised programs of inspection where we will go out and interact with industry. Where minor non-compliance issues of a low-risk nature are found, we usually have an engage and

educate process. Again, the ultimate requirement is to get them to be compliant.

Usually most businesses are fully cooperative. They go, “I didn’t realise,” or, “Yes, we used to do that but we have let it slip.” We encourage them to be compliant. Where it is more serious or of a high-risk nature we will potentially use our regulatory tools, which include prohibition notices and improvement notices. And we will use that.

If there is an imminent risk to safety, inspectors will issue a prohibition notice to prevent work occurring until that issue is completed. It may be faulty scaffolding or something significant. If it is something that is not an imminent risk but is a non-compliant issue then we will potentially issue an improvement notice with a time frame for when they need to comply. There is an engagement but there is enforcement action that is taken on that, and clearly we will do follow up audits on that.

Where there is an incident, an injury, or a compliant or significant non-compliance we have specialised teams that will go and investigate those. We will ensure compliance and, again, if it is of a relatively minor nature then sometimes it is just verbal. If it is relatively easy to fix, that will be done; otherwise we will use our regulatory tools, a prohibition improvement notice. Especially if there is an injury or significant non-compliance then we can take it further than those notices and potentially go down the path of prosecution if it is proportionate to do so.

In the event of non-compliance we have got a range of enforceable undertaking matters that we can use as well to ensure compliance. It depends on the level of non-compliance, to some degree, and the history and attitude of the business that we are dealing with, but, importantly, how serious the risk was and the degree of non-compliance.

MS CODY: Is the tolerance of that sort of stuff left up to the inspector or are there some guidelines?

Mr Jones: WorkSafe has internal procedures in terms of how we deal with non-compliance issues. If inspectors need further advice—most of them are very experienced and have that judgement, which they make on a daily basis—or if they need assistance or guidance then they will escalate that to their supervisors and, if need be, up to me. We will make a decision on what action will be taken. Quite often they can make their own decisions out in the field but there is the opportunity to escalate as well.

MS CODY: What about at the other end of the spectrum where major non-compliance—

Mr Jones: Significant, yes.

MS CODY: Yes, significant. Where does that lie? If they do not meet the—

Mr Jones: If there is significant non-compliance or if there is an injury, a serious injury or worse, we have a very specialised and very experienced investigations team. As necessary, the investigations team will be involved potentially at an early stage,

especially if there has been an injury, and they will forensically analyse the situation and take all the evidence, do interviews, whatever is necessary. Then a decision is made, again on a risk-harm proportionate basis, on what regulatory action will be taken. That can range from prosecution to enforceable undertakings to issuing notices. There is that range of tools which we use.

MS CODY: Do we use Australian standards to bring ourselves into line with—

Mr Jones: Yes. Our system of compliance is guided by the national standards and national compliance framework. That informs our compliance framework in terms of how we go about our business, and that is fundamentally driven by the risk-harm model.

Ms Stephen-Smith: One of the things we have heard from a range of partners and stakeholders in this space and also confirmed through the Nous review was that maybe there had been some uncertainty for inspectors around the enforce, engage, educate model and about when enforcement was appropriate and supported.

We have certainly seen a confirmation in the way that WorkSafe operates that. Where enforcement is appropriate it is appropriate, and the level of enforcement activity over the last year has been significantly higher than in the previous year. I put out a media release only this morning with some close to end of year figures on that. For example, improvement notices more than doubled in 2018-19, from 2017-18, up to 360 from 170. There was a significant increase in prohibition notices and a slight increase in infringement notices. There has been a significant move towards greater clarity for inspectors around the fact that they are empowered to undertake enforcement activity where that is the appropriate response.

We have also moved in the direction of an expansion of areas where an infringement notice can be issued. For example—I cannot even remember if this was this financial year or last financial year—we introduced an infringement notice for fall from height risk, recognising that falls from height, particularly in the construction sector, are a very significant safety risk. We want to raise awareness of that and be able to take enforcement action that does not require a prosecution. We want a situation where an inspector is experienced enough that they can identify a fall from height risk and issue an infringement notice.

MS CODY: What happens when an inspector's decision or approach is disputed? What is the process?

Mr Jones: There are a number of avenues. If we are talking about the issuing of notices or infringement notices, there is an immediate right of internal review, and that will obviously be escalated internally. If they are not satisfied with an internal review, there is an external review. They can take any of our notices to ACAT to be reviewed. If we decide to go down a much more significant path, such as a prosecution, that will clearly pan out in court. But for the lesser regulatory tools we use there is an internal review and an external review of each of those notices.

MR PETTERSSON: In light of these numbers on improvement notices and prohibition notices jumping so drastically, how does that fit with the compliance

model of engage, educate and enforce that has been in place for a few years now?

Mr Jones: It still fits in. As I indicated in some of my earlier answers, we still engage extensively with industry and we still operate on a risk-harm basis. If there is a relatively minor non-compliance we are not going to issue a major notice for that. Let's say they do not have a lock on their front gate or the testing and tagging on a large site is not perfect; we still engage, assist, advise and educate on that. Clearly we do follow-ups. If we suggest that there is a low risk but non-compliant issue we have asked to be fixed and we return to the site in a week or two and it is still not done, we have the ability to escalate, again depending on the seriousness.

We still do that, but, as the minister indicated, we have been engaging with industry for a while now. We think that, with our interactions through our seminars, the information we have available on site and what we have been passing on through various stakeholder organisations about the expectations for compliance, the numbers reflect an increasing level of higher level regulatory tools to ensure that compliance, where it is appropriate, is met.

The fact that our improvement and prohibition notices, as the minister indicated, have more than doubled since last year is an indicator to say, "Well, you've been told about this before. Here's a notice to make sure you do it in a timely manner." That is entirely consistent with our risk-harm model. We still engage and educate where it is appropriate and proportionate to do so, but we do not hesitate to use our more significant tools. We have a number of cases before court with prosecutions where the breaches are either part of a pattern or are significant and require prosecution. We do not hesitate to do that.

Mr Young: I recently attended a meeting of the Work Safety Council where a stakeholder asked the regulator to explain the significant increase in notices where there was not a corresponding increase in resources. The discussion went to the issue that in the previous period there had been an improvement in the way resources were being directed. A number of specific compliance campaigns were identified where the rate of notices was quite high. The discussion showed that not only was that indicative of an improvement in the way risks in the scheme were being identified and compliance resources were being directed towards them but also that where non-compliance was being identified, as Greg has outlined, there was a willingness to go immediately to the more punitive compliance tools where appropriate.

MR PETTERSSON: In terms of the redirection of compliance activities being the cause of a large number of notices, following this model shouldn't the first steps have been to educate and engage?

Mr Jones: It depends on the relative risk and harm. Where it is proportionate and appropriate to engage and educate we will do so in those low-risk areas. Where you have a significant risk of injury or worse it is appropriate to immediately go to a more severe regulatory action, including using prohibition notices to protect the workers already on site, and we will do that.

A number of years ago we perhaps gave some parts of the industry the benefit of the doubt to say, "Well, get it fixed." But we think there is sufficient information and

sufficient warning available now. As a result of a number of seminars, presentations and breakfasts we have hosted, the industry has been well informed over the last 18 months that, especially in high-risk areas like falls from heights, which the minister mentioned earlier, we have almost zero tolerance.

Everyone knows the risks and everyone knows what they are supposed to do in terms of protecting their workers with rails, harnesses and the rest of it. You will not be getting a warning if we find residential or commercial falls from height issues. It is such a significant part of injuries to and deaths of our workers that you will be immediately infringed if this is the first time that you have done it, and if you are a serial offender a prosecution will be appropriate and proportionate. We will do that before you harm or kill someone.

Ms Stephen-Smith: A good example is the proactive young workers audit in automotive workshops. When inspectors go in, if there is a piece of equipment that is just unsafe to use, a prohibition notice will be issued for that piece of equipment so that that piece of equipment cannot be used until it is either replaced or fixed to become safe.

This goes to the point Mr Young was making: that the risk-based, proactive audits and the inspection program have identified areas where there is potentially a high risk of harm and then inspectors identify those specific risks and take enforcement action around them. It might not be a prohibition notice that shuts down an entire worksite; it might be around a particular piece of equipment.

Mr Jones: To expand on what the minister is saying, using the automotive target, because of the risks associated with that industry, if a hoist is found to be worn in its safety gear and the locking mechanisms are either worn or unable to be used, a prohibition notice would immediately be put on the use of that hoist, but that does not shut down the whole workshop.

As part of those audits a large number of improvement notices were issued where we found that chemicals and other solvents that were a danger to workers were not appropriately stored. An improvement notice was appropriate there because of the risks of fire and the danger to employees, but the situation was not sufficient to shut down the whole business. A week or so is usually given to fix those arrangements. Most of it was about not having up-to-date information about how to appropriately do things, or procedures had been relaxed over a period of time. It is appropriate that a quick resolution is found without shutting down that workplace.

MRS JONES: Have you inspected any workplaces where mechanics are not appropriately qualified but have received an ACT government certification to function, given that the certification does not ask any more for the qualifications of mechanics?

Mr Jones: Not that we have come across as part of our audits. As you can understand, most of our audits are focused on the safety and the operations within the workshop and equipment.

MRS JONES: Indeed, but if the qualifications of those who set up that workplace for either themselves or other people are not being proven to government, would that not

potentially have an impact on the safety of those set-ups, backyard operators and so on?

Mr Jones: It potentially could, but again our focus is on the actual operations of that. I do appreciate that if there is someone—

MRS JONES: Is there any interest in inspecting those types of worksites if they are identified?

Mr Jones: We have looked at some backyard operators and residentially based workshops, and we do the same safety checks and standards that we would with a major commercial one.

MRS JONES: I have just had representation. What is the appropriate process to get those places checked?

Mr Jones: You mean all of the backyard operators?

MRS JONES: Any of them. There are problems with the environment, because they are flushing things down into the sewerage system that they should not, but there are potentially safety issues as well. I am just asking, for those who ask me, what the process is.

Ms Stephen-Smith: You can make a complaint or a notification to WorkSafe. Mr Peffer can probably talk to the broader issues around how Access Canberra, in its regulatory role, will go about that.

Mr Peffer: We get a range of complaints about home-based businesses.

MRS JONES: Just to clarify, I am not referring to all home-based mechanics, because some of them are properly qualified and are paying their taxes and doing all that stuff; I am merely talking about those who are not appropriately qualified and are putting cars back dangerously on the road.

Mr Peffer: We get a range of complaints in. Some of them relate to the nature of the business and where it might be located, whether that is in a residential suburb or somewhere else. Some of the complaints may be driven by a particular consumer feeling as though they have not got the value that they have paid for. That will come in through our complaints management team. It goes to a committee within Access Canberra that looks at the full set of laws that we have available and the regulatory tools. It will consider which teams are best placed to respond to that complaint.

In some cases that might be a combination of teams. It might be a combination of WorkSafe and the EPA, for instance, if there are complaints about people pouring solvents down stormwater drains. But if the complaints are about a mechanic repairing a braking system in a vehicle but not doing it particularly well, or the consumer finding that the brakes have not been repaired at all, it may be our fair trading team that goes out to investigate that business. Some complaints are questions from neighbouring properties about whether a business can or cannot operate from someone's garage. We will look at the various zoning considerations and how that

business is being run.

MRS JONES: In the last 12 months, have any businesses had to change their operations on residential premises because of any of those matters that you just outlined?

Mr Peffer: Yes.

MRS JONES: Are you able to provide that on notice?

Mr Peffer: Yes, I can provide that on notice. What I can say is that our inspectors will go out and proactively work with businesses wherever we can, recognising that a lot of these are sole traders or microbusinesses in the suburbs, so we do not want to just go out there with a big stick looking to close down those operators. We will work with them on getting the right systems in place to ensure that they are managing.

MRS JONES: Finally, if someone is disposing of chemicals inappropriately, what are the repercussions for that?

Mr Peffer: It would depend on what the chemicals are and it would depend on how they are doing that. Part of that would be covered potentially under WorkSafe legislation, but a lot of it is also covered under environmental protection laws. For instance, recently we had a report of paint being poured down stormwater drains. Our environment protection officers would go out and investigate; they would look to identify the source of that material and they would look to identify exactly what has happened as part of an investigation. Like WorkSafe, the EPA have a range of regulatory tools that they can exercise, from notices or warnings through to fines and prosecutions.

MRS JONES: What if the person is not home when you go there? Do you go back again?

Mr Peffer: We would.

MRS JONES: How many times would you go back to try to find them?

Mr Peffer: I am not aware of any cases where we have abandoned an investigation because someone has not been home.

MRS JONES: I will find you some information on that; thank you.

MS CODY: If an inspector was accidentally or wilfully not enforcing work health and safety or any codes and practices that sit under the WorkSafe inspector stuff, would there be consequences and processes, and what would they be? I am happy if you need to take that on notice.

Mr Jones: I am happy to answer that. All our inspectors have extensive training in the legislative requirements—the various codes, the acts, the regulations—that we enforce. While they have some discretion in the field about that level of compliance, each time they visit premises they must fill out a workplace visit form which records their visit,

where they went, when they went, what they found and what action was taken. So there is a record, and the supervisors of inspectors will regularly and randomly go through workplace visit forms and just have a look at the activity that is going on and what is happening.

The most likely case would be through a complaint, whether it is directly from a business or whether it is from a competitive business that may hear that another business allegedly may be getting a light run, for example. Many businesses are quite competitive and quite happy to pass on anecdotal information about what competitors may or may not be up to. If that is the case, such a complaint or such an issue would be escalated and either a separate inspector or a more senior person would go and have a look at that.

If it meant that there was a judgement issue about a level of enforcement, that would be dealt with with internal training and increased supervision. If it was wilful and deliberate, and there was sufficient evidence, then, as I outlined earlier, there are some fairly significant consequences under the Public Sector Management Act for someone that was not abiding by the standard operating procedures and requirements. That would be either internally or externally investigated, and any appropriate action that came out of that would be implemented.

MS CODY: In the period when you have been at WorkSafe, have you had cause to investigate and find the most serious form of any of that on any inspections?

Mr Jones: There have been some internal investigations based on complaints from external businesses about how the inspector either treated them or dealt with them or other comments that were made. They have all been internally investigated or external investigators through the HR system have had a look at those and made appropriate decisions based on that.

MS LE COUTEUR: Can you provide an update on the secure local jobs code? How many companies have qualified? How many have been rejected?

Ms Stephen-Smith: We would have been better placed to do that under government services and procurement, because the secure local jobs registrar would have been here under the procurement portfolio.

MRS JONES: You can take it on notice maybe.

MS LE COUTEUR: It does get a bit beyond us, I am afraid.

Ms Stephen-Smith: I do understand that. Last time I was briefed, which was last week—

MS LE COUTEUR: I am sure that is up to date enough.

Ms Stephen-Smith: more than 800 businesses had secured a secure local jobs certificate and a very small number of applications had come in that had not yet been processed. I will—

MS LE COUTEUR: So that is potentially none rejected?

Ms Stephen-Smith: There has been one, to my knowledge, and I am not sure if there has been another one since then, that was rejected and unable to apply again for, I think, six months from the initial application date because they had provided inaccurate information in their application. I can take on notice to provide you with some more information about that specific incident. I think a question on notice has previously been answered in relation to that.

MS LE COUTEUR: You could well be correct about this. Given what you have just said, I do not know if this is part of your bailiwick. Yesterday we talked about domestic violence and family violence and we were told about how a training program was going to be rolled out for basically everybody in the ACT public service. At various stages it sounded like that might also include non-public service workers. I did not get a chance to ask that question. I am not sure about that one. In terms of the ACT government workers, is at least part of this, as industrial relations policy and workplace management, that “Thou shalt have this training”?

Ms Stephen-Smith: That program is being led by the Coordinator-General for Family Safety. But, as you have indicated, it does apply across all ACT government directorates, on the basis of the level of interaction. There is a staged approach to the type of training that will be provided, depending on what the level of interaction with the public is.

Mr Nicol: The minister is correct. The family safety coordinator is responsible for that program. It is in that area largely because it is to cover both internal and external to the public and interacting with the public. But the government is putting more effort and resources into the mental health of its workforce more generally, as a workers compensation and workforce participation and level workforce objective. We have formed a working group to look at that more broadly. I expect that family violence will be a significant factor and we will work closely with the coordinator-general.

MS LE COUTEUR: I would assume so. One of the things she said yesterday was that they would have to make the training slower and more extensive because they are finding it is bringing up things for your staff. It is not just for the rest of Canberra.

MRS JONES: I think the point that was being made was that, as the workplace changes to make people more able to disclose what they are aware that they are living with in their lives, their managers and their co-workers need to understand how to respond.

Mr Nicol: Yes, we are acutely aware of that. We are starting with support for managers as to how to respond and where the information flows, and we expect that to happen more and more. We are putting in place supports not only through the family safety coordinator but also through our general programs of EAP et cetera to assist in that regard. Mr Young might want to talk a bit more about the progress, if you are interested, in the work we are doing on mental health in the workplace.

MRS JONES: I think we are all right, thank you.

Ms Stephen-Smith: As part of our enterprise bargaining we have also improved the way people are able to access domestic and family violence leave. As one of the first jurisdictions to implement paid domestic and family violence leave, the initial experience was that there were some barriers to accessing that, so we have also improved that process through—

MRS JONES: To some extent the conversation we were having the other day was about when people suddenly become aware that what they are living with is something that they do not need to live with. My question goes to WorkSafe ACT's investigation into occupational violence in ACT public schools, and the enforceable undertaking with the Education Directorate that was accepted, with some actions to improve safety. A CMTEDD release in 2018 said:

Following an investigation by WorkSafe ACT, it is alleged that between 2016 and 2018 the Education Directorate did not comply with its health and safety duty (s.19 WHS Act) as it did not do all that was reasonably practicable to ensure the health and safety of its staff.

I am wondering where that is now up to.

Mr Jones: The enforceable undertaking is still there and in place. It goes for something like two years. There are a number of requirements as part of that enforceable undertaking that need to be met by the Education Directorate. We continue to engage with the Education Directorate. They have made some really good, positive progress not only in meeting their requirements under the enforceable undertaking but also beyond that to looking after their staff and ultimately teachers, and pupils to some degree. As part of an ongoing engagement with Education, we have a loosely scheduled catch-up over the next month or so. We will have a discussion on the longer term issues, progress made to date and some general feedback about how the implementation of those requirements has been heading.

MRS JONES: What kinds of requirements would an agreement like that include? I think it is easier for people to imagine a physical problem in the workplace, but with a managerial or cultural one how do you—

Mr Jones: A lot of it is systems training and things like that. The EU is a public document. It is available on WorkSafe's website. Education have published it as well. They have been very open about it; so it is readily available. You can look at all of those requirements. A lot of it is in regard to system requirements and training requirements to be put in place in terms of assisting their staff with the skills necessary to deal with these issues, to de-escalate those issues and to remove themselves from those areas. It is also about having systems and a back-up process to provide better support for and reinforcement of teachers that are still subject to occupational violence at schools. That is the main focus of it.

One of the requirements was to hold a national conference or seminar on occupational violence in schools, which was conducted earlier this year. I attended all day. It was the first time in Australia that an education department or directorate had focused a full day of discussions and interactions on that. Everyone from all jurisdictions other

than WA attended. It was quite an extensive audience, very high level and skilled. There were heads and deputy directors from interstate, so it was taken really seriously. The feedback—and I acknowledge the success of that—has been outstanding. The reinforcement that was given to the Education Directorate for having that discussion and putting some of these difficult issues, which come with a lot of—

MRS JONES: On the table, yes.

Mr Jones: They were really good. In my discussions in the various breaks during the conference, at least three other jurisdictions came up to me and said, “We will be taking these ideas, these concepts, back to our own directorate.” This came from union representatives which were there as well, and it came from other states. They said, “This is a great initiative. We need to have this discussion. This is a really good start.”

MRS JONES: The idea of the conference was to bring together the latest thinking. I can have a look at the document, but for the discussion today, what proportion of change has been, to your mind, completed? There are two years to undertake it.

Mr Jones: The meeting we will have over the next month or two will inform specifically about that. We are aware that there have been, just with our ongoing interaction with Education, some positive changes. They have additional staff and additional skills on board, dealing with this. The changes are definitely there. Until we have that discussion, I could not give you a percentage on it because it is on an ongoing basis.

MRS JONES: It might be something to come back to at annual reports.

Mr Jones: Yes, definitely.

Mr Nicol: Perhaps I can add an observation from the other side of the spectrum. It is more of a question for Education, but the government has specifically allocated resources to meet the requirements of the enforceable undertaking. Education, from my experience, has been taking it very seriously. I had direct involvement with the previous Director-General of Education on this matter, to act as a sounding board and as an adviser as to where she should go and how she should do it. My view is that it has been taken very seriously within government.

MRS JONES: Have you met with the current Acting Director-General of Education?

Mr Nicol: Not since she has been appointed as the acting director-general, but she was involved in those meetings, as well as the deputy director-general.

Ms Stephen-Smith: I will provide some further information on the previous question about the secure local jobs code. I want to correct the record on the rejection of certificate. The registrar initially advised a prohibition on reapplication for six months, but, following consideration of the business’s response in relation to that rejection, the penalty was reduced to two months, and that business is now code compliant and has a certificate.

In the numbers, as of COB on Friday, 14 June, which is the latest numbers I have, there were 808 code-certified entities out of 815 applications. No exemptions had been granted to requirements under the code. There are 26 approved auditors. They are some of the numbers that show businesses are actually embracing the secure local jobs package and certification process, and it is going very smoothly.

MS CODY: Part of the government's budget initiative is to move away from insecure work, away from labour hire and into more permanent and secure employment. In a WorkSafe context, while they are still sitting where they are, how does their staffing profile look? Are there labour hire firms in place? Do you have contractors in place? What sorts of numbers does it look like and what are you doing to implement a more permanent and secure workforce?

Mr Jones: Thank you for the question. If I go back 12 months, out of our total workforce of approximately 40 people, we had 11 non-permanent, non-ongoing persons. As of now we have three, and that includes people that have permanent jobs. Some of them are within WorkSafe but they are acting in other positions while other activities are going on, and some are permanent public servants acting in another role. I think we have only one or two of those.

Fundamentally, at the moment we have only three what we would call non-ongoing persons working for us. All of those are in positions where the funding arrangements for them are non-ongoing, such as the light rail, which has a discrete level of funding while we are in the operational wrap-up period of light rail. That has a non-ongoing; so we have a non-ongoing person in that. And we have two others on that. We have gone, in 12 months, down from 11 non-ongoing to three.

THE CHAIR: On that note, we are just about out of time. We will reconvene at 2 pm.

Hearing suspended from 12.28 to 2.00 pm.

THE CHAIR: Welcome back. Just a reminder to officials joining us to please confirm that you have read and understood the privilege statement in front of you.

Minister, references to urban renewal are scattered throughout a few of the budget documents, including the indicative land release program. In this regard, is urban renewal planning and activity considered to be a discrete program or something that is a by-product of other program initiatives?

Ms Stephen-Smith: Urban renewal is obviously a by-product of some other activities that occur, but there are also discrete programs within the urban renewal portfolio as it is defined.

THE CHAIR: Is there some kind of report or document that shows a consolidated list of all urban renewal initiatives?

Ms Stephen-Smith: Not specifically, I would have thought. A lot of the activity that the City Renewal Authority do is obviously urban renewal and they produce their reports about the things that they have been doing. We have various reports about the things that EPSDD is doing specifically within the urban renewal portfolio. But it

depends on how broadly you want to classify the term “urban renewal”. You could argue that building a new road is urban renewal.

MRS JONES: The question is how you determine the definitions.

Ms Stephen-Smith: The question of what sits within the portfolio is really about major urban renewal projects outside the City Renewal Authority precinct—projects like the Kingston arts precinct and the brickworks, essentially, or a project where the Suburban Land Agency is responsible for the release of land within brownfield areas as well as some of the policy things around urban renewal, such as the urban renewal team working with Transport Canberra and City Services on the Woden experiment to then look at what we can learn from the Woden experiment that will help us to do activation in other parts of the city. That is the policy side of the urban renewal team.

Then there are the housing demonstration projects, which obviously work very closely with the housing choices policy process that Minister Gentleman has responsibility for. It is about the practical side of what are we looking for in these specific developments that will be for urban renewal and, for the housing demonstration projects that do not have sites, how can we help identify sites; and for those who have sites, how can we help them get through the regulatory processes that they might need to go through.

THE CHAIR: In terms of planning, is there a document dedicated to forecasting scheduling and programming urban renewal initiatives or is that just done as part of planning?

Mr Ponton: In terms of land release, obviously there is the indicative land release program, then through some of the other planning work, the planning policy work coming out of that, there will be sites identified for future urban renewal opportunities. It is a bit of a continuum in that we undertake the planning work and from that we might identify land that we think will need to go onto the indicative land release program. The budget papers talk about due diligence work, further work that we will need to do to get the work ready for release.

At the right time we pass it over to our colleagues in the Suburban Land Agency. We have developed a framework to help us clearly map out which parts of the organisation are responsible and at what point, and what information we transfer over to the Suburban Land Agency.

THE CHAIR: Is there some part of the budget papers that shows all the capital budget projections together, to show a total cost of urban renewal?

Ms Stephen-Smith: All the capital projects?

THE CHAIR: Yes, the capital budget projections.

Ms Stephen-Smith: Do you mean in terms of new initiatives or do you mean in—

THE CHAIR: Yes, in a consolidated way that shows urban renewal initiatives as a whole.

Ms Stephen-Smith: No. If I understand what you mean, obviously budget paper 3 has a section on capital initiatives. As you go through that you can say, “That one is in a brownfield site and involves building a new building or renewing a site.” But it is not consolidated all under the heading of urban renewal; it is directorate by directorate.

THE CHAIR: My next question, which I think you are getting at, is: would you consider in future budget cycles some kind of a statement or something to show that consolidation so that we could see from a holistic view what is urban renewal, what are the urban renewal initiatives?

Ms Stephen-Smith: I think that is probably something that is worth considering on balance—how many different types of budget papers you want to produce as part of the budget process. We split things up in a whole lot of different ways. But that is something we could certainly consider looking at.

Mr Ponton: I might add that in developing budget bids for consideration by government we certainly work across directorates, with our colleagues, to identify what work is required to support urban renewal initiatives. Whilst it might end up as a separate line item in the budget for another directorate, in the early development of those bids we are thinking about how it all fits together.

MR PARTON: I think in part what the chair is getting at is that sometimes there is confusion, even among those of us who are sitting here, about what sits under your umbrella as Minister for Urban Renewal. Sometimes it might be helpful if there was a consolidated list of urban renewal initiatives that are under this banner so that not just members but those outside this building can also get their head around exactly how this machine works.

Ms Stephen-Smith: We will probably take that as a comment at this point. There are obviously—

MRS JONES: We might put it in the recommendations.

Ms Stephen-Smith: The committee would be free to recommend whatever it wants in that regard, Mrs Jones. Clearly, the brownfield land release that SLA is responsible for sits within the urban renewal program. The community consultation is around major projects like the Kingston arts precinct and the brickworks, or the work around those projects, and our thinking about how we strategically use land that may be released, like Dickson section 72, for example, which also is part of that. But I do understand the challenges that the committee might face, and we will think about how we manage that.

Mr Ponton: Internally, as I said, I refer to a land release framework that we have been developing to assist our own people to understand where various projects fit and sit. My colleague John Dietz, CEO of the Suburban Land Agency, and I, together with Malcolm Snow, have been working for the last six months or so on that document and working to make sure that we have a clear and common understanding. I am more than happy to take some action out of this conversation as to how we might be able to communicate that more broadly to the wider community.

MR PARTON: I think it is clear that you know what you are doing. That is a start.

MS CODY: The asset recycling initiative has been a significant part of the ACT government. Can you outline some of the assets that were chosen to be sold and the market response?

Mr Dietz: I am happy to talk through some that were for sale this particular year. I would like to congratulate the ARI team; it has been a really successful program, noting that it has gone on for many years and that the ones that were taken to sale this year were really just the tip of the iceberg of the last few. It has been a very successful program. It has energised some of the renewal around the ACT and definitely received the full cap from the federal government funding. It has been a really successful program.

Of the ones that were released this year, I will go through a couple. There were Turner and Braddon on Northbourne, released as a request for tender. That was essentially ensuring that we could deliver a really good quality product but also that we were going to receive fair value for a government asset. In doing that, we released it as a design-led tender, which essentially meant that we asked tenderers to provide their design up front as part of the RFT process.

There were three stages then to the delivery or the evaluation of that tender. Firstly, technical requirements were evaluated to make sure that the design was okay. I will get into a bit more detail there. We also looked at the financial assessment and then a value for money type assessment. In breaking it into those three different stages, we were definitely saying that design really was important and builder quality was really important. Essentially, we looked at it as a two-envelope type system where, by not opening the financial response when we did the evaluation of the design, we ensured that there was no bias by price when evaluating the design criteria.

Looking at the design criteria, we had essentially four different evaluation criteria. Forty per cent of the evaluation was on design. That design ensured that we were taking into account things like the weave design, which was part of the process that had occurred prior in the design of that area, and that the design was responsive to the new light rail system and to Haig Park, its integration there.

In reviewing that, there were nine different design quality type principles, those being things like content and neighbourhood character; built form and scale; density; sustainability; the landscape amenity; safety; ensuring things were easy to maintain and fit for purpose, and that public spaces maximised passive surveillance; housing diversity and social interaction; and aesthetics. Essentially that was evaluated by an evaluation team which had people from the SLA, the CRA and EPSDD. It then invited Catherine Townsend, who was the Government Architect, to take a look at the evaluation criteria.

Next, we looked at build quality. Forty per cent was the design evaluation criteria; 30 per cent was build quality. Then you are looking at things like whether the tenderer has the appropriate systems in place, whether they are offering appropriate defect liability, whether they have hold points in place, and whether they are ensuring that the quality of the systems worked. We then also had 15 per cent on the projects team

capability and their demonstrable experience. And there was 15 per cent on their community engagement: how much of a people-focused approach they have taken in their design and whether they were willing to provide more than just the statutory community engagement planning.

That evaluation process occurred very well. Then there was a financial assessment that followed, and the value for money assessment. In the end, you would know that that particular sale did not end up closing. Essentially, the independent evaluations that we had, which reflected the reserve, were unable to get to that reserve. Although there was no final sale, I think it was a really good process.

Essentially that process also educated some of the processes when we then sold some of the other sites. Turner and Braddon, being right on the gateway, being absolutely key sites, reflected the need for a request for tender. When we looked at sites in Manuka, Narrabundah and Woden, we felt that there was still an absolute need to ensure that we were getting good quality from the design and balancing that with the financial aspect, but we decided that an auction was probably a more appropriate way to go.

Rather than the normal, traditional auction, we ensured that in the project agreement that sat behind the purchase we had these same design quality requirements. We also ensured that the community engagement that was going to occur reinforced that which is within the statutory processes. Those three options were auctioned in March, and all sold for appropriate moneys. They were the ones that we sold this particular financial year.

Mr Rutledge: A few of the other sites in the ARI program have been sold and demolished and you can now see built form there. We have seen the change in our city. If you think of Bega Court, Allawah Court or a number of the large public housing sites, you can see that they are already rebuilt or on the way to being rebuilt. There are Dickson flats and Karuah in Dickson, Owen flats in Lyneham and the Red Hill housing precinct. That has construction on site. There is Strathgordon at Lyons, Stuart flats at Griffith and Gowrie Court at Narrabundah. They were the big multi-unit public housing.

The other commercial properties that were sold as part of the ARI included the Dickson motor registry; that has already been renewed. There was the tourist information centre on Northbourne Avenue; they relocated to Regatta Point, and that is a really good outcome that allowed Canberra Metro to have their site office at that space. That will be redeveloped soon. And then there is the building that we currently tenant, Dame Pattie Menzies House in Dickson; no doubt that will be redeveloped once we move into the new government office block in Dickson.

MRS JONES: The Lyons site has a fence.

Mr Rutledge: Yes, it does have a fence, but there will be activities shortly.

MS LE COUTEUR: Mr Dietz, was the tenderer, who became the unsuccessful tenderer, aware during the process of the financial constraints? Were they aware that they probably were not going to get there?

Mr Dietz: They were aware that the financial amount was part of a value-for-money assessment. Through the preferred tenderer status, we were negotiating with them on the financial amount. In that negotiation they were aware that they were bidding under the reserve and had the opportunity to up that bid.

MS LE COUTEUR: They must have put a fair amount of effort into this bid, I am assuming.

Mr Dietz: Yes.

MS LE COUTEUR: Were they aware at the beginning of any of the financials so that they were able to make an informed judgement as to whether or not it was worth spending the money? I do not know how much they spent, but obviously they spent a lot of money on it.

Mr Dietz: It is a very good point. No, they were not. Traditionally, going out for a tender we would not be advertising the reserve. However, as a lesson learnt, we are considering that in some of our future tenders. It would be the next step in a design-led tender. Essentially, we would look at a valuation which we felt was appropriate for the site, based on the criteria. We would advertise that valuation and then we would essentially be tendering on the quality of the product they could provide for that price. That is something we are considering for Macarthur House.

MS LE COUTEUR: It sounds like a good idea in terms of getting better quality. I asked a question without notice about this particular development earlier.

MRS JONES: I want to go to project selection.

MS CODY: I do not think Ms Le Couteur's had her question.

MRS JONES: You're on a forewarning there.

MS LE COUTEUR: Thank you. I was going to start with a couple of Woden questions—

MR PARTON: No way; really?

MS LE COUTEUR: Unless one of my Murrumbidgee—

MRS JONES: Don't worry; I have plenty of Woden questions.

MS CODY: I was going to say that I am sure we have many supplementaries.

MRS JONES: It is getting towards the end of estimates, as you can see.

MS LE COUTEUR: There is funding for the demolition of Woden CIT in the budget review. Of course, as you would be aware, Woden Valley Community Council think this should not happen until some decision has been made about the future of the site. I am just checking that you are, regardless, intending to demolish sooner rather than

later?

Ms Stephen-Smith: Yes. The thing about vacant sites like is that, firstly, the site is contaminated. So removing that site—

MRS JONES: Asbestos?

Ms Stephen-Smith: will be a long-term outcome anyway—

MRS JONES: Is that an asbestos issue?

Ms Stephen-Smith: Yes, there is asbestos contamination. Secondly, when you leave sites like that vacant, they are asking for vandalism, fire risk et cetera. It is safer for the community, on a range of fronts, to demolish those buildings, which are very unlikely, even if they were not subject to asbestos or other contamination issues, to be fit for purpose for any future use for that site.

MS LE COUTEUR: I assume that you are aware of the proposal that was put to government to use it for homeless accommodation. There was a group that would have been very happy to use it in the interim, before a permanent use was found.

Mr Rutledge: Yes, Ms Le Couteur, we are aware of that. As the minister said, we are not sure that it would have been fit for purpose for that but we also were concerned for the safety of anyone using that site. The safest thing is to demolish. That is what we have been funded to do over two financial years.

MR PARTON: What was considered the biggest safety risk there?

Mr Rutledge: I will ask Mr Fitzgerald to join me because he is more familiar with the site. But there was a suggestion that it would be used as a homeless shelter. I think that is probably what Ms Le Couteur is alluding to. On the evidence that we saw, the building was unsafe and we were concerned. Asbestos was a big part of that concern. Yes, it is not at all fit for purpose and it is at the end of its life. So we did not want to put anyone else in danger.

MR PARTON: I think I speak on behalf of Ms Le Couteur, which is not something I can often say. But we see these proposals come forward from groups and from members of the public so often. We often scratch our heads as to why it cannot work. I gather that Mr Fitzgerald has more information for us.

Mr Fitzgerald: It is loose-fill asbestos within that property.

MR PARTON: Right.

Mr Fitzgerald: It was remediated earlier in the 1990s, I believe. But when we did the building examinations, that asbestos was still present. So every time you touch the building it costs more. It was deteriorating quite quickly.

MS LE COUTEUR: As someone who went there quite regularly with the south side market, I cannot say that it looked like that.

Mr Fitzgerald: It has been—

MS LE COUTEUR: And my daughter went to school there.

Mr Fitzgerald: Unfortunately, it has been heavily vandalised.

MRS JONES: A little while ago.

MS LE COUTEUR: Yes, a little while ago, yes.

Mr Fitzgerald: It has been heavily vandalised. The HVAC system in there had reached end of life. It no longer worked. All of that would have required retrofitting, and retrofitting particularly a HVAC system in that type of environment is all but impossible.

MS LE COUTEUR: I guess the point about the temporary use that was postponed was not to do a lot of retrofitting but to say that the site, while it may not be the best in the world, has to be safer than the alternative for people. That is what the proponents were saying.

Mr Fitzgerald: We did undertake a building assessment report, based on that as a requirement. All of the safety experts told us that it just simply was not viable. It was entered into on the basis that, if it could be done, we wanted to put that proposition to government, but the report did not lend itself well to that proposition.

MS LE COUTEUR: Have any decisions been made as to the future of the site once you do the demolition?

Ms Stephen-Smith: No, no decisions have been made at this point.

MS LE COUTEUR: Will the community be consulted on options for the future or will there just be a proposal put forward?

Ms Stephen-Smith: I think I have answered this question in question time, and the answer remains the same. Yes, absolutely, the community will be consulted about the future use of that site. We probably need to consider that in the context of the conversations about the community hub that is being planned in Woden, the future site of Woden Community Service, and the conversation that we are having about the future site for the operations of CIT that are currently on the Reid site. If that moves to Woden town centre, that potentially will influence the community's views about what they would be happy to see on the other site.

MRS JONES: It is a bit of stretch from public transport links, isn't it?

Ms Stephen-Smith: I do not think any of us would be looking to move CIT back to the old CIT site, for the very reasons that you have identified, plus the fact that CIT in the Woden town centre would be a fantastic asset for revitalising Woden town centre, activating through a lot of the week in Woden. The Woden Valley Community Council has welcomed that conversation, which is great.

MRS JONES: Absolutely.

MS CODY: Absolutely, with bells on.

Ms Stephen-Smith: Obviously, there are still decisions to be made about Reid or Woden, in terms of what is in the best interests of CIT and its students. My guess is that we probably will not settle the former CIT site until some other decisions have been made about Woden town centre. The approach I have taken in urban renewal is to try to look more holistically at the areas that we are working in rather than just at the specific section and block, and at what the options are.

MRS JONES: In the meantime will it be fenced? Once the demolition has taken place, what state will it be left in for that intermediate period?

Mr Fitzgerald: ACT Health still have a requirement for the car parking, and that car parking requirement may increase as the construction of the SPIRE building commences. We are working closely with both Health and Education on their future needs. It will be similar to the demolitions done along Northbourne. It will be put to grass, as dust suppression.

MRS JONES: With a sign that says “for future development” so that people do not get too attached to the grass.

Ms Stephen-Smith: Yes, Mrs Jones.

MRS JONES: Knowing as we do how much we all love grass.

MS LE COUTEUR: Can I suggest that when you look at it for Health, you do not just look at it for car parking. I lobbied the previous minister for health about this, and, as I believe you may become minister for health, it is ideally located in terms of Health expansion.

Ms Stephen-Smith: That will be part of the conversation. Obviously, it is community facility zoned land. With respect to the need for expanded aged-care facilities in the ACT, and health uses, that will inevitably be part of the conversation for that site.

MS LE COUTEUR: Good. I have a slightly smaller issue now: the Woden experiment. Do you have any figures or feelings on how well it is going? It appears to be going well. Its only major problem is that sometimes it gets a bit cold.

MRS JONES: I think it always get a bit cold in that square.

Ms Stephen-Smith: Well, it is Woden town square, so—

MRS JONES: Minister Stephen-Smith has not yet worked out how to heat up the weather.

Ms Stephen-Smith: No, we do not have any figures available here, but we can take—

MS CODY: Would that be Minister Steel?

MRS JONES: Not necessarily, no.

Ms Stephen-Smith: Everyone is working together, but we do not actually have any specific figures. There is monitoring over time of how the space is being used, and people going in and out, but I have not been updated on it. I do not think we have a running count of the activities in the spaces used. We will get that at the end of the process; that would be my guess. But we can take that on notice.

MS LE COUTEUR: This is one where, despite it being urban renewal, it comes under Minister Steel?

Ms Stephen-Smith: Yes. I think we would all acknowledge that there are issues around the fact that the urban renewal team do some things that you would normally think might be in the realm of TCCS. For example, the Downer village square renewal was something that was done by the urban renewal team, and the installation of the *Roo Watch* sculpture was something that was managed by the urban renewal team. You might normally think that the revitalisation of a local shopping centre village square might be something that TCCS would do. Similarly, TCCS is doing this experiment in activating an urban renewal space. Those are probably issues that we need to work through, in terms of who is doing what, as we go forward.

Mr Rutledge: Ms Le Couteur, we delivered the pocket park, and, as the minister said, TCCS were taking the lead on the activation. It is all about working together to deliver the outcome for Woden in this case.

MRS JONES: Maybe what you can take on notice is what statistics you are collecting, even though they might not be ready yet.

Mr Rutledge: Yes, absolutely.

MRS JONES: And what all the measurements are that you are making of that project.

MS LE COUTEUR: The other question is: what are you planning to leave behind at the end of the six months? That is a really interesting question which I presume relates to your statistics.

Ms Stephen-Smith: Yes. I am happy to take that on notice.

MRS JONES: We will now go on to project selection, regarding how urban renewal initiatives and projects are selected. How is an urban renewal proposal defined and how are they different from other development projects?

Ms Stephen-Smith: In terms of the things that sit in the urban renewal portfolio, as opposed to the suburban development portfolio—

MRS JONES: Yes, that is why I am putting it to you.

Ms Stephen-Smith: it really is brownfield versus greenfield, by and large. If it is

happening in an existing suburb, an existing town centre, it will be urban renewal; if it is about building a new suburb, it will be suburban development.

MRS JONES: For example, with East Lake, which the government says is the area of land between the Kingston foreshore, Jerrabomberra wetlands and Fyshwick, is that an urban renewal initiative or a new development?

Ms Stephen-Smith: That is urban renewal and—

MRS JONES: Why, given that it is presumably brownfields?

Mr Ponton: It is within the existing urban footprint; therefore, it is brownfields—that is exactly right—as opposed to going out to the outer reaches, which is more traditionally known as greenfields.

MRS JONES: So it is urban renewal?

Ms Stephen-Smith: Yes, it is urban renewal and—

MRS JONES: It is considered brownfields?

Ms Stephen-Smith: It is brownfields. I have not looked at the website recently—Mr Fitzgerald might be able to update us—but we have had some conversations about the need, now that the budget has come out and it is clear that we have the funding for the next stage of that work around East Lake, to put up some further information to clarify what area we are talking about, because it was drawn to my attention that the previous maps of the site cover a much larger area than we are actually looking at in this piece of work.

MRS JONES: I believe I have seen photographs from 100 years ago that refer to East Lake. It probably is not quite the same now. There was a nice shed there once. What factors are taken into account when deciding that something is urban renewal as opposed to simply an improvement project?

Ms Stephen-Smith: It is—well—

MRS JONES: No wonder we find it difficult.

Ms Stephen-Smith: It depends on what kind of improvement project you are referring to. Expanding—

MRS JONES: Well, what kind of improvement project do you refer to?

Ms Stephen-Smith: Expanding and renewing school facilities in brownfield areas would not be something that sits in the urban renewal portfolio; it is clearly an improvement of a facility in an existing urban setting.

MRS JONES: So if it does not fit in another portfolio and it is renewal and it is brownfields then it is you? Is that how it works?

Ms Stephen-Smith: If it is land that we will be using to develop ourselves or particularly to release for development then clearly it sits in the urban renewal portfolio.

MR PARTON: With regard to East Lake, how advanced are the plans for that project? What sort of development is envisaged at this stage for that area?

Ms Stephen-Smith: Quite a lot of background work has been done around the potential staging of development—that work is still underway—and the potential number of dwellings to be released or to be built on releases on that site. Some of that is reflected in the indicative land release program. I think there are two years of releases scheduled for East Lake in the current four-year forecast for indicative land release. That would give you some idea of the number of dwellings on those particular areas. But there is also work about staging activity in relation to things like the switching station in Kingston. That will obviously need to be demolished. Some more work around that is being worked through between EPSDD and SLA.

Mr Rutledge: I am not sure East Lake has been talked about for 100 years, but seemingly for many inner south residents it has been talked about for a while.

MRS JONES: In the photos from the centenary.

Mr Rutledge: We did a lot of community engagement from 2007 to about 2012 and we did a lot of planning work. Then I suppose the focus of land release left that area. Now, with this budget initiative, we will be going back to re-look at the planning studies that we already have, do some more site investigations and then start a community engagement activity to see what shape East Lake should be.

MR PARTON: Why did it go off the boil for such a long period of time? How would you describe the reasons behind that?

Mr Rutledge: I think it was just that the focus of the government, in land release, went elsewhere. As you have seen, Kingston foreshore has developed over a long period of time. Now Kingston foreshore really, apart from maybe two blocks, is fully developed and there is still a large demand for both a premium product and an affordable product in that area.

I think the government sought to re-look at East Lake, knowing that things have changed, the city has changed and people's housing choices have changed—people's desires to live in attached, semidetached and unit developments. So it is worth not only revisiting the planning studies but also revisiting the community expectation for what is there. But at this stage the indicative land release program, as the Minister said—and it is indicative—says 650 dwellings in 2022-23. How we get from here to 650 dwellings in another four years will be part community engagement, part what is possible and part the outcomes of the planning studies that we intend to do.

MS ORR: What is the vision you have got around this site? Obviously there have been planning studies done in the past. It sounds like there is some new focus, based on housing choices and the other things that Mr Rutledge has just outlined. Is there any update you can give us on your vision and your thinking? Will it be very similar

to the Kingston foreshore? Will it be different? Have those thoughts been had?

Ms Stephen-Smith: I think there are a number of issues there. Obviously with the future of the Kingston railway station—which we are not intending to move, just to be clear—there is potential opportunity for transit-oriented development, depending on future transport networks. But there is also the interface with the Jerrabomberra wetlands. There are some potentially really great opportunities there to do something new and different in the way we develop the urban realm, with water sensitive urban design and that wetland interface.

So there are a whole lot of things that we can get quite excited about. But there are also challenges in developing that site in relation to the existing uses of some of those areas around the railway corridor, and obviously The Causeway. There are residents who live in The Causeway, and we have made a very clear commitment to those residents that they will be closely engaged in the process of the redevelopment of East Lake and that we will be providing opportunities for residents to have a choice of where they end up living. All of that work is going to take time. We are going to do that very closely with the community, engaging with the community on what the opportunities are and also some of the challenges.

MS ORR: Has there been any thought given at this stage to the management of the interface between the wetlands and the urban areas, to balance that?

Ms Stephen-Smith: Yes, and that is obviously something we are really conscious of. I do not know if everyone gets excited about this, but maybe environment—

Mr Rutledge: Ms Orr, we do get excited about it. That is part of the reason why we need to continue to do some additional studies. The wetlands have developed during that time, and both the visitor experience and the birds that are being attracted to the wetlands are far different even from where they were 10 years ago, such is the success of that. So we really need to have a look at that. Again, that is what we will be doing in the studies coming up.

MS ORR: It will be looking at ways to prevent or minimise any impacts to the wetlands?

Mr Rutledge: Correct.

MRS JONES: Precisely which body exercises approval for urban renewal projects?

Mr Ponton: I was just going to clarify, when you are talking about approval are you talking about development approval?

MRS JONES: Yes, for things done on those sites that are identified.

Mr Ponton: It would be the planning and land authority, unless it is within the purview of the National Capital Authority, which is designated land. But for the most part it is the planning and land authority within EPSDD.

MRS JONES: Where do suggestions for urban renewal needs come from? For

example, if a community council came up to you and said a particular suburban centre looked pretty awful and the shops had been vacant for years, would you lift that proposal up in the decision pipeline?

Mr Ponton: We get such approaches and that would then come through the urban renewal teams and Mr Fitzgerald's team and we would brief ministers as appropriate.

MRS JONES: The decision sits with ministers about what gets acted upon and what does not?

Mr Ponton: For the most part I would suggest yes, given the nature of the requests that we would ordinarily receive.

Ms Stephen-Smith: I think, though, on those requests about the refresh of local shopping centres, that does go to the intersection between EPSDD and Transport Canberra and City Services. A lot of the work around refreshing the outdoor areas of a suburban shopping centre would fit with city services.

MRS JONES: On that exact topic, if there is a desire for greater uplift than just the outdoor parking and walking areas, what is the process? Has that been requested? Are you interested in that or—

Ms Stephen-Smith: It would probably depend in part on where it comes from. If we have a community council saying, "We want to do some work with you," that is something that we would look at. I know the Kingston and Barton Residents Association and the Inner South Canberra Community Council have raised with me interest in doing some more work at the Kingston shops around refreshing and renewing. But it potentially might be a landlord looking to do some redevelopment of a building in that zone and then that is really a question for the planning process around what is—

MRS JONES: The City Renewal Authority has ended up with this role where their discussions are probably around lifting things in the city. But that same desire exists elsewhere and perhaps is not getting the same focus. I wonder if there is any scope for that discussion.

Mr Ponton: In terms of the City Renewal Authority, if I may, I meet regularly with my colleague Malcom Snow, the CEO, and other directorates—TCCS and the like—and when these things come up in other areas, or even for that matter within the city renewal precinct, we identify where it best sits. Where it is outside the city renewal precinct or it is not a greenfields area and we are getting those approaches then the approaches are often to me or to Mr Rutledge. Mr Fitzgerald often also receives those requests.

To say that they do not receive the same level of, I think the word you used was, interest or priority, is certainly not the case. When the approaches are made to us we will consider those very carefully and, as necessary, provide briefings to ministers or connect people through to other parts of government—for example, TCCS.

MRS JONES: Can you take on notice, in the reporting period of the budget for the

previous 12 months, if you have had any such approaches and what they have resulted in?

Mr Ponton: We certainly can. Keep in mind, if I may, that I attend a lot of community council meetings, people come and talk to me directly and I raise these through my regular meetings with my colleagues; they may not be formal requests. But I will certainly go back and look through records of those various meetings.

MRS JONES: In the answer to the question on notice perhaps you can let the committee know, if perhaps someone wanted to raise a formal request, what is your formal process? We can certainly report on that in the report.

Mr Ponton: Certainly.

MS ORR: Moving from East Lake to Kenny, coming back to the north, Kenny is forecast to be a future residential area, as I am sure we are all aware. What is the ACT government doing to consider options for Kenny and what is the scope of the works?

Mr Ponton: I might kick off by noting that that is a greenfields area and sits with the minister.

MS ORR: Even though it has got some stuff on it, it does not count as urban renewal; it is greenfields?

Mr Ponton: From what I recall, all that it has got on the suburb of Kenny is the waste transfer station.

Ms Stephen-Smith: And Bimberi.

Mr Ponton: And Bimberi. We have got to get a map on that back wall because I was trying to find the district boundary.

MS ORR: In fairness, I am being a little cheeky putting it in because it is in my electorate. I just wanted to find out because I saw an opportunity. Apologies.

Ms Stephen-Smith: I think there has been some media attention, obviously, around the EPIC and Kenny study that has been undertaken and some views shared by colleagues around that work and what should come of it. I think Mr Fitzgerald can probably talk more about the status of that work and where that is up to.

Mr Fitzgerald: We are looking predominantly at the EPIC side of things. At this stage we are still in the site constraints, understanding where the golden sun moths may be, where lizards may be, looking at potential locations for future waste transfer stations. It is in the very preliminary stages now. We would expect to get into more detailed planning in the year ahead. But at this stage it is very early stages.

Mr Ponton: If I could just add, in terms of the undeveloped area of Kenny, in the area that I was thinking of to the north, work is also underway in relation to the strategic environmental assessment. There is an approval in place, but to develop that land we

need to think about the stormwater infrastructure in particular. Previously the intention was that we could do that in a very naturalised way in the area that has been identified as an offset. Because of the geology of the land it is more likely now that it will need to be harder infrastructure, which means we will need to go back and revisit the commonwealth approval. We are doing some work in that space at the moment.

MS ORR: Mr Fitzgerald, you said you would be doing a lot of future works over the next year. Is there any indication you can give, more specifically, of what you are going to be looking at?

Mr Fitzgerald: At this stage it is around what fits on the site. I do not want to confuse myself with planners. In my team we are not necessarily in the planning phase. We do the site investigation work, we understand how the water flows and we take into account cultural issues so that we can pass on that body of work to the planners, so that they can understand future needs.

We are also working quite heavily with EventsACT on how they want to use that space going forward and whether there is an opportunity to grow or consolidate, depending on what their future needs are. As far as we are concerned, nothing is off the table. We are just gathering as much information as we can to inform future planning.

Ms Stephen-Smith: I suppose the last point to make about that, coming back to Ms Le Couteur's point previously, is that obviously nothing is going to happen without significant community input. It is not going to be just a technical study and a government making a decision. There would then be a community engagement process about that.

MR PARTON: Mrs Jones touched on this earlier in regard to specific urban renewal needs and we heard that there is a crossover here with TCCS. We have a range of suburban shopping centres that are badly rundown or practically shut up. In my electorate, for argument's sake, I could mention parts of the Erindale shopping centre, the Fadden shops, the Livingston Avenue shops in Kambah and the shops in Banks, Monash, Richardson—

MS CODY: Kambah is not in your electorate.

MR PARTON: It will be shortly. Are any urban renewal proposals under consideration to revitalise these areas?

Mr Fitzgerald: A lot of those conversations are driven by store owners. Most of the approaches I receive are from store owners looking at how they can revitalise. Most people will approach my team because we look after direct sales, so there may be an aspect where they seek to take on the public realm in order to maintain it, to uplift it and build that public amenity. For some of the centres you mentioned there are opportunities and people have approached me to explore those opportunities.

MR PARTON: But where does it go from there? What is your advice to them?

Mr Fitzgerald: Each suggestion is different; they all have a commercial reality to

them. In the longer term they are looking at getting tenants to longer term contracts. It is not as simple as one size fits all. What they believe they need for the shopping centre might not necessarily be what the community needs or what TCCS or another organisation within government think is the long-term future. We have to weigh up all of those concerns.

Depending on whether they have lodged a direct sale or used another mechanism, we sit down with them and talk about opportunities. We then have opportunities to put them in contact with TCCS representatives to assist them in the short term to fix some of those amenity issues.

MR PARTON: But that is definitely seen as TCCS?

Mr Fitzgerald: Ultimately they maintain the assets or they are the land owners so they have quite a large say in that work. I see my team as a facilitator to assist in that work and to coordinate through government.

MRS JONES: There is an empty Chinese restaurant at Erindale right next to a functional shopping centre. It is vacant and run down and is not the type of building someone would want to rent as an office because it is a big Chinese-looking restaurant. Do you ever as the minister or as the team think what we are not doing right here?

Ms Stephen-Smith: I do not suppose it is so much that. I think all of us look around our electorates and see vacant buildings or vacant sites and think, “Gosh, wouldn’t it be nice if that site could be used more productively or if someone came along to redevelop that site.”

MRS JONES: It devalues the public realm.

Ms Stephen-Smith: But the land is presumably owned by a private landlord so it is—

MRS JONES: Sure, but we went through the same thing in some of the smaller shopping centres in my electorate. Minister Corbell would engage in a conversation and proactively, after he had been asked, try to come to a conclusion. Yes, they are private owners but it is a public space. I am the first person to defend private property, but if you own something in a shopping centre, there is a responsibility to the community as well.

I find it astounding that this government seems to have such strong views on revitalising the inner city—something Ms Berry in a previous life may have referred to as the posh areas—but once you get out into the suburbs it is like, “Well, unless someone comes to us and says they want to make the place better, it’s not our job.”

Ms Stephen-Smith: Going back to Mr Fitzgerald’s point, if someone says they want to have a conversation there is an opportunity to have that conversation. But Mr Ponton can answer about Erindale specifically.

Mr Ponton: With another hat on—we touched on this in the planning sessions and I am sure Minister Gentleman will not mind me revisiting this—we need to be mindful of what the government can do in terms of intervention when it comes to

private properties. The government can use the tools available to it to encourage the revitalisation of these centres. That is why we had the master planning program, which was not focused on the inner suburbs but across the city.

MRS JONES: When was the last one of those done for Erindale?

Mr Ponton: Erindale was a few years ago. I would need to check on when the Territory Plan variation was settled, but it has generated discussion in relation to what might happen in that centre and it has resulted in some changes to parking and road arrangements. There are ongoing discussions which I cannot elaborate on too much because they are very early conversations, but people are already starting to approach my directorate to say, “Okay, in light of the master planning work being done and the Territory Plan variation, we’d like to explore what we might be able to do with our sites.”

The primary tool available to the government to intervene in these spaces is to look at the particular locality and look at the needs and think about what policies might be able to be applied to encourage revitalisation so it is not the government having to be the entity spending all of the money, particularly when it is the private sector. It is about providing opportunities for the private sector to invest, and there are some times when it is the government that needs to invest. It is about finding that balance.

MRS JONES: I am not even talking about government spending money on things; I am just talking about the push to renew the older, outer suburban areas that you would be forgiven in Canberra for thinking did not exist.

Mr Ponton: As I said, I refer you back to the master plan program which was intended to do exactly that.

MRS JONES: I will study it in great detail, Mr Ponton.

Mr Ponton: We can provide you on notice with a list of master plans if you would like.

MRS JONES: Thank you, yes.

Ms Stephen-Smith: I also give props to Ms Orr for the work that she has done in Giralang working directly with the landlords there at Giralang shops to try to facilitate an outcome and actually negotiate as a local member.

MRS JONES: Ms Orr is a member of the Labor Party and has ministers who are in her own party.

MS ORR: Ms Orr is here and can speak for herself.

Ms Stephen-Smith: Mrs Jones, if you want to have any of those conversations—sorry.

MS ORR: I am here.

MRS JONES: I am allowed to make a comment on what Ms Stephen-Smith has said.

MS ORR: No, you can. I think that is fine. Yes, I am in the Labor Party; you are completely right.

MRS JONES: I am glad I had not missed something there.

MS ORR: I am not denying that but I think in saying that—

MRS JONES: Unless, of course, you want to come across.

MS ORR: I might pass. In saying that, it is very much the case in my experience that the site was with a private developer. They were the ones who had to take the next steps. The government had done—

MRS JONES: Yes, but I think the history—

THE CHAIR: Is this a question?

Ms Stephen-Smith: I started that, sorry, Miss Burch.

MRS JONES: But the history of Giralang, to clarify, is that there have been Liberal members lobbying about the Giralang shops for a long time. So you cannot sit here as the minister and just compliment Ms Orr when others have tried and failed because they did not get a good deal.

MS ORR: But I did not lobby the government; I lobbied the developer.

Ms Stephen-Smith: Mrs Jones, I am make the offer. If there is a conversation that you want to have, I am very happy to have that conversation about any specific shopping centre that you might be interested in or any conversations that you have had that you would like us to continue to facilitate.

MRS JONES: Thank you.

THE CHAIR: Sticking with the theme, I would like to talk about the Kingston arts precinct. Has a development application been lodged yet in relation to the arts precinct?

Ms Stephen-Smith: No, we are a way off a development application being lodged. I will hand over to Mr Dietz to talk about where we are up to with that process.

Mr Dietz: We are actually very close in the negotiations with the proposed tenderer. I hope that we would have an outcome of our negotiations within the next month.

THE CHAIR: What are the specifics for the budget expenditure for this measure? What is included in that?

Ms Stephen-Smith: That is presumably unable to be released until we finalise this process.

Mr Dietz: Exactly right. Until the commercial negotiations are finished, there are certain things that we would not elaborate on.

THE CHAIR: What is the nature of the agreements that the agencies, the arts organisations that have been identified to relocate, have entered into with the government?

Mr Dietz: I can take that one but I will also call on Irena Sharp, who is our project manager for Kingston arts. Irena can talk through the recent agreement with the arts organisations.

Ms Sharp: To respond to your question, we have been working really collaboratively and closely with artsACT who are the representatives of the seven arts organisations that are identified for qualification to the Kingston arts precinct. We have certainly had a number of sessions and meetings with the seven arts organisations which were leading towards the shaping of the agreement which now all of them have signed.

The agreement is a non-binding agreement. It is really a goodwill agreement that reflects on a process that we all want to embark on post contracts being signed with the preferred tenderer. In particular, it addresses the extent of engagement that we want to have with the arts organisations on the design development of their facilities.

It does deal with other things, like future management of the precinct. But that is really sort of the artsACT and arts organisations part of work that they will do together in establishing how that is going to roll out once the buildings are together.

THE CHAIR: I think we asked this question of artsACT and they referred us here.

MS CODY: But they did say that they were managing all the artists who would be involved in the—

THE CHAIR: In terms of the costs of relocating those organisations, how is that being funded?

Ms Sharp: Again, I listened to the meeting with the artsACT. That is really their future work to address. I think at this point in time we are really a lot more concentrated on developing the design for the future facilities. Once that is in place, subject to construction, further planning will be done around the actual relocation of the organisations into the new facilities.

THE CHAIR: What arrangements are being made for parking for staff, volunteers and visitors?

Ms Sharp: There is obviously a requirement for some new public parking onsite, which was part of the tender requirement. That is being delivered. There is going to be a future public car park structure for over 500 public spaces during the week and an additional 300 spaces during weekends, because we recognise that weekends are quite active in that area. Certainly, the public car park will have a number of car parks allocated for use by the operators within the arts precinct. Again, it is all subject to the

design development process. We will know more as we get through that, yes.

MS LE COUTEUR: I am going north again to section 72 in Dickson. The only site on the land release program is Common Ground. But the your say website says that you are still working on a draft estate development plan. Are you still following that process, as released last year?

Ms Stephen-Smith: We might look to update the information that is on the your say website. I have written a couple of times to North Canberra Community Council to update them on the current process. As you are currently aware, Ms Le Couteur, the consultation process, as it had taken place over last year, was looking at the three blocks—block 6, block 22 and block 25—as being sort of the anchor for the creation of a really integrated plan for section 72, particularly that western side of the site.

Consultation had started on the assumption that the Salvation Army was going to surrender block 22 to the government within a fairly short time frame. For various reasons internal to the Salvation Army, that has not happened. They are still considering their position in relation to block 22. So progressing with a plan about the development of that block when the government does not have control of that block is a bit difficult. But we were, of course, absolutely committed to the development of Common Ground. It is an election commitment. The work that we had done in the consultation had left open initially the location of Common Ground within section 72.

As a result of that work, we firmed up on the original proposed site, which is block 25, the old Downer club site. So the current path forward is to proceed with a separate Territory Plan variation and relevant processes for the development of Common Ground on block 25. When we get certainty around the future ownership of block 22 and the Salvation Army's intentions in relation to that, we will then enter the next stage of community consultation around how we develop an integrated site across section 72. I have committed as part of that to the establishment of a community reference group, which I have met with in NCCC a couple of times to talk through that process.

MS LE COUTEUR: Correct me if I have it wrong. The summary is that Common Ground is proceeding on its original site. The rest is at some stage in the future and there will be lots of community consultation when that stage comes. Is that—

Ms Stephen-Smith: That is a pretty good summary, yes.

MS LE COUTEUR: a summary of what you said?

Mr Rutledge: And we will update the website.

MS LE COUTEUR: Great, and you will update the website, yes.

Ms Stephen-Smith: We will, yes.

Mr Rutledge: That is the action item I took from that.

MS LE COUTEUR: With respect to sections 74 and 76 in Watson, what is

happening with those? They are on the land release program, but I understand that they were also partially flagged for demonstration housing projects. Are you responsible for land release there? With demonstration housing, I am not quite sure exactly who runs that, but it is not you, I think.

Ms Stephen-Smith: Yes, both of those things are indeed with me. I might hand over to Mr Rutledge or Mr Fitzgerald to talk about where that process is at.

Mr Rutledge: We are looking at urban renewal on both sections 74 and 76 in Watson. There has also been some interest from a proponent for a demonstration housing project within those sections. We have already done a number of planning studies, and there has been a little bit of work done. We have done community engagement around that. There seemed to be a bit of concern. The major concern, if there was a major concern, was largely just the additional dwellings in Watson, and the pressure on the shops and the school, which we have heard from Watson residents for some time. That issue is well known. We think we can probably get about 400 dwellings, at this stage, but we are continuing to work through that.

The land is currently zoned CZ6, leisure and accommodation. The next step for us is to do a planning report and submit that to the planning authority for a potential Territory Plan variation. That is where we are up to now.

MS LE COUTEUR: I understand that the Watson community was looking at the concept that there should be a central park and community facilities. Will that be part of your proposed Territory Plan variation?

Mr Rutledge: Certainly, there will be high-quality open spaces there. As to whether or not there is a separate park, we have certainly heard that feedback from a number of sources, including the Watson Community Association. We are factoring that in. I do not want to make that commitment now but it may occur.

MS LE COUTEUR: Will this Territory Plan variation just be for these couple of sections, or will it be bigger, for other parts of Watson? People in Watson have been talking about all sorts of things, particularly in north Watson: shops, community facilities, open space et cetera.

Mr Rutledge: At this stage we are just planning on working on those two blocks, but what we have heard from the Watson community is that they want to see how they integrate into Watson as a whole. Their proposal has been for us to redo perhaps a neighbourhood plan for the whole area. There is a fair bit going on in Watson. It butts up against the city and gateway, there is north Watson, and there is some urban intensification around Watson. Also, going to what Mrs Jones said earlier, there is vacant land quite near the shops which is privately held and owned.

We are mindful of all of those moving parts, but our focus at this stage is to deliver the TPV for those two sites, sections 74 and 76.

MR PARTON: I know we touched a little on EPIC, but I want to know what involvement you have with this ministerial hat on regarding future uses for EPIC, and what stage considerations are at.

Ms Stephen-Smith: Mr Fitzgerald talked about that earlier in the context of Kenny and EPIC.

Mr Fitzgerald: We have engaged a consultant to do that initial stage of engagement with not only some of the site constraint studies that we have done, but also with the users of EPIC. That report is currently being finalised, and that report will help to inform future planning.

Mr Ponton: In terms of future planning, that is also within my responsibilities. Mr Fitzgerald's team is doing this early work, and the planning team will take that work and undertake a planning analysis. That will start to answer some of the questions that you have raised.

MR PARTON: You cannot be telling me that there is a clean slate here, and it is just an examination of potential opportunities. There must be some sort of vision.

Mr Ponton: At this stage we would be looking at the most efficient use of the land for the types of uses that are already occurring on that land. The Chief Minister made some public statements recently; he made it quite clear that, in terms of—

MRS JONES: That it is staying as the same use?

Mr Ponton: Indeed. With those parameters, we will undertake the planning work.

MRS JONES: So there could be quite substantive changes within it, as long as it still can do most of what it does now?

Mr Ponton: Potentially, yes, there could be changes.

MR PARTON: Could those changes involve residential precincts being considered for the EPIC precinct?

Mr Ponton: Being mindful of the Chief Minister's recent comments, I would refer you back to those. We do the forward planning work but, ultimately, it is for the government to make decisions, and I think that the Chief Minister has made his views clear.

MRS JONES: Is it a study that you are doing of that site? What was the request for?

Mr Ponton: We are still settling the scope for the planning analysis.

MRS JONES: Has anything been drawn up yet about the settling of the scope, the process for that?

Mr Ponton: No.

THE CHAIR: There being no further questions, we will finish early.

Hearing suspended from 3.10 to 3.31 pm.

Appearances:

Burch, Ms Joy, Speaker of the ACT Legislative Assembly

Office of the Legislative Assembly

Duncan, Mr Tom, Clerk, Office of the Clerk

Agostino, Ms Julia, Deputy Clerk and Serjeant-at-Arms, Parliamentary Support Branch

Duckworth, Mr Ian, Executive Manager, Business Support Branch

Skinner, Mr David, Director, Office of the Clerk

Prentice, Mr Malcolm, Chief Finance Officer, Business Support Branch

Tancred, Ms Pattie, Editor of Debates, Hansard

THE CHAIR: I welcome the new officials and ask you to please confirm that you have read and understood the privilege card in front of you.

My first question is about the redesign of the entrances of the building. Could you please elaborate on what the redesign work entails?

Ms Burch: I will flick to Mr Duckworth, but I know that it gets a bit rushed at the end so can I just put on record my appreciation to all the staff of OLA for the work that they do within the chamber and also with the buildings. I just wanted to put that on record. I am sure you, as members, appreciate the support that you get around the place.

Mr Duckworth: I have read the privilege statement.

The funding that we received in this year's budget has enabled us to progress a project which focuses on the members entrance. The Standing Committee on Administration and Procedure, chaired by the Speaker, agreed some months ago that pursuing a redevelopment of both entrances at this current time was going to be a little too costly, so we are focusing on the members entrance, mainly because of the construction of the new government office block and the expectation that once that is complete and is populated by government staff—and with vacancies elsewhere in the precinct, we are possibly going to be filled by more ACT government staff—there will be a much greater flow of people through that entrance. By that stage we will have members and ministers parking in the basement of the new building, and that will be their entrance.

We are looking at a project that installs a number of speed stiles. I think most contemporary official buildings these days have that sort of security. That is the sort of security access control we are looking at. We need a bit more real estate for those facilities to be installed, so we are looking at pushing the entrance out into a vestibule, though not to the same scale as we have in the current public entrance. That work is progressing.

We had a useful meeting with the architect earlier this week. The next phase will be to get a detailed design of the entrance and ensure that the costs of the work stay within the envelope of the funding that we have. That is the big challenge.

THE CHAIR: What is the expected time frame for the planning and the construction?

Mr Duckworth: We are looking at the entrance works probably starting in April to July next year. It will not take that long in total; it is just that within that window we imagine there would be probably a six to eight-week period. Obviously we want it to be completed before the new building comes online. But we also are interested in having it completed before the other large project planned for the building: the upgrade of heating, ventilation and cooling on the ground floor.

MRS JONES: With the new system for leaving the building, will there be a way of getting out if you did not bring your pass? Currently, after hours, if you get to that entrance without your pass, you are actually stuck.

Mr Duckworth: I will have to take that on notice, but I would simply say that it is really important; people will need their passes to get into the building.

MRS JONES: I am not talking about whether we should have our passes; I am saying that it induces panic if you get to a door and you cannot get out of it without a pass.

Mr Duckworth: My understanding is that there is no requirement to swipe out.

MRS JONES: You cannot get out without swiping out.

MS LE COUTEUR: You can from the public entrance.

MS CODY: No.

Mr Duckworth: Can I take that on notice?

MRS JONES: Please do.

Mr Duckworth: I do not want to be in the business of misleading the committee, particularly with the first question.

MS CODY: How is the double-glazing stuff coming along? Where are we up to with that?

Ms Burch: As a project, I understand that it is complete. It has worked well in the reduction of noise and also has proven to be positive in regard to energy efficiency and savings on power. Am I right, Mr Duckworth or Mr Prentice?

Mr Duckworth: The project was recently completed. It took 12 to 15 months from the very early phases when we were concerned about doing the southern side of the building to try to have some sort of buffer against the construction noises when they were drilling down into bedrock. The project now has been completed. We have double-glazed something like 687 units on levels 1 and 2, both the internal facing courtyards and externally. On the ground floor, it was measured in square metres; it is about 800 square metres of glass. So it has been completed.

Throughout the project we had the installers provide us with some before and after

measurements, to give a sense of what the differences were. There were some very noticeable differences in temperature before and after. We got some imaging done to illustrate that the thermal properties are definitely there. Also, the consultancy firm, the mechanical consultants, that are helping us design the upgrade of ventilation and cooling for the ground floor made comment in their assessment that they think that the double-glazing has probably reduced the energy demand by about 25 to 30 per cent.

MS CODY: Were they a local organisation?

Mr Duckworth: Yes. I could not tell you whether they have businesses elsewhere in the country, but they are a Fyshwick based company who did that work.

MS CODY: Could you take on notice to see if they are a multi-jurisdictional or multinational company?

Mr Duckworth: Yes. I do not think that they are an international company, but I can certainly take on notice whether they have businesses elsewhere. Certainly they were local. We did not bring them from interstate to do the work, if that helps clarify.

MS LE COUTEUR: How many windows are not double-glazed?

Mr Duckworth: The only areas that we did not feel we could touch were the glass areas surrounding the chamber around the lobbies. That was going to add quite a dimension to the cost of the project.

MS LE COUTEUR: So are the two lobbies the only bits?

Mr Duckworth: Yes. The rationale is that the Assembly sits in the chamber for 42 days of the year. It would have added a considerable cost for that small benefit. But members would be aware that at the two entrances to the respective corridors we put some additional doors in so we did not have drafts and lose the effect. There is a small section of glazing from near the Clerk's office around to that first set of doors where we used a film rather than a double-glazed unit.

MS LE COUTEUR: So the high glass in the chamber has been double-glazed?

Mr Duckworth: No, as I said, the chamber is excluded. But we have done everything else.

MS LE COUTEUR: The chamber and the lobbies?

Mr Duckworth: Yes.

MS LE COUTEUR: I have talked about this a few times before. It relates to software so the questions on notice are searchable. The Speaker knows what I am talking about.

Ms Burch: Yes, and it is understood and agreed. There is a project. We got some funding last year in the budget to progress this. Mr Duckworth might be able to talk to that.

Mr Duckworth: The office received funding to look at some digitisation opportunities over a two-year period. We engaged a consulting firm to look at a number of processes. They are both parliamentary processes, things like the questions on notice options and submissions from the public coming into the Assembly. But also they looked at internal business processes like time sheets and invoice processing.

We can see that opportunities might present to modernise a particular process in isolation, but we wanted to avoid ending up with six, seven or eight different systems that complicated our ICT management. We have had a report from those consultants who have said, “Look, you do have a number of processes. Because they are heavily dependent on paper, you are going to have to look at transforming those into a digital platform.” I think the questions on notice database is certainly one of—I will not call it one of the simpler ones; it is one of the less difficult processes—

MS LE COUTEUR: It is certainly; it is a very simple process. I used to do this sort of stuff for a living. Yes, and it is very frustrating because you cannot find the answers. Do you have an idea, given that it is very simple, when—

MRS JONES: Ms Le Couteur is offering to assist, I think.

MS LE COUTEUR: She is not really offering to assist, I am afraid. “Used to” were the words.

MR COE: You will retype them all.

Ms Burch: Yes, but it makes a lot of sense. If you have been in the building long enough—many of us have—to see, effectively, the same come out at annual reports hearings, estimates hearings—

MS LE COUTEUR: Yes.

MRS JONES: It would be nice to be able to track it, would it not?

Ms Burch: It would be nice and also just for information, because—

MS LE COUTEUR: Absolutely.

MRS JONES: I would love to know, for example, when the courts ICT system will be implemented after 10 or 15 years. Do you know what I mean?

Ms Burch: Yes, so I have a commitment to have it in in this term, but not towards the end of this term. I am mindful of the fact that we are 18 months until the end, anyway. But it is active on my mind and, therefore, active on Mr Duckworth’s mind.

MS LE COUTEUR: It will hopefully be active on more than his mind.

Mr Duckworth: It is a priority of the office.

MRS JONES: With great respect to Mr Duckworth.

Ms Burch: Yes.

Mr Duncan: Yes.

Mr Duckworth: It is a priority—

MS LE COUTEUR: With great respect to Mr Duckworth's abilities, yes.

MR COE: What is the current form of the questions on notice database? Is there a database?

Mr Duncan: There is a method where we check. I acknowledged—

MRS JONES: Have you read the privilege statement?

Mr Duncan: I acknowledge it and I helped draft the privilege statement. Yes, there is a checklist that we monitor. Because, as you know, each sitting day we need to keep a list of which questions have not been answered and we need to be able to have a mechanism to do that. So there is a mechanism within the chamber support office to deal with that so that we can make sure that the notice paper is accurate. When members get up at the end of question time and ask a question pursuant to standing order 118A as to why the answer has not been received, we can identify those. But that is just tracking numbers and—

MR COE: But that is more of an index, is it not?

Mr Duncan: It is. It is more just tracking numbers and—

MR COE: For a question that was asked four years ago, what—

MRS JONES: Is it in a file?

MR COE: Where is that at the moment?

MRS JONES: An electronic file; is that what it is? Is it scanned in?

Mr Duncan: The actual question itself or the statistics—

MRS JONES: Yes.

MR COE: The answer.

Mr Duncan: The answers are then provided to the office in hard copy but also in soft copy. That is sent to Hansard. As you are aware, all the answers to questions on notice are printed in Hansard and a copy is provided to the member who asks the question.

MRS JONES: There is a printed copy and you have got a file copy of what you have sent to Hansard?

Mr Duncan: To be doubly sure I would have to check with my notice paper officer in

the chamber support office. But I think what you have described is correct.

MR COE: Obviously for it to go to Hansard, it has been provided in searchable text?

Mr Duncan: Yes.

MR COE: And they can be searched, albeit with difficulty, on the Hansard website?

Ms Burch: But you would need to effectively know the title of the question and the *Hansard* month.

Mr Duncan: And you would have to go to the individual *Hansard* to know which *Hansard* volume has got that particular answer. It is not very practical for members, I would not—

MR COE: Generally on how Hansard collate their *Hansard*, do they have them all as individual or segmented answers or is it just simply pasted and texted at the bottom of the document?

Ms Burch: It is my understanding that it is question number and then a scanned copy of the answer that is provided. That is my understanding of it.

Mr Duncan: Yes.

Ms Burch: That is what I understand.

MR COE: That is how it is presented?

Mr Duncan: I am looking to the Editor of Debates for a nod or a shake if that is—

Ms Tancred: The questions go into the *Weekly Hansard*. To search for a question, as the Speaker said, you would have to go into that week of *Hansard* and know the number.

MR COE: Behind scenes, do they get pretty much pasted into a Word document or do they actually get sourced from somewhere else?

Ms Tancred: No. It is a pretty manual process of getting pasted in.

MRS JONES: Time for an upgrade, it sounds like.

Ms Burch: Yes, indeed.

MRS JONES: I would like to go to the workload and the number of secretaries. I know I asked this in another location; it was not estimates. I wonder if you could enlighten us. How many secretaries are there to service how many committees?

Ms Burch: I think this matter was raised at a meeting of chairs of committees and we undertook to do some benchmarking and some review of other parliaments and their committee structures.

MRS JONES: I just thought the basic of what we have got now should be on the record for a start.

Ms Burch: Yes.

MRS JONES: How many secretaries do we have and how many committees do they serve?

Ms Agostino: I have read the privilege notice. At the moment we have 10 standing committees, including the administration and procedure committee and the scrutiny committee, and we have a secretary assigned to each of those. But that includes the Clerk who is the secretary of administration and procedure.

MRS JONES: They are not all different individuals, are they? Sometimes it is one person doing two of those. How many individual personnel?

Ms Agostino: If we take administration and procedure and scrutiny out of it, we have got eight standing committees and seven committee secretaries. The double-up is where we have the new committee on integrity. At the moment that is not active. It is sitting with the manager of committee support—

MRS JONES: As other committees pop up during the life of the parliament then those seven people are assigned additional responsibilities. Currently how many additional committees do we have functioning?

Ms Agostino: In addition to the standing committees we have got three select committees that have inquiries at the moment.

MRS JONES: How many of the seven personnel have two committees each?

Ms Agostino: Three.

MRS JONES: The Clerk is secretary of admin and procedure?

Ms Agostino: Yes.

MRS JONES: Scrutiny has just changed, has it not?

Ms Agostino: That has just changed, yes.

MRS JONES: Does that make it four who have two?

Ms Agostino: No. I am just looking at my notes here. We have two individuals with both a standing committee and a select committee.

MRS JONES: And one individual has two standings?

Ms Agostino: That is right.

MRS JONES: That includes admin and procedure and scrutiny?

Ms Agostino: That is right.

MRS JONES: What is the research that you have done?

Mr Duncan: I have written to the clerks of the Northern Territory, South Australian and Tasmanian parliaments, because they are parliaments—

MRS JONES: A reasonable size, yes.

Mr Duncan: that are about the same size. You want to get an apples and apples comparison.

MRS JONES: Maybe, yes.

Mr Duncan: I have responses from all of the clerks except one, the Tasmanian upper house class Clerk, and I am compiling a document this week to show the comparison in preparation. I think the meeting of committee chairs was the body that did that. Some staff are part time. For instance, with the Tasmanian House of Assembly staff, the Clerk, the Deputy Clerk and the Clerk Assistant are secretaries of committees in their jurisdictions. It is about trying to get a document that is meaningful, so that you can get a meaningful comparison.

MRS JONES: Is there a point in having a look at the workload of committees in larger parliaments? Even though they are a larger parliament, presumably they also have a certain number of committees and a certain number of staff taking up a certain workload.

Mr Duncan: Yes, we could look at that. But you have to be careful with larger parliaments because they do have significantly more resources. Whether you have a committee of 10 or whether you have a committee of three—

MRS JONES: It makes a difference?

Mr Duncan: you still have to present a report. You still have to present an agenda. You have to do minutes. The workload in some ways does not change, regardless of the size of the committee.

MRS JONES: That almost justifies looking at the larger parliaments because they also have a certain workload per committee.

Mr Duncan: They do, yes.

MRS JONES: How much administration assistance do each of those secretaries have here?

Mr Duncan: There are two research officers for the whole committee office and 1½ staff for administrative assistance in the committee office.

MRS JONES: When you wrote to ask the other jurisdictions, did you ask for that information as well?

Mr Duncan: We asked for all assistance given to committees, yes.

MRS JONES: So you will be able to compare that as well?

Mr Duncan: I hope so, yes. It depends on what they can provide to us. Hopefully, I will be able to give as much information as I can.

MS CODY: I have a supplementary on staff.

MRS JONES: And great thanks to all staff.

MS CODY: Yes, absolutely. This might be a question for Mr Duckworth. Insecure work: the ACT government has an initiative in this year's budget to move away from insecure work and labour hire firms, and move towards more permanent, secure employment. Does the OLA have labour hire? Do they have contractors? If so, how are they going to move away from contracted staff to a more permanent and secure workforce?

Mr Duckworth: We would rarely—

MS CODY: On notice, could you provide me with a breakdown of contract, part time and full time, and gender?

Mr Duckworth: Okay. OLA rarely uses labour hire but in the past 12 months we did have one occasion when we needed some support in the library and the only way we could source that support was through an arrangement where we effectively paid an external contractor to supply someone but they were on that other contractor's books. That is usually an arrangement that we avoid. It is always our practice to engage people under the Public Sector Management Act.

We do have two cohorts of casual staff in the Assembly that we would be lost without: our Hansard editors and our casual attendants. We have no means of avoiding engaging them on a casual basis because, particularly around the Hansard editors, we do not know what work is coming up. It is certainly the case that those staff are not your garden variety casuals who we might see for a couple of weeks and never again. They have been with us on a long-term basis and, whilst we cannot—

MRS JONES: You cannot determine the hours.

Mr Duckworth: offer them a permanent role because there is no certainty around their hours, the staff in those roles certainly have a level of tenure that is beyond that of a typical casual.

MS CODY: As a casual do they receive benefits like super—

Mr Duckworth: A 25 per cent leave loading and superannuation, yes.

MS CODY: They are not permanent part time, so they do not build long service leave and annual leave?

Mr Duckworth: They are not permanent. To be honest—

MRS JONES: They are paid the loading.

Mr Duckworth: in times past it has been clear that those staff are not attracted to accruing leave because when the Assembly is not sitting they travel and do those sorts of things. I would be fairly confident in saying that we do not have staff in our workforce engaged in those roles who are uncomfortable with the terms of employment.

In terms of other temporary employment, we have a number of staff, like any organisation, where we do not have a permanent vacancy. Someone might be away on long-term leave or we might have a vacancy that we have not been able to fill on a permanent basis. We do employ temporary staff but it is always our objective to fill roles permanently when they are permanent. We have some people employed at the moment on two-year fixed-term contracts because we have funding for two years; then the projects dry up. But I will take on notice the more detailed—

MS CODY: Thank you; I would appreciate that.

MR COE: With regard to the Australasian Study of Parliament Group conference, what is the Assembly's commitment to that?

Mr Skinner: The office has been involved, along with the Department of the Senate, the Department of Parliamentary Services and the Department of the House of Representatives to pull together that conference this year in October. The theme is on disrupting parliaments. There is a whole range of subthemes around some of the challenges that are facing parliaments not only in Australia but also around the world. We are just going through the process of reviewing abstracts for presenters and looking at how the program will pan out. That is very much a cooperative venture with our commonwealth colleagues. The conference itself will be held at Parliament House on, I think 4, 5 and 6 October. I am going off my memory.

MR COE: Is there a financial commitment?

Mr Skinner: There is a financial commitment but not one that is coming off the office of the Assembly's books. It is a membership-driven organisation and there is a fee for, essentially, service. It is a cost recovery arrangement where the fees will, all being well, meet the costs of the conference. So, other than any staff we choose to send to the conference, there should not be a net cost to the territory.

Mr Duncan: The time of staff assistance is resources.

Mr Skinner: That is true. There is a resource in kind or an effort in kind that would be contributing to that and—

Mr Duncan: But it is not a significant cost.

Mr Skinner: I do not think it is a significant cost. The Australasian Study of Parliament Group has been going since, I think, 1978. It is very much nurtured by the community of parliaments across Australia and the Pacific. It is a rotating conference arrangement where once every 10 years or nine years one of the jurisdictions will be the host. That relies on parliaments themselves and their support agencies to put the shoulder to the wheel to get that conference going.

Mr Duncan: There is a subscription.

Mr Skinner: There is a subscription. Anybody can be a member. OLA pays a membership fee to the ASPG. I think this year it was about \$220 for an annual fee.

Mr Duncan: Every parliament pays that.

Mr Skinner: That does not prevent any individual staff member of OLA or anyone else from becoming a member of the ACT chapter, which I think is only \$10. It used to be a lot more.

MRS JONES: It meets how often?

Mr Skinner: As you know, Mrs Jones, because you have participated in one of our events, I think last year, on women in politics in the ACT, it meets—

MRS JONES: As needed.

Mr Skinner: We try to have one or two events a year. It would be true to say that there are other chapters in other parts of Australia that are more active. We have got a handful of very engaged people and then other groups that will come in from across the departments and members who participate on an ad hoc basis. You would have seen the roll-up that came to that particular one that we did. There would have been 40 or so people there. They are usually people who are interested in this quite niche area of study. It is not everyone's cup of tea but certainly you are likely to see more people in this neck of woods be interested than in others.

THE CHAIR: On the budget measure for the ACT Integrity Commission, what work did the Assembly originally do to prepare for the initial commencement date of 1 July, and what work is being done to prepare for—

Ms Burch: The role of the Assembly was effectively to be a fund-holder until the establishment of the commission, and to oversee the recruitment process. That is as for other officer positions, the ACT Electoral Commissioner and the Auditor-General. Similarly the OLA and the Speaker are responsible for that recruitment.

Mr Skinner: The role that the office has played has been an unusual role to say the least, given that there was an appropriation made to the office to assist the Speaker in the appointment of a commissioner and there is no statutory function that the office has in respect of the commission's functions. But there was a recognition that that funding needed to end up in somebody's budget and, rather than its ending up in an executive directorate's budget, there was a feeling that the office would be a more

appropriate place for that to go. The office does have a statutory function to provide advice and support to the Speaker in acquitting the Speaker's functions under the Integrity Commission Act, as we do in relation to the Auditor-General Act and the Electoral Commission Act, which is the basis of our advice and support.

A number of the things that the office has undertaken are to appoint what was called a transition support manager to assist in managing the sorts of correspondence and administrative tasks that would arise in terms of the appointment. There is also the engagement of a recruitment consultant to undertake executive search and to assist what was called an appointment advisory panel to provide advice to the Speaker about who might be appointed. That process was commenced and concluded. As you would be aware, there is now a disallowable instrument that Dennis Cowdroy will be appointed. I understand that there was some questioning last week around this.

Just to be clear, it is from 1 July that Mr Cowdroy commences in the position. That is what the instrument does. I believe that he has written to the Speaker, the Chief Minister, the Leader of the Opposition, Minister Rattenbury and the Standing Committee on the Integrity Commission about how he then will go about lifting up the commission, appointing a CEO and so on. We regard, I think, from 1 July our role as stepping back quite considerably from that assistance, although there will be a memorandum of understanding between the office and the incoming commissioner to provide some basic-level support services around payroll, accounting and certain other matters until they have a CEO. We are quite conscious that until they actually have a CEO they are not going to have the sort of administrative capacity that you would hope they would have.

THE CHAIR: Once they have a CEO, will they be using Shared Services?

Mr Skinner: These would all be questions for the commissioner. I guess they will have to evaluate all the costs, benefits, risks and all those things. I suspect, but I could not speak for the commissioner, that the commissioner would wish to be advised by an incoming CEO about service delivery models and so forth.

THE CHAIR: Has any assistance been provided in terms of finding accommodation?

Ms Burch: The commissioner will start and he is very much aware, and I think it is articulated in the letter Mr Skinner referred to which I tabled in the Assembly, that his primary first task is really to get a CEO on board. Then between the CEO and the commissioner they will determine what the commission looks like, whether it uses Shared Services and where its accommodation would be. In the immediate short term there will be room made available for the commissioner when he is in Canberra, but the decisions for their short, medium or longer term accommodation we absolutely see as for the commissioner and the CEO.

Mr Skinner: For good reason, we have been very cautious and careful in making sure that decisions that are for the commissioner will be left to the commissioner and we have restricted our advice to what options might be available and not prompting or pushing him in any particular direction. We think it is very important, given his statutory independence, that these are matters he will consider and reflect on.

Ms Burch: And the other officer positions—the recent auditor recruitment came into an existing structure; one went out and the other one went in. It is similar with the elections commissioner. We are aware that he is negotiating for a bigger space because they just need new digs, to put it in a very blunt way, but that is for them; it is absolutely quite separate from us. We just go through the recruitment process.

MR COE: Of the million dollars from 2018-19, how much has been spent?

Mr Prentice: \$156,028.

MR COE: How was that spent?

Mr Prentice: Mr Skinner mentioned a few of the things we did. There was the recruitment consultant. There was also the transition support manager salary. There were the costs associated with the appointment advisory panel and bringing candidates in for interviews and that type of thing, and also the cost of paying the inspector, which is the ACT Ombudsman's inspectorate fee for the year.

Mr Skinner: The way the budget was structured is that the funding for the inspector, who was to be the Ombudsman, was included in the appropriation to the office. So arrangements were made to make a payment essentially to the Ombudsman for what we understand is their preparation for the performance of their inspectorate function. So there was \$41,000 straight out the door to the commonwealth.

Ms Burch: The MOU will be in place again until they are established, and then the money is for them to deal with.

MRS JONES: It will go to them?

Ms Burch: Yes, and it will be transferred out. I am sure that Mr Prentice already has that mechanism lined up.

Mr Prentice: Yes. The funding is a separate appropriation unit now for the Integrity Commissioner, so what was in the OLA budget has been transferred. That is the \$2.388 million that you will see in 2019-20. We also, in conjunction with the Chief Minister's directorate and treasury, re-profiled some of the current year funding, \$280,000, into next year as well.

MRS JONES: I want to go to the upgrades of heating and ventilation, and other basic upgrades for the Assembly building. For the basic service upgrades, can you provide the monetary split between the renovation works and the upgrades to heating, ventilation and air conditioning?

Mr Duckworth: My recollection is that about \$250,000 is set aside for the remaining kitchen and ensuite upgrades that commenced. The first phase was done as part of the fit-out of the building to cater for the expansion. There have been two sets of work done since to progress that work, and we put a position to treasury as part of our budget funding this year that it would be foolish not to complete all of the rest of the work, to do it—

MS CODY: Does that mean that we are going to get new kitchens?

Mr Duckworth: Those that have not been upgraded, yes.

MS CODY: I did not get one.

MRS JONES: Neither did I.

Mr Duckworth: That work is scheduled. We are looking to schedule that work over the Christmas/January period when members are traditionally not around, to minimise the inconvenience. I do not want to pretend that there will be no inconvenience, but this is to minimise it.

MRS JONES: How many kitchenettes and bathrooms still need to be upgraded?

Mr Duckworth: I think nine kitchenettes remain and three—it might be quicker if I just take that on notice. We certainly have that information.

MRS JONES: Then could you elaborate on the upgrades to the heating, ventilation and air conditioning works that need to be undertaken?

Ms Burch: There is the new significant HVAC system coming up, yes.

Mr Duckworth: Again, just to put that into context, when we were doing works to expand for the 25 members there were significant upgrades done on levels 1 and 2. The ground floor was always seen as a very complex system with very high ceilings. The plant is tucked into some very obscure and hard-to-reach places and we did not have the funding to do it. So we have basically said that we have a one in four year opportunity. When the Assembly ceases meeting next August and when committee activity starts to subside in the run-up to the election, we are planning to get into the spaces on the ground floor. We actually had a meeting on site this morning with the mechanical consultants and we have a meeting scheduled for next Tuesday to explore how we knock a hole in the side of the wall just behind the committee room here to get the equipment out. We think it was put in place literally when the building was refurbished in '93 and then built around. So it is challenging work but we have—

MRS JONES: There are no trapdoors you can use, or underground passageways or—

Mr Duckworth: There are trapdoors. We are still very focused on our budget. We obviously are keen to try to accommodate all the works that we have to do within the funding envelope. But the expectation is that that work will be scheduled, tendered and ready to go when the Assembly breaks in August.

MRS JONES: We will be very busy out there and you will be very busy in here.

Ms Burch: It really is the only time to do it, yes.

MRS JONES: It is the only time committees are not sitting and—

Ms Burch: That is right.

Mr Duckworth: The meeting this morning identified that the works will be a little more invasive than we first thought, and obviously that will introduce further costs. But behind this particular corridor there are three significant units. Two of them are easier to get at but the third unit, if we do not get it out now, will be simply a legacy for the future. So we have really got to work out how. We have come up with a solution this morning. We just have to go away and cost it.

Ms Burch: My imagination is running on the opportunity in a hole in the wall for the committees to put a time capsule in for the next HVAC renewal perhaps.

MRS JONES: It does not sound like a bad idea. We could put some committee documents in, very exciting things.

MS LE COUTEUR: Will this go towards becoming carbon free, given the government's carbon free—

MRS JONES: Presumably the new units—

MS LE COUTEUR: Do you have figures on that?

Mr Duckworth: Do you mean the carbon-free fund?

MS LE COUTEUR: The ACT government has a commitment, and I think in this context you are part of it, to be zero carbon by 2020; actually, no, it is earlier than that for government operations.

Mr Duckworth: Maybe I can answer your question in a different way. Mr Rattenbury, through the administration and procedure committee, when this proposal was being canvassed asked whether we might have the opportunity to go to an all-electric model, because that is what was done when the heating was done in the north building. Whereas the entire HVAC system was being replaced across the square, we have relatively new chillers and boilers in the building. So what we are doing is trying to ensure that the equipment that we do replace is able to transition into an all-electric system down the track as our relatively new plant is replaced. But initially there will still be reliance on gas for boiling. Certainly we are very mindful of that. The equipment we will acquire is 30 years more modern and obviously it is far more efficient. So on top of the double glazing reductions, we are expecting to contribute to a reduction.

Mr Prentice: Going back to Mrs Jones's question about the ensuites and the kitchenettes, the funding is to upgrade the three remaining ensuites and 13 kitchenettes.

MRS JONES: Thank you very much.

THE CHAIR: We are out of time. On behalf of the committee, I thank the ministers, parliamentary officers and officials who have appeared today. The secretary will provide you with a copy of the proof transcript of today's hearing when it is available.

If witnesses have taken any questions on notice, could you please get those answers to the committee support office within five working days of receipt of the uncorrected proof? If members wish to lodge questions on notice, please get those to the committee support office within five working days of the hearing, with day one being tomorrow. Thank you.

The committee adjourned at 4.14 pm.