



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING AND URBAN RENEWAL

(Reference: [Annual and financial reports 2016-2017](#))

Members:

MS C LE COUTEUR (Chair)

MS S ORR (Deputy Chair)

MS T CHEYNE

MS N LAWDER

MR J MILLIGAN

PROOF TRANSCRIPT OF EVIDENCE

CANBERRA

MONDAY, 13 NOVEMBER 2017

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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

Architects Board of the ACT	1
Chief Minister, Treasury and Economic Development Directorate	70
Environment, Planning and Sustainable Development Directorate	1, 70

Privilege statement

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Amended 20 May 2013

The committee met at 9.29 am.

Appearances:

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

Environment, Planning and Sustainable Development Directorate

Ponton, Mr Ben, Director-General

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

Reynolds, Mr Chris, Chief Operating Officer

Phillips, Mr Brett, Executive Director, Planning Delivery

Flanery, Ms Fleur, Executive Director, Planning Policy

Wilden, Ms Karen, Director, Engagement and Executive Support

Fitzgerald, Mr Bruce, Acting Executive Director, Urban Renewal

Tennent, Mr Simon, Acting Director, Land Development Projects

Architects Board of the ACT

Green, Mr Ben, Registrar of Architects

THE CHAIR: Welcome to this public hearing of the Standing Committee on Planning and Urban Renewal inquiry into the annual financial reports 2016-17. On behalf of the committee, I would like to thank you, Minister Gentleman, and all your officials for attending today.

Today the committee will be examining the annual report of the Environment, Planning and Sustainable Development Directorate for the 2016-17 reporting period, as well as the 2016-17 annual report of the Architects Board of the ACT. After lunch we will be examining relevant sections of the annual report of the Chief Minister, Treasury and Economic Development Directorate for the 2016-17 reporting period and the Land Development Agency annual report for 2016-17.

Can I draw your attention to the privilege statement before you on the table, the pink one. I am sure you would have all seen it before, but just for the record can you and your officials please confirm that you understand the privilege implications of the statement?

Mr Gentleman: Yes, we do.

THE CHAIR: May I also remind witnesses that the proceedings are being recorded by Hansard for transcription purposes and webstreamed and broadcast live. Before we go to questions, minister, do you have an opening statement?

Mr Gentleman: Yes, just a few minutes if I may. Thanks for the opportunity to outline the recent achievements and current challenges for my planning and land management and urban renewal portfolio. Genuine engagement remains the pinnacle of the government's work and this has continued to ensure that we do not undertake

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city planning simply for the sake of creating artistic street layouts. This has been evidenced by work carried out by the directorate for a number of key initiatives; for example, the Gungahlin planning refresh, as well as the draft variations for the Woden town centre and the Mawson group centre. The conversation continued with new approaches to community engagement, including the use of community panels to bring proponents and the community together prior to the lodgement of a development application.

The government has also approved estate development plans providing for the creation of approximately 637 single-dwelling and approximately 48 multi-unit and mixed use blocks. This enables the release of approximately 4,013 dwellings and is an increase of approximately 1,600 dwellings from the previous financial year. To add to this, 986 merit track DAs were assessed during the year and the directorate continued to develop and implement building reforms announced in June 2016, following consultation on improving the ACT building regulatory system.

Active living was a major focus of the Territory Plan's section work, and in December 2016 consultation started on a draft variation to incorporate six active living principles developed for the ACT, in conjunction with the Heart Foundation ACT, into the Territory Plan. In late 2017 this variation was passed.

Last summer we ran the backyard lifeguard campaign and the campaign gave the community an important and timely reminder about the supervision and safety precautions around backyard swimming pools. The campaign also encouraged owners to check their pool barriers and fences to see that they meet current building standards and upgrade them if they do not.

Other notable achievements through the year included a building compliance review regarding cladding, the Red Hill public housing precinct demolition and the DA finder app version 2 upgrade. A considerable amount of work has also seen the launch of the pre-DA consultation draft guidelines. These guidelines echo to the community that community engagement is an integral part of the design of major developments. The government will continue to work tirelessly to find more effective and innovative ways to engage with the community and industry.

The achievements I have outlined today have explored opportunities to embrace collaborative conversations and build trust to deliver better outcomes for our city. Today merely showcases a few highlights that have taken place for this year for the directorate's achievements.

As we work to consistently bring planning to the people, day-to-day work in the planning directorate will meet the future needs of the people who will live, work and play in our city in the future. I look forward to seeing what the future will hold for our city as an attractive, sustainable place to reside. Having said that, directorate officials and I are ready to answer questions.

THE CHAIR: I might start off with a very topical one: the federal golf course site. One of the things that have been suggested, I would say probably over the last 25 years or so but certainly it is still being suggested now, is that if the Federal Golf Club goes bust then the site would be covered in housing. Would you be able to respond to

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this, which I assume is purely a scare tactic?

Mr Gentleman: I suppose. I have not seen any evidence that it will be all covered in housing. Interestingly, we used the process that I have just talked about in engaging with the public for a proponent's idea for the Federal Golf Club. I must say, at the beginning, that it is not the government's idea, it is a proponent's idea but the government helped to try to facilitate the conversation. And that is, I think, a key, important part of the directorate's work in ensuring that the communication goes right across the territory and goes both ways too when proponents bring developments to the ACT. This can be used, I think, in the future. In regard to that comment, I have not seen it before, but I will leave it as—

THE CHAIR: At the one community panel I went to, that comment was actually made, that there were two alternatives: all housing or the golf course. But I have heard this over the years many times. I have said reassuring things to people, but is the government able to say anything?

Mr Gentleman: Mr Ponton has some comments.

Mr Ponton: As the minister said, it is important to note that this is a proponent-led proposal but there are some safeguards, should this development proceed to the point that the minister can make a decision around the deconcessionalisation of part of the lease. I should point out that it is only a proposal, as we understand, to deconcessionalise that part of the lease that would provide for supportive housing. In relation to the Territory Plan variation, there are safeguards that the minister can use to ensure that the variation only relates to that part that is proposed for housing and also to only deconcessionalise part of the lease for that particular purpose. In terms of assuring the community—and again pointing out that it has got to get through a number of stages, through statutory processes—there are certainly mechanisms available to the government to ensure that the entire golf course is not covered in housing.

Mr Rutledge: Ms Le Couteur, as you did go to the community panel, you will know how that went. I think what we see here is, as the minister outlined, a new approach to community engagement. What we did with these community panels—and Brett Phillips chaired a number of them—is that we went to the community with the proponent and stakeholders and residents groups and brought them together over a series of three meetings, which was a really deep engagement with the stakeholders and proponents alike.

It allowed people to seek new information. It was definitely not a government endorsement of one proposal or one proponent or an endorsement of anyone in the room, but it was a good roundtable conversation. Although the three panels—Curtin, Kippax and federal—had probably three different outcomes, I think it is a way that we should use into the future. I think the community panel really, as I say, got that deeper engagement that we do not always see in a standard DA process or pre-DA consultation and allowed everyone to seek questions in a safe space without it turning into, I suppose, just showmanship. I thought it was a valuable process.

Mr Ponton: And to add to that, if I may, I think it is important to note too that as we

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set up the community panels we did not expect that there would be consensus. It really was about using the opportunity to explore people's concerns and issues, to ask questions, to give the proponent a really good understanding of what was worrying people, to allow them then to further develop their proposal with that additional information, which is a vast improvement on where we have been in the past, where proponents have developed their concepts without that thorough understanding of what is concerning individuals and groups about a proposed development in their locality.

THE CHAIR: I must not have explained myself very clearly because what I was trying to say was what was worrying people. They have got concerns about the proponent's things—and I am not talking about that in particular—but what has been suggested over many years is that, if the golf course does not get to do whatever of its plans there are, the alternative, as I said and as was said at the community panel, would be basically housing all the way, led by the ACT government. I was hoping that there might be some reassurance for people that those are not the two alternatives.

Mr Ponton: I think what I am hearing is: if the proposal does not go ahead and the Federal Golf Club decides to surrender its lease then what happens to the land? Is that—

THE CHAIR: That would be it effectively, yes, and if there is another drought and there is no federal golf course.

Mr Ponton: Mr Phillips.

Mr Phillips: In meeting 2 there was a presentation by the Federal Golf Club, and quite an extensive presentation that went through its financial viability, its intent into the future and the work that it had done since the last drought to drought-proof itself on its golf course. I cannot remember exact details but they are above average across Australia in relation to their membership.

They were at pains to point out that they were a financially viable golf course and that they had sufficient membership to move forward in the future. They were not considering at any time in the future that they would be in a position where they would not be able to sustain the golf course.

THE CHAIR: I can see we are not going to get any further on that one, because that is not a reassuring answer for the people who are concerned. In whatever development happens on Red Hill, what is the government going to do to ensure that the natural values of the nature reserve are preserved, whether it be the federal golf course or the proposal on Kent Street or anywhere else?

Mr Gentleman: I think it is very important that we do keep as much of our nature reserve as we can. It is, of course, an important part of the way that we live and recreate across the city, and I have used the commentary many times that more than 55 per cent of the ACT is nature reserve. We have some large national parks and we have some very good amenity around our residential areas. It is important to keep that. The Red Hill Regenerators have done a lot of work around Red Hill itself, and we want to ensure that we keep that up.

Mr Ponton: If I could also just add: of course there would be assessment of our environmental values through any Territory Plan variation process or subsequent development applications. That would be the opportunity for us to ensure that we protect those important values of the nature reserve. Of course, we also have the resolution of the Assembly that calls on the government to undertake a comprehensive environmental plan. That work will also be undertaken. They are the mechanisms to, I guess, give us the answers that we need to move forward, should that be the decision of the minister and the government.

THE CHAIR: One of the other things that is very relevant to Red Hill, and one of the reasons behind that Assembly resolution, is that it seems that ACTPLA tends to look at proposals one by one, sequentially. This is not just Red Hill; we had the same conversation about solar access in Woden. It is a case where X is okay, Y is okay and Z is okay, but when you put them all together, all three of them or all X of them, it is simply too much. How does ACTPLA work on that?

Mr Gentleman: Mr Ponton will give you the details in a minute, but I will firstly say that that is not the case. The planning authority looks over all future planning for the territory with all of those conditions in mind, and of course government has that view as well. We do not just plan for particular areas; we plan for the whole city. That is held in a series of documents, from the Territory Plan all the way down through to master planning and individual site planning. Mr Ponton will give you the detail.

Mr Ponton: I have to agree with the minister that the premise of the question is simply not true—that the planning authority does not consider cumulative impacts as planners. That is our job: to consider cumulative impacts. When we undertake policy work—whether that be through master planning work, Territory Plan variations or, more broadly, the work at a city-wide level—we are considering cumulative impacts in relation to environment, transport, infrastructure, services, social services, hard infrastructure and more. It is an important part of what we do.

Likewise, I think it would be unfair to suggest that our assessment officers, who are all professional planners, architects and landscape architects, only consider the particular matter before them. They, of course, need to consider how a particular development fits within the locality and the context; in fact, they are required to do so under the Territory Plan. The objectives of the Territory Plan do talk about context, locality and the like. As I said, I think it is unfair to suggest that the planning authority does not consider cumulative impacts; as planners, that is our job.

THE CHAIR: It is not hard to come up with fairly simple examples: say, Woden town square. With the current draft Territory Plan there is a requirement to maintain, at the worst, 30 per cent of that in sunlight on the shortest day in winter. There are a number of buildings in the vicinity, all of which potentially impact on it. The impact of one will be X; the impact of another will be Y. Each individually may not make the difference, but as a whole they would. The same thing goes with Red Hill: the traffic impact of one development may be okay, but if you add them all together it may not be.

Mr Ponton: I will go to Red Hill. In undertaking policy work, we do use our traffic

modelling and we do look at the proposed development before us. We also then look at what might occur on other sites, based on what we know. It may be that there is not necessarily a proposal before us but we know that the zoning allows for certain types of development or densities; therefore, we would factor that into models. We do not simply look at one site for rezoning and only consider the traffic impacts for that; we have a very comprehensive and complex traffic modelling program and expert modellers who undertake that work for us.

In relation to examples such as the Woden town square, I think it is safe to say that we are very alert to that issue and in fact are ensuring that the rules and criteria are crafted in a way that ensures that we do not end up with cumulative impacts that will overshadow the square. In fact, the Territory Plan variation rules and criteria have been crafted in such a way to ensure that that does not occur. Ms Flanery may wish to add to that.

Ms Flanery: With respect to planning, cabinet has agreed to review the ACT planning strategy. I think this gives us one of the best opportunities we can have to look at cumulative impacts of any development. In the case of Woden, there has been a master plan process that has put specific solar access provisions in so that we do look at cumulative impacts. We have 3D Canberra—that is a fantastic modelling tool—so we are able to see the impact of one development over another at different times, for different heights and at different times of the year. Going to the matter at heart, we do look at cumulative impacts. We do look, specifically, at certain developments, and we also look at how they are affected in an area, through a master plan process and now, in the broader sense, across the whole of the ACT through the review of the planning strategy.

THE CHAIR: So you are saying that you would look at expected developments to get your cumulative result, rather than first in, best dressed?

Ms Flanery: Sorry, could you just clarify your question?

THE CHAIR: Say we go back to Red Hill. We have two developments and then, if you look at the area at the bottom of Red Hill along Kent Street, clearly there is going to be more development along there. You can make assumptions or whatever about whether or not there would be any change of zoning, but even without, we can be fairly confident that there will be more development along there. Are you looking at saying, “We reckon that over the next 10 years there is going to be X more; therefore, if this particular development happens, it will be the straw that breaks the camel’s back”? Or do you just do it on the basis of first in, best dressed, and then, with the one where you reach the straw, you say no at the straw point?

Mr Ponton: It is certainly not first in, best dressed. As I said earlier, Ms Le Couteur, we have a very comprehensive traffic model. In fact, the government invested several years ago in updating that model in terms of its assumptions. We would consider the existing zoning but also what we know about where the government wants to go through other policy documents, such as the ACT planning strategy. And we update the assumptions on a fairly regular basis to ensure that we deal with matters and we understand the cumulative impacts. As I said, that is what we do as planners. We need to understand the cumulative impacts of proposals and, in terms of our policy work,

understand what the implications would be if we were to rezone a particular parcel of land.

MS ORR: Ms Flanery, you said there was going to be an update to the planning strategy—did I hear that right?—and that that was the best way to get these ideas or concerns represented within the territory system. Can you expand on that a bit more, as to what is achieved by that?

Ms Flanery: The cabinet earlier this year agreed to review the ACT planning strategy. The current planning strategy was developed in 2012. Every five years, the government consider whether they should or should not agree to a review. They have agreed to a review. That looks across the whole territory and the planning for the territory. You bring in a lot of things—like population, where people are moving, transport, things that are happening and things that are happening interstate—so that we are not, so to speak, the doughnut. If you are talking in a planning sense, you then drill down into some finer grain detail. With respect to your question in relation to Red Hill, we need to look at it both ways, from a city level and also from a smaller level. Has that answered your question?

MS ORR: Yes.

Mr Gentleman: I can let you know, too, that it will be going out for public engagement, and some of the learnings out of the statement of planning intent work need to inform that as well. You will remember that our current policy is 50 per cent for urban densification and 50 per cent for greenfields. The work from the statement of planning intent from the community as a whole was that it wanted to see that changed to 60 per cent densification and only 40 per cent greenfields development. Some of this work will come up through the planning strategy workshops as well.

MS ORR: Minister, is there any indication on when this engagement and consultation will be?

Mr Gentleman: It will not be too far away. The cabinet agreed on 4 October this year, so it is still very recent, but we will have a communications plan and engagement plan ready as soon as we can.

MS LAWDER: With respect to the community panel process that was undertaken for Red Hill, why was it that the government moved into that space rather than leaving it to the proponent and requiring more stringent pre-DA consultation by the proponent?

Mr Gentleman: As I said at the outset, it is important that the government is there to facilitate these sorts of communications. We began that because we saw that proponents were not doing that facilitation in the way that we thought would be best to engage with the community. That is why we have assisted in facilitating those. But it is the proponent's plan, not the government's plan. Mr Ponton may have some more details for you.

Mr Ponton: Over the last few months you would have heard me talk about a new way of engaging. The minister, when I took on this role, asked me to think about new ways to engage on the new pre-DA consultation guidelines. So we are looking at a whole

range of different ways that we can do things differently. The community panel concept was one of those new ways of engaging. Whilst it was proponent led, we thought, “Here are a number of opportunities.” We had three opportunities where we thought we could facilitate the conversation, just to see whether that worked. It is similar to the sort of thing that we would ordinarily do in policy development. We knew that these particular projects were potentially controversial, so we said, “Let’s try something new.”

The important thing—and this is a conversation that I have had with the minister—is that I am very keen to have my team develop new ideas about new ways to engage, and to try those and take a risk. If it does not work, if community members or others feel as though it did not particularly meet their needs, we should not be afraid to accept that and say, “Okay; that particular concept did not work, but let’s not be afraid to try something else and try something that applies innovation.” That is what we are trying to do here: apply innovation, do something different and learn from that experience. So, next time, we will look to apply those learnings and adjust the way that we engage in these particular circumstances, based on the feedback that we have received from both the Assembly and also certain community members.

MS LAWDER: Given that pre-DA consultation is the responsibility of the proponent, is there cost-recovery for the directorate in terms of their part in that community panel?

Mr Ponton: It is important to note that in relation to the federal golf course it was not only a development application; in fact, they were not at that point yet. This was about the policy setting. It is the responsibility of the government to work through that and engage with the community in relation to understanding what the community thinks of the change or potential change to policy.

That is why in this particular circumstance—in fact, the other two—the government stepped in and thought, “Let’s try a new way of engaging rather than wait until the proponent develops their concept.” The minister would have otherwise, ordinarily, simply asked us to prepare a draft variation and put that out there for six weeks consultation. We thought, “Let’s do things differently. Let’s work with the community. Let’s work with the proponent. Let’s apply some collaboration. Let’s work together and understand what particular views are. Let’s see if we can reach some common ground.” As I said, in this particular circumstance—I should point out that it is largely only for the golf club community panel—the feedback has been that it did not quite work as we expected. But I am not afraid to try something new again.

MS LAWDER: We had a motion in the Assembly in the last sitting. What action has the directorate taken so far to look at what was in that motion?

Mr Ponton: We have worked through some advice for the minister that he has not yet received.

MS LAWDER: Feel free to tell us now.

Mr Ponton: We are looking to settle that advice relatively soon, within this week. What we are essentially doing is looking at some of the terminology that was used

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that is problematic in that it does not sit within a statutory framework. We are trying to see whether or not we can accommodate the resolution of the Assembly within the existing statutory framework; otherwise we run a risk of creating a duplicate system. We are seeing what we can do there.

We have also spoken with the proponent to understand what their needs are and how they can assist with this work. We are also reaching out to the proponent of the Deakin site that is the subject of the resolution, to ensure that they have an understanding of what needs to happen in order to progress anything on their site. As I said, we are doing that early thinking. We will provide some advice to the minister and then move from that point. We also need to think through some other aspects of the resolution, particularly around the concept, as I recall the words, to the effect of “likely to”—

THE CHAIR: Reasonable possibility of majority support.

Mr Ponton: Reasonable possibility of majority support, community support. We just need to understand and work with the minister to better understand what we mean by community. Do we mean the golfing community? Do we mean the Red Hill community? Do we mean the entire Canberra community? We need to understand exactly what that means. As I said, the resolution does come with some difficulties, but we are working through it so that we can ensure that we comply with the resolution in a way that is workable and functional.

MS LAWDER: That was my next question.

Mr Gentleman: I have an update from Mr Phillips that the Federal Golf Club paid for the costs of those consultations.

MS LAWDER: Including cost-recovery of directorate officials’ time?

Mr Gentleman: No. That is what they are paid to do—to plan for the future and engage with the community.

THE CHAIR: They just pay for the venue costs then?

Ms Flanery: And food.

THE CHAIR: It is their venue.

Ms Flanery: But the directorate did not pick up those costs, which is different from Curtin and Kippax, where the directorate did pay for the cost because that was associated with the master plan process. We were very clear to the Federal Golf Club that that would be the case.

MS ORR: I want to talk about engagement and the different ways that you are going out. I note that Ms Lawder printed off a copy of the pre-DA consultation. I have also done it. I have read it quite thoroughly. I just want to have a chat about a few of the different innovative ideas that you are trialling, Mr Ponton, that you have made reference to. We have heard quite a bit about Red Hill. In the first instance, can you

run me through what these pre-DA community consultation guidelines cover and what outcomes you would expect to see as a result of having these in place?

Mr Ponton: Certainly. In terms of the guidelines themselves, I reflected on the minister's statement of planning intent, where there was a very strong view from a very broad cross-section of the community that what they were wanting to see was improved design in particular. What we tend to find, as I go out talking to community groups, even to industry, for that matter, and from the learnings from recent trips overseas, is that it is not necessarily the individual building that is concerning to communities or particular residents; it is more about the way the building fits into the context of its landscape.

What we are wanting to do is lift design quality and also ensure that the building essentially works within that local context. The best way to do that really is to engage with the people who live there, who understand how the community works, how the particular systems work.

What we are wanting to achieve here is that the proponent will talk to the community very early in the process, before they develop their concept too far. They may have an idea that they want to build a mixed use development or they might want simply residential, but they need to talk to the community to understand whether there are people there who are older who are looking to downsize and who might want a three-bedroom home or, if they reach out to a more diverse cross-section of the community, there may be students who are looking for studios. Another aspect of the guidelines is to ensure that we do reach out to a broad cross-section of the community and do not simply talk to those people that we always talk to.

What we tend to find is that those who engage in the formal DA process tend to be those people who have the time to do so and the people who may have some really good contributions or interest do not have the time. It might be that they are working long hours; they might be young parents. When they get home they have got to get their kids ready for bed; that sort of thing. They cannot go out in the evening to attend workshops. They simply do not have the time to engage. We are asking the development industry to think about different ways to actually reach out and get those missing voices included in the conversation.

Some of the really important feedback when we consulted on the guidelines was that we should look at a two-phase process; that is, the proponent will go out and talk to the community about, "This is my parcel; these are my initial ideas; what do you think?" and then go back a second time and say, "This is how I am responding to what I have heard." I do not expect that we will get consensus every time, but it is about understanding what the concerns might be and showing us whether or not a proponent has in fact addressed those concerns.

MS ORR: You mentioned that the developer should go out and engage and consult before the concept has been developed too far. Can you clarify what would count as too far?

Mr Ponton: I think if you were to present well-resolved elevations, a site plan, a mix of units, a driveway and trees, that sort of thing, which is often what we see, you

would have gone too far. But if you were to go out to the community saying, “I have got this parcel of land. It is this size. Here are my site constraints: it has got this slope; it has got these important features in terms of, for example, regulator trees. These are the ones I want to keep; I think this one is one that I might want to remove. I would like to have a mixed use development. I am looking at about X number of units. I would like this type of mix,” that would be what I would expect proponents to go out and talk to their communities about.

MS ORR: And is part of the two-phase process to essentially identify what can be done in line with community expectations and then come back with a proposal? Is that what you mean by two-phase?

Mr Ponton: That is right.

MS ORR: I think that came into effect on 8 November, if my memory serves me correctly.

Mr Ponton: Yes.

MS ORR: How will these be applied to developments going forward?

Mr Ponton: Proponents will need to demonstrate that they have complied with the guidelines when they lodge their development application for a completeness check. There are guidelines under the Planning and Development Act. They do have statutory force. If there is no evidence that there has been compliance with the guidelines then the application will not be accepted for public notification.

MS ORR: On that, if it is not accepted it will not go up for public notification. That would imply that the developer would have to go back and do further consultation before ACTPLA would accept—

Mr Ponton: That is right.

MS ORR: The development cannot go forward because it cannot go on notification?

Mr Ponton: That is right.

MS ORR: Can you explain to me how you are checking or how you are assessing the compliance with the guidelines?

Mr Ponton: We will expect to see a report of some kind. We have not identified exactly the form that that report will take, but we will require a report of some kind that will outline the engagement activities that have been undertaken, the cross-section of the community that has been engaged.

We understand that it still may be difficult for developers to engage with a broad cross-section; they may try but they may not actually get the feedback. It is more about showing what steps they have taken to reach out to those members of the community and then we can look at that and understand, “They have done X, Y and Z in relation to reaching out. Okay, they have not got the cross-section that we were

hoping for, but at least they have gone out there and they have tried.”

THE CHAIR: Would you be interested in where they did not try? I am particularly interested in instances—and I know of at least one—where a community council has asked for a pre-DA consultation and the proponent has refused, despite the fact it would appear to be possible within their time frames. Would that be something that you would expect to have knowledge about?

Mr Ponton: We amended the guidelines so that if the triggers are met there is now a requirement that they must talk to their community council and we must see the evidence that they have done that.

MS CHEYNE: These guidelines went out for consultation. What sort of engagement did you get?

Mr Ponton: We went out for six weeks consultation. We received input from industry groups—the associations but also individual companies—and we received feedback from a large proportion of the community councils and also from individuals. I am pleased to say that, broadly speaking, there was support for the guidelines, but there were requests for some changes, which we have incorporated, such as ensuring a reference to community councils, ensuring the two-phase process.

The other one was that community members in particular were concerned that they would not know where to find information that consultation was going to kick off. We will be hosting a website so that people within the community can go to a government-hosted website and see that consultations will be kicking off in a week’s time in relation to this particular proposal, click on the link and it will take them to the proponent’s website. We will not be responsible for what happens after people click on that link, but at least—

MS CHEYNE: And there will be a hub?

Mr Ponton: Yes, we will have a hub there and people can see all the pre-DA consultations that are underway.

MS CHEYNE: And what else is the directorate going to do to support developers to meet what is stipulated in the guidelines? I certainly commend the guidelines, but, having been part of many DA consultations, reaching that broad cross-section of the community I think is going to be difficult in some cases. I think you mentioned before, Mr Ponton, that generally the people who are involved are the people who have time. How are we going to encourage developers to find the people who do not have the time and encourage them to engage?

Mr Ponton: I think the short answer to that is that we will be wanting to lead by example through the policy work that we are doing. I might ask my colleague Ms Wilden to step up to the table to talk a bit about what we are doing in relation to some upcoming engagements around policy. Not wanting to pre-empt an announcement the minister will be making later today on one of those pieces of policy, we are looking at using things such as collaboration hubs, where we will invite a cross-section of community, through a range of different means, to participate in

conversations and, rather than have a government planner there to answer the questions that the community might have on planning or have a government architect to answer the questions about architecture, we are going to actually collaborate with the industry and have them come along and provide their time to answer those questions.

It is about starting to build the relationship between industry and community, build that trust so that it is not always the government that is the go-between. As the minister said earlier, often what we see is that proponents will go and start talking to community, and the community will immediately think that the proposal is a government-sponsored proposal, and that is not the case. We are there to facilitate the conversation, and we think that by starting to use our processes to build the collaboration between government, industry and community we will hopefully achieve a much better outcome.

I might ask Ms Wilden to talk a little about what we are doing around things such as MindHive and the like.

Mr Rutledge: Before you go to Ms Wilden, the pre-DA consultation, the portal, as Mr Ponton said, is already up and running and there are already two proponents who have come forward. There is one in Higgins and one at Kingston foreshore. It shows that, once the guidelines are out there, everyone is looking to engage a bit better. That has been the message from government.

MS CHEYNE: Is that a website?

Mr Rutledge: Yes. It is on the planning website. I will shoot you through the link while Ms Wilden talks.

THE CHAIR: Perhaps you can provide it to the secretary.

Ms Wilden: I think Mr Ponton and Mr Rutledge have stolen most of my thunder, which is very disappointing. Going back a few steps to when Mr Ponton talked about leading by example, one of the things in reviewing everything we do and thinking about different ways of working is that the digital world is actually one of the key ways of getting in touch with people who do not have the time or do not feel that they want to go out at 8 o'clock at night for a consultation. Some of the things that we are looking at are around live streaming. It is pretty simple. You can do that through Facebook. We are finding that we get a better reach to those people who tend to not get involved in the standard consultation approaches by using our digital platforms.

Some of the things that we are designing at the moment are also more accessible because we have started to upskill within the directorate, which means that we will ultimately be able to do a lot of things at a lower cost and have a much wider range of tools to test ways of getting to those people who are normally hard to get to.

Mr Ponton mentioned MindHive, which is another digital tool. It is a software platform that enables you to pose challenges to the community. You can do it as a closed challenge where you say, "We want to reach academics to talk about a particular technical matter," say on how to reduce emissions from transport. We can

also set those challenges up to just be for the broader community, saying, “Here’s an issue we have from a policy perspective. Tell us what you think.” That enables us not just to reach the local community but also to reach other communities that are having the same challenges. I know that the Queensland government has used this. Some commonwealth departments have also used this MindHive tool. It is one of a number of tools out there.

Our challenge at the moment is to pick the right set of baseline tools so that we have got a good set of options. Sometimes it is not just a matter of innovation; it is a matter of picking the right combination of engagement tools. It is also a matter of being very clear about why you are engaging: what do you actually want out of it? It is one thing to say, “We’re going to go and engage with the community.” It is another thing to be very clear with the community about: “This is what we want to ask you about, because this is the problem that we’re trying to solve.”

When we talk about better reach and encouraging people to be involved in engagement processes, I think it is incumbent on us to be very clear about what the issue is that we want to talk about and what we need from the community, because I think that that is where you build the trust, and it is that trust you need to encourage a broader range of people to get involved. We have another engagement that we are looking at at the moment where we are using what some people would call tactical urbanism. It is like doing pop-up activities. In Dickson there is a seven-day makeover.

Mr Gentleman: There is no aggression in this, by the way.

Ms Wilden: No. Well, maybe. No. Definitely not from our side, minister. It is another way that people can actually engage with and have some visual sense of the opportunities for change, particularly around the open space work that we do and the place making. It makes it more accessible. It is easier sometimes to get very quick feedback from the community, saying, “Looking at what we have put here today. Is this the sort of thing that attracts you?”

It is a bit like what the former office of the coordinator-general was doing for the Garema Place activations that are happening, which has now gone to the City Renewal Authority. When you get the right combination of tools, when you have a good cross-section of skills within your own directorate and when you see opportunities also to partner with other directorates, that is how you build the trust and that is how you get people interested. Particularly with the online tools you can get a far broader cross-section. It is that range of demographics that is going to make a difference to having well-balanced and well-informed decisions made out of your engagement.

MS ORR: The guidelines outline the minimum consultation requirements. In previous annual report hearings we have been told about the pre-DA meetings that developers can have with the directorate to make sure that they are hitting off on the minimum requirements. Would that go to these consultation plans as well? Could they come to you prior to putting something together and make sure that what they are proposing is actually going to meet the minimum requirements?

Mr Ponton: Absolutely, yes. We would encourage developers to do so.

MS ORR: So there is really no excuse for developers not to be meeting these requirements?

Mr Ponton: Absolutely. And importantly, as I said, we have been working very closely with the industry, and the industry in turn with their members, and we are getting some very good feedback in response. With some of our larger developers I am having one-on-one conversations to remind them of the importance of working with their communities and not against them. The feedback I am getting is that, despite what some might think, most of our proponents in Canberra are very mindful of the fact that they are here for the long haul. They are members of the community themselves and they do want to leave something behind that they are proud of, and they acknowledge that engaging well with communities is going to assist them in achieving that outcome.

MS ORR: In the context of this conversation, it seems that the idea of this is that community views are brought in at the earlier stage and incorporated into the design. This is a bit of a hypothetical, but I am trying to get at how this would be handled by the directorate. If the developer goes out and does the consultation and hands in a report that indicatively meets the requirements, then it goes up for notification and there is a lot of community push-back on an agreement, how would the directorate handle this situation?

Mr Ponton: There are two aspects to that. One is that the engagement was done really well and the proponent has received the information and essentially has not acted on it, but I would expect that in the report they have explained why they have not acted on that. As I said, this is not about reaching consensus. That is not the way any planning system should work. We do not want planning by consensus. We do have professionals in the organisation who will undertake the detailed assessment. That is one aspect. If that were the case then our professional assessment team, which includes a range of disciplines—engineers, planners, architects, landscape architects—would consider the community's comments and the response from the proponent and make a detailed assessment and decision.

The other component of your question is more concerning. It is that the engagement was undertaken and there was no attempt at all to respond or, worse, the report did not accurately reflect the feedback. That would be a concern. I think that will only happen a small number of times before the community essentially will regulate it, in that through the expected opposition through the formal DA notification process proponents will soon learn that that is going to not help their cause to achieve a timely outcome. The next time they would learn, I would hope.

MS ORR: How long do you expect it would take a developer to go through this process?

Mr Ponton: It really depends on the scale of the development. I appreciate that there are a number of triggers there. It could take a matter of weeks if the proponent engages well and the community are comfortable with what they are seeing. It could be months. It really is hard to tell. Part of what we will be doing is monitoring the compliance with the guidelines, talking to both industry and the community to get a

sense of how they feel it is working. I would expect that perhaps within 12 months time we will undertake a review. We will also engage in relation to that review and determine at that point whether we need to make some adjustments to the guidelines.

MR MILLIGAN: Minister, can you update the committee on where the Weston group centre master plan Territory Plan variation is at?

Mr Gentleman: I will ask the directorate to give you the detail on that.

MS ORR: We cannot ask that.

THE CHAIR: We will be talking to you, I think, in a week and a half or so on this subject.

Mr Ponton: Would you like us to talk about the fact that we will be talking to you in a week?

THE CHAIR: We will pass on that.

MR MILLIGAN: I will certainly come back to that. Going to page 23, what is the reason for the 40 unapproved lease variations? You mention 243 there, but 203 were approved. Can you update us on those 40 that are still pending?

Mr Phillips: That will be really be about the point of time when they came in. Requests are made for lease variations throughout the year, and they are processed in accordance with the time frame when they come in. Whilst 203 were approved, there were another 40 under assessment at the end of the year. They do not include—

MR MILLIGAN: Okay.

MS CHEYNE: Continuing with my favourite topic of development applications—I do not think these questions will come as any surprise because I asked about them in last annual report and estimates hearings—but I am interested to know how we are going in terms of making DAs more accessible, for multiple areas, both with the signage and in relation to what is available online, and where DAs have been closed, and the storage of that.

Mr Gentleman: I will give you an overarching answer, then I will ask Mr Ponton to give you some more detail. We have heard from the community and of course Assembly members in the past about notification and accessibility for development applications, particularly documentation. That is why we have modified the development application finder app to version 2, which gives much more detail and sends out alerts when changes occur in your area of interest. But we are also looking for pictures on signage where the development application is taking place at that locale. That will give the community much more information about what is going to occur.

Mr Ponton: As I recall, Ms Cheyne, last time you had a question on the notification letters in particular. In response to that, we have worked with our colleagues in Access Canberra and made changes to the notification letters. Next time you receive

one, it should be shorter and in simpler language. We have tried to take out, as much as we can, a lot of the legalistic terminology, but of course there is still some in there that needs to be there by virtue of the legislation. But we have certainly made those changes.

As part of the work that Ms Wilden is doing, she is working with her colleagues in Access Canberra to ensure that their notification through the website is more accessible. I will need to confirm whether or not those DAs that have closed notification are now available. I can clarify that for you.

As the minister said, we have seen some really good examples of DA notification signage, particularly for large proposals, where there are images included on the signs. In those particular cities—Vancouver in particular comes to mind—it has been very well received. We will look at what we can do there to see whether or not that is a cost-effective proposition for us. We are certainly hearing the message, and it is constantly under review in terms of what we might be able to do to improve.

MS CHEYNE: Is there a time frame for that?

Mr Ponton: In terms of the signage and the like?

MS CHEYNE: I thought the signage was first mentioned back in March.

Mr Rutledge: Stage 1 of the signage is already out. The corflute-based signs that you are used to seeing now have an attractive purple banner along the top. But the key thing to bring that to the 21st century is a QR code so that when you are walking down the street you can just click on the QR code and scan that, and it takes you straight to comment on that DA. So it gives you direct access.

We think that will be attractive, because it is designed for people on the go. When you see the sign that is when you are thinking about the development. Rather than trying to wade through the sometimes hard to get through DA website, you can go direct to the one that you are after.

MS CHEYNE: Does the directorate police, for lack of a better word, where signs go? One of my staff saw a DA a few months back which was at the front end of a building which does not face the street. She just happened to be using the stairs for exercise and saw the sign. And at least until recently there was a sign on Coulter Drive in Belconnen—which is, as you know, an 80-kilometre an hour street—in the middle of the street. I have no idea what it was for, but I have driven past it and I can see the purple banner. I certainly know it is there, but there is no real place for me to pull over and find out what it is. Of course, I could look it up online, but for other people it seems almost disingenuous to put a sign there. I know it is not the directorate's responsibility as to where they go, but is there any way of working with developers when the signs go up to make sure that they are—

Mr Ponton: The signs are put up by a contractor employed by the government. We can certainly work with our colleagues in Access Canberra on the placement of signs. As I understand it, when the sign is placed, the location of the sign is marked and Access Canberra receives feedback in terms of the location of the sign and receives a

photograph of the sign erected so that we have a record that the sign was erected in a particular location. It may be that we do an audit of where those signs have been erected to see whether or not they are actually meeting requirements. It is good feedback; thank you.

THE CHAIR: I have a follow-up for non-digital people. My office spent a bit of time last week trying to find an address that you could physically send a DA to. I agree that most people would do it electronically. We could not, and the constituent could not. How, if you are not electronically inclined, can you do that?

Mr Ponton: GPO box 158.

THE CHAIR: Can you put that somewhere a lot more prominently?

Mr Ponton: Yes.

THE CHAIR: As I said, we tried to find this. We contemplated getting them to give it to us and then we would personally deliver it.

Mr Ponton: We will make sure that that is prominent. Thank you.

MS CHEYNE: I think there was also a recommendation in the annual report hearings or maybe estimates hearings that the DA finder app is useful, but could you sign up on a website to get notifications sent to your email address?

Mr Ponton: I believe that you can, but I will double-check that and come back to you. I believe that we do have RSS feeds.

Mr Phillips: Ms Cheyne, there is currently quite a significant amount of work in relation to some budget funding that we were given two or three years ago for a significant upgrade of the e-dev system. Some of the issues that are being looked at relate to some of the recommendations made at the last annual report hearings in relation to the content, the accessibility and the storage component. That work is due to be implemented finally next year, so hopefully there will be some significant improvements around the feel of what is available, the extent to which documentation remains available and the extent to which people can access it.

MS LAWDER: I have two questions about the accountability indicators in the tables on pages 217 and 218 of the annual report. I note that the DA processing time has blown out a little, with the explanation about the cumulative effect of a number of factors, particularly a large proportion of complex mixed use and infrastructure DAs. Has this past year been different in some way from previous years?

Mr Gentleman: If we have a look at the decisions made within the time frames, if we see the 2015-16 target, 75 per cent were met. If you look at the 2016-17 target, 75 per cent were met as well. So in regard to consistency across time lines, they remain about the same. And the average processing time in working days remains about the same as well: in 2015-16, 45 days, and in 2016-17, 45 days.

MS LAWDER: Sorry?

Mr Phillips: Is that the development application processing times?

MS LAWDER: Yes. At point (a) 45 days was the target and 54 is the actual result, which is a 20 per cent difference.

Mr Gentleman: Yes.

MS LAWDER: My question was: was that past year significantly different from any other previous year and, if so, in what way? That was my question.

Mr Phillips: Ms Lawder, they fluctuate in accordance with the numbers of DAs through the system. Last year there was an increase of development applications through the system from the previous year, so the time frames are moving in relation to that. The time frames move in relation to the level and size of the development applications made.

MS LAWDER: Yes, I understand that, and I know it explains that.

Mr Phillips: But across years there is not a significant variation over the last four or five years in relation to those time frames.

MS LAWDER: Are you saying that last year, which this report is on, there were more complex DAs than in previous years? And why would that be the case?

Mr Phillips: The level of complexity is increasing in relation to the extent of the multi-unit developments that are happening right around Canberra, the extent of the numbers of developments at Tuggeranong, Belconnen, Gungahlin and Woden. We will see Woden kicking in and the city kicking in. All of those large developments have their own complexities in relation to the documentation that is lodged, the information that the planning and land authority requires after the notification periods and the level of comments during the public notification periods.

Mr Ponton: If I could add to that, we are seeing an increased confidence in the development industry in relation to investing in the city and town centres. That is consistent with the government's planning policy. The minister's statement of planning intent identifies urban renewal as a focus and, as we see it, urban renewal is more difficult in existing communities, rather than developing new communities. The engagement aspects take more time, in terms of making sure that you work through those issues. That brings us back to the pre-DA consultation guidelines. We are hoping, for these larger developments, that we can deal with those issues before we get to the formal notification process and we are not dealing with those in the statutory process. I think the short answer is that in terms of the government's urban renewal agenda, we are seeing the industry respond to that and we are seeing larger, more complex proposals in established areas.

MS LAWDER: I was thinking that the land is zoned for particular types of development, so your target should take those types of things into account. Have you changed the target date for average processing times for the year that we are currently in, or is there a need for additional resourcing in order to meet your targets?

Mr Ponton: My belief is no. We still almost achieve the 75 per cent within the statutory time frames. That target has been in place for a while. I have been working for the ACT government now for 15 years, and it has been 75 per cent for that period of time.

MS LAWDER: But I am talking about the application processing times, which have the 20 per cent discrepancy.

Mr Ponton: Indeed, but it is important that you look at both together. We only ever had the 75 per cent. It was at my suggestion a number of years ago that we included the average processing time, to give us a clearer picture of what was happening. But, as Mr Phillips said, it fluctuates year in and year out.

Given that we did achieve the 73 per cent this year, my suggestion would be that we keep things as they are, that we see how things go next year. At this stage, I do not see that there is a particular urgency to adjust the targets. I would prefer, in fact, that we see what we can do to improve our processes. I know that the planning delivery team are constantly looking at ways that they can provide for efficiencies in the assessment process.

Again, I come back to the fact that the pre-DA consultation guidelines are part of that. If we can be not having those conversations within the statutory time frame, that should go a long way to helping with our approval time. My suggestion would be to see how these new initiatives pan out over the next 12 months and review the situation then, particularly given that the pre-DA consultation guidelines are not the only thing that we are doing. As I said, I know the planning delivery team are constantly looking even at workflows to see whether or not there are things that we could do to achieve efficiencies.

MS LAWDER: On the next page, at point (a), there was a report card on transport for Canberra which was not completed and will be replaced, following a review. Why was it not completed?

Ms Flanery: I am able to find out more specific information for you, but transport for Canberra was in the review of the transport for Canberra strategy. It was transferred to Transport Canberra and City Services. There have been a number of studies in terms of transport surveys, parking studies and things. My feeling is that the report card was not completed because it was part of that transfer. But I am able to follow that up.

Mr Ponton: We will certainly follow up for you, Ms Lawder, but I recall that some of the indicators to get reasonable data were challenging. For example, journey to work was reliant upon the census data, and for cycling, for example, when you have census data in the middle of August, it was not a true reflection of what we were actually achieving. There were a number of indicators that were reliant on census data. As I recall, EPSDD were working with Transport Canberra and City Services to see whether or not we could go out and collate that data in a different way. When I was in Transport Canberra last year, we co-funded some additional survey work. I suspect that it is related to all of that, making sure that we could actually get reasonable data to respond.

We will certainly be ensuring for the next transport policy that will be undertaken by our colleagues in Transport Canberra and City Services that the indicators are able to be reported against and we actually have the systems in place to ensure that we can capture the data. I guess that at the time it would have seemed like a good idea to rely on census data, but it is only every five years, and it is not the best time of year to achieve the data that we are looking for.

Ms Flanery: Just to add to that, just expanding on Mr Ponton's views, you are quite right—I just referred to my notes—that it did relate to the household travel survey and needing the census data, information extracted out of that, and also the transfer of the function. But there is a whole range of work that is commencing, and has commenced, as part of the transport for Canberra refresh.

MS LAWDER: Going back to the one on page 217, I appreciate that it is a raw figure, not a percentage, but how many development applications would have been received during the 2016-17 year, how many of them would have been classed as complex and how many retrospective development applications were approved?

Mr Ponton: I thought we might have to take that on notice, but I will refer to my colleague Mr Phillips.

Mr Phillips: Ms Lawder, 986 development applications were received during the 2016-17 year. In relation to those that are complex, it really is a small portion of those 986. The majority of those would be relating to residential developments.

We have just put in a customer relationship management system that we have started to use to monitor the inquiries we get through our system. We have a situation where we get the large-scale, multi-unit developments that are very complex to deal with, but the vast majority of the inquiries we get relate to fencing issues or single dwellings and what people can do and cannot do. The business goes from the simple to the very complex. But the actual multi-developments are quite a small portion.

MS LAWDER: The other part was about how many retrospective development applications have been received and how many have been rejected during the 2016-17 year?

Mr Gentleman: We will have to take that on notice.

Mr Phillips: I cannot give you the exact figures, but I am aware of one retrospective matter that was rejected, and that was the weighbridge at Hume.

MS LAWDER: And you will take the number of retrospective DAs on notice?

Mr Phillips: Yes.

MR MILLIGAN: In relation to the percentage of the development application decisions made within the statutory deadline, why is it 75 per cent? Why not 100 per cent?

Mr Ponton: I have the answer for this—I have been asked this one every year for the last 15 years—I am pleased to say. Essentially it builds in the complexity. We know that we are going to get a number of applications that are large and complex, and it simply would not be achievable to achieve 100 per cent.

MR MILLIGAN: If you know that you are going to get these complex applications coming through, why can't you plan for it or put in the resources that you need to deal with them? Or extra resources?

Mr Ponton: It may not actually be the resources from our perspective that we need; it might be that the proponent has not responded to a particular issue and we ask for further information. That is then outside of our control. Therefore, some of these applications go over time, not because we do not have people there able to assist them but simply because we do not have the information from the proponent.

MR MILLIGAN: Could you basically create a new category for complex development applications and put in a different expected time frame to deal with them under a different category?

Mr Ponton: It would be challenging, because it may not necessarily be the number of storeys or the number of units. As I said, it could simply be that, for a three-unit development, the proponent has not given us what we need. That ordinarily would not be considered to be complex, but, outside our control, it is going to go over time. That is why we have it set at 75 per cent. If we were to have it at 100 per cent, we know that, through a range of factors, we simply would not achieve that. It would not be a reasonable performance indicator, in my view. So the short answer is no.

Short suspension.

THE CHAIR: On a totally different subject, the deconcessionalisation of leases, as you would be aware, to deconcessionalise the minister has to agree that it is in the public interest, under section 261 of the Planning and Development Act. Minister, how do the government, and ultimately you, evaluate public interest when deciding whether or not to deconcessionalise a lease?

Mr Gentleman: There is quite a bit of work that is involved in understanding the process and what we see as a benefit to the whole community. I will reflect a little bit on the history of planning in Canberra—a hundred years now in planning for Canberra. We started with a very small city plan in the Burley Griffin plan, for about 25,000 people. We now have well over 400,000 people, so it has been important that we look at that history and the way that we see planning for the future of Canberra. In regard to the detail, I will ask Mr Ponton to go through that for you.

Mr Ponton: To assist the planning and land authority in developing its advice for the minister to make a decision on community benefit, there is a requirement under the act for the proponent of a request to deconcessionalise a lease to undertake a social impact assessment. The social impact assessment also requires community engagement to be undertaken. Again, given that the deconcessionalisation of a lease is a development application, there would be an expectation, and I am trying to reflect on whether or not the pre-DA consultation guidelines include that. Yes, it specifically

includes it, for that very purpose, because we know that for these types of leases there is bound to be community interest. There needs to be a social impact assessment undertaken and we want to make sure that the proponent is reaching out to a broad cross-section of the community, not necessarily just those people who might have a direct interest.

In answer to your question, we have requirements for pre-DA consultation, we have requirements for social impact assessment, and that then provides information for the planning and land authority to respond to certain criteria on which we then provide advice to the minister to make his decision.

THE CHAIR: With respect to one of the criteria—I have the advantage, because I knew I was going to ask this question, of having the act in front of me—paragraph (b) says:

- (b) whether approving the application would cause any disadvantage to the community taking into account potential uses of the leased land that are consistent with the territory plan, whether or not those uses are authorised by the lease ...

In other words, looking at what other things could be done with the land. How fulsome a process is gone through there? I am particularly reflecting on the most controversial one that I had some after-the-fact involvement with, which was the Brumbies one, because it was a Territory Plan variation. After deconcessionalisation, to put it mildly, the community did not think that (b) had been followed, in that there were a number of proposals which were at least viable—“viable” might not be the word—which, at least on the face of it, were not silly and irrelevant proposals. How do you go about looking at what are the alternatives?

Mr Ponton: I would like to think that all of our processes in terms of assessment are fulsome, Ms Le Couteur, but I might ask Mr Phillips to talk a little bit more about the detail of the processes that our people go through in providing advice to the minister.

Mr Phillips: As Mr Ponton alluded to, there is quite an extensive social impact assessment undertaken by the developer. That social impact assessment is then considered at length, in addition to the public consultation process that the developer goes through. Before a deconcessionalisation is made there is another public notification process, and those are all assessed by the expert officers against the proposal, against the plans and against the legislation, before advice is provided to the minister for deconcessionalisation. In that regard it is almost a similar process to a development assessment, where the proposal for deconcession is looked at at length.

THE CHAIR: But it requires, to quite an extent, different skills, because a typical deconcessionalisation proposal is: “Our club, which was started many years ago, is, for various reasons, going broke. Therefore, we want to deconcessionalise this land and turn it into residential.” So there are a whole heap of financial assumptions here as to what are the options for what is usually a club, and this is a very different skill set, I would have thought, from normal planning. Sometimes the community will point out, “Yes, the club says it’s going broke, but what about X, Y and Z?”

Today's *Canberra Times* had an example of a bowling green which at some time had been deconcessionalised. They thought that the Ainslie football club were going to relocate them, and it appears not to be happening. These are much more complicated and use different things from building size.

Mr Ponton: Our assessment team and the directorate more broadly have a very broad cross-section of skill sets and professionals within the organisation; we are not just planners. As I said earlier, we have landscape architects; we have social planners who look at social issues. We can tap into colleagues in sport and recreation. We can tap into our own people who have economic and financial skills and also colleagues within the treasury. We are not constrained within our own directorate.

If we need additional skill sets, we can certainly reach out to colleagues in other directorates to get the assistance we need. But I would stress that we do have a very broad cross-section of skills within the organisation and professionals, and quite intentionally so. We want to make sure that even within our professional planners we have transport planners, we have social planners, as I said, we have environmental planners—people who specialise in particular areas and also generalist planners.

THE CHAIR: Typically, in these instances, the proposal says, “We’re going to stop him having this bowling green here,” or whatever. But there will be some compensatory aspect—a bowling green somewhere else, for instance. What does ACTPLA or the ACT government do to find out whether in five or 10 years time the commitment that was made for the future actually happens, and what consequences are there if it does not happen?

Mr Ponton: It would depend on the nature of the commitment and the process. If it was through a development approval, we would need to be satisfied that we could include conditions within the lease itself that required those commitments to be undertaken. It would not be on the basis of somebody simply saying so. We would want to make sure there was some statutory book to ensure that those other things were done. But without the specifics, Ms Le Couteur, it is difficult for me to provide more information.

MS ORR: On page 31 of the annual report it states that the Gungahlin town centre planning refresh “has been touted as a benchmark for community engagement”. Can you elaborate on this statement and on where the planning refresh is up to?

Mr Gentleman: The planning refresh gave us a timely opportunity to hear the community’s views on the future growth and development of Gungahlin. It is growing the fastest of any of our suburban areas, so it was really good timing to begin that. Analysis of the community feedback has confirmed that the original planning for the town centre and the vision to be an urban village is still valued by the community. Specifically, good design and construction quality are important issues for the community. Also, there are concerns around tower development overshadowing—you see that play out in the media as well—and increased traffic congestion, which you have pointed out.

Ms Flanery: In regard to your specific question as to when it will be finalised, the consultation finished towards the end of May and the community consultation report

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is due to be released very soon, before Christmas. We anticipate finishing the whole planning refresh, which includes traffic modelling and two or three other things that we have been modelling about development impacts, early in the new year. We would release it back for community consultation; we would anticipate not doing that before the end of January so that people are able to be back at work and back from holidays.

MS ORR: The refresh will be finalised. Is it anticipated that it will potentially lead to Territory Plan variations in line with it?

Ms Flanery: As with all master planning processes, yes, it will potentially lead to Territory Plan changes. Again, that needs to go back to the community. The community have been very clear, through the community consultation report, about things that are of concern to them and we have been trying to work through that. I go back to Mr Ponton's point about looking very critically at what the community is saying and how we can manage development around it. The opportunities for Gungahlin are tremendous in terms of the light rail corridor. I think the track is starting to be poured today or the first station is going to be poured today.

MS ORR: Just on the time line for the territory plan variations, I am not going to speak about any specific developments that are before ACTPLA, because I do not want to go there, but I know there are quite a few coming forward that people in Gungahlin do have concerns about. Building height is a topic that comes up. Can I clarify what building height controls there currently are for the town centre?

Mr Ponton: There are a number of sites where there are no height limits. That is around where you are seeing the Geocon Infinity Towers, that area there. That is primarily because the land was sold, as I recall, before subsequent Territory Plan variations that did provide a height limit. There are only a small number of sites that are able to go taller, but there are criteria that need to be applied around context and the like.

MS ORR: My understanding is that there was, for lack of a better word, a sunset clause put in there that said any buildings bought pre-2010 would only have the no-height restriction until 2015 and after that there would be a height restriction. Infinity Towers were put in before that, so they are completely within the rules of what they have done. My question goes to: are there any sites that would still—

Mr Ponton: Mr Phillips or Ms Flanery, are you—

Ms Flanery: Is your specific question whether there are any sites? Can you clarify your question?

MS ORR: My understanding is that, particularly in that back business area, no height restrictions were put on. So that applies to Infinity Towers. My understanding is that, under the code, there is a requirement that they have to have submitted before 2015, and after that—

Mr Phillips: Ms Orr, in relation to that block of land, there is currently a non-height restriction, but it is not a mandatory rule. The Planning and Development Act provides for criteria to be used in relation to planning outcomes. Whilst there is a

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notional height limit, that is not a hard and fast rule for that site.

MS ORR: So it was criteria, not a rule?

Mr Phillips: Yes, criteria. For other parts of Gungahlin there are mandatory rules in relation to height.

MS ORR: That is all I was trying to get at—the difference between those two. So height will still be taken into consideration in that area, even though it will not be a hard and fast rule?

Mr Phillips: Yes.

MS ORR: Speaking of Territory Plan variations, because it sounds like there might be some coming for Gungahlin in the future, a third of my electorate takes in Belconnen. Are we likely to be seeing any Territory Plan variations out of the Belconnen master plan? If the answer is yes, can you give an indication of when we will be seeing those?

THE CHAIR: While you are looking at it, how is Oaks Estate going? That would be on the same piece of paper, I assume.

MS ORR: With the Belconnen master plan, I believe that has been finalised now. Are we going to see any draft Territory Plan variations come out of that process, and when?

Ms Flanery: We are just about to refer those to the minister.

MS ORR: We can anticipate something for Christmas, maybe?

Mr Ponton: We tend not to want to consult over the Christmas-new year period, so let us say January.

THE CHAIR: What about Oaks Estate, assuming it is on the same piece of paper?

Ms Flanery: I understand that there are two issues in Oaks Estate. One was to do with heritage—

THE CHAIR: Which has been sorted out.

Ms Flanery: Yes. I will check the timing on that and get back to you.

THE CHAIR: Members, it is now 11 o'clock, which is the appointed time for the Architects Board to appear.

Ms Flanery: With respect to Oaks Estate, there is also a contamination study that needs to be completed. So there are two things—heritage and a contamination study.

THE CHAIR: “No time soon” is the answer?

Ms Flanery: No, probably quite soon; not before Christmas, though.

Short suspension.

THE CHAIR: I believe we are now ready to reconvene with the Architects Board of the ACT. Minister, do you have an opening statement?

Mr Gentleman: I will just let you know that the Architects Board have reformed their architectural practice examination process. This process is a three-part national assessment process. Part one is a logbook of practical experience and is now delivered through a digital platform. The ACT is working well with other jurisdictions to deliver part 2 of the national examination paper in a digital form as well. I understand that Victoria will be trialling digital delivery in 2018-19, with a national rollout expected in 2019-20.

The Architects Board has moved to complete digital renewal reminders, with their notices being sent to registered architects via SMS and email, and the board has set priorities for 2017-18 which include increasing consumer awareness around architectural services and developing a code of professional conduct in consultation with registered architects. We are happy to take questions.

MS ORR: I want to ask about the accreditation approach that the minister has just outlined and more generally about what accreditation and occupational requirements there are to maintain standards.

Mr Green: The accreditation process is a national process. It first relies upon the applicant having a university qualification, and there are universities that are approved by the Architects Board to deliver those. We are fortunate in the ACT that the University of Canberra's architecture program is one that is permitted for the registration. That is the first part of the process, completion of that master's program.

The second part is an architecture practice examination and that is in three parts. The first part is a logbook of practical experience which needs to identify over 3,300 hours of experience under the supervision of someone who is already a registered architect. The second part is a written examination, and that is a national examination held twice a year. That is looking at their practice techniques, their technical abilities. The third component is an interview, which is undertaken by registered architects.

MS ORR: And that is a one-off process? Once you are registered, you are registered, and then it is continued professional development. Am I right in that assumption?

Mr Green: That is correct. The registration process is a one-off process. There are annual renewals to that process and we as a board certainly do encourage members to keep up to date through professional development programs. They are generally run through the Institute of Architects.

THE CHAIR: You said "encourage". I have had representations from a number of architects that they would like the word "encourage" changed to something stronger, such as "required", as many other professions have. Have you got a view on this?

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Mr Green: The Architects Board itself has a view. At this point in time the legislation does not mandate any directed training or continual professional development. But that is something that is ongoing in terms of their conversations and it may be that they will consider putting that position to the minister in future.

THE CHAIR: I have also heard from architects that there is a lack of enforcement and that people pass themselves off as architects but in fact they are not. They often have just done a CIT course and they are a draftsman or something.

Mr Green: The Architects Board, as part of their role, look at and investigate complaints made by members of the public. We do not see a high number of complaints made in relation to that, but if we do get complaints there are actions that we can take. At this point in time there is prosecution, but, in line with Access Canberra's view on "engage, educate and enforce", we generally get good outcomes in having those conversations with people. A lot of the time we see it happening inadvertently, with real estate agents, for example, advertising particular developments as architecturally designed when they are not necessarily designed by an architect. That is often what we see in the complaints coming through, and that has a simple remedy.

MS LAWDER: In the annual report it says there were no formal complaints. Is there an informal complaints process or—

Mr Green: No, there were no complaints at all made about architects during the last year.

MS LAWDER: But you referred to the fact that sometimes you get complaints.

Mr Green: Yes. In previous years we have had complaints about architects either not being registered—and therefore they cannot call themselves architects—or those designers who purport to be an architect.

MS LAWDER: Is the remuneration of members of the board covered by a registration fee?

Mr Green: The remuneration of board members is covered through Remuneration Tribunal determinations. I do not have the specific amounts that are paid, but I can get that.

MS LAWDER: I just wondered if it was a revenue neutral kind of a—

Mr Green: No, it is not a revenue neutral scenario. The payments made, I think—and I would need to confirm this—are around \$510 per year.

MS LAWDER: That is in the annual report.

Mr Green: And the registration fee for an architect is in the order of \$250 per annum.

MS LAWDER: Are the meetings that the board members attend generally one day at a time or half a day, two days?

Mr Green: They are generally half-a-day meetings.

MS ORR: Can you give me a brief update on what the priorities of the Architects Board are in the coming 12-month period or the short-term and medium-term future?

Mr Green: Certainly. I think the minister highlighted these a bit earlier. The board is very keen to increase its awareness by the public from the perspective of what you get from engaging with an architect. It is also looking at developing a professional code of conduct which is two pronged. Obviously it is setting some minimum expected standards for those who are registered but it is also setting some expectations about how registered architects engage with clients, and for clients to understand what they should be able to expect from a registered architect. That is something that they are working on at the moment and we would hopefully, I would suggest, within the next three to six months be in a position to put something forward to the minister for his consideration.

MS LAWDER: Has the board met to work out their priorities for the year that we are in? Do they identify priorities to work on?

Mr Green: There was a planning day held earlier in the year. I think it might have been the meeting of 13 December 2016. That was where they looked to set their priorities. The other thing they are cognisant of is maintaining the national perspective. The Architect Accreditation Council of Australia, which is made up of the state and territory architect regulators, also has a series of priorities and the Architects Board obviously wants to keep in line with other jurisdictions and their movements. But the ACT at this point in time is looking to focus on development of that code of professional conduct over the next three to six months.

MS LAWDER: If it was the meeting in December where they might have identified the priorities, is that for the calendar year or is that for the 2017-18 financial year?

Mr Green: The Architects Board have based that on the calendar year.

MS LAWDER: Are the priorities that they identified publicly available?

Mr Green: Not specifically. The role of the Architects Board primarily is around the registration of architects. The program of works we can make available, certainly. But, as I said, the focus really for the next three to six months is on that code of professional conduct and, if that is supported, engaging appropriately with community and the profession on what that should look like.

MS CHEYNE: What positions are coming up for reappointment in the coming year, if any?

Mr Green: There is a position that I understand is coming up for reappointment. Reappointments are handled within the Environment, Planning and Sustainable Development Directorate. I would probably need to take that on notice to establish which position exactly is coming up.

MS LAWDER: As a supplementary to that, it says a three-year appointment. Are members eligible for reappointment after the three-year appointment?

Mr Green: That is correct.

MS LAWDER: Is there any limit?

Mr Green: No, there is no limit under the Architects Act in terms of the period for reappointment.

THE CHAIR: I would like to remind members that questions on notice, supplementary questions, should be lodged with the committee support office within five business days of the uncorrected proof transcript becoming available and responses to questions taken on notice should be submitted to the committee office within five business days of the uncorrected proof transcript becoming available. Responses to questions on notice should be submitted to the committee office five business days after questions are received. We will resume shortly.

Short suspension.

THE CHAIR: We have moved on to loose-fill asbestos insulation eradication. As we have some new witnesses, can you please confirm that you have seen the pink privilege statement and that everybody is happy with it?

Mr Gentleman: Yes.

THE CHAIR: Minister, do you have an opening statement?

Mr Gentleman: No, I am happy to go to questions, thank you, chair.

MS ORR: Can we have an update on where the program is up to and how it is tracking—a more generalised update?

Mr Gentleman: The task force continues to provide a coordinated and compassionate response to assist Canberrans affected by the legacy of loose-fill asbestos insulation. As of 24 October, 847 Mr Fluffy properties have been demolished across Canberra. That is over 82 per cent of all the affected homes. It is anticipated that by the end of this year the great majority of affected houses in the scheme will have been demolished, with about 900 demolitions completed. The progress made to date is evidence of the strong working relationships the task force has established across the government and industry. Feedback from industry has been very positive. This reflects the culture of collaboration within the task force, which has been working closely with industry partners to deliver an innovative, efficient and safe program.

MR MILLIGAN: In relation to the asbestos issue, you have 106 participants, 190 relocated with assistance grants, and 917 affected homes. What is the difference between the affected and impacted homes and the 106 participants?

Mr Gentleman: It is generally where the impacted home is closely associated with the affected home—adjoining homes, for example.

Mr Reynolds: As the minister has pointed out, there is a difference between the impacted and the affected. I will clarify some of the numbers that you stated there, Mr Milligan. There are 1,023 dwellings affected by bulk loose-fill asbestos insulation.

MR MILLIGAN: That is the latest figure?

Mr Reynolds: Correct. There are 1,023 affected dwellings that are on the loose-fill asbestos affected register. It excludes those that have subsequently been deregistered. The difference between the affected and the impacted goes to those that are joined and where there is a structural dependency—in other words, where we cannot safely and efficiently demolish the affected dwelling without involving the partial or complete demolition of the adjoining one. Those might be dwellings where there is a common wall, they share a roof structural support or there is a party wall, where you physically cannot remove the affected one without a significant impact on the adjoining one. Whilst the demolition of the impacted dwellings is more or less independent of their being affected by loose-fill asbestos insulation, the orderly demolition of the affected ones cannot occur without that.

Policies were introduced and legislation was changed early in the program as we became aware of this interdependency issue. On a very careful basis an evaluation is undertaken of those that are potentially impacted. Where it is deemed that there is structural dependence, with the approval of the minister they are deemed to be impacted and then they are offered the opportunity on a voluntary basis, as with the entire affected scheme, to enter the scheme.

MR MILLIGAN: Are they paid differently? Do the payouts vary, or are they—

Mr Reynolds: They are valued independently by licensed valuers. Again, that is voluntary. If there is reason for them to dispute the value or believe that it is higher, as with the affected dwellings, they are eligible to go and receive a presidential determination, which is a third and binding valuation. It is binding from the task force's perspective. If the original average of the valuations was lower than the presidential, the government, through the task force, is bound to offer the higher amount.

MR MILLIGAN: Who conducts those valuations?

Mr Reynolds: A panel of licensed valuers has been set up under the entire scheme. To answer your other question: yes, it is a similar valuation process, with the exception that the date of the announcement of the policy in October 2014 is the date that all affected dwellings are valued at. To ensure that there is no disadvantage to the impacted properties, the date when they are determined by the minister to be impacted is the date at which the valuation is struck. It is always at the time that that determination is made.

MS LAWDER: With respect to affected and impacted dwellings, how is it that Edgar's Inn and the Ainslie shops have been treated differently to houses and units?

Mr Gentleman: It is a commercial operation. That is the difference.

MS LAWDER: I distinctly recall from when I was on the original PAC inquiry into the Mr Fluffy loose-fill asbestos eradication scheme that the health evidence at the time was that there was no safe level and that was why the government was recommending demolition of all affected properties. So why is the building at Ainslie treated differently to a house?

Mr Gentleman: In respect of no safe level, you are correct. There is no safe level.

MS LAWDER: Yet we are leaving Ainslie shops?

Mr Gentleman: In respect of whether it is able to enter the scheme, the scheme is for residential properties. That is the policy process that was set up by the Asbestos Response Taskforce.

THE CHAIR: With the Ainslie shops there has been a different process, which Ms Lawder is talking about. There was a gluing process, as I understand it, to the structure. The point I would make, and maybe the point Ms Lawder is making, is that if it is safe for these premises, where people clearly enter, why is it safe for one and not for the other? If it is safe for Edgar's, would it in fact have been a better option for the rest? They are the same fibres and the same people.

Mr Gentleman: I agree. As we have stated many times, the advice to us is that there is no safe level.

Mr Reynolds: The consistent message, to date, for the Ainslie shops, to use that as an example, remains the same as it is for the residential properties. It is that the only enduring solution is that the properties all need to be demolished. As you would be aware, it is an incredibly costly program for the community of Canberra. The current estimate is that the net cost to all taxpayers is estimated at \$307 million for the program as it relates to residential properties.

Commercial properties are dealt with under a number of different pieces of legislation, including the Dangerous Substances Act and the work health and safety legislation. Commercial and industrial properties deal with a range of hazardous materials in their workplaces, and that is what we are talking about, so it would be quite a decision to start applying compassionate yet costly assistance to commercial and industrial premises. There are appropriate pieces of legislation to deal with safety in workplaces, administered by Access Canberra. On that basis the decision has been made that commercial businesses can be controlled safely within that context.

As you probably appreciate, regulating the safety of and numerous practices within people's homes is an entirely different context; thus the basis of the scheme to date has been for residential premises. The Ainslie shops will be dealt with through an existing and robust regulatory framework, as other hazardous substances are. But the position has always remained, having been formed through a lot of consultation in developing the original scheme, that the only enduring solution is the demolition of affected structures.

MS LAWDER: I am still unsure. People were forced to sell their homes to the

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government, pretty much—this is what people have said to me—because there was nothing they could do that would render their house safe according to the scheme. Yet you have just said that it can be controlled safely at Ainslie shops. Why was that option not given to home owners?

Mr Gentleman: The asbestos removal scheme was a voluntary scheme. There were no forced purchases of properties; it was up to the individual to consider whether to take a place in that scheme and, as we have seen, the vast majority have. Ainslie shops is a different operation; it is a commercial operation, as Mr Reynolds has said.

MS LAWDER: It seems a bit like one rule for one and one for another. I am sure many of those home owners would be quite dismayed to hear that they could perhaps have had the option of controlling safely the loose-fill asbestos in their homes.

Mr Gentleman: No, you cannot. The clear evidence is—

MS LAWDER: But you can in a commercial property.

Mr Gentleman: No, we have said quite clearly there is no level of safety for loose-fill asbestos.

MS LAWDER: I have not been to Ainslie shops for a while. Do they display signs about the asbestos at the Ainslie shops?

THE CHAIR: No—not that I have gone there often.

Mr Reynolds: They are required to comply with their regulatory obligations under the Dangerous Substances Act and work health and safety legislation as a commercial practice. I make the point again in relation to your statement, Ms Lawder, about why it is safe to leave the asbestos and remediate a commercial premise, that that is not the position of the task force and the government, to date. The only enduring solution, based on extensive consultation with industry experts, is the entire removal of these structures.

MS LAWDER: How many commercial properties have been identified with loose-fill asbestos?

Mr Reynolds: There are two. One is the former Goodstart property in Aranda and the other is Ainslie shops. The property in Aranda has recently exchanged; it has a new purchaser. They are going about the process of demolishing the entire structure.

MS LAWDER: I note that last year's annual report said there were 1,022 affected dwellings. This year's says 1,023, so there was an additional house identified during the financial year. Based on that, how confident are you that there will be no further properties identified?

Mr Gentleman: We are very confident that we have the number that are affected by loose-fill asbestos. However, if we do find another one, we will certainly deal with it in the best practice way. The information, to date, is that we have the complete number.

Mr Reynolds: Should additional affected premises be identified, we have well-established operating procedures and policy to deal with those in a swift and compassionate manner. As no doubt you will recall, this is a very sensitive issue. When affected premises are identified, the impact it has on the owners is significant. So it is about wraparound support through our personal support team; it is about being able to move compassionately and swiftly to provide them with clarity as to the way forward. We were able to develop those practices and put them to trial with the recently identified property that you pointed out.

MS LAWDER: Have the owners of Edgar's Inn and the Ainslie shops had written correspondence, through their solicitors, with the ACT government about the property, relating to asbestos?

Mr Reynolds: I have been privy to at least two engagements with the owners of the affected property. Given that this is a commercial premises and therefore falls outside the remit of the task force, which is about the eradication of loose-fill asbestos from residential properties, this is largely led by Access Canberra as part of its normal regulatory functions for dangerous substances and work health and safety within a commercial premises. I can share with you that, without speaking on behalf of Access Canberra, I am aware that there has been extensive engagement with individual owners of the respective properties, recognising that, similarly to the task force's scheme where we deem impacted properties, there are structural dependencies between some of these commercial operations. They have engaged with the owners and the lessees or tenants within those buildings as well.

MS LAWDER: Is there any liability on the part of the government if someone who worked at the Ainslie shops were to develop a medical condition relating to the loose-fill asbestos?

Mr Gentleman: It is not our position as planning officials, or indeed that of the task force, to look at liability for government decisions. But I would imagine that there will certainly be a liability on the employer for that in a normal work health and safety system.

MS LAWDER: There are other homes that have chosen not to participate in the scheme. We are aware of one case where a neighbour felt a demolition of a house not in the scheme was imminent. I think WorkSafe—that is not your area, is it? I will save that for Access Canberra.

Mr Gentleman: Yes.

MS CHEYNE: I understand the Downer house was discovered by a tradesperson who was repairing the home, and it had not previously been brought to the ACT government's attention—and I am referring to a *Canberra Times* article—because it had been missed in the survey of homes built before 1980, when the commonwealth went on a hunt for properties containing loose asbestos insulation in their ceilings and the survey led to the ceilings being cleaned from 1988 to 1992. Following that discovery, did we do anything to try to check if there were others that had been missed in the survey?

Mr Gentleman: Just before we go to Mr Reynolds, can I say that there is one good story out of finding this house and that is that the asbestos awareness training that was provided for tradespeople across the ACT was indeed part of the—

MS CHEYNE: Discovery.

Mr Gentleman: That is right. That person had actually done the asbestos awareness training and saw the indicator signs when they were working on the property.

Mr Reynolds: One of the advantages in the ACT is that we do have a very well-developed system around work, health and safety that actually requires tradespeople to undertake that training. As the minister has highlighted, it was because of that knowledge and that diligence of that particular tradesperson that we were fortunate enough that they were able to act on that very quickly.

As I outlined earlier, the task force, with WorkSafe, was able to pull that issue into our processes and we are where we are now. We were able to confirm that. At some stage in the history of that building it did contain bulk loose-fill asbestos insulation. Could I just confirm your question, which is in two parts: how confident are we that there is no more out there and what have we done to assure ourselves—

MS CHEYNE: Particularly because we know that this had been missed in the survey by the commonwealth and that is what we had largely relied on. Are there others that we potentially could have missed?

Mr Reynolds: As we responded previously, there is no information in front of us that I have seen or anyone in the task force, in terms of officials, has seen that would suggest that there is a missed property out there. That also includes extensive consultation with licensed asbestos assessors and industry experts that have been working across Canberra, including during the original clean-up program. No-one is bringing that to our attention. We believe it is an extremely low likelihood that there are other properties out there.

We cannot explain how the one in Downer was missed. There are a few theories about how that may have been the case, ranging from prior to the government's inspection program in Canberra—and that started in, as I understand it, 1988 or 1989—where they physically went around and inspected every one of the then 60,000 houses that existed in Canberra. That involved ladders against walls, sliding back roof tiles and visually inspecting. As the commonwealth government, who had jurisdictional responsibility at the time, was bedding down that program, we understand anecdotally that a few home owners decided to go about their own clean-up. Again, this is just speculation. Possibly then when it was inspected there was no bulk insulation in there.

We do have access to most of the records from that original inspection program and the original clean-up program. The task force, in preparing the register, undertook a very careful and extensive exercise of cross-correlating and matching all that data, which is some 1,200 records. After accessing that, where there were discrepancies—as you would appreciate at the time it was more handwritten; sometimes there were transposition errors in the block and section numbers—where those were identified,

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we dug down to the next level and we went through and viewed historical files in the building system. It was a very thorough process, carefully documented, that underpinned the basis of the register as we established it at the time, which was the original 1,022 and then the Downer one which was discovered by the tradesperson.

MS CHEYNE: On the demolition progress against the schedule, what was the target versus the actual number of demolitions for the last year, and do we have an updated estimated completion date?

Mr Gentleman: As of 30 June this year, 741 properties had been safely demolished through the scheme. That has now increased to 844 properties demolished as of 20 October. That is in front of the target that we had projected and not only in front but, because the particular clients that we had tendered for are doing such a good job, we are actually in front in a financial sense as well. In regard to where we are due to be, Mr Reynolds, do you have that?

Mr Reynolds: I do not have the specifics on that but I might just recast our minds, if I could, back to when we were consulting in the early stages with the Canberra community and we were taking advice from experts in this space, including the contractors, about how long it would take. Remember, this had never been done anywhere internationally, let alone nationally, a scheme of this scale. All the advice at that time was indicating that this was around a five-year demolition program to undertake it safely. The highest priority for the delivery of the demolition program is safety.

At no stage has the task force ever motivated contractors to go quicker and compromise, potentially, safety. In fact, we have done quite the opposite, particularly as we lead up to Christmas periods, where contractors have a goal and they like to head for it, which is somewhat positive as we move through the demolitions more quickly. But we have regular engagements with contractors where we have on numerous times throughout any one year pulled them in and said, “We’re going to share some information with you. Here’s what we are seeing. This is raising our attention a little. If it is to do with safety, we would prefer you to slow down and get it done safely first.”

Just going back to the point of how long, it was originally, based on very well-informed advice, a five-year program and we will have completed in the order of—if I am wrong, Bruce—914 demolitions safely by Christmas out of the 1,023, recognising a small proportion of those are entirely out of the scheme. Some have already been demolished, entirely self-funded.

There are a number, I think it is around 40, that are under deferred settlement arrangements—again, a compassionate and flexible element of the scheme for those affected properties. We have allowed them to defer their settlement. They stay in their property until June 2020. Interestingly that date was set on the five years demolition forecasting that I spoke about earlier. That was why that date was set, because we had originally envisaged we would be going full tilt, so to speak, until June 2020, and then the last cohort could wash in and we could go about their demolitions.

MS CHEYNE: Please correct me if I am wrong, but the vast majority will potentially

be demolished by this time next year at least, if not much earlier?

Mr Reynolds: This Christmas.

MS CHEYNE: I completely agree that compassion and flexibility are very important, but, given that so much of, it seems, the savings to the program have been achieved through economies of scale, is there essentially perhaps going to be a bit of a further cost to the government because of this deferment?

Mr Reynolds: There certainly is an economy of scale and a great level of engagement that we have had with the contractors. We have continually, since we originally launched a pilot demolition—you may recall that there was a pilot demolition that we undertook—engaged with contractors early. We took their feedback, revised, recalibrated, then set up the panel, and then more or less went into production mode, if you like. We have seen a gradual decline. We have sort of plateaued now, but in terms of the cost savings, yes, the economy of scale and that collaborative engagement we have with the contractors have delivered real savings to contribute to reducing what is still a very large cost.

It is probably fair to say that as these deferred settlements come forward—and they are not all, I might point out, due for settlement in June 2020; there are a few between now and then—what we would aim to do, and we have communicated this to those that are under a deferred settlement arrangement, is: as one house comes up for settlement, let us say in 12 months time, we have not made this decision yet but we will not necessarily just launch in and demolish that one house. What we may decide to do is wait till we have one or two more. And that is not only in terms of us trying to save as much as possible for the taxpayer. There are also logistics around the disposal site, and just opening a pit at the landfill for one house again introduces further inefficiencies. It is a complex logistical approach, but we believe we have found the right balance between still striking the best value for money and that logistical efficiency.

MS CHEYNE: And if someone has deferred till, say, January 2019 and there are no other deferments then but there are five more deferments in June 2019, is there flexibility in the program to offer to them: “Actually you could stay for another six months or you could also choose to leave—it is up to you—but we will not be demolishing the house until June 2019”?

Mr Reynolds: Those flexibilities are open for consideration by the task force. It is fair to say, though, that the scheme as it is written now has June 2020 as a bookend, for a whole range of reasons. Throughout delivery of the program, whilst maintaining policy consistency, we have exercised a range of compassionate responses. We have carefully communicated to home owners that there are some obligations placed on them around maintaining the safety of their premises, again independently regulated by Access Canberra. They are required to get licensed asbestos assessors in to assess their dwelling. If works are required to maintain the safety, as identified by that assessor, then they have to undertake those works also. That obligation, and the cost of that obligation, rests with the home owner for as long as they own the property. Home owners are all very well aware of that. We have communicated extensively on those obligations and we seek to continually support them and Access Canberra as

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they go about their independent regulatory monitoring of compliance for those activities.

Mr Rutledge: Just to be clear, there is no intention to bring the June 2020 date forward.

MS CHEYNE: I did not expect that, no.

Mr Rutledge: It is just a slightly longer tail than we had expected. If you look at the bell curve, we are now in the tail. We are in the tail quicker than we thought. But 2020 still sits.

MS LAWDER: Are you able to provide, for each property acquired by the task force, by the government, information including the date acquired, the location and size of the block, the price paid, the cost of the eradication, when it was listed for sale, when sold, how it was sold—by auction or otherwise—and the final sale price?

Mr Gentleman: Much of this is available publicly, except for the cost of demolition. We will see if we can point you to those.

MS LAWDER: Following on from my previous questions about the Ainslie shops, has there been any request made by the owners of Ainslie shops or by the government for purchase of the Ainslie shops? Have there been any approaches from either side about purchasing or selling the shops?

Mr Fitzgerald: As far as I am aware, there have been no representations to us for the purchase of those shops.

MS LAWDER: Has the government—

Mr Gentleman: Just reflecting on that, Ms Lawder, remember that it is not the task force that is dealing with Ainslie shops.

MS LAWDER: Sure. Based on your earlier responses, though, are you saying it is not safe to go to Ainslie shops?

Mr Fitzgerald: No, I am not saying that.

MS LAWDER: We had the discussion that there was no safe level for loose-fill asbestos.

Mr Gentleman: Yes, that is the expert advice that the task force and the government received when setting up the process for the purchase of residential premises by the asbestos response task force.

MS LAWDER: Was it the government—

Mr Gentleman: And that was residential, of course.

MS LAWDER: the task force or someone else that identified that the Ainslie shops

had loose-fill asbestos?

Mr Gentleman: It was not the task force.

Mr Fitzgerald: As I understand it, it was identified as part of the original survey of properties back in the 1980s.

MS LAWDER: Have the government put any restriction on or been asked about when demolition could or should have taken place by?

Mr Gentleman: Again, that would be a matter that Access Canberra are working on.

THE CHAIR: With respect to the task force's engagement with the home owners or ex-home owners, is there continual pastoral care, and what is happening there?

Mr Reynolds: The task force, from the outset, took the approach and commitment to the delivery of the scheme that it was about people. No doubt you would have seen that through not only delivery of our program but our whole engagement activities. Whilst it is easy to be drawn to the complexities associated with the demolition and the big, visual earth-moving equipment, the program is really about people.

The task force has had at times up to 15 people in our personal support team of professionals in social support and welfare. They have a customer relationship database that was developed very quickly at the outset. Over the peak of the program, as the dwellings have been demolished and deregistered, obviously there is and has been a decrease in the demand on that team, so we adjust our resources accordingly.

We are also very mindful of learning from other equivalent community programs that might require a crisis-type response, through natural disasters and the like. Some of the lessons there were that it is really important—and I think this goes to your point—that you do not just let it fade out, in terms of that support that you provide. The task force, for some 12 months now, has been going back and contacting, through our customer relationship database, former home owners who have moved on, who have no further requirement to engage with the task force. They may have been offered their first right of refusal and chosen not to take that up, just as one example.

We are going through a very structured process of closing all of the cases. In our customer relationship management system, we are going through a predetermined set of criteria where we contact each former home owner, we run through a questionnaire with them, and that team of experts forms a view about whether we can close their case or keep it open.

THE CHAIR: You are not going to do anything in terms of long-term monitoring of health outcomes? We did the demolitions because of potential negative health impacts. Will there be some continuing monitoring of that? If nothing else, from a statistical point of view, it probably would be a very useful exercise to be able to demonstrate whether or not the statement Mr Gentleman has repeated, about no safe exposure, is true, because you do have a large database of exposed people.

Mr Gentleman: It is worth considering. Certainly, the ANU medical report to the

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Chief Health Officer in regard to asbestos and its effects, and mesothelioma, showed that it affected a majority of males much more than females in those residences, mainly because the fellows were the ones that would do the home handyman work. We will certainly consider that, yes.

MS CHEYNE: With a question on notice taken at the last annual report hearings, the response was that there had been 47,000 contact entries for the personal support team until March 2017. As we are also reaching the tail end of the demolition program, are we starting to see those contacts peter out? While there were 47,000 over the course of the scheme, was it 30,000 in the first few years and now it is 5,000? I do not need exact numbers; I would just like to get a sense of it.

Mr Fitzgerald: It is certainly something we have been very conscious of as we have gone through the program. We have made sure that the connection with these clients has not stopped, so those numbers continue to increase. We have not, by any means, stopped communication. We have started a personal snapshot to understand their support needs going forward. I cannot see that tailing off. Certainly, as we go through the case closures documentation, there will be fewer people as part of that that are actively involved with the program.

MS CHEYNE: The service itself will not stop?

Mr Fitzgerald: That is correct.

MS CHEYNE: How long do you anticipate the service continuing post the 2020 date?

Mr Fitzgerald: We see a transition to community groups. We think that, ongoing, because the task force does have a definite life, post that, we need to make sure that those support networks are still there and available to people as they are needed. We are working with community organisations to get those structures in place so that these people know where to go.

MS CHEYNE: I very much appreciate that this is probably better directed to treasury, but I figure you must have some idea. I understand that originally paying back the \$1 billion was going to be completed by 2024—\$100 million a year and then a final, bigger figure payment. Given that we are ahead of schedule in terms of demolitions and buyback, has that 2024 date been brought forward at all? Have we changed how we are repaying?

Mr Fitzgerald: Not that I am aware of. I think that is a question best asked of treasury.

Mr Reynolds: As you have pointed out, it is a loan. Interest is applying, as the commonwealth has chosen to set it up. I am not aware that any dialogue about or amendment to the loan agreement has taken place, so those original parameters are still in place.

MS LAWDER: Did you say interest is applying?

Mr Reynolds: Yes.

MS LAWDER: What is the interest rate?

Mr Reynolds: I would have to take that on notice and get back to you. My recollection is that it is a variable rate marginally below the common interest rate.

MS LAWDER: I have a question for the minister. Based on our earlier discussion about whether there is a safe level of loose-fill asbestos, is it safe to go to Ainslie shops?

Mr Gentleman: There has been a lot of interest in this hearing about the level of asbestos at Ainslie shops. I have reiterated a number of times that there is no safe level, according to the experts. The only option, I think, for Ainslie shops is to have it demolished.

MS LAWDER: Is that a yes or a no? Is it safe to go to Ainslie shops?

Mr Gentleman: I think I have made my point very clear. It needs to be demolished.

MS LAWDER: So that is a no; thank you.

THE CHAIR: Thank you all very much for your attendance. I would like to remind members that questions on notice and supplementaries should be provided to the committee office within five business days of the uncorrected proof transcript becoming available. Responses to questions taken on notice should be submitted to the committee office within five business days of the uncorrected proof transcript becoming available. Responses to questions on notice and supplementary questions should be submitted to the committee office five business days after questions are received.

Hearing suspended from 11.57 am to 1.29 pm.

THE CHAIR: Welcome back, minister and continuing officials. I draw the attention of new witnesses to the pink privilege card before you on the table. Can you please confirm for the record that you understand the privilege implications of the statement?

Mr Tennent: Yes.

Mr Ponton: Yes.

THE CHAIR: Minister, do you have an opening statement?

Mr Gentleman: I will just spend a couple of moments advising the committee on some updates, particularly in the land release program. The 2016-17 indicative land release program saw the release of 4,907 dwellings against a target of 4,550. The program delivered 1,836 single and compact residential blocks and 3,071 multi-unit dwelling sites; 2,636 of these dwellings were greenfield estates, while 2,271 were infill. In relation to my previous comments about densification for the territory and how we are looking at the learnings from the statement of planning intent, you can see

that we are already starting to move to that balance.

THE CHAIR: I would like to start off with infrastructure for the Molonglo Valley, which is an area many of the local residents are concerned about. “Capital works”, table C.3 on page 195 of volume 1 of the CMTEDD annual report, has an item for the Molonglo group centre. When is that going to be ready for release?

Mr Gentleman: It is in the process for works at the moment for that program. I will ask the director to give you the details.

Mr Ponton: Sorry, Ms Le Couteur; could I ask you to give that reference.

THE CHAIR: There is a long table on pages 195 to 206. It is at the top of page 204. We have a number of items for Molonglo. There is the bridge, there is master planning feasibility and there is the Molonglo group centre.

Mr Ponton: And the specific point of your question is about the group centre?

THE CHAIR: The group centre. I was going to ask about the bridge, but it is specifically about the group centre.

Mr Ponton: In terms of the group centre, I may need to come back to you on the specific timing, but I can tell you that we are currently working with the capital development group on the work that they are doing for the development of Denman Prospect. We need to ensure that the timing of the group centre is appropriate in terms of population. Mr Tennent, I do not know whether you have anything else you could add to that?

Mr Tennent: The whole assessment of retail going forward in Molonglo is well advanced. We know that Capital Estate Developments are well down the path of their retail development in Denman Prospect. I understand the Coombs shops might have a little way to go. With respect to the Molonglo commercial centre, the larger commercial centre is part of Molonglo 3; we have our first release in 2021 for about 15,000 square metres of commercial space. That is probably the best indication that we have on the timing.

THE CHAIR: It is 15,000 square metres in—

Mr Tennent: The 2020-21 financial year. As you would imagine, with that being in the fourth year of the program, a lot of planning work is now being looked at closely, at what that commercial centre will look like. I know that there is a college that has been earmarked to come out of that particular area, as well as some other uses.

THE CHAIR: I will talk about the school in a sec, but what sort of commercial do you think is going to be in the 15,000?

Mr Tennent: It is too early to say at this stage. We have put it in as a place maker in the land release program to ensure that work progresses to meet that particular date. The configuration of the commercial centre is still a topic of discussion at the moment, as we look now, as Molonglo develops, at yields, population growth and those sorts of

things so that we are better informed about how that community is developing and we can design the shops around it.

THE CHAIR: If you are going to release it in 2021, when can the local residents expect to find shops there? I know this is partially out of your control, but this is the question that people are asking.

Mr Tennent: Again, it will be at the discretion of the successful proponent. Typically, it is a two to three-year period for a commercial centre of that size, noting that there are other retail facilities that will be operational well before then.

THE CHAIR: By that, you mean Denman Prospect and Coombs?

Mr Tennent: Yes; that is correct.

THE CHAIR: Do you have any information particularly about Coombs? I imagine this is outside this area. I was not going to ask it in this part because I think it is outside your neck of the woods.

Mr Tennent: I can confirm that it is outside my area.

THE CHAIR: There is great public interest in that. It looks as though the new bridge over the Molonglo River is still in the feasibility stage. The land release has Whitlam at 2018 and 2019, which is going to be the first development on the other side of the river. Will the bridge happen before the land development or will people use Coppins Crossing? How is this all going to work out?

Mr Ponton: Perhaps that is one where we could go back to the officer who is largely involved in that. That is a function that has only recently come across to the directorate. I think it would be best if I could take the detail of that question on notice and come back to you.

THE CHAIR: Okay. You talked earlier about the high school or perhaps college. Is that going to be a government college?

Mr Tennent: It is still early days on that one. Quite specifically, that college is earmarked for the commercial centre so that we get integration in the commercial centre with an education facility. The actual configuration will be one for the education directorate. In terms of forward planning, again, it is in as a place marker for future use.

THE CHAIR: So it is not necessarily public and it is not necessarily a college; it could be anything educational?

Mr Tennent: That is correct, yes.

THE CHAIR: There is a site in Wright which has been set aside for the first non-government school. I have heard people talk about it for years, as to who gets first dibs. How will that be allocated as to who is the lucky tenant?

Mr Tennent: The north Wright non-government school site will be released under a new mechanism which the government have agreed to, which is different to how non-government school sites have gone out in the past, on a first through the door type basis. While that has led to some good educational outcomes, it has led to questions on land use and maximising the land, not just for the school community but also for the broader community. The process that will be followed is a fairly straightforward one: the directorate will reach out to the non-government school community.

THE CHAIR: Your directorate or education?

Mr Tennent: Our directorate will be responsible for the release of the site. It is in the land release program and we are still on track to have that out this financial year. We will reach out to the non-government school sector and say, "Here is an opportunity." Then we will have the non-government school sector come back to us with their proposals for a school on that particular site. It will allow them to provide some high-level description of the built form and the curriculum. We will look at that in close conjunction with the Education Directorate and then, in conjunction with the Education Directorate, seek to announce the successful proponent.

THE CHAIR: What are the criteria that will be used to make the decision as to the successful proponent?

Mr Tennent: At this stage, we would be looking very much at land use. As community facility sites in these new greenfield areas become somewhat constrained, we are looking for the very best use of the site—not just for school purposes, but whether there is an opportunity to also look at opening up the land to the wider community through the provision of community facilities, whether it is a shared school hall, not fencing the oval or those kinds of things. It is about what the school can give back to the broader Molonglo community going forward. That will be a consideration as well.

All of the curriculum assessment obviously will be done by Education; we will play no direct role in that. We will look very closely at proposals around the built form—the layout of the school, site access and egress, those sorts of things—and then make judgements on that.

THE CHAIR: I am not sure if this is for you, but the site that was for community facilities has had public housing allocated in Wright. There is a bit still left on it. Are you allocating that leftover bit?

Mr Tennent: Yes. That site will be part of the land release program as well; we will put that out as a CF site at some stage in the future.

THE CHAIR: Do you have a time line and selection criteria for it?

Mr Tennent: We do not have selection criteria. I will have to take it on notice as to the exact year when we release that.

MS ORR: On page 65 of the CMTEDD report it notes that two reports on land and

property trends for the last quarter of 2016 and the first half of 2017 were provided. I want to get an update from you on where the demand is and how the land release program is responding to that.

Mr Gentleman: It is a good question. We are looking to ensure that we have enough land for future development in a suburban sense. The 2016-17 indicative program saw, as I mentioned earlier, 4,900 dwellings against a total of 4,500. So we are releasing just a little bit more to ensure that the market can respond in that sense.

Mr Tennent: I have here the latest version that we are about to publish. Certainly, the land and property trends report, as the minister said, does very much look at the context in which we are releasing land. It contains a number of indicators around the land development pipeline. The land development pipeline is a very important one. While we talk specifically about the number of blocks that go out in each particular financial year, knowing what is queued up in the pipeline going backwards is very important as well.

The land and property report is showing that the pipeline is extremely healthy. There are quite a number of sites that are sitting in the development pipeline. There are about 10,000 sites that are sitting in the developers' pipeline where an EDP has been established or is pending. There are about 2,400 sites that are currently underway in terms of land servicing—preparing that for construction—and there are about 4,000 sites that have gone past land servicing and are waiting for leases to be issued or dwelling construction to commence. So the pipeline is very healthy.

While the pipeline is healthy, we also look very closely at land prices, which obviously are an important indicator for us, to see whether we are releasing the right type of land in the right locations. The report talks about the mix over the 2016-17 year. We saw quite a mix in terms of the prices that we were getting. Moncrieff land prices were the most affordable in the ACT when it came to government release—about \$580 a square metre—going right up to releases in Throsby, which were highly sought after, that were about \$950. That is the sort of monitoring that we do to ensure, again, that the land release program meets demand and gets out in a timely manner.

MS ORR: The minister noted that there were additional dwelling sites released. Was that in response to the market trends? Give me the context as to why there have been more.

Mr Tennent: The land release program has the crucial word at the front of it, which is “indicative” land release program. We will release a program with the very best knowledge that we have at the time, noting that some things, even though they might have gone most of the way down the pipeline, still encounter issues right at the very end.

The release of 4,900 compared to 4,500 is the sum total of a number of sites that were delayed and a number of sites that were pulled forward. Probably the most notable one that went out the door during the year which was pulled forward was stage 2 of Denman Prospect, which was sold englobo—a very big supply of single residential there, which the market has been calling for; hence we got quite a good result in this

financial year.

In terms of sites that have just slipped past and been marginally delayed, there are a number of those. None of those were very material in terms of large amounts or any significant issues there. There is a fair bit of plus and minus. The next four years of land release still see us at about 4,000 per annum and we are doing regular risk assessments of those particular years going forward. The current year that we are in is looking pretty good for another release of about 4,000 sites to the market.

MS ORR: By way of a bit of background, what data do you use when modelling the indicative land release program? You touched on it; can you clarify that?

Mr Tennent: As well as releasing the program and producing a land and property report, we model housing demand and supply quite closely. Of course, over the 2016-17 financial year we had the update from the census which not so much caught us by surprise but it was interesting to note that the population of Canberra was more than originally thought, which lined up very clearly with what we had been releasing in terms of land, and not seeing a lot of blocks sitting there vacant.

Certainly, population growth is the key one. Household formation is another one—how many persons per household as the population grows. What is the demand for an extra house for a number of people? Household formation is running at about 2.3 at the moment, so that is a fairly high level number which we use. We then look at what is out there at the moment. You will see in the land release program that we bring forward or we delay sites according to demand. We have been delaying sites in Belconnen; we have been delaying sites in Woden. We know that the market there is pretty well satisfied in terms of medium to high density product, so some of those things certainly affect how we do things.

MS ORR: I noted you have held some back. Is that in the Belconnen town centre area? That would be different from Ginninderry and west Belconnen.

Mr Tennent: That is correct. The foot is on the pedal pretty hard in Ginninderry. That is a development front that the community is very keen to see come out of the ground and we are doing everything we can to make sure that that is programmed into future years. With some of the town centre sites we have chosen to delay them. We have chosen to delay the Lathlain Street precinct for a little while. In Woden there is a site near Furzer Street that we rolled over for the last couple of years while we let some of the other—

MS ORR: Whereabouts geographically are you seeing the demand? You said there was a huge demand in Molonglo—Denman Prospect 2, was it?

Mr Tennent: Yes.

MS ORR: Obviously, representing Yerrabi and having Gungahlin, anything that is Gungahlin specific is always appreciated.

Mr Tennent: Specifically, if we talk about Molonglo, the suburbs, as we speak, are in Molonglo 3. As we head to the back end of the program we start to talk about the new

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suburb of Whitlam. All the planning and development for that is in full swing, as I mentioned earlier. North Coombs and North Wright are in the current and next year of the program, then we start to get to years three and four for other parts of Molonglo 3 in Whitlam. They are well and truly on track.

Good supplies of single residential, as we know, fly out the door. When it comes to demand for a product, single residential, without question, goes out the door quite quickly. Medium density goes out the door quite quickly as well. For multi-unit apartments, depending on the location, the demand is somewhat mixed.

MS ORR: So it all moves fairly quickly; some just moves quicker than others?

Mr Tennent: That is correct. We want to give the development community the flexibility and the assurance of work going forward. That is why we do release well above what we consider to be demand.

MS ORR: I am looking forward to reading the latest report. I do read those documents. Has it been released yet?

Mr Tennent: Not yet. Probably in the next couple of weeks it will be up on the website.

MS ORR: Can you give me an update? In Gungahlin we have seen Moncrieff. That is progressing quite well. People live there now.

Mr Tennent: Yes.

MS ORR: Throsby has gone out for ballot and some places have already been built. There are future stages of Jacka and Taylor, I believe, coming?

Mr Tennent: That is correct. They are the four suburbs—Taylor, Jacka, Throsby, and we still have Kenny on the program as well.

MS ORR: Kenny is the one down past Harrison?

Mr Tennent: That is correct, heading towards EPIC. Those are the large greenfield suburban releases.

MS ORR: When is Kenny intended to come online? The others are all underway or have begun, but Kenny is still very much just a paddock at the moment.

Mr Tennent: Very much so.

THE CHAIR: How much of Kenny will be developed? There were a lot of tree and environmental issues.

MS ORR: I am getting to that question. When will Kenny be online?

Mr Tennent: Kenny is in the very early due diligence phase. The way the program works is that we look at Kenny; we are mindful of some of the environmental

constraints, which means that it needs the highest level of due diligence possible.

MS ORR: Is this down to the environmental factors that Ms Le Couteur raised?

Mr Tennent: That is correct. Just because it is in the program does not mean that it is full steam ahead and we are going to release it, or whatever.

MS ORR: The due diligence has to be done, so it is still a little way off then?

Mr Tennent: Yes. We have it in year four of the program, so we still have three years to continue that work and my team are pushing that pretty hard at the moment.

MS ORR: There is Gungahlin town centre east, I believe. Is that all of it now? With those four suburbs, what goes through my mind is that I think we have almost reached the end of Gungahlin's development pipeline, which sounds like a very weird thing to say, as someone who was 10 or 12 when Gungahlin started being developed. We might have got there.

Mr Tennent: That is the case. We have no more new suburbs, but there is still plenty of development potential there in the ones that will roll out over the next four to six years.

MS ORR: Yes; there are still four or five suburbs there.

Mr Tennent: Yes, but that is essentially it. I know that another part of the directorate is doing work on the future planning strategy. Obviously, as land strategists, those responsible—

MS ORR: Yes, we heard about that this morning. I asked lots of questions on that.

Mr Rutledge: The New South Wales department of planning, in their south-east and tablelands regional plan 2036, for the first time recognised that the ACT housing market drives the neighbouring councils' housing market, and also to an extent the south coast housing market, because a lot of Canberrans own a house on the south coast. In their regional plan they have committed to try to work with the ACT government to do cross-border land and housing monitoring.

We have had early discussions with their officials and they are quite impressed, with respect to the report that Mr Tennent was talking to, at the sophistication that we put into our land release. They are not trying to replicate that, but it is fair to say that the sophistication that we put into our land release is far above that of, say, our neighbouring councils. The New South Wales department of planning are working with us and the neighbouring New South Wales councils to start sharing information so that they can make strategic land releases, mindful of the effect that has within the ACT as well.

MS ORR: On that point—this is maybe a comment—any advice we gave as part of that process would take into account the particularities of Mulligans Flat, Goorooyarroo and the other environmentally sensitive areas that straddle that border region?

Mr Rutledge: Absolutely, yes.

MS ORR: We are very fond of those in Gungahlin. I think all Canberra is, but we like them lots.

Mr Rutledge: I think we have seen that in the Yass settlement plan. There is a reflection in the Yass settlement plan that we should have a buffer between here and Yass, around the top end of Gungahlin.

MS ORR: When you say a buffer, is that the bit that is set aside?

Mr Rutledge: At the moment Yass are planning at least five kilometres between the border and any future residential development.

Mr Gentleman: That work that you have just mentioned could only have taken place from the good work that this committee did in a previous life.

MS ORR: Were you a member of the committee then?

Mr Gentleman: I could have been.

MS CHEYNE: We talked about single standing dwellings being very popular in terms of demand, especially given what I have seen in my own electorate. Where is the greatest demand currently across Canberra for multi-unit dwellings?

Mr Tennent: The greatest demand is in the inner north and the inner south. They are the ones that go out the door. Typically, construction commences fairly soon after that. That is always a good indication as to the demand there.

Mr Gentleman: Whilst we have had the land release program looking at those single residential and then multi-unit dwellings, we have seen a missing middle. We have not seen as much request for townhouse-style opportunity, if you like. There is a lesson for government, I think, in how we are going about things for the future. You may be aware that I have released the housing choices discussion paper today. That gives the opportunity for the community to talk about what they would like to see for the future, and that missing middle is a key part of that.

MS CHEYNE: In the land release program, and I appreciate that it is indicative, there is quite a substantial amount that is on the program out to 2021 that is commercially, industrially and, in particular, residentially subject to Territory Plan variations. How closely do you work with the team responsible for Territory Plan variations? I imagine that if the Territory Plan variation does not happen, potentially up to hundreds of bits of dwellings will not be released.

Mr Ponton: I am pleased to say that, given that they are all within the one directorate, we work very closely. Even more importantly, whilst it is important to have some separation between the work that Mr Tennent does and the Territory Plan variation team, those two teams report through the one deputy-director general; we have one person who is responsible not only for ensuring that we are doing the policy work

around the land release but also for following through so that we have the due diligence work undertaken and Territory Plan variations in place and so that the land is available for transfer to the Suburban Land Agency or the City Renewal Authority for release.

MR MILLIGAN: I would like to get an update on land releases in a couple of areas. Firstly, in relation to the Canberra brickworks, has that been released for the 2016 financial year?

Mr Ponton: The Canberra brickworks site, you would be aware, has undergone extensive community engagement. We are quite pleased with the process that we are utilising, looking back to the conversation we were having earlier this morning around the importance of engaging well with the community. I think the directorate learned some lessons along the way with that particular project. The site has gone to tender. It is now working with the proponent in terms of settling the detail. Mr Tennent, do you have an update on the specific timing?

Mr Tennent: I do not, unfortunately.

Mr Ponton: We can have some conversations with the proponent and come back to you with some more specific detail if that would help.

MR MILLIGAN: Sure.

Mr Gentleman: It is much closer than the time when I first saw the plans for the brickworks in 2001.

MR MILLIGAN: Going to Lawson, the final stages of Lawson, has all the land been released to the public?

Mr Tennent: No; we have one more release to go in Lawson, which is currently going through the estate development plan process. The SLA have the lead on that. We are looking at it fairly closely from a monitoring point of view. I am pleased to advise that as part of Lawson also, we are going to see some of these new affordable public and community housing targets attached to that site.

MR MILLIGAN: How many land releases are you looking at?

Mr Tennent: We have it down for around about 600, but I understand that some of the reassessment of the EDP suggests that the number will be revised.

MS ORR: Stage 1 is done. Where is stage 2 going? My understanding is that some of it is still Defence land, so not all of that area will be developed. Is that correct? Or have Defence suddenly gifted us all their land to develop?

Mr Tennent: Lawson stage 2 is to the west of the first stage of Lawson.

MS ORR: Towards McKellar?

Mr Tennent: Yes.

MS ORR: The bit opposite the Kaleen high school is the part that is a Defence site and will not be released by the ACT government because we do not own the land. Is that right?

Mr Tennent: I am not too sure about Defence holdings in that particular area, but certainly the bounds of Lawson 2 are well defined, to the west of Lawson stage 1, around the substation.

Mr Ponton: We can certainly clarify. We have close relationships with our colleagues in Defence who own land in that location. If it would assist the committee, we can make some inquiries.

MS ORR: Okay.

Mr Gentleman: If you have a look on Google Maps now and use the satellite version, you can see the outline of stage 2.

MS ORR: So it is already up on there?

Mr Gentleman: Yes.

MS ORR: That is fine. You do not have to come back. I will just go and have a look at stage 2 on Google Maps.

MS LAWDER: Did you mention when stage 2 of Lawson will be released?

Mr Tennent: It is in the 2017-18 financial year.

MS LAWDER: The current financial year.

Mr Tennent: Yes, the current financial year.

MR MILLIGAN: In relation to Kenny, what were the original plans for Kenny, how many dwellings were originally planned for that, and what has been the result of any of the studies that have been conducted in that area in relation to the original plan that was put forward?

Mr Tennent: I am not sure what the original yields were for Kenny. We need to be cautious with that sort of very early assessment; it is done at a desktop level and necessarily that desktop analysis is done such that we can either rule in or rule out a development opportunity. It became very clear that Kenny needed, as I mentioned before, the highest level of scrutiny when it came to environmental issues. It is in that context that we are giving ourselves three to four years to consider whether there is a development potential in there. There may come a time when we find that it does not have development potential.

MR MILLIGAN: How do you determine if there is development potential there? Is there a benchmark that you consider before introducing a new development, a new suburb?

Mr Tennent: There is not a hard and fast benchmark. It is just a full understanding of all the due diligence activities that go on. While in one column we talk about yields, potential revenues from land sales and the provision of not only residential but community facilities, retail and so forth, in the other column there are the constraints that exist: contamination, environmental issues, infrastructure capacity issues and those sorts of things. While a development may not stack up in a certain year, it may be one for a future government to consider going forward. At this stage, we have some early understanding of what is happening in Kenny, or the potential of Kenny, but by no means are we going down the path of release regardless.

MR MILLIGAN: There are still question marks over Kenny?

Mr Tennent: Plenty of question marks, yes.

MS CHEYNE: Minister, you touched on this before today's announcement, and I think it is relevant. I was looking back through our recommendations on last year's annual report including that the land release program continue to investigate how land releases can incorporate the missing middle. The government agreed to this recommendation and said that it would be considering a range of options. I assume this forms one of those options. I just want to get some more detail. I appreciate that it has only just been announced but I am interested in how the discussion paper was developed.

Mr Gentleman: It was developed through the directorate and through some work with my office as well but in response to surveys that the directorate had done with the Canberra community and of course the learnings that we had from the statement of planning intent where the Canberra community wanted to see a change in the way that we are living. We have a policy of 50 per cent densification and 50 per cent greenfields development.

We had 26 statement of planning intent workshops in all with different demographics and different stakeholders, and all of them came back at the end and said that they would like to see a denser, renewed city with less greenfields development. They, in fact, put a percentage change to us that we should see 60 per cent urban densification and renewal and only 40 per cent greenfields in future development.

We are responding to that. Whilst we have not changed the actual policy setting yet, I would imagine that we will see what we get out of the housing choices discussion paper and then see whether we can change it with the community's expectations in view.

MS CHEYNE: I think you mentioned that the surveys that were done were quite statistically significant: 1,000. Who was surveyed and how were they chosen?

Mr Ponton: The survey was undertaken, as you said, with a statistically relevant sample. We also utilised a company that is expert in the field to ensure that the survey questions were crafted in a suitable way and captured a good cross-section of the communities. We made sure that statistically we had both young people and older people and that we had a good mix of suburbs.

In relation to the discussion paper itself, part of what we are proposing to do here is go back and test what we heard both through the statement of planning intent and also through the survey results. And some of the survey results are articulated in the discussion paper.

What we were hearing was that, as the minister said, people were comfortable with the idea of greater density in our suburbs. In fact, many older people were saying that they wanted to stay in their local community but they wanted to ensure that there was a housing product that met their needs. They were quite keen to ensure that it was of a sufficient quality in terms of build and also design. That is why you can see some of the questions in the discussion paper take us back to those particular points around design and quality of build.

We were quite pleased that we had joining the minister today, as he announced this discussion paper, Henriette Vamberg from Gehl people, architects in Copenhagen, who is in Canberra today and was able to join the minister to talk about the importance of creating communities for people, getting design right and making sure that, as we intensify our cities, we actually think about all those aspects, not just about the dwellings. We were talking again earlier this morning about cumulative impacts. The discussion paper is also getting people to think about all those aspects.

This is at an early stage. It is part of our new way of engaging. We are wanting to use this as the basis to generate discussion. And I talked this morning about collaboration hubs and online tools and the like. We are quite excited about this body of work as a demonstration, to both the community and the industry, of our commitment to engaging differently.

MS CHEYNE: I was looking at the time line and some of the things you have planned but I note that there is a significant community engagement time frame until March—

Mr Ponton: It certainly is.

MS CHEYNE: Which is good, from my perspective. It is, I guess, a year of collecting ideas and really sorting out this policy. But the final step is demonstration housing, project, delivery. Are you able to explain what demonstration housing is?

Mr Ponton: In terms of the demonstration housing, we are wanting to again think outside the box and apply some innovation. Traditionally when you think about a demonstration precinct, it would be the government providing a block of land and the government building something. We want to explore with the industry and the community their ideas for demonstration housing and really test the boundaries of the Territory Plan. It may be that somebody has a great block of land, they have got a really good idea but the current rules in the Territory Plan do not necessarily allow for that to occur. If we believe that the outcome is a really good outcome, we would look to go back and provide a Territory Plan variation to allow that to occur or potentially even to have some clear outcome statements for that particular block of land to allow the development to proceed.

PROOF

What we have been hearing both through the survey that we undertook and also through the minister's statement of planning intent is that people often find it really difficult to understand what this means in terms of the missing middle, good quality design in terms of townhouses. "What does it mean for me? What do I get out of this? Would I want to live there?" They may have seen some examples that they think may not be what they would expect and, therefore, are a little nervous about the idea of selling their property to move into some medium density housing.

We are hoping to provide the opportunity to show to communities that this can really work and not just open the doors and change all the rules but actually have some very targeted sites, potentially both government sites and also private sector sites.

We are working closely with our colleagues in housing to see whether or not there are some opportunities in renewing the housing portfolio but we are very keen to work also, as I said, with the private sector. In fact, you would have heard about the Nightingale model. I know that there are some people who are very keen to secure a licence for Nightingale in Canberra, and we have been working with them as well in terms of co-housing, not necessarily the Nightingale model but the many other models that there are for co-housing.

We want to build all this into this discussion to think about the rules that we can change within the Territory Plan but also to again work in collaboration with community and industry. Again this morning I was talking about the importance of collaboration so that it is not just one part of the community, ie, government or the industry or community, with the ideas.

MR PARTON: I have not read through the whole report but I have had a bit of a read of the discussion paper. We have made, understandably, a big song and dance about the community consultation, because that is what it is about. Is the minister or the directorate aware that the link provided to the media, which has been republished on RiotACT and, I dare say, other outlets, does not work? It just comes up with "page not found". If the answer is no, I would be checking it out. The minister might be keying it in right now.

MS CHEYNE: I have done this. I think someone has just put in "yoursay.act.gov.au/home/". Maybe just delete "home".

MR PARTON: It does get you to your say but you have got to then navigate through a back page to get there.

Mr Gentleman: I worked on it a little a couple of minutes ago. You go to your say and you click "housing discussions".

MS CHEYNE: Minister; it is talking about the media release that was issued, if you click straight from the media release. The hyperlink has been mistyped in, that is all.

MR PARTON: I think RiotACT have used that same link.

MS CHEYNE: To be fair, they should probably be checking their own link.

MR PARTON: They probably should.

THE CHAIR: This happens in many of the media releases. They say the link does not work.

MR PARTON: In the joint press release about the discussion paper it says that the government has listened to community feedback about their desire for a greater range of housing types. What I want to know is: does that statement mean that the community feedback indicates frustration? Certainly the feedback that I get on the ground from people in the south—granted, most of the land release is in the north—is frustration about the number of apartments that are being offered as opposed to stand-alone dwellings.

Mr Gentleman: Firstly, let me say that if you look at the ratio of apartments to stand-alone dwellings—if you look at RZ1, for example and original stand-alone dwellings—some 95 per cent of all the dwellings in the ACT are RZ1 individual dwellings. The ratio is quite—if you like, in existence—swayed towards those individual dwellings. We are trying to now address what the community has asked for in regard to further densification, and that includes apartments of course but it also includes what we talked about as that missing middle and any other opportunities, particularly for affordable housing in town centres like Tuggeranong, for example.

Mr Ponton: If I may, the ACT is not unique in respect of the problem of the missing middle. Many planning policies provide for, as the minister said, traditional suburban development and then in your town centres and city centres it is more conducive to higher density, the five, six, seven, 10-storey developments.

We have seen that the market has been shifting towards those two ends and we are now looking at whether or not the planning system can assist in achieving good-quality townhouse development to fill that gap that we are hearing about. Through the survey results and also through the statement of planning intent, the community was saying to us that they were keen to see that type of housing product, particularly, as I said, those people on very large blocks who are getting older and who want to stay in their local community and they can downsize and actually open up some of the capital from the property that they own.

MR PARTON: I get that. I think from that end the pressure that is coming into the space is understandable but what I also hear is that there is a bunch of people who choose apartments because that is all they can afford. They would love to have a stand-alone dwelling but they just cannot afford it.

Mr Ponton: I think the short answer is that we are hearing that too and that is why the minister has asked us to undertake this work and we have released the discussion paper.

MS LAWDER: I have some questions about the indicative land release program as well. I want to start off on block 1 section 295 in Wanniasa, which I believe is Erindale, which is scheduled for release in this financial year. Is that on track? If so, do you know when you would expect that a supermarket in that area would be completed, or would that be up to the proponent?

Mr Gentleman: At Wanniasa, did you say?

MS LAWDER: Yes. Erindale, I believe it is.

Mr Tennent: That particular release is likely to be delayed until next year. The proposed release of the site has revealed that there are a couple of challenges with respect to that particular site, particularly with the replacement of the car parking. We are in pretty close discussions at the moment with the planning policy people. They are all collocated. We are hoping to resolve that fairly shortly. We are mindful of the desires of that particular community to get an outcome down there; we are just taking a brief pause while we look again at the parking requirements there and then revisit that next year.

MS LAWDER: Also in that table, it talks about three sites suitable for child care, a program for release for Charnwood and Curtin in the 2016-17 year and for west Macgregor in this current 2017-18 year. Have those three sites been sold for childcare purposes?

Mr Tennent: The Charnwood site has been released for childcare purposes. The Curtin site has not yet been released. I will have to take it on notice for the west Macgregor site, unless my colleague knows the status of that and whether that is still on track or not.

MS LAWDER: My other question was about the industrial areas. In the paragraph just before the table, it talks about three new estates in Symonston in 2016-17, Fyshwick in 2017-18 and Majura Valley in 2018-19. Can you give me a feel for the take-up of demand for those sorts of sites and how you feel the forward land release is tracking in terms of demand?

Mr Gentleman: The target for the next period is 30,000 square metres of industrial land.

Mr Tennent: Industrial demand can be a difficult one to get a grip on. Decisions have to be made as part of the planning process about the size of the sites. We saw some industrial estates planned and released within Hume which, after an initial show of interest, sat around with not a lot of interest in the years after that. Interestingly, most of that is now sold, so it does ebb and flow depending on the economic conditions in the territory.

With respect to going forward, it appears to be all about size. With the growth of the ACT economy and with the very robust population growth that we are seeing, the territory continues to come under the eyes of some players that you would not necessarily see in the normal course of events. They are all after the big site, particularly the big box retailers. There is a whole piece of work that is being done around the demand for airfreight going forward, particularly in the Majura Valley.

With a lot of the work at the moment, while we have a fairly good indication about the Symonston and the Fyshwick releases, when it comes to the Majura Valley, there are still more environmental clearances to get through there. It will be all about the

size of the sites and the sorts of proponents that we can attract to the territory. There is a huge demand for those larger sites. Indeed, if we had many of them sitting on the shelf we would be selling them right now. We are certainly looking forward to seeing if we can get some industrial development opportunities in the Majura Valley.

MS LAWDER: If there is low take-up or sales in this 2017-18 year, will you still be releasing the same amount in the outyears?

Mr Tennent: Again, it depends on size. If the future releases are of a different configuration, size and location—we get a lot of market intelligence from the industry about what the industrial sector is looking for, and we respond to that via the land release program. It is our intention not to delay any industrial releases; it is our intention to push ahead with what we have published.

MS LAWDER: That text that I read out referred to Majura Valley in 2018-19. Majura Valley is not specifically mentioned in the table. Is it called something else?

MS CHEYNE: I think you have got an older version, Nicole. It is in this one: 2018-19, Majura/Pialligo.

MS LAWDER: I have last year's version, I think.

MS CHEYNE: I think so. This is 2017-18; I think you have 2016-17.

Mr Tennent: There are different people on the front.

MS LAWDER: There you go. So you have covered that one in in 2018-19, not even a further year.

MR PARTON: As a supplementary in regard to those larger industrial/commercial sites, I am imagining that the site of the current greyhound track at Symonston would be considered by some as quite lucrative. Has there been any discussion going forward on potential uses for that site?

Mr Gentleman: I get approached unofficially regularly. I have advised that that site is leased to the Canberra Greyhound Racing Club and the lease goes all the way through till 2027. We have no intention of doing anything with it.

MS LAWDER: You were talking about the demonstration projects earlier. Will they require significant changes to the Territory Plan? Will it be on a one-by-one basis or is there some holistic change that you can make?

Mr Ponton: Potentially. It could be site by site, and that is part of the engagement process: to get an understanding of what people have out there. It may be that somebody has a site in a commercial zone that has greater flexibility than in an RZ1 or RZ2 zone. Part of this engagement activity is to get a better understanding and to explore whether or not proposals could be built within the existing Territory Plan provisions or whether the Territory Plan would need to be varied to achieve the particular outcome. For the demonstration, we are really focusing on the outcome.

PROOF

Then we will work back and see whether anything needs to change to achieve the outcome.

MR PARTON: I refer back to some comments you were making earlier, Mr Tennent, in regard to some releases at Belconnen, I think on Lathlain Street, and at Woden, in Furzer Street. You talked about the fact that it had been put on hold. I want to get a greater understanding of what leads you to that position with those sites. How do you make a determination that perhaps there is not going to be enough demand here to release this? What is the process there?

Mr Tennent: We make the decision based on what we know is coming out of the ground. While the government has sites that it can release at a particular point in time, they are well and truly outnumbered by sites that sit there in the hands of the private sector with development potential. The developers are free to initiate a development at any point in time, and they go through the proper statutory processes, while the government needs to observe the timing around those and then make decisions on the land that it holds.

We have seen quite a number of private sector developments come to the DA stage, particularly in Belconnen, as we all know, and also in Woden. Based on the yields and the likely delivery timing of these projects on these private sector sites, a cross-government reference group that puts the land release program together—it is not just us—made the decision, in conjunction with the SLA, to delay those particular sites.

MR PARTON: Fair enough.

THE CHAIR: Earlier this year officers from the forerunner of the land release policy area told us that a SWOT analysis had supported future greenfield development of a large area of land along the Murrumbidgee River to the west of Molonglo and Weston Creek. Are you currently looking at any further land release in that area? LDA purchased a large swathe of land.

Mr Tennent: No. The work was done, and the work is now informing the new refresh of the planning strategy.

THE CHAIR: Do we have to wait for that? Do we know what work is being done in any areas other than Molonglo, Gungahlin and Riverview? Are we looking at Kowen? Are we looking at the areas that have been purchased to the west?

Mr Ponton: We mentioned this morning that the government has decided to undertake a review of the planning strategy. I think that it would be through that process that those areas would be looked at.

THE CHAIR: Is the area around the bottom, around the outside, of Mount Stromlo being worked on?

Mr Ponton: That would certainly be—

THE CHAIR: You as in the ACT government, I mean.

Mr Ponton: I suspect that the Suburban Land Agency board, being a new board, would want to look at its land holdings and provide any thoughts to the directorate and, in turn, the government through the work to be undertaken through the planning strategy. But as Mr Tennent said, in terms of immediate work for land development, to put the land on the land release program, I think it would be premature. As I understand it, the former Land Development Agency had always indicated that these were strategic acquisitions that were not intended for the next five or 10 years but were longer looking in terms of release. But that work is yet to be done.

MS ORR: Noting that this section also covers urban renewal, minister, can you just clarify for me, with the coming into place of the two agencies, the CRA and the SLA, what areas of Canberra you cover as Minister for Urban Renewal.

Mr Gentleman: With urban renewal, you cover all the urban areas. The hierarchy of, if you like, planning policy stays with me as minister, but then there are the SLA and the CRA as well, which occur under different ministers. My directorate, EPSDD, gives the policy imprimatur, if you like, for urban renewal across the ACT.

Mr Ponton: If I could just add to that, the City Renewal Authority is a very clear precinct, so urban renewal within that area is the responsibility of the City Renewal Authority and the relevant minister. Minister Gentleman would be responsible in that context for the planning aspects that are outside of the national area. Then, as the minister said, anything outside that precinct, if it relates to urban renewal, is for the Minister for Urban Renewal. And then greenfields is essentially the Suburban Land Agency.

MS ORR: Because I get asked this quite a bit, I want to make sure I am telling people the right thing, that my understanding is correct. The Minister for Urban Renewal has responsibility for the defined area within the Northbourne and Woden type area as well as anything outside that area that would count as urban renewal. Have I understood that?

Mr Ponton: Certainly in the planning sense, yes.

MS ORR: Yes, in the planning sense. And then SLA—I know we come to them a bit later—is largely focused on greenfields?

Mr Gentleman: Greenfields, yes.

MS ORR: For the record, I have been explaining it correctly to people.

Mr Ponton: That is good. Again, really simply, greenfields and urban are the two ways to describe it.

MR MILLIGAN: I was wondering if I could get some detail in relation to the city to the lake releases for the residential mixed use development program for 2017-18, in particular when, where and how many will be released.

Mr Gentleman: Are you talking about residential?

MR MILLIGAN: Residential, yes.

Mr Gentleman: It is still quite a way off. Mr Tennent, can you help?

Mr Tennent: Yes. As the minister says, it is a little way off. We have 2019-20 as the release for city to the lake. That is for part section 63. It is about 10½ thousand square metres of designated land.

MR MILLIGAN: Is that for mixed use or is it all purely residential?

Mr Tennent: At this stage we think that it will be mixed use. We have 350 dwellings for that particular section 63, but that is likely to come with a level of mixed use in there as well.

MS CHEYNE: Canberra's tourism figures are going pretty all right. Page 2 of this year's indicative land release program says:

In addition to releasing opportunities for the renewal of key inner city precincts, over the coming years the Government will deliver investment opportunities across a number of tourist attractions and event venues.

What does that mean, and how will these land releases complement Canberra's growing tourism industry?

Mr Gentleman: It means that the policy settings for land release have to, and should, include those opportunities to bring about new business opportunities in relation to tourism. Tourism is growing, as you have said, for the ACT.

I am pleased to say that it is not growing as dramatically as we have seen on our recent trip to Europe. I will just give you a quick description. In Prague, the central part of the city has about 700,000 people and in the global sense it has about 1.2 million. They get 33 million tourists a year. The challenge for them is no longer to try to get further tourism; it is to manage the tourism that they have at the moment to allow the normal residents of the city to have some say in the way that they live.

It is encouraging to see tourism come to Canberra. The decisions that government has made in relation to opportunities for that have been key to that. It is certainly taken into account in looking at our land release opportunities for the future. You will see some areas, particularly around the airport, that we are looking at as a destination hub for freight and tourist opportunities. Some of the businesses that have set up there have been key in that story.

MS CHEYNE: Are those investment opportunities across a number of tourist attractions and event venues in this program?

Mr Tennent: Yes; there is one in there: Stromlo Forest Park.

MS CHEYNE: Of course. We are really hoping for Disneyland in Canberra.

MR PARTON: In Yerrabi.

Mr Tennent: The directorate works very closely with Tourism ACT as well as Events Canberra in looking at future opportunities to provide some sort of tourist attraction or accommodation for people who come to the ACT. The Stromlo Forest Park master plan is now in place. We know that the sport and recreation portfolio brought forward the development of the aquatic centre there; we are pretty clear on that. I think that is an opening in 2019.

With such a facility within Stromlo Forest Park, and the future growth of Stromlo Forest Park, we do not want people travelling a long way to get to that facility. At the moment there is a real focus on looking at accommodation opportunities around Molonglo. We have a couple of sites on the land release program; I think one may have just gone this weekend which had the potential for a hotel in Wright. There is another one in a CZ5 location that also has the potential for a hotel. Indeed, within Stromlo Forest Park I know that there is consideration of lower density cabin-type accommodation being considered. The land release program wants to enable that to happen. While someone might have a good idea and a master plan might be written, we need to make sure that that is properly prepared and brought to the market via the program. I think that will be the first of many.

There is another discussion around the Arboretum as well. As we see the rest of Molonglo 3 continue to develop, as it abuts up to the back of the Arboretum there is a great opportunity there for some land release associated with the future growth of the Arboretum. That is one that is probably off the program, perhaps one for year 5, 6 or 7.

MS LAWDER: On page 65 of the CMTEDD annual report, one of the dot points of the highlights says:

... completed two reports on land and property trends for the last quarter of 2016 and the first half of 2017 that were provided to the Land Development Agency Board and informed the development of the land release program ...

What did those two reports find? What were the trends?

Mr Tennent: In relation to the reports that we do, this is just part of our normal course of business which informs the land release program, as I have mentioned before. Straightaway the pipeline was suggesting that it had grown quite significantly in terms of multi-unit development opportunities in the hands of the private sector. We used that to inform some decisions around land release, as I mentioned before, in Woden and in Belconnen.

Another one we are looking at very closely as part of this report that we monitor is the time from exchange to settlement of land. There has been criticism in the past that while it is one thing to have a release of a site, it is another thing to be able to get on and actually build there. I am pleased to advise that the time has contracted between release and construction; the report highlighted that.

It also has a compendium of statistics on land prices, as I mentioned before. There is a good, broad price range of properties across four or five particular greenfield release

areas. It also looks very closely, as I have mentioned before, at the multi-unit supply and where all of that is in the pipeline.

That report in particular showed that we needed to keep the foot on the pedal when it comes to single residential. The 2016-17 land release program was able to deliver around 1,800 of those particular sites, which has been very well received. It advised us that we needed to treat with caution some of those multi-unit opportunities. It also highlighted—we have had the release today of housing choices—that there was a need for more medium density type opportunities, particularly terrace and townhouse. We are seeing now, as we undergo EDP planning for some of the other suburbs within Molonglo and also in Gungahlin, that there is a real focus on not just single and high density but also terrace townhouse products. This is the sort of analysis that we do, and it translates into real decisions around land release.

MS LAWDER: Of the 2017-18 land release, how many will be scheduled for single dwellings?

Mr Tennent: I will take that on notice, but the magnitude is about 1,000 single residential. I can come back to you with an exact figure. Going forward in future years, it is around that magnitude as well. That is noting, of course, that the community have been very clear in their desires for a more managed footprint, if I can use those words. The minister has already talked about shifting away from the fifty-fifty, with the community talking about sixty-forty. It is that sort of thing that informs the land release program.

MS LAWDER: Are the reports that you completed for the LDA board publicly available on the planning website?

Mr Tennent: No. The current version is, but the previous versions were on the economic development website. I am not sure if they are still there, whether they were transferred over.

MS LAWDER: Do you also, either separately or including the reports that you may develop, look at other reports produced by other industry or sector bodies? Do you look at them separately or do you include them in your reports?

Mr Tennent: We look at everything that comes in the door. We are very well connected throughout the local industry as well as with some of our counterparts in other states and territories. We also chair and convene a residential advisory committee and a commercial advisory committee which is made up of representatives of peak industry bodies. We meet quarterly. They serve as great conduits through to government about what is happening out on the coalface. I have a research team under me of five people whose role is to ensure that we know what is going on out there.

MS LAWDER: With HIA, MBA, Property Council and many other reports, is it a matter of collating and synthesising? What value do you add to the reports? Does your directorate add on top of what you are getting from other sector bodies?

Mr Tennent: We certainly collate and synthesise, and we express that information in the context of the land release program. We know what land the government has and

we know what opportunities exist for the government. Of course, there are many imperatives that come with the land release program, from delivering a return to government right through to achieving some policy objectives around sustainability and affordability. We typically condense the information. The land release program goes through cabinet each year, and it is well and truly informed by that sort of analysis. Papers are prepared that synthesise that information.

MS LAWDER: Are they quarterly reports?

Mr Tennent: Yes, they are.

MR PARTON: On the same page, page 65, among those dot points, the highlights, it says:

reviewed the three phases and 97 objectives within the various Affordable Housing Action Plans.

Is someone able to detail what was discovered in those reviews?

Mr Tennent: I can. I note that I think we have some discussions around affordable housing coming up shortly.

Mr Gentleman: It is through Minister Berry's portfolio, affordable housing.

MR PARTON: Would it be more beneficial for me to hang on to that for later in the afternoon?

Mr Gentleman: Yes. We will ensure the directorate has its response ready for you.

THE CHAIR: Forewarned.

MR PARTON: Excellent.

THE CHAIR: I hope this is the right place to ask about, on page 90, the government office strategy. I am emboldened by the fact that Mr Fitzgerald is sitting in front of me and he is the relevant acting director. It does say urban renewal. Am I correct in thinking that this dot point is appropriate to talk about now?

Mr Fitzgerald: Unfortunately that function did not transfer to the directorate; that function sits with economic development, with Chief Minister's.

THE CHAIR: I was going to ask about the new buildings.

Mr Gentleman: If you like, Chair, you can put those forward; we are happy to get the answers for you.

THE CHAIR: Okay, I will put those questions on notice. The other question I want to ask is about the relative profitability and infrastructure cost of infill versus greenfield. I asked some questions on notice about the costs and profitability of greenfield development some time ago. I did not ask questions about infill, and I

probably should have. From your point of view, which is more or less profitable? Just looking at it from the point of view of the ACT government as an organisation which clearly needs some income, what should we be doing?

Mr Gentleman: I think it is worthwhile saying at the outset that the government does not look at profit. The government is basically a not-for-profit organisation. It turns revenue into more spending for the whole community, whether it is health or other bits, but—

THE CHAIR: I do appreciate that there is a use for the money, Minister Gentleman. I am not anti that part.

Mr Gentleman: It is a very important question. You have to try to get a balance about what you are doing with infill, with regard to the balance with greenfield development. As we go down some of the new corridors, for example, there is a lot of infrastructure underground that needs to be upgraded or improved to support further density or urban renewal along the corridor. You have to balance that effort as well.

Mr Ponton: It is important from a planning perspective to ensure that we have choice. There are people who want to live in urban environments and people who want greenfield. In that respect we need to make sure that we do not go for the one that has the highest profit. But of course in land development you want to make sure that there is a return to the community for other uses.

In terms of which one is more profitable, it really is difficult to say. It comes down to the particular area. As the minister said, in older parts of Canberra there is potential for greater costs because of upgrades that may be required to water or sewer infrastructure, or to road intersections, for that matter; whereas in greenfield areas you might think that the cost is relatively low and straightforward but, if you go into steep areas or areas with high environmental values, the cost could be more. So it really is a case of each site being different. You need to undertake a business case for each one of those.

THE CHAIR: You have not developed any rules of thumb or anything that you can look at?

Mr Ponton: It is just too difficult to say. I mean, with Molonglo earlier we were talking about a bridge over the river, an expensive piece of infrastructure; whereas with the development of Moncrieff, the costs there are significantly less than for developing in Molonglo. If you are looking to develop in the Northbourne Avenue corridor, certainly there are areas there that require some infrastructure upgrades. But there are other areas in the inner suburbs that do not require the upgrades, because the population has declined over a number of years. I do not think it would be accurate if I were to give you a rule of thumb, because it is quite rubbery. To say one is better than the other; it is just not that clear cut.

THE CHAIR: All those physical things are varied by where it is, but do you have theories in terms of infrastructure such as child care, schools and so on that would not vary so much with the physical layout? They would just be about the number of people. You must have to have a school every x thousand people. Have you got any

figures like that at all?

Mr Rutledge: This is a very interesting question. Every city is quite different. If you have a greenfield release and you create a population hub—say it is Gungahlin—there is a call on the government to develop schools, health facilities and child care facilities. Those costs and revenues are borne by different players within the same community, so it is really difficult to assess.

Looking at other cities I am more familiar with—I have looked quite carefully at this in, say, outer metropolitan Melbourne—because of the various different players, where do you draw the boundary? There is also a lot of economic productivity and revenue gained by population growth. Looking at the City of Melbourne, there are massive wages earned there and massive pay-as-you-earn taxes paid there, but the City of Melbourne does not take any benefit from the pay-as-you-earn taxes earned in the city. So do you draw a boundary on that, or do you try to move people to where the facilities already exist? Looking at Adelaide, Adelaide City Council has decided that they really do not want to do any further sprawl. Looking at Melbourne, they have drawn the line around Melbourne. They have drawn that line a number of times. Every time they draw the line it is a little bit different. Adelaide has decided that they think the urban form is the urban form, so there will not, I suppose, be future greenfield suburbs of Adelaide.

I do not know whether that is straight developer profit, profit, provision of health care, provision of education; it is a really difficult one to do. But what you see in the planning directorate and the combination with our land release is that it is measuring what our community values. What we have heard, as we keep coming back to, is that our community like our urban form; they value good design and they want a denser city. That said, every time a new suburb is developed it gets sold quickly as well. So it is a hard challenge. It is not an easy one, because where do you do the boundary, and who defines profitability?

MS CHEYNE: Just to make sure I am in the right hearing, if I have questions on city activation and Haig Park, is that here or is that—

Mr Ponton: City Renewal Authority. I think they appeared last week.

Mr Gentleman: You can give us the questions. We will obtain the answers for you. In fact, we have Karen Wilden here who did all the work on Haig Park.

MS CHEYNE: That is who sparked my interest.

Mr Ponton: Even though it is not our portfolio responsibility, I am happy for Ms Wilden to give all the answers.

MS CHEYNE: I think you will recall that in estimates we had a very exciting discussion about bins in Braddon. I did not realise what I was doing at the time. Unfortunately we have only got 10 minutes. At least we are limited. Having been in Haig Park this past weekend for the taste of Braddon festival, it is probably quite firm in my mind. I think at the time that we last spoke, Ms Wilden, the new agencies had really just been announced and I think that you were in early discussions with In The

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City Canberra about what its future role would be. Is there any update you can provide about that?

Ms Wilden: In The City's contract finishes on 31 December. I understand that City Renewal Authority staff are working very closely with In The City on what that means for finalising any projects that are currently underway but also looking at how they can, I guess, keep going with the really good work that In The City had done, particularly in terms of some of the partnerships they had developed and some of the contacts that they have. I think it is not a matter of saying that when In The City ceases to function their work dies. It certainly does not.

I think that they had done some really good, I guess, community building, particularly through the commercial sector in the city. When I was attending their board meetings there was a lot of enthusiasm, even though they knew that the government had made a decision to look at the city differently because of the new authority. There was still a lot of enthusiasm with individual board members that they could see a pathway forward to continue their work.

I think there is some work being done around waste enclosures in both Verity Lane and Odgers Lane. As I understand it, though I am sure we can get confirmation from the authority, that work is still going. Haig Park was still being used as part of testing its viability for that idea of park rooms. My understanding in relation to that particular project is that there has been a draft conservation management plan and a draft master plan, which was what had been put to the community as the main work for that project. I think that is now with the heritage unit and the Heritage Council. It is one of those difficult ones where you need to have a conservation management plan to confirm the master plan works but you need the master plan to confirm that it is consistent with the conservation management plan.

They are currently in that process of balancing that out and understanding where the areas are you want to make the changes in. Obviously that area at the bottom of Lonsdale and Mort streets is one where simply, with those new pathways and security lighting that have been put in, people are already wanting to use it. I think the pop-up wine bar has been there, quite apart from other more organised events.

Yes, that conversation is still going on in terms of Haig Park having to change to cater for what is a new and increasingly densified population but there are still really strong values that need to be protected, not just around the heritage but around the usability of the park. It is a really interesting challenge on all sides. People are saying, "We know we need change but also there are things that we know that we want to protect." At the moment that work is happening with the City Renewal Authority and the Heritage Council and heritage unit.

MS CHEYNE: I have received very good feedback already about the new lights and the expanded footpath. I never expected people to be so excited about a wider footpath. I get excited about them. I have received that feedback independently. Do you know why those things were prioritised ahead of the master plan for Haig Park being completed? Was it just, "We know that this has to be done. Let's do it"?

Ms Wilden: My understanding, but we would also need to confirm the details with

the City Renewal Authority, is that the planning around that work had actually started before we even knew we were going to do a master plan. It was part of a broader series of infrastructure works to try to improve various parts of the city, but that was one that they had been able to secure funding for. It just so happened that it aligned well with where we were going for Haig Park. In a way it was a good way of introducing some of the sorts of thing you would want to do in looking at the whole of Haig Park and looking at where you need those crossover areas. I think it was just serendipitous. I love using that word; so I am going to use it now.

MS LAWDER: On page 65 of the annual report it talks about the functions of strategy and program design transferring to the Environment, Planning and Sustainable Development Directorate. What was the movement of staff from one directorate to another? How many staff were involved in that move?

Mr Ponton: Unless my colleague Mr Tennent has the exact answer, I will need to take that on notice. There were quite a number of movements but only in relation to that team. We had other functions related to land development coming in; areas from what was economic development and also the Land Development Agency. There were a significant number of movements but in terms of that particular function I would need to check the record, if that is okay. Have you got the answer?

Mr Tennent: Yes. I have got some further information there that I am happy to share. Hopefully it answers the question. With regard to people who moved, on a headcount basis, there was one person who was originally in the economic development directorate and 70 people who were in the Land Development Agency that ended up residing in the Suburban Land Agency.

When it comes to the CRA, it was nine from the economic development directorate and 12 from the Land Development Agency who transferred into the City Renewal Authority. Finally, with regard to our directorate, there were 47 people who were originally in the economic development directorate and 30 who were originally in the Land Development Agency who ended up transferring into the economic development directorate. I do not have the total there. My maths is not good enough to do it on the fly. What have we got?

MS LAWDER: Were there any job losses or redundancies in that process?

Mr Ponton: There are a number of executives, as a result of the machinery-of-government changes, who are no longer with us.

MS LAWDER: Was it voluntary or involuntary? How many of each redundancy?

Mr Ponton: In terms of executives, it was a case of applying the provisions within the contract, and there were three.

Mr Reynolds: There were nil voluntary redundancies within the Land Development Agency during the reporting period. However, as Mr Ponton was explaining, there were three executive contracts that were terminated early, and that is associated with the land stream restructuring that I outlined earlier. Some of those land functions from the economic development directorate did come across into our directorate. One of the

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things that we are always mindful of with restructures is looking where we can get some synergies and alignment to provide greater efficiencies in terms of how we apply our workforce and our people.

MS LAWDER: Of the three executive contracts, those positions do not exist anywhere else? The people left, the positions were moved or those three positions have been abolished?

Mr Ponton: The positions do not exist in the form that they previously existed in. It was a case of significant change to the positions. I think, with two of them, there was certainly significant change and one that does not exist.

MS LAWDER: Of the 257 or whatever the total number was who transferred, did you say 71 to the SLA, 21 to the CRA and 77 to EPSDD?

Mr Reynolds: Correct. There were no voluntary redundancies associated with those.

MS LAWDER: Is that 71 FTE or total? Is that—

Mr Reynolds: That was headcount.

MS LAWDER: Headcount?

Mr Reynolds: Headcount, people, yes. I have chosen to use those numbers because I think they give a more accurate reflection. As the committee may be aware, when you start talking FTE it becomes difficult because people work on a part-time arrangement, and it is not truly reflective of the number of people.

MS LAWDER: How many positions are we talking about there that—

Mr Reynolds: In terms of positions, that would be people. Each person owns a position.

MS LAWDER: Does the number of positions, if you added up those three groups, equate? Or are there three positions fewer now?

Mr Ponton: I think you would find that it is not less, because the positions were recast. As I said, the functions changed and there was also some change in some levels because of the changing duties for the executive positions. But in terms of the non-executive positions, people just moved across without any change. In these circumstances, particularly given the magnitude of the change, it is not uncommon for executives to have the early termination provisions applied.

MS LAWDER: I am trying to get a feel for the number of positions previously compared to now. Is it the same?

Mr Reynolds: Roughly, yes, but for the benefit of doubt I am happy to take that on notice. Then I can carefully consider that and give you that response, whether you want it on an FTE basis or a headcount basis, because there are some subtleties in there.

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THE CHAIR: Given it is 3 o'clock, this is probably an appropriate point at which to say—

Mr Gentleman: Could I update the committee before we finalise? The issue that Mr Parton raised earlier in regard to the link from RiotACT to the your say website has been fixed. Thanks for pointing that out.

THE CHAIR: Congratulations. Thank you, minister and all officials. Thank you very much for your assistance this morning and early afternoon. We will suspend and resume shortly with Minister Berry.

Short suspension.

Appearances:

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

Environment, Planning and Sustainable Development Directorate

Ponton, Mr Ben, Director-General

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

Reynolds, Mr Chris, Chief Operating Officer

Fitzgerald, Mr Bruce, Acting Executive Director, Urban Renewal

Tennent, Mr Simon, Acting Director, Land Development Projects

Gordon, Mr Tom, Executive Director, Greenfield, SLA

Peters, Mr Clint, Acting Director, Urban Projects, Sales and Marketing, Suburban Land Agency

Holt, Mr Nicholas, Director, Programs, City Renewal Authority

Chief Minister, Treasury and Economic Development Directorate

Peffer, Mr Dave, Deputy Director-General, Access Canberra, and former Acting Chief Executive Officer, Suburban Land Agency;

THE CHAIR: On behalf of the committee, I would like to thank you, Minister Berry, and your officials for attending today, and especially those who have been here all day. Today the committee will examine the public housing renewal task force and affordable housing.

I bring to your attention the privilege statement on the pink card. Minister, can you and your officials confirm for the record that you understand the implications of the privilege statement?

Ms Berry: Yes.

THE CHAIR: May I also remind witnesses that the proceedings are being recorded by Hansard for transcription purposes and are being webstreamed and broadcast live. Before we go to questions, minister, do you have an opening statement?

Ms Berry: I do have a brief one. Thanks for the chance to appear today before the committee and talk about some of the work that the government has been doing in delivering the biggest program of housing renewal in our city's public housing since self-government. There have been some major achievements in 2016-17, which have included 404 properties that were completed and handed over to the Commissioner for Social Housing, bringing the total delivered by 30 June 2017 to 510 homes.

We commenced design work on a number of new public housing developments in suburbs ranging from Greenway, Monash, Tuggeranong, Holder and Wright in Weston Creek to Taylor and Throsby in Gungahlin. This design work was coupled with extensive community consultation. The public housing renewal task force has

had more than 30 meetings and presentations to community groups and councils as well as their representatives since March this year. We are providing a mix of freestanding homes, small groups of townhouses and units, as well as compact homes. By delivering a mix of housing types in a range of locations, the government is able to support tenants with different needs and from different walks of life.

All of these new public housing properties have supported the ACT government in delivering the goal of distributing public housing more evenly throughout the city, as well as making sure that there is public housing across the community. We have now, with the 2017-18 budget, invested more than \$600 million into this program. This is a significant contribution and a clear signal of the importance that this government has placed on delivering renewal of public housing as we look to the future.

Over the past 12 months the ACT government has developed and undertaken community engagement and has begun exploring options and activities to inform the development of a new housing strategy in order to increase the supply and better targeting of affordable housing into the future. The ACT government has reviewed its 2007 affordable housing action plan and has undertaken significant consultation with key community and industry stakeholders on the development of a new strategy.

During this initial consultation, eligibility, land release, public housing, community housing and homelessness were all raised as matters to consider further, and a number of those are also reflected in the 2016 parliamentary agreement. In accordance with this agreement the government has already established new housing targets and a number of complementary reforms around eligibility.

The next step is the preparation of a new housing strategy that will focus on the target areas of reducing homelessness, strengthening housing assistance and increasing the supply of affordable home purchase properties. This will include exploring options around innovative affordable housing models and increasing low cost, supportive housing options for people experiencing homelessness, people who are vulnerable and those experiencing mental health concerns. My officials and I are now ready to take questions from the committee.

THE CHAIR: Thank you, Minister Berry. There is a proposed database, as I understand it, of people who may be eligible for affordable housing. That is probably all I know about it. It also relates, as you suggested, to the parliamentary agreement. There has been concern for a long time about profiteering from affordable housing. Can you tell me more about it? I have a list of questions but it might be easier if you start by answering that.

Ms Berry: There is still a bit of work being done on the actual target for the database and what the definition of affordable housing is, as well as what the income eligibility is for people who could be eligible and who would be able to be on the database.

Mr Tennent: I can update you on that, Ms Le Couteur, as I have responsibility for affordable housing policy. The database is now live. The database replaces the situation we had before, which was that affordable product would be delivered by the industry essentially to whoever they could find to buy it. I think a lot of people know about that. That was one of the things that came from the review of the affordable

housing action plan. There were some obvious things that we had to move on.

The establishment of the database is a two-stage process. We call, first of all, for expressions of interests. This is ticking many boxes for government. It is giving the policymakers good visibility of those out there who are seeking affordable housing. I should be quite clear that this is affordable home purchase. If you require public housing, if you require community housing, there are other pathways you can use. The government has committed in the past 10 years, and will continue to commit, to home purchase opportunities. That is linked to land release across the full land release program.

This database calls very early for people to express interest in the product that the government will be offering via the private sector. Importantly, for the private sector to fulfil its requirements it must demonstrate that it has sold to somebody off the database that the government will manage. There are eligibility requirements now in place. They are linked to income. They are linked to residency status. They are also linked to quite a number of other things. Importantly, this is now ensuring that the affordable home purchase opportunities get into the hands of those on lower incomes rather than just anybody.

THE CHAIR: It is just on income; it is not necessarily a first homebuyer? I could have purchased a house; then, for whatever reason, no longer own a house. I assume you cannot own another house.

Mr Tennent: That is correct, yes. We have picked up a lot of the existing criteria for the homebuyer concession scheme; a property ownership test. We acknowledge that some people may have owned property in the past and have fallen on difficult times, so we want them to have another opportunity to purchase a home. There are previous property ownerships. It says that applicants must not have owned any other properties in the two years leading up to the transaction date. There is also a price threshold at which these properties are sold, which has been around for some time. Indeed the residence requirements are that one applicant who owns the property must live in the home continuously for one year, beginning within a year of the settlement date.

The income requirements are ratcheted up, depending on how many children you have. We have learnt quite a bit from the way that the community housing sector targets their market and we have replicated that as well. Most importantly, they must be on this database. The government must have some visibility of this once the product goes out the door.

THE CHAIR: How would they get on this database? The question is not about the eligibility. I know how I knew about it but how would a punter know?

Mr Tennent: There is a campaign going on at the moment to promote this at every possible opportunity. Obviously, the SLA are a key player in this. Quite simply, it is a website. It is act.gov.au/affordablehomepurchase. That is the portal in for which you express interest. The SLA have been very good in promoting that. Our directorate have also gone on a campaign, and there will be a lot more to do in the rest of this year and into next year, to make sure that we get the message out as much as we possibly can.

THE CHAIR: If I am someone who is eligible—which clearly I am not, but if I were—I would put my name down on the database; is someone going to contact me and say there are houses available or do I then go to a real estate agent who is selling new houses and they say, “Madam, are you on the database?” How is this going to work?

Mr Tennent: The database works by being very clear up front about what the product offering is. We know what the product offering is because it is linked to the land release program. An example might be that there will be around 45 terrace homes in Taylor that will be released in the current financial year. We are also very clear with those who register that it is then at the discretion of the builder to build that at some time in the future. Typically, they would come out of the ground pretty quickly. We work closely with the SLA with respect to the delivery of this. As the directorate we are the gateway for those interested in purchasing. The SLA are those who deal with the builders.

As soon as the builders have lodged a DA for those 45 townhouses, they will be seeking buyers. They will come back through the SLA. The SLA and the directorate will work together and then the contact will be made to those people on the database who have registered an interest in that particular product. Again it is another tick for the government that we are properly targeting the product to the people who have registered interest. It is a far more developed way of doing it than what we did before.

Once we alert the people on the database that the product is now available, they then need to demonstrate eligibility. They provide us with some additional information which is then checked. As soon as that checks out, the builder is then provided with a list of eligible people. It is then up to the builder to communicate with those people. The builder will typically do that through an agent. The SLA will play a role in monitoring that; indeed EPSDD will also look very closely at that.

THE CHAIR: You said you only had to occupy the building for a year. Are there any conditions upon resale? How do we stop people doing, as has happened in the past, significant profiteering?

Ms Berry: One of the things that has been raised during the summit and the consultations that we have had with the community over the past 12 months or so about a housing strategy in the ACT is about how we make sure that it is targeted and that the people who most need it get access to the affordable housing; also that it stays affordable for a longer period of time. Whilst that is not something the government has made a decision on or announced yet, certainly it is something that has come up through the conversations we have had so far.

Mr Tennent: Indeed. This is the first package of reforms. There will be many more packages of reforms into the first half of next year, as well as the announcement of the new housing strategy. The investigation of limiting or protecting windfall gains, preserving affordable housing, is a key part of the policy work that is going on at the moment. There is a cross-directorate discussion, under the direction of the minister, to be reporting back fairly soon on what we have found and what mechanisms exist.

MS ORR: I want to pick up on the ACT housing and homelessness forum. I understand there has been quite a detailed discussion. Can you give us an overview of what work has been completed on that and what the next stages are in that project?

Ms Berry: The summit has happened. Leading up to the summit, there were considerable conversations with the community, with over 6,000 interactions with conversations so far. The advisory group will continue the work that they have been doing in advising the government on a new housing strategy based on the information so far coming out of the summit and the community. They have been a really important part of this work towards a new strategy in bringing different voices to the table at the same time and communicating with each other.

The next part has been bringing all the information that we heard at the summit together with the advisory group's consideration of all of that; putting it together in a document of some sort, which does not have a name yet; and taking that back out to the community to make sure that what they have told us is what we have heard, that we heard it correctly and that it is properly identified in the paper or whatever it is that goes out to the community. The advisory group will decide what that is called. That is it.

MS ORR: Can you elaborate on who the advisory group are and what their role is in the process.

Ms Berry: The advisory group was brought together to bring some different perspectives to the table and hear from different voices who would not ordinarily spend time together in talking about a housing strategy. We had representatives including public housing tenants, architects, the Property Council, real estate agents, ACT Shelter, Chris Redmond from Woden Community Service, and public housing tenants.

All of these people came together to work with the government and the directorates to build the summit, to start the conversation there, although the advisory group and the community had met a number of times before the summit so had already advised the government about the best way forward and advised how the summit should look and what a housing strategy would look like.

What has been really important is those different voices, having the community sector talking with architects, talking with public housing tenants, talking in the same room with the Property Council. They have been able to guide the government on the way forward with building a new housing strategy.

MS ORR: Are there any trends that are already coming out that you would be able to share with us?

Ms Berry: Some of the stuff that we have been hearing is around different innovative models. I announced the innovation fund on the day, of \$1 million, with the first part of that going to a couple of different, innovative ways to provide different kinds of housing to suit different people in our community.

We have already heard how we make sure affordable housing stays affordable for

longer than just one year. That was one of the things that has come out of the conversations so far. There are the different kinds of cohorts and the complications around making sure that we have all the different kinds of housing that meet different people's needs, whether that is women, young people or people experiencing domestic and family violence or people with mental health issues. There are all of those different issues.

As well, following on from that, and I know you had Mr Gentleman in this morning to talk about the housing choices paper, there is that kind of planning aspect as well as the build, what our city is going to look like into the future and how that will feed into the work coming out of the conversations we have had so far at the summit.

MS ORR: With the innovation fund that you just mentioned, I believe there are already some projects. What are those projects?

Ms Berry: There is home share, home ground and Nightingale. Nightingale is an interesting community housing model. It is a low profit for developer housing type where it has a built form that does not necessarily have all the bells and whistles but provides a housing type that meets all the needs of the different community members who might be living there. Any developer can really take on that challenge. There is nothing holding back any developer anywhere in Australia from deciding for themselves to provide affordable, social or community housing and take a bit of the profit that they would ordinarily make in providing that. There is nothing at all stopping them from doing that. The Nightingale model works with a bunch of different people—builders, architects and community housing providers—to develop a different kind of model that goes towards developers not needing to make zillions of dollars: making a lot of money and making a profit but providing a really good affordable housing model for different parts of the community.

Mr Ponton: The really important thing—the minister touched on this—is that through those projects it is affordable but it does not need to be cheap. That is why we are encouraging proponents. As I mentioned earlier, we are already talking to some people who are keen to be licensed through the Nightingale model. They are very keen to ensure good quality design, really usable spaces and high quality construction, but having it affordable because the developer does not take such a large profit margin. It will look like any other type of development throughout the city.

MS ORR: There is already one party coming forward that is interested in that? Could you give me an overview on the other two projects?

Ms Berry: On Nightingale still, Simon Tennent and I went down to Melbourne and had a conversation with the community that had developed the Nightingale model down in Melbourne. As Mr Ponton said, there was nothing in that building that would suggest that it was cheap or low quality; it was very high quality, close to the city, very close to public transport and quite cool. I think it would suit Canberra very well. Canberra's community would adopt something like that very quickly, I think.

Mr Tennent: With respect to interest in the ACT, as soon as it is announced publicly lots of people come circling. It has been very encouraging to see the number of people who have come forward. There are a couple of options available to government about

how we might proceed with it, but there are some motivated proponents who have landholdings of their own. A lot of the discussion heads down the planning pathway. One of the advantages of having the affordable housing discussion within the planning directorate is that it enables us to really test some of those discussions with our planning colleagues.

Early indications are that this Nightingale-type model—by definition, it is referred to as the baugruppen model—is all about owners working directly with architects and directly with builders. There are economies of scale with having fewer people having oversight. There are no display units; there are shared facilities. As the minister mentioned, the one that we saw in Melbourne was cool on both counts. It was great looking, but it was very well designed, on high sustainability principles and so forth. It is not cheap housing in terms of the definition, but it is more affordable than what you would get otherwise.

Ms Berry: Home share is about matching people up. This is all work that the innovation fund will have a look at, to look at what might be the best model. Home share was typically about an older person sharing with a younger person in a residence of their own, but it could evolve to be anybody sharing, not just an older person and a younger person, within a privately owned home. We would like to explore through the innovation fund how far that can go.

Home ground is a different type of housing provision for people who have a different kind of need. It also is something that is very collaborative within the community, with more than just one organisation responsible for it. It is the same sort of thing as Nightingale, but having more people involved in the design and making sure that it meets the needs of people who might not be able to live in a home by themselves out in a suburb, who would need some supports wrapped around them in a home but also be part of a strong community.

MS ORR: I take it those are the first three projects under the fund but there is opportunity for other projects. Are people coming forward with ideas? Is that how you are taking applications for the funding?

Ms Berry: All of this will come through the work that has already started with the advisory group in putting together everything that we heard from the participants at the summit and also the conversations within the community so far. The whole idea behind this conversation and the development of a strategy was not about individual groups putting forward their ideas but more about them bringing their expertise to the table towards building a strategy. The work that has already happened so far with the preliminary announcements that were made that were part of the parliamentary agreement and the conversation, as well as the summit, will feed into the advisory group's work. Then they will come to the government with advice about the next part of the innovation fund, where that should go and where it is best directed to meet the needs of our community.

MR MILLIGAN: My question is in relation to the government handing over more than 400 dwellings to ACT tenants. Is that 400 exactly?

Mr Fitzgerald: To date we have handed over just over 600 properties to Housing

ACT, in suburbs across Canberra.

MR MILLIGAN: What about the types of housing? Do you have a breakdown?

Mr Fitzgerald: We do. I will take on notice the exact type but it is a mix of single dwellings plus multi-units. The majority are multi-unit properties.

MR MILLIGAN: Has any of that housing been specifically put aside for the Indigenous community?

Ms Berry: All of these houses are replacing houses that already exist and are for tenants who are already in public housing. It should be noted that the housing that is being replaced generally replicates the housing that is no longer suitable and does not suit the needs of our public housing tenants.

Mr Fitzgerald: I might also point out that where we are replacing single units, we are now replacing the majority of those with two-bedroom units, so we are improving the stock that we have at the same time.

MR MILLIGAN: You are also increasing the purchase of suitable residential developments from the private sector to go towards the public housing renewal program. Is there an element of criteria for Indigenous housing in what you would search for there that is suitable?

Ms Berry: This might be a housing question. There will definitely be people who are in housing right now who will be part of the public housing renewal program who identify as Aboriginal or Torres Strait Islander. It is probably better if that question is asked on another day.

MS ORR: With the housing renewal program, how do you identify the tenants' needs for moving and how do their views get fed into the overall program? You mentioned that a lot of the one bedrooms have gone to two bedrooms. How do you match it all up?

Ms Berry: Through one-on-one conversations with the tenants to find out what their needs are. That does not just include their actual housing needs but also the kinds of supports they need around them, where in the city best suits their needs, whether it is close to a school, whether they have children, whether they have health issues which mean they might need to be closer to a health facility of some description.

Mr Fitzgerald: That is right. A lot of time and effort is spent with the individuals, understanding their individual needs. They go through quite a long process. Certainly, from a Housing ACT point of view, they invest a lot in understanding who they are, what they need and where their support networks are. All of those factors are taken into consideration when they decide where they will be located.

Mr Rutledge: Coming back to an earlier point, what we see in a public housing cohort like Canberra is that the whole housing formation is changing and the demographics are changing. The two-bedroom units are part of that response. If you look at housing stock built a generation ago, like Canberra was a generation ago, it

was a single type of dwelling, a detached dwelling on a block of land. People are choosing a smaller housing formation. Therefore the renewal is a really good opportunity for us to rejuvenate the stock of public housing to meet the needs of current and future clients of public housing.

MS CHEYNE: I might stay on the public housing renewal program. Earlier this year there was quite a bit of attention given to what was happening in Weston Creek and Tuggeranong. Are you able to talk me through the process from beginning to end? I understand in particular that in Holder—this is not in my electorate—perhaps the design changed from what was initially released. How did that come about?

Ms Berry: Pretty much all of the design has changed in every single one of those proposals. Considerable effort has been made by the task force to engage with the community about the design element within those public housing renewal proposals. There were over 30 meetings or consultations within suburb groups as well as with community councils and others. Mr Fitzgerald was there at the end of the consultation process. He might want to talk a bit more about that.

Mr Fitzgerald: Yes, I am happy to walk through some of the sites and the work we did.

MS CHEYNE: Yes, particularly for someone who does not really understand it very well.

Mr Fitzgerald: We went through quite a number of meetings with Holder. A lot of the conversation with Holder centred on access, whether it was from Blackwood Terrace or from Stapylton. We went through a process of looking at the impact on the surrounding neighbourhood and how the community would interact with that new development. We spent a lot of time with that community looking at what the landscape buffer should be and their connections to the park. We are still working with the group in trying to understand their connection to the Bill Kennedy memorial park and how we can improve that as a community asset and, again, linking into the public housing development.

The residents of Holder have taken the approach that they want this to be new and innovative. They want to embrace these people into the local community. They have spent a lot of time with Housing ACT, to understand who the residents could be and what type of residents are likely to be there, so that they can start to gear towards embracing them into the community.

With Mawson, it was very similar in its approach. It is a smaller development, so we reduced it there from 11 to eight. A lot of the discussion with Mawson was around access to Shackleton Circuit and not having a thoroughfare from Mawson Drive. There were also discussions around the positioning of the homes on the site, and managing the tree cluster. The site has quite a number of natural resources there that can be utilised for the development. As I mentioned, that was reduced from 11 to eight.

We went through a long process with the residents of Chapman. We changed the style of the development there to be more duplexes, to be in keeping with the surrounding

area. We looked at a lot of the materials used for, say, the knockdown-rebuilds in the area, to try to draw that in and make the development sit into the landscape. Again, with Chapman, there was a tree of significance to the community that we have kept; we have modified our design to make sure that it remains a focal point of that development. We have also looked at the bushfire standards to make sure that we are building to a higher bushfire standard than what is absolutely necessary.

The Wright community was particularly vocal at times, but we have worked through them. Some of the big concerns around Wright have been around parking, and have always been around parking in the area. We were able to, for our development, as it reduced from 32 to 26 units, include additional visitor car parking spaces on that development. We have taken a little bit of the strain off the surrounding area. As part of the discussions with the Wright community, we have also reduced from three-storey elements down to two storeys, and to one storey closest to the single residential.

For us it has been a long process but a really rewarding process. I think we have seen the best of people as we have gone through, and they have really embraced the process and got involved. As part of that, I think they have taken real ownership of the end product.

MS CHEYNE: Given the modifications that have come about, have there been learnings for the program that you will apply to future areas, and what are they?

Mr Fitzgerald: Absolutely. We went out with a set number of units and potentially we would start the conversation before we even decided the number of units. To a point, the number of units allowed us to frame the conversation and understand what the community's needs were. We have had elements of the community tell us that we should be putting more housing there, that we have under-utilised the sites. We are very conscious that this is community facility land. It is a rare resource within the ACT, so we wanted to make sure that we got the greatest value from it.

Certainly, there have been lessons learnt. For us—and it has been the conversation throughout today—it is about early engagement, giving people ownership of the process and understanding what the end outcome was going to be.

MS CHEYNE: While a longer process to have a better outcome is a good thing, did the timing significantly change from what you first anticipated? Has that had further effects in terms of certainty for the tenants who will be moving into this new housing? Once the DA is lodged and then approved, construction probably would not be until mid next year.

Mr Fitzgerald: It has had an impact on the program. We had always factored in contingencies. There was never going to be a simple process. We had always expected that there would be some issues. Actually factoring more time now through the consultation process is going to assist the program rather than hinder it, certainly for sites like Holder and Mawson in particular. Those people have invested in the development and want to see it through. Through the statutory process we have support from those areas. I think it has been beneficial and I certainly would not change the approach.

MR PARTON: Can I add to this discussion on those sites at Holder, Chapman and Mawson. It has been a fascinating process to watch from all sides. There are some involved in it and watching it who are actually of the belief that the original announcements were almost ambit claims and that they were announced at a certain level to give some room to go through this process that we have just gone through. Is there any basis to that thought?

Ms Berry: I guess when the sites were identified the number of dwellings that could be put on those sites was the number that was put out. What we have been learning through the conversations with all these different communities, because they are all very different communities and have had different conversations in a lot of ways with the task force as part of this program, is how you start this conversation in a different way. I have said a number of times publicly that we are going to learn from this process about how we could start a conversation like this differently. For some people in these suburbs I think it was described to me as—I cannot recall the word now—there has got to be a softer way that we can start it. We are going to learn and review all the things that we have done so far.

What is the starting point for this? How do we start the conversation so that it is softer and communities can engage more positively at the start, rather than saying, “This is how many houses can fit on this site”? That is pretty much what was said. “This site can fit this many.” Everyone went, “Oh, that’s too many,” and then we were able to talk with them on what was the best to fit in with that community.

MR PARTON: I understand, Mr Fitzgerald, that you have spoken about the changes that have been made to add additional visitor parking to the site at Wright but I still think, when that development is built and is up and running, it is impossible to suggest that there will not be further pressure put on street parking around it as a consequence of this development. As you know, in that area of Wright it is pretty tough to park on the street.

Mr Fitzgerald: We undertake transport studies as part of the development. We refer to Transport Canberra and City Services as part of our development. As I mentioned, we have gone above and beyond our parking code requirements for the site, taking into account what we heard from the community. Really, I cannot crystal-ball what the future development of the CZ5 site will be neighbouring the property. It may be a high-density development; it may be a lower density development. That will be up to the successful buyer of that site. That, I think, will play quite a large part in the parking story for Wright.

MR PARTON: You have indicated that we are moving forward here and that, from your perspective and that of all the groups and the individuals that were participating in this process, we have got to a conclusion point. Do those groups and individuals share that belief that we have got to a conclusion point or are there some who believe that there is still room to stand up and fight?

Ms Berry: The formal process has commenced for a couple of those sites now. The development applications have been lodged and people are entitled to put their objections, as they would with any other development application.

MR PARTON: Are we about to change over?

THE CHAIR: We are about to but you have had to wait a long time. If you have got really succinct questions—

MR PARTON: These are probably better off put on notice with the time that is required.

THE CHAIR: In that case we will have a short break. Thank you, minister and officials. I would just like to remind members that questions on notice are to be lodged with the committee support office within five business days of the uncorrected proof transcript becoming available. Answers to questions taken on notice are to be submitted as per previous arrangements.

Hearing suspended from 3.45 to 3.58 pm.

THE CHAIR: We are now moving to the Land Development Agency annual report for 2016-17. I note that there is one new witness, Mr Peffer, so I draw your attention to the pink privilege statement and ask you to confirm for the record that you understand the privilege implications of the statement. Minister, do you have a statement to make?

Ms Berry: No, I do not for this one.

THE CHAIR: In that case we will go straight to questions.

MR PARTON: On page 23 of the LDA report, you say that 4,907 dwelling sites were released in 2016-17, which certainly “exceeded the published target of 4,550”. What made you decide to release an additional 357 dwelling sites? Talk me through what occurred there, if you could.

MS ORR: We already had this question in the last session with the urban renewal minister under land policy.

THE CHAIR: We did actually have this question in land policy. If you have another question it might be more beneficial.

MR PARTON: Okay. Again at page 23 you indicate that your land inventory comprised 241 residential blocks, along with various multi-unit sites in Molonglo and Moncrieff. How does this inventory system actually work? What is its purpose?

Mr Gordon: The land release program is released every year. We forecast the full-year program. What it does is identify sites that can be released. That inventory of blocks is then further refined as developments go through estate development planning, and you will have more certainty about the mix of dwellings in there. Once you have the mix determined through an estate development plan, with the predefined definition of whether it is a single residential block or a multiunit site, you will have further certainty about what land can be released. That then goes into a sales program for release during that financial year.

MR PARTON: Excuse my ignorance on the reading of these figures in this report. Are the inventory figures quoted in the report additional to the 4,907 sites, or are they included in that figure?

Mr Gordon: The inventory looks at the figures that are in the land release program.

MR PARTON: How many individual dwellings were contained in the multi-unit sites? I speak of the multi-unit sites in Molonglo and Moncrieff, comprising 241 residential blocks. How many actual dwellings are contained in the multi-unit sites?

Mr Gordon: When you develop a plan for a new estate, the planning will set aside sites for multi-units. Within that there is a maximum range of dwellings capable of being developed on the site. What we forecast and what we have in the program is stating what that maximum range is. If it said 241, that would reflect what was in the planning documentation.

MR PARTON: Are any of those earmarked for public housing?

Mr Gordon: That are not already forecast?

MR PARTON: I am speaking specifically about those residential blocks at Molonglo and Moncrieff.

Ms Berry: At some point in the future Housing ACT could decide, to meet the needs of its tenants, to purchase in those areas, like they would in any development. But I am not aware of any. If you have a specific question about where Housing is purchasing, they would not normally disclose individual houses, for safety and privacy reasons.

MR PARTON: No, and that is fair enough.

Ms Berry: But at any time during the management of Housing's portfolio they would purchase individual sites around the city, new and old.

MR COE: Minister, can you please let me know what the policy is for the number of valuations that is required before the LDA or its successor organisations purchase land?

Mr Gordon: In the current policy framework, my understanding is that there would be two valuations undertaken. But if the other party takes a valuation then we would only be required to take a minimum of one.

MR COE: That is the current policy?

Mr Gordon: That is my understanding of it, yes.

MR COE: So it is the policy?

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Ms Berry: We will make sure we have got some clarification on that. If it is different to the response—

Mr Gordon: I can check that, but that is my understanding.

MR COE: Did the LDA have a policy on the number of valuations that was required?

Mr Gordon: I will take that on notice.

MR COE: What acquisitions have taken place since 1 July?

Mr Gordon: Since 1 July we have settled on one parcel of land out at Belconnen.

Ms Berry: That was not a new acquisition under the SLA; that was an acquisition under the former LDA's framework.

MR COE: Is that the one on Drake-Brockman Drive?

Ms Berry: Yes, Pine Ridge.

MR COE: Does that block have a dwelling on it?

Ms Berry: Yes, it does; I think at least one.

Mr Gordon: Yes, it does.

MR COE: So there is a new lease arrangement in place for a tenant there?

Mr Gordon: Yes, my understanding is that there is a sublease arrangement with the tenant.

MR COE: Is that sublease, as per most of the other subleases, a 10-year lease at a peppercorn rate?

Mr Gordon: I would have to confirm the details of the sublease. I will come back to you on that.

MR COE: Has the LDA gone into agreements that are 10 years for \$1 or thereabouts?

Mr Gordon: To my understanding, yes, there would be some subleases that have that.

MR COE: Could you take on notice how many peppercorn leases there are?

Mr Gordon: Yes.

THE CHAIR: And could you also take on notice the timing of them? We have recently heard about ACT property not stopping doing those. I would be very interested to know if they were recent leases.

Mr Gordon: Yes.

MR COE: Also if there is an accompanying policy about when a peppercorn lease is offered, that would be handy to see.

MS ORR: I have a supplementary to Mr Coe's question, looking at valuations and protocols. For the last annual reports hearings, this committee handed down a recommendation that the ACT government provide strong and clear protocols governing the relationship between the agency and the stakeholders it works with. Can you outline what the SLA has put in place to manage those relationships since coming into being?

Mr Ponton: I might ask Mr Reynolds to come to the table. In terms of governance—this conversation is focused largely on governance arrangements for the new Suburban Land Agency; environment and planning has responsibility for the governance oversight of the two new entities. After the Auditor-General's report of 2016, you would be aware that there was also a separate body of work undertaken by Ian McPhee. That work has been further developed since various functions have come into the directorate. I will ask Mr Reynolds to talk a bit more about the governance work that has been put in place to deal with a range of issues.

Mr Reynolds: The directorate includes a number of resources dedicated to working on the governance aspects associated with both the City Renewal Authority and the Suburban Land Agency. The work continues with regard to recommendations that came out of the Ian McPhee report. In particular, we are assisting both entities to ensure consistency with whole-of-government policy in setting a range of key policy frameworks such as the valuation policy that was referred to earlier.

There remain a number of other key elements that the directorate is taking the lead on. In particular, one of them is what we call a planning and development framework. As you would appreciate, under the new arrangements there is good separation between the land policy aspects associated with land delivery and those of the delivery entities, which is the CRA and the SLA.

The directorate owns the land policy work, the due diligence work that goes behind analysing development potential, taking to government broader business cases, considering whole-of-government cost implications and nexus demand, for example, on schools and public transport. That now sits within the directorate. But there are a number of key dependencies that both the land entities are dependent on with regard to the directorate hitting time frames, to ensure that it is able to release the land as per the government's land release program.

The directorate is taking the lead. As one example, we have established a portfolio governance committee that has senior officials represented from both land entities. I chair that committee. This is where we collaboratively work through key policies that are shared or where we both have a dependency, including that planning and delivery framework that I mentioned, so that both entities and the directorate have clear visibility on risk and progress in that due diligence land strategy space, while still respecting that independence of roles. That committee meets monthly. As I said I chair that, with a number of senior officials represented on it.

MS ORR: If I understood that, the land policy sits with the minister we heard from before. They are setting the policy directions as part of the governance, so it is separating the policy from the delivery, and the SLA is very much there to get the delivery done, and that is one of the checks and balances that has been put in place.

Mr Reynolds: Correct.

MS ORR: With the portfolio governance committee, can you go into a little bit more detail about that? I did not quite get my head around that. Can you step me through it again, please?

Mr Reynolds: We need a good governance structure. You need clarity around the governance issue and you need the documents to support that. You need to regularly monitor those. The other element of that is having collaborative behaviours. We need the behaviours to ensure that what those governance frameworks are trying to drive and set up are being complied with. Collaboration is a key element of that. This portfolio governance committee is about ensuring that senior officials from all relevant entities, that is, the two land entities and our directorate, are collaborating and clearing policy that affects both our spaces.

MS ORR: Can you run me through some of the things being put in place to make sure that the governance is as good as it can be, in the sense of acquiring blocks? I say this with the caveat of being a former public servant. I know that putting in place these frameworks and policies can take a little bit of time. Being a new organisation I am sure you are still working on it. Can you give us an update on where that is and the sorts of things you are looking at doing?

Mr Reynolds: Yes, certainly. The most recent example of that is the determination with regard to the acquisition of properties. That is established through a notifiable instrument. That establishes the onus for the respective land entities to do robust business cases, working with the directorate. Again it is the directorate's role to make sure it is not inconsistent with what other directorates might be doing in whole-of-government policy. Those business cases then go to the respective responsible ministers for clearance and approval.

What we have there is a really robust mechanism about making sure there is whole-of-government consideration across more broadly than just a particular site and what its development costs might be. Again, it recognises that there are nexus impacts on traffic, schools and social services. The directorate oversees that prior to its going to the relevant minister for approval of a potential acquisition.

Separately to that, under the legislation there is a requirement for quarterly reporting. That report is tabled in the Assembly for all acquisitions. What we have there is independence and oversight. In addition we have great transparency through the regulatory requirement for reports to be tabled on acquisitions. I believe that provides elements of better practice governance with regard to that.

Mr Ponton: It is important to note—Mr Reynolds may wish to expand on this—that the arrangements that are in place in terms of the directorate having governance oversight do not remove the requirement for the land entity boards to have governance

frameworks in place for the day-to-day operations. Those systems are in place and our role is to ensure that they are in place and they are operating well. There is a very clear responsibility in that respect. It is not the case that, because we have the governance oversight, the land entity boards and executives are not going to be focused on that. They still have responsibilities.

MS ORR: I was going to ask about how the different parts interact with the board as well as with the staff working within the new SLA area, in making sure that all these guidelines are clear and easily adhered to.

Mr Reynolds: Yes, each of the entities has its own board. Under the legislation they are a governing board. They are responsible for setting the governing framework for all of their operations. They are responsible for assuring themselves, through audit committees, reviews and engagement with our staff, that the right behaviours and practices of its workforce are compliant with the operational policy that it is setting. I can confirm here that both boards, for the CRA and the SLA, were very prompt and quick to establish their own audit and risk committees and they are regularly meeting.

MS LAWDER: I have a question relating to page 39 of the LDA annual report. It is about business integrity risk. It says that during the reporting period there was one matter of a perceived conflict of interest investigated and referred to the chief executive. Could you give me a bit more information about that matter?

Mr Ponton: We might need to take that one on notice.

MS LAWDER: Do you know the classification or position of the person that the report related to?

Mr Ponton: No. Given that the entity no longer exists and many people were involved in the executive of the former Land Development Agency, it is difficult for us to have people here who could give answers to those questions. We will have to take that on notice.

MS LAWDER: Has the person who was involved in that report now transferred to EPSDD, SLA or CRA?

Mr Peffer: We would have to take that on notice.

THE CHAIR: Ms Lawder, this line of questioning is going to end up being taken on notice.

MS LAWDER: Yes. It says on that page that the ACT integrity policy requires a fraud and corruption prevention plan every two years. Does the SLA have such a prevention plan?

Ms Berry: Part of the work that Mr Reynolds referred to was about ensuring that the SLA also has its own governance frameworks in place. I have written to the SLA to ensure that there is a clear understanding around governance as well as transparency and accountability to the government and the broader community, that they would have those kinds of things in place around governance.

MS LAWDER: Does that mean that, as at today's date, you do not have that in place: a fraud and corruption prevention plan as required of ACT government directorates and agencies?

Mr Ponton: In terms of whether the Suburban Land Agency has one, I would need to take it on notice and confirm it with our governance team.

Mr Peffer: The SLA is covered by a range of whole-of-government controls and strategies which the agency does have in place at this point in time. With the work that is underway now with the governance team that resides in the directorate, it is currently developing in the area of 20-odd policies, working very closely with teams from the Suburban Land Agency to make sure that they are practical and applicable and that we can put them into practice once agreement has been reached on some of those with the board or through other executive means. If there is not a plan in place at this time, there are certainly other checks and balances that we do have at whole-of-government level which apply to all staff. I am sure the plan would be well underway.

MS LAWDER: Do you currently have or have you got planned fraud awareness, ethics training or integrity training in the SLA?

Mr Peffer: There has been a comprehensive governance reform program underway for some time now, both within the LDA as it previously stood and now with the Suburban Land Agency. As members of the committee would be aware, there was a range of audit reports that had a number of recommendations. Also the McPhee review was brought in to look at exactly this sort of thing within the LDA: at how improvements could be made. My understanding is that the majority of the recommendations made by Ian McPhee, and in a range of performance audits undertaken by the Auditor-General's Office, have been covered off, including those that relate to a range of training in fraud, ethics, probity and those sorts of things.

MS LAWDER: When do you expect these plans and strategies to be completed and what would happen if there were some kind of issue in the meantime, without a policy or a strategy in place?

Mr Peffer: Certainly, the agency operates no differently from any other government directorate at the moment. Whether there is a plan in place or not, whether it has lapsed, would not necessarily change the behaviour of the many individuals operating in that agency at this point in time. Certainly, the board, having had a number of meetings now, is very focused on the risk around governance of the agency and how it performs into the future. I am confident that there are checks and balances in place at the moment that would enable the agency to undertake its functions in a sound governance environment while these policies are framed and settled.

Ms Berry: Can we just clarify something?

Mr Reynolds: Could I just add there, because I think it is a really important element that helps to illustrate the role of the directorate whilst not moving into a space of controlling either of the land entities: as I said earlier, they have governing boards that

are responsible for that, and the responsibility for their governing frameworks, how they comply with overarching legislation and how their people comply with appropriate behaviours and practices is within their remit.

But part of the new arrangements do provide great efficiency and access for each of the entities to reach into the skillset that already exists within our directorate. By way of example, a significant amount of training when it comes to on-boarding or recruiting new people, maintaining regular awareness of people within both entities does rest within the directorate. We have an entire people and capability team, regular training around fraud and ethics, regular training around what the requirements under the Territory Records Act might mean for their work practices, requirements under freedom of information. All those types of training and awareness programs are the responsibility that the directorate can provide each of the entities.

Again, the reason we have taken that approach is that it provides a level of efficiency for each of the stand-alone entities. To have many teams deliver their own respective training we did not believe was the most cost-effective way. On the training element, there is a lot of our centralised core role that the directorates will be providing. That allows us also to receive information back about where other pressure points might be. Again, in that governance oversight role we can learn from that and keep recalibrating where we might target either new systems or new training.

Mr Ponton: And if I may add also in terms of the directorate's responsibility, you would have heard that prior to 1 July the Land Development Agency and economic development through the Chief Minister's department would have had various plans in place. Those plans would continue until we have the chance to go through and review and update, which is a significant body of work. I think Mr Peffer said that there are some 20 or so plans and policies currently under active review to ensure that they align with the current arrangements. It is certainly not the case that there is nothing in place.

MR COE: I might ask a quick supplementary. Everything that you said, Mr Reynolds, surely could have been said six months ago or a year ago by the then LDA with regard to central training and central fraud and integrity measures. I just wonder: given that the LDA was disbanded in part because of the issues that it had, what is actually the change in this space that is going to bring about the cultural reform that is necessary? Today it sounds like it is pretty much the same as it was under CMTEDD.

Ms Berry: No, that is not the case. I have been very clear in my instructions to the agency about accountability and transparency for the new SLA and the agency as well back to government. At the end of the day it will be cabinet and ministers who will be making the decisions. SLA is the delivery arm of land development.

In my letter to the board chair of the Suburban Land Agency I have asked for a number of things, which include: actively promoting timely publication and information consistent with the ACT's digital strategy to make sure that there is a clear understanding from the community on the role, functions and responsibilities of the board and the agency CEO; consider the regular public release of board papers or reports to inform; build community understanding and confidence in the operations of the agency; enable clear and timely reporting on performance, both financial and

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non-financial objectives and indicators, as well as satisfy the records management responsibilities enshrined in the Territory Records Act as reflected in the ACT territory records office's standards and guidelines for records information and data; and enable the agency to work with the directorate to continue to grow and to build on the governance program.

In addition I have asked that there be no surprises, that there is timely, accurate and coordinated advice to the government. I have asked the agency to support me as the responsible minister now through accurate and timely advice on significant issues as they arise or that are being managed by the agency. These might include but are not limited to: matters for which the government is likely to be accountable in the Legislative Assembly; matters scheduled for deliberations by the board and as well by the Ginninderry joint venture board; important operational or budgetary issues including responsibilities under the WHS Act; achievement against set development targets; matters related to internal governance including compliance with the government's framework for management of risk; and matters likely to attract significant public interest.

I have also asked that the agency continue to have and build a strong working relationship with the Environment, Planning and Sustainable Development Directorate. Responsibilities of the agency are broad and I have encouraged them to advise the government on matters relating to strategic planning and environmental sustainability, built form, land development and management. And that correspondence goes on.

I have had at least one meeting with the agency board so far as well as a number with the board chair and we are all collectively keen to ensure that the SLA's work is as transparent as possible to both the community, as it should be, as well as to the government, and to ensure that accountability and transparency are there and that we meet the needs of the community through the SLA.

MR COE: Which of those matters are matters which were not in place in the previous LDA?

Ms Berry: Suggesting that the SLA is the same as the LDA is not true. The SLA is working very hard to ensure that there is that transparency, governance and accountability in place. I am the minister responsible for that. I have made some very clear directions to the agency board and to the chair about my expectations but also the government's and the community's expectations as well.

MR COE: They are all pretty general stuff that I think could have been said in years gone by: complying with the Territory Records Act—no surprises! Which one of those is actually different from the LDA? They are all just generic instructions that apply to every agency.

Mr Peffer: I think if you look at the structure and construction of these agencies now it is clear that there is an unprecedented level of transparency where the checks and balances are no longer within an agency and a single board. There is now a directorate which has significant responsibilities. There are now multiple directorates which have significant responsibilities as you go through a business case development process, for

instance.

I do not think it is fair to suggest that the situation is the same as it was six months ago. To me it looks fundamentally different, and I think the number of eyes looking at every decision that has been taken and a strong focus of the board and the agency on due process and robust governance arrangements have been a hallmark of the Suburban Land Agency in its creation.

MR COE: What are some of the prescriptive changes that have been made?

Mr Peffer: We will tend to look at a business case process that now requires consideration of the Director-General of the Environment, Planning and Sustainable Development Directorate, the Director-General of the Transport Canberra and City Services Directorate and the head of treasury before it can actually be put to the board for consideration before it then goes to cabinet and a minister can take a decision on whether an acquisition takes place.

MR COE: That is only for acquisitions. Acquisitions are only a very small part of what the SLA does. What other prescriptive changes actually differentiate the SLA from the LDA?

Mr Peffer: The minister, as has been mentioned, wrote in no uncertain terms her expectations of the board and of the agency as it operates. Part of that is ongoing transparency and reporting in terms of decision—

MR COE: Prescriptive changes.

Mr Peffer: Prescriptive changes in terms of regular reporting which is now provided to the minister on a range of projects that are undertaken on decisions that are taken within the joint venture of which the Suburban Land Agency is a partner. In terms of the transparency of decision-making that is occurring, it is fundamentally different.

MR COE: There were monthly project reports from Ginninderry and all the other projects in the LDA.

Mr Peffer: No. I think what the minister has asked of the agency is a range of things in terms of looking at not just reporting on joint ventures or specific projects but right down to the level of the mix of housing that is going to market month to month, all sorts of things—

MR COE: But that was so for the LDA.

Mr Peffer: which in the past did not have the same level of reporting sitting around it, or the regularity of reporting.

MR COE: If you can take on notice what regular prescriptive reporting is done and which of that is new.

MS CHEYNE: Back to governance arrangements in the directorate and the training that you mentioned, Mr Reynolds, about fraud and ethics and integrity awareness,

what form does that training take? Is it an online module or is it a face-to-face session? Is it just on commencement with the agencies, is there regular refresher training and is the training tailored to the quite specific responsibilities of the agency?

Mr Reynolds: We are pretty flexible in how we deliver the training. There is no one set approach that we will have in terms of whether it is going to be online, whether it is going to be one on one or whether it is going to be in group sessions. With regard to when, what we have found is that, to support the better practice with regard to behaviours, staff are busy and often their roles will change or often the legislative requirements around them will move.

It is not a matter of them getting trained as they are on-boarded into the organisation when they might start. There is a regular program that will be in place to support them. We recognise the programs are only a few months old now but we have already started delivering training.

Members may be aware that there are new requirements under, for example, freedom of information and open access that start in January next year, under the freedom of information legislation, and those requirements do require changes. They require quite specific record-keeping. The directorate is rolling out an electronic document management system and we are supporting all the staff within the SLA and the CRA with training modules for that and, thus far, that training has been in group sessions.

Our directorate staff, who are experts in that field, are tapping into whole-of-government knowledge about what the new regulatory requirements mean for their practices. Our directorate has identified the appropriate software with regard to the system to ensure compliance with electronic document storage, and our directorate provides training to staff of the SLA as to what this means for them, as to how they go about using this new software to ensure they are compliant with the Territory Records Act and the Freedom of Information Act.

All those obligations, in terms of their compliance, sit under the respective boards but we are there supporting and delivering that training as and when required. Separately to that—

MS CHEYNE: What EDM system are you using?

Mr Reynolds: At this stage the directorate has a system called Objective document management system. Again the directorate believes that, in terms of greater efficiency between the land entities and our directorate space, having one system works really well and there are efficiencies to be gained from that. That is the system we are rolling out.

In addition to those engagements, in terms of training, I mentioned earlier the portfolio governance committee. That is a forum where senior officials from the SLA can raise concerns or needs about emerging pressure points with regard to training and, separately to that, at least once a month I have a standing meeting with each of the CEOs where we are able to have a very informal, frank discussion about what is working, what is not, what do we need to do moving forward. That really

close engagement is definitely a practice that is already in place, even a few months in.

MS CHEYNE: With the training that you are providing, do you keep a record of how many people in the organisations have been trained?

Mr Reynolds: Yes. We have thus far. We keep a register, a roll if you like, of who has attended and who has not, and that information will be made available to the audit risk committees of the respective boards so that they can have a level of insight into, again going back to the behaviours and the practices of their staff, who has been attending and who has not. It is a nice check and balance, I guess, in the system.

MS CHEYNE: And you said there is going to be some regularity in terms of people being refreshed in that sort of training?

Mr Reynolds: Correct. We will work with the respective audit risk committees for them to identify their pressure points over the forward year about what training they think they might need. We will provide some other suggestions in light of legislative changes that might be coming about or software upgrades or even recent findings from Auditor-General's reports of other directorates. That might give us some insight into potential opportunities or pressure points, and we would suggest to them other training needs that we might raise and roll out on their behalf.

MS CHEYNE: I am sorry if you did answer this before but, in terms of how tailored the training is that you provide, does it have real-life examples in terms of fraud and things like that? I do not know if it is online or you are training them in person but did you say that is actually quite directorate specific or is it related to their jobs? I have worked in governance in past lives and I have seen different training programs that are really quite generic and do not apply to all. The ones where you can really see real-life examples that come into how you do your every day job make a real difference in terms of lasting memories.

Mr Reynolds: Absolutely. I could not agree more. Where it is appropriate and where we can, it certainly has more effect, in terms of the learning journey that people go on, when it makes it real and you can give a contemporary example that is relevant to their workspace.

MS CHEYNE: And you are doing that?

Mr Reynolds: Yes we are doing that where we can, particularly in the governance and risk space. One of the things that I have identified and I use quite often when I am delivering training around risk or engaging with people is that I draw on some of the experiences from the asbestos task force because it is in their mind and I am able to show how good governance practices actually help people do their work, linking that difference between governance just being something in the book and separate from operations. I am able to join the links in a live, practical example for them. Where we can, certainly we do.

MS ORR: I want to pick up on the audit and risk subcommittees of the boards. It goes to that wider framework. You noted a relationship, if I understood it correctly, between what the directors are doing. Can you explain to me what they do?

Mr Reynolds: Could I clarify your question? What do the respective boards' audit and risk committees do?

MS ORR: Yes.

Mr Reynolds: The governing boards each have full accountability and control for the behaviours and practices of their respective entities. What boards will typically do is set up a committee of the board, such as an audit and risk committee, to keep a finer grain detail on how its risk management framework and its risk controls are being operationalised and implemented within their operating environment.

An entity, for example, would have a risk control plan, they would have risk registers and they would have controls allocated to numerous staff on how to control those risks. One example of a function of an audit and risk committee would be that they would review that from time to time. They would review how their staff are complying with financial delegations. They would review how their staff are complying with their project management practices and operating procedures, as part of that assurance to themselves that what their workforce is doing is consistent with the policy framework that they set.

MS ORR: They are really going to be overseeing the workforce, the public servants, and making sure that the policies that we have been talking about, the frameworks, will be adhered to?

Mr Reynolds: Yes. They are undertaking audits and assuring themselves that the risks and the assigned controls that the board has allocated to control each of those risks are being appropriately implemented.

MS CHEYNE: With these risks and the control measures that are in place, how have the risks been identified? Is there a risk register that has been put together and how has that been formulated?

Mr Reynolds: How the entities formulate their risk registers is an activity that they own and that they undertake. Typically, stakeholders would be consulted on that, they will draw on their own internal expertise and they will rate risks. It should also be remembered that it is for likely and reasonable risks that they, through their own internal corporate knowledge and information from stakeholders, would pull together, and then identify appropriate controls and monitoring and reporting frameworks. It is important that each risk control owner within their work team is fully aware of what risks they own and is providing regular assurances to the audit and risk committee that they know what risks they own and that they are effective and in control.

MS CHEYNE: Have the audit and risk committees been established for both agencies?

Mr Reynolds: Yes.

MS CHEYNE: Do they each have external appointees on them?

Mr Reynolds: I would have to take that on notice.

Mr Gordon: We do.

MS CHEYNE: Who are they?

Mr Gordon: I cannot recall the lady's name but we do have an individual that is independent of the SLA.

MS CHEYNE: Are you able to provide that?

Mr Gordon: Yes.

MS CHEYNE: Minister, going back to the letter that you were quoting from, you set out quite a lot of expectations. How will the agency's progress against the expectations be monitored?

Ms Berry: We will be able to provide a little more detail about what happens throughout the work of the agency once the new CEO commences work today. After today, we will be able to work with the new chief executive officer on some of those things. I know that the board—certainly the chair—has been very keen to ensure that this work around governance and the expectations of the government are implemented by the board, who are very keen to be involved in the work in this place. It is a different board from what would ordinarily be the case, whereby the board is a delivery arm of decisions of government and not necessarily a decision-making entity on its own. That is a bit different in itself from what would normally happen in those kinds of boards, the set-up of them. That has been a difference with this one, in that there is a very clear connection and a reportable part of the work that the board will need to do, and decisions of government will then be implemented and delivered by the board.

Mr Peffer: The agency, in response to the minister's letter, is preparing a statement of intent. It is quite a detailed statement about not just what the agency intends to deliver throughout the financial year but also a statement about how, and it is about some of the key performance indicators, that may not necessarily be financial performance indicators, that it will use to benchmark its attainment of the expectations that the minister has laid out in her letter.

MS CHEYNE: Will the statement be public once it is prepared?

Mr Peffer: It will be up to the minister.

MS CHEYNE: You referred to the statement setting out expectations for the financial year. Will it be updated each year?

Ms Berry: The current statement of expectations is public. That is available on the website, I understand.

MS CHEYNE: Your statement of expectations?

Ms Berry: Yes, my statement of expectations.

MS CHEYNE: But not their response yet?

Ms Berry: With the response, I think there is a willingness by the board and the board chair for it to be as open and transparent as possible. I expect that what can be public will be public.

MS CHEYNE: Would it be a yearly thing?

Mr Peffer: It would be updated annually.

Ms Berry: Yes, it would have to be, because we will have different targets.

MS CHEYNE: Things will change; okay.

MS LAWDER: Minister, in your letter setting out expectations you asked the board to consider releasing minutes of board meetings; is that what you said?

Ms Berry: Yes.

MS LAWDER: Have there been any board meetings as yet?

Mr Peffer: Following the minister's letter, I understand there has been one board meeting. At this stage I believe the minutes for the board meeting are still in draft form.

MS LAWDER: When was that board meeting?

Mr Peffer: A little less than two weeks ago, I believe.

MS LAWDER: I guess that will be the first test.

Mr Peffer: 31 October. Following that time I know the chair has had an initial discussion about releasing those minutes.

MS LAWDER: Would there be two sets of minutes: the ones being released and the ones not being released?

Mr Peffer: No. My understanding is that a single set of minutes has been produced for that meeting, on the understanding that the chair has been talking to the minister about potentially releasing those.

MR MILLIGAN: My question is in a different line. It is in relation to the mingle program that is run by the—

MS ORR: That was my question.

MR MILLIGAN: Is it? We can share, I suppose. What were the outcomes of and what did you achieve with the mingle program during 2016-17?

Ms Berry: What we hoped to achieve? What we have achieved?

MR MILLIGAN: What you did achieve.

Ms Berry: Do you want some sort of data, numbers?

MR MILLIGAN: Yes, data, numbers, including a breakdown of how many events you held, how many people attended, the cost of those events and the outcomes.

Ms Berry: Some of it we might have to take on notice. I do not know if you have ever had the chance to attend the mingle program, but it is more than just having people turn up to an event. It actually builds really strong communities. People get to meet their neighbours and build strong and lasting relationships within their community. That is probably one of the primary goals of the program. But it gives the community a chance to connect up with different services as well and find out how development in their area, particularly, is going. They also get to talk with the agency.

Mr Peters: A big part for us is establishing a connection with communities and the members of those communities in our newly developed estates. The program first kicked off in 2009. It was very much in its infancy at that stage, as an idea, and has evolved neatly through to today. A number of events and partnerships have arrived through that period of time.

Most importantly, what we have found in delivering the mingle program is that we have been able to take really good counsel from residents in their new estates and to partner with them in discussions about what they would like to see in their estates and what sorts of community functions and facilities they would like in their estates. That gives us the opportunity to then feed back into the directorate when they are master planning and preparing estate development plans about some of the functions of where they live and how they connect with their neighbours.

Probably the thing we have found that has been the most exciting—it is kind of a cool thing, and it is rare to be able to say that in this environment—is that a lot of the residents are really passionate about getting involved. That is something rare that we have been able to harness and embrace. That was very clear at one of our most recent sports days. It was a kind of competition between the two suburbs of Wright and Coombs, where it came down to a tug of war right at the end of the day. It was pretty exciting to see these guys get involved and be passionate about who was going to be the sports champion, if you like, of these suburbs. Ultimately Coombs was the winner—so a shout-out to those guys. They really went around promoting it after that and used the social media forums to promote it even further.

As far as partnerships go, there is lots of community involvement. We have pop-up cafes and other social enterprises that have joined the concept of mingle and what its intentions are. We have been working with industry. Work for the dole groups and the like have been able to get engaged with us and offer their services, and vice versa: some training in that space. Innovatively, in a sense, we have been able to partner using live Facebook feeds and other social media forums. That is fairly common today but it is about how you evolve that and have the community involved. Sport and

fitness, as I just mentioned, is something we really want to evolve. There is nothing better than getting the younger generation—and my daughters are good examples—away from their iPads and the like and getting out and kicking a footy and playing a game of cricket. That is always exciting.

With parks and conservation, we have found that there is very much an environmental focus on our estates. That is helping us design parks and allowing us to think about the type of planning we put in the parks and what sort of water-wise infrastructure we can put into some of our parks and green spaces. There is a learning in that and, again, that is the sort of information we feed back through the directorate. Trying to create a 360 dialogue is probably the key here as well, because it is not just about taking all this IP and sitting on it; we need to share it back in and share it out. I think that that is starting to pay some dividends in that space, especially in education and sustainability.

One of the other things we have worked really hard on, with our colleagues within the property group, is the old sewer attendant's cottage in Coombs. It is an old heritage-listed building that had probably lost its way a little bit through time and unfortunately it had sat there, fairly redundant. Property group and our team took the opportunity to reinvigorate that asset. We have made an investment back into it to bring the heritage standard up. We are about to physically turn it on as a functioning community space where community people can come in and do whatever they would like to do as far as community initiatives and the like go. It might be just a meeting place for a chat and perhaps a cup of coffee. We have community gardens that we are looking at undertaking and little bits of infrastructure where we are going to be utilising that space. It is a pretty exciting project that we are getting pretty close to launching, hopefully before Christmas. I guess that is it, in a nutshell.

MR MILLIGAN: What has been the cost to the government for the mingle program, either annually or, on average, the cost of each event?

Mr Peters: I would probably have to take that on notice as far as the detail goes.

MR MILLIGAN: Has there been a common thread of feedback that you have received from holding these events?

Mr Peters: In essence it has been positive but it depends on the topic and the event. We sometimes find that we are just facilitators to get like-minded people into rooms to discuss certain things that probably have nothing to do with the territory or the government of the day. It might be their own discussions they want to have about their family or education for their children. It just depends on the forum.

MR MILLIGAN: Are there any specific topics you can mention at the moment that have been of major concern?

Mr Peters: Not in a continual sort of space. What we are enjoying is the opportunity for the community to not only engage with us but also, more importantly, take ownership at the end of the cycle of our tenure in the project because, ultimately, what we want to do is create the community opportunity and then hand that over to the community for them to run. They would then pick up, say, the fitness elements, run the yoga classes or utilise the community spaces and the like. We are more of a segue

and an introduction, over a defined period of time generally. What we are finding is that it is about how you can maintain a decent set of dialogues within the community. That seems to be the topic that keeps coming up: how do we maintain it and how do we evolve?

MS ORR: I take it the mingle program will be continuing under the SLA?

Mr Peters: The Suburban Land Agency; absolutely.

MS ORR: Which suburbs are you currently focusing the mingle program on? I know Moncrieff is one of them.

Mr Peters: Yes, that is right. We have a number of suburbs that we are focusing on. Franklin was the first one, so that was a bit of an education—maybe an apprenticeship, if you like—as to how we should advance. We then progressed to Bonner. Generally, it depends on the size of the estate and then the model that we would apply to it. Generally, all of our estates will pick it up, and especially Wright, Coombs, Bonner and Moncrieff. They were the core ones for us. Lawson and Throsby also have received some attention in relation to the mingle program. So the suburbs are Wright, Coombs, Bonner, Moncrieff, Lawson and Throsby.

MS ORR: For any of the developments that are coming up in Gungahlin, such as Taylor and Kenny, if Kenny eventually happens—we might leave Kenny off, actually—would there be an intention to go in with the mingle program?

Mr Peters: Yes. What we have found through research, reporting and communication is that we start with about a 500-dwelling yield, if we are in that space. For anything over and above that, mingle will be applied to those estates. If it is less, it would be a different model and a different communication tool. We might invite a neighbouring suburb to participate, as we did with Wright and Coombs, for example.

MS ORR: So once you have 500 dwellings then the mingle program runs?

Mr Peters: Yes.

MS ORR: For how long do you generally tend to run the program? You said the intention is to hand over to the community?

Mr Peters: Yes.

MS ORR: For how long would you run the program before you handed it over?

Mr Peters: It depends probably on two things: the estate and the community. We would like to say that we would be there for as long as it takes for the community to be comfortable and until they no longer necessarily require the detailed support that we would offer. Each community is slightly different and each development is slightly different. We tailor that to each opportunity.

MS ORR: Can you give me some examples of the events you have run? I know there was a stargazing night in Moncrieff.

Mr Peters: Yes.

MS ORR: So they are quite diverse.

Mr Peters: They are.

MS ORR: You gave us this tug of war idea. Step me through it. What are you doing?

Mr Peters: The beauty of it is that it is really diverse. A lot of examples would have a nature focus, such as education on certain types of flora and fauna. We might run photographic competitions. We might run other conservation discussions. In Throsby, for example, it has quite a high concentration of ecological and sustainable elements to it, so that type of community want to be involved in that and we would help to engage in that space. It could be as diverse as that or it could be as simple as kicking a footy in the park. The best thing about it is that it is designed to be diverse. We are not in the business of capping it at a certain objective; we want to engage with the community and find out what interests them in living in certain suburbs.

THE CHAIR: You talked about getting out at the end. How do you assist the community to become self-supporting? What do you do and for how long are you typically going to be in a community? Every community would love to have more resources for community development, I am sure.

Mr Peters: Yes, it is a really good question. There are well-established community groups that we have already started to partner with. The YMCA is a really good example for us, regarding a recent event that we did in Wright and Coombs. They were very well established in the support network and were able to offer up opportunities for what a certain event would look like.

We are very open to opportunities with certain committees and certain residential advisory sectors—all of those councils. A very early part of what we will do is engage in a consultative space, just to understand where some of their pain points or challenges might be and see if we can either broker or help to solicit some outcomes with incoming residents. It is about bringing forward some of the issues that are required to be discussed, and have that discussion: “Let’s be honest about it.”

They are the sorts of things we are looking at, whether it be the Weston Creek Community Council or the Yarralumla Residents Association. Whoever it is, dialogue is really important. That is something in which we are building skill sets so that we can advance the mingle program.

THE CHAIR: These areas do not generally have a community council.

Mr Peters: Correct.

THE CHAIR: Molonglo, from what I know, is sort of associated with Weston—

Mr Peters: That is right.

THE CHAIR: but it is clearly a very different issue. If you had that infrastructure in place, you would not need mingle. How do you consult with—

Mr Peters: Mingle is more than just about having a council to drive certain objectives. We have found that the Weston Creek Community Council have been really good. They have offered us certain skill sets and a certain set of dialogue from their experience. We need to be able to build on that and take some of that correspondence and learnings through to the representatives of, say, Wright and Coombs, as an example. I do not believe there is a silver bullet for this; it is very much about learning and listening. I think that is something we are starting to do really well.

THE CHAIR: With Molonglo there are about 45 different nationalities there.

Mr Peters: Correct.

THE CHAIR: I imagine it is the same in Gungahlin.

Mr Peters: Yes.

THE CHAIR: I have had some reports of not total happiness with different ethnic groups. How do you deal with that?

Mr Peters: It is a very good question. Actually, cricket is a universal language, believe it or not. We learned a lot the other day about getting a few guys out and having a nine-year-old nearly take your head off. That is always a good opportunity to sit down; we have sat down and had a good chat with families. The conversations we were having were being taken back to friends and associates that were in the suburb who were not willing to participate. We find that there are little advocates within some of these certain demographics that are willing to engage with us, which is a really nice space to be in.

Ms Berry: It certainly was the experience at Moncrieff as well, at one of the parks, the one up on the hill.

MS ORR: There are three parks up on the hill in Moncrieff.

Ms Berry: Okay. With respect to the one that I went to, there were lots of new families there with lots of young children, and lots of different groups came along to that. Children are a conversation point for anybody in any community. You could see people were already building relationships with people from different nationalities, and that would be something that would continue because they would meet up together at that park, which was just outside, on their front doorstep.

MS ORR: I am trying to get a feel for what programs are going on. The annual report, on page 24, outlines sustainability and climate change. Can you give me an overview of what the SLA are going to be looking at in the area of sustainability and climate change?

Mr Gordon: As we are developing new suburbs we are looking at opportunities where we can look to provide new initiatives in how we might deliver these suburbs.

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A lot of the information that will be coming through into the estate development design will be from the directorate itself leading suggestions on where the government policy is heading. We will translate that into some elements that we can put in place in the estate development planning process. Part of that process is consultation with our board. The board have clear objectives as to what they would like to see delivered. That conversation will point to certain areas where we can achieve outcomes for the community. Then it will lead into a design phase, which I believe will be using the government design review panel to provide assistance in the directions where we might be able to head and then, through agencies, input into how those estate development plans can be approved and subsequently delivered.

MS ORR: Can you give me a bit more detail on some of the objectives that have been outlined by the board in the areas of sustainability and climate change?

Ms Berry: On the SLA board some of the members have particular expertise in this area as well, so we will be drawing on their expertise in making sure that we build suburbs that are sustainable and that are able to adapt to changes in the climate. But we will also be working very closely with EPSDD on that work.

Mr Peffer: It takes a while for a suburb to go from the point of inception through design and all the consideration that goes to the point of actual delivery. Certainly already the board has highlighted for the agency some of the areas of interest it has that it would like to consider in the design of new suburbs, not just public transport but also energy and a range of other things that it would like to see. That is at the design stage and some of the early thinking. There are also some projects underway now that have particular sustainability initiatives that are delivering dividends for the community. Mr Gordon can talk about the little eagle.

MS ORR: Everyone wants to talk about the little eagle.

Ms Berry: Did we already hear about the little eagle?

MS ORR: Please talk. I like the little eagle.

Mr Gordon: People are aware of the West Belconnen project Ginninderry. It is out on the north-western corner of Belconnen. It is a development that extends along the Murrumbidgee River and covers a significant area of woodlands and the river corridor itself. Within the precinct of Strathnairn, the arts precinct there, a little eagle has been nesting for the past year, maybe for two years. It is one of several in that area. We have been working with Canberra University and other areas of the ACT government to do a bit more research into how the little eagle lives in that environment and how the urban development that is projected in that area may impact on how the little eagle works around that area.

With the help of Canberra Uni they have placed a tracker on one of the eagles—I think it is the male eagle—which has been foraging in about a 65 square kilometre radius around the Strathnairn area, so primarily in that urban and rural area of north-west Belconnen. It has kept its nesting site at Strathnairn but during the winter period the male decided to head north—and significantly head north, by about 3,300 kilometres, I think—to Daly Waters in the Northern Territory. It was a fair old

flight. It is characteristic of the lack of knowledge about how some of the wildlife exist within our urban environment that it was quite surprising to everyone that the bird would travel that far. The program is ongoing. We are looking to do some more work, possibly to put a tracker on the female bird as well to see if the pattern of foraging and activity around Belconnen is the same and, likewise, if it travels as far as the male.

MS ORR: You said the estate plans would go before the design review panel. Can you elaborate on that process and what benefits you see out of that?

Mr Ponton: That is through the municipal planning statement of planning intent. We talked earlier about the community having a very strong desire to see improved design across the city, not only in urban infill but also in greenfield development. The directorate has been leading work to bring together a single design review panel. We are calling it the capital city design review panel. We have been working very closely with our colleagues in the National Capital Authority, and currently there are a number of design review panels across the city. The National Capital Authority has its own design review panel, there was a design review panel for the light rail project, and the former Land Development Agency had a design review panel.

What we have done is talk to all of these various stakeholders and bring that back together. We will be looking to, hopefully, subject to some decisions by the minister and the government, go out to seek interest across the country for people who would like to participate on that panel. We would be looking to establish quite a cross-section of skills. It is not just about architects: it is about making sure we have people who have skills in sustainable development, for example, people who have transport related skills; and people who have architecture skills, urban design skills and landscape architecture skills.

That work is progressing well, and we are very hopeful that by early next year we will have established the capital city design review panel. That will then give the Suburban Land Agency, and the City Renewal Authority, for that matter, the opportunity to tap into that panel. Other major projects across the city, whether they be government or private sector, will also be able to tap into the process. We are looking to utilise the design review panel for larger development applications as well.

THE CHAIR: On page 207 of the LDA's report, the bottom acquisition is "Stromlo (Winslade)", which was settled on 30 June, just in the LDA's time span. What is the purpose of the land acquisition, and who approves it?

Mr Gordon: The approval of that acquisition is through the old Land Development Agency board, so—

THE CHAIR: The board approves it by itself, without any ministerial involvement?

Mr Gordon: With that one, given the value of that property, the business case is put to Treasury, then advice is provided up to the Treasurer and there is approval from the Treasurer to agree to that.

THE CHAIR: What was the purpose of buying it?

Mr Gordon: The previous LDA board were looking at strategic options. The property owner sought to sell the property and made that known to the LDA. The acquisition of land on the western edge had been identified in earlier planning strategies, the land capabilities had been identified in earlier planning strategies, and the LDA was looking at strategic acquisition for the future growth potential of Canberra.

THE CHAIR: What land capabilities were they? There are lots of things it could be capable of.

Mr Gordon: It could be capable of a lot, and a lot of that needs to be tested. It could be capable of future urban development.

THE CHAIR: So the government has now bought land that almost completely surrounds Mount Stromlo and has over 10 kilometres of frontage to the Murrumbidgee River. Have you done any investigation of the environmental impacts of surrounding Mount Stromlo and the river with suburbs, which appears to be where you are going?

Mr Peffer: The land has been acquired to give the government or future governments a range of options. One of those options could be urban development, but equally there are other options such as environmental offsets or other things. So to suggest that it has all been earmarked for future suburban development—I am not sure we could respond to that.

THE CHAIR: I was not actually making that suggestion. I was asking you, given that you are now a very substantial property owner there, what environmental impact assessments have been done. I mentioned suburbs. Clearly, if that is not where you are going, you would be looking at impacts of whatever it is you are contemplating.

Mr Peffer: Before the land is converted for any sort of use, it would go through quite an extensive process within the directorate to assess ecological and environmental values, and that would inform any decision that is taken.

Mr Ponton: I refer to the conversation in an earlier hearing today where we indicated that that detailed work has not commenced. As I understood it, the acquisitions were looking long term. In the planning strategy the land was identified for further investigation. At the time it was identified that that was an area where future urban development could occur, subject to more detailed work being undertaken. It would appear that the former Land Development Agency has taken the decision to acquire the land, as Mr Peffer said, to provide for flexibility in future years. But work still needs to be done to determine exactly the best use for the land. That work, once it is completed, would start to narrow down whether parcels would be best utilised for urban development or for offsets or other uses. That would then form the basis of any detailed planning policy work.

Ms Berry: In addition to that, there is the conversation that is being had within the community about what is the right mix of suburban sprawl—that is the description that is being used—and urban infill and densification within the city centres and around the suburbs. In all of that, we need to make sure that we get the right balance,

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which goes to your question, Ms Orr, around sustainability as well. What amount of densification and urban infill is appropriate for this city? What effect does that have on climates within the city centres? How do we manage that as a community? That is the work that is coming through with the paper, the climate change adaptation strategy, and also in the work Mr Gentleman is doing on housing choice. All of this is a big discussion that this city needs to have. It is not an unusual one for Australia, but our city has always prided itself on being the bush capital. However, our population is growing, so what do we as a community do to make sure that we are providing opportunities for everybody who lives here, as well as continuing to be the bush capital of Australia?

THE CHAIR: Minister, you also recently reported completing the purchase of Pine Ridge near Holt. What was the purpose of that purchase?

Mr Gordon: Similar reasons to those for Winslade: the property came to market, it is in a position adjacent to existing urban infrastructure, and it has the potential for future growth of the city in that area.

THE CHAIR: While we are talking about environmental things, in July ACTPLA released the consultation EIS exemption application from the LDA for a huge area of Molonglo Valley; about half of it. Why are you now seeking EIS exemption?

Mr Gordon: Sorry?

THE CHAIR: In July, ACTPLA released for consultation an EIS exemption application from the LDA for quite a large amount of the Molonglo Valley. I think it was about half. The question is why.

Mr Ponton: I might jump in there from a planning perspective. I know you are asking the question as the applicant—

THE CHAIR: As the LDA's. Yes.

Mr Ponton: So the other side of the equation.

THE CHAIR: I do not have enough time to ask it all in planning.

Mr Ponton: It is important to note with the terminology—it is something that we have had a conversation with a number of ministers about—that the idea of the EIS exemption does not mean that work does not need to be done to understand the environmental values. That is something that we will be looking at, to see whether we can amend the legislation to provide for a better term.

A lot of work has already been undertaken in the Molonglo Valley. We have had a commonwealth strategic environmental assessment. In addition to that, extensive work was undertaken prior to the rezoning of land for urban development within the Molonglo Valley and also to support the national capital plan amendment.

Given the amount of work, the question is: if there were a trigger for an EIS for a

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particular development within the overall valley, if an EIS were undertaken, would we learn anything new? For circumstances where the case is likely to be no, the act provides for an EIS exemption to be applied for. But the applicant needs to undertake a review of all of the environmental work that has already been done and demonstrate that there is unlikely to be anything gained by running through a formal EIS process. It is not that the environmental values are not being considered; it is simply another process.

THE CHAIR: There was a national environmental significance, NES, plan done, and under that action 7 required a buffer to be established outside the Kama nature reserve. Where has that got to?

Mr Ponton: That work is nearing completion. That relates to the planning portfolio; I do not have the people here who could answer that question. I can certainly take it on notice.

THE CHAIR: My comment would be: isn't it a bit premature to seek an exemption when you do not know where the buffer zone is yet?

Mr Ponton: As I said, in terms of the work that has already been undertaken, that application for the EIS exemption has been informing the ongoing discussions and assessment in relation to the buffer zone.

MS ORR: Within this whole discussion it has come up that there are concerns. EPSDD do the planning part of it; you have the environment part; and we have this board that is sitting there. Can you clarify for me how, through this process and the different parts, we are going to make sure that those interests are represented and that we are doing the best we can?

Mr Ponton: In relation to the Suburban Land Agency, previously the Land Development Agency, its role is essentially as a development applicant, a land developer. It has certain obligations to comply with under various previous approvals such as the NES plan. It is then the responsibility of the Planning and Land Authority, in conjunction with the parks and conservation service, to undertake the detailed assessment in relation to the application for the EIS exemption and also to establish the buffer for Kama reserve.

Part of the reason for the delay in settling that has been a difference in view amongst various stakeholders around the methodology to be utilised in establishing the extent of the buffer. We are working through that with experts at the moment.

THE CHAIR: Would that not be something that could be worked through as part of an EIS if one were done?

Mr Ponton: Equally, it could be worked through as part of the current process for the EIS exemption, because that in and of itself requires an assessment.

MR COE: On the rural lease acquisitions, how is it possible that you could spend \$7½ million without having a clear idea of the intention of the block?

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Mr Gordon: The business case looks at the potential for the site. The acquisition is seen as a strategic acquisition. The business case looked at the long-term nature of the acquisition and proceeded from there.

MR COE: But isn't the business case not to explore the potential of the site but to develop the intention of the site, what you are actually going to use it for as opposed to what it could be used for? It could be used for a fun park; it could be used for office buildings; it could be used for residential. It is what you are actually going to use it for that is what the business case is for.

MS ORR: Ms Cheyne wanted a Disneyland earlier.

Mr Gordon: The commercial nature of the deal looks at the various options for the development of the land. The highest and best use option, which is the higher use of urban development, is a consideration, amongst other considerations of environmental offsets that free up land in the existing areas of urban development where you have access to environmental lands that can be used and also the fact that the property, in terms of doing those investigations, will necessarily appreciate in value as the territory grows anyway.

MR COE: The highest and best use; surely you purchased it as a rural lease.

Mr Gordon: That is right.

MR COE: The highest and best use for a rural lease I think allows only one dwelling on it and the existing rural lease. What is the relevance of the highest and best use?

Mr Gordon: We are talking about the business case for the future uses. That is part of the potential of the property.

MR COE: What are you going to do with it in the meantime? We are talking decades. Even if you are developing at a reasonable speed, you are talking decades before getting there. Why would you spend all that money on an asset which is leasehold and every year that goes by goes down in value whilst it is in private hands?

Mr Gordon: The lease on that property is a 99-year lease, so the lease has significant value, as is demonstrated in the price. That is its current rural value. As to the time frame to develop that land, there were a number of strategic acquisitions around that area; it is about securing those lands for the government to make future decisions on.

MR COE: Was a seller's or buyer's agent used for the purchase of that block?

Mr Gordon: No.

MR COE: How did you find out about it?

Mr Gordon: The owner made contact with me.

MR COE: Was that the same with the block off Drake-Brockman? You did say it came to the market.

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Mr Gordon: Drake-Brockman? Pine Ridge?

MR COE: Yes.

Mr Gordon: I think the property owner contacted the previous CEO of the LDA.

MR COE: Is that how it works? People just contact the LDA and say, “I’ve got a block I’d like to sell,” and you guys buy it?

Mr Gordon: Yes, it is the case.

THE CHAIR: With your analysis, is there any rural block of land in the ACT that you think you are not interested in? From what you are saying—

MR COE: Everything has potential.

THE CHAIR: I am not trying to be silly here, but that seems to be what you are saying.

Mr Peffer: There was a parcel of land that came to market recently where discussions were had with the directorate—very preliminary discussions—and a decision was taken that the interest was not there to acquire the land.

MS LAWDER: Wasn’t that because you proposed buying only part of the block, part of the land?

Mr Peffer: No.

MS ORR: You mentioned that it was a strategic acquisition. Would I be right in saying that there were strategic considerations in relation to all the possible uses for the land and that that somehow forms part of the decision-making? I am just trying to get my head around how that decision gets made.

Mr Gordon: A number of options are explored, with the potential returns and the time frames in which the property would be held. Ultimately the property could be sold if further investigations on the capability were to determine that it could only ever be used as rural land. You would still get a return out of the property, given the nature of the land.

MS CHEYNE: Is some land worth it regardless because of the value it is going to provide in terms of capital works? I am thinking here in terms of Wintergarden: the land at this stage would require quite substantial work on it to ever have housing on it. My understanding is that at the time of the acquisition it was really in the context of what is happening with the suburb of Whitlam. In terms of the business case for it, it is quite a valuable piece of land for the government in terms of broader city building.

Mr Gordon: In the case of Wintergarden, yes; its location certainly determined the alignment for John Gorton Drive. There is the water main that comes across from Belconnen at the back of Hawker. Those things impacted on that block. Potentially in

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relation to the future extension of John Gorton Drive over the top, like a grade separator road, there would have been a lot of work undertaken to resume land in that area anyway.

MS LAWDER: Did you have any discussions with the owners of South Lanyon down near Tharwa bridge?

Mr Gordon: Not with the owners, no.

MS LAWDER: The land was on the market recently.

Mr Gordon: No.

MS LAWDER: Does that apply to the LDA as well?

Mr Gordon: The owners, to my knowledge, had not approached the LDA.

MS LAWDER: To your knowledge, the LDA did not have any discussions with the owners? Is that what you just said?

Mr Gordon: Yes, that is correct. We are talking south of Lanyon?

MS LAWDER: The property is called South Lanyon; it is near Tharwa.

Mr Gordon: No, not that I am aware of. There may have been other individuals in the LDA, but I am not—

Mr Peffer: Why don't we take that on notice and confirm?

Ms Berry: In any case, under the SLA, any acquisitions would have to be approved by the government—any.

MR COE: That was the same, obviously, for the \$7½ million as well.

Ms Berry: No. Any acquisitions, from 1 July, under the SLA, need to be approved by the government, for zero dollars.

MR COE: Between five and 10 million was approved by the minister then, was it?

Mr Gordon: That was in the previous framework, yes.

MR COE: I want to ask a question about the Canberra brickworks. Is it true that several members of the community were asked to sign a non-disclosure agreement before seeing plans for the Canberra brickworks?

Mr Holt: I was formerly with the Land Development Agency, responsible for the sale of the Canberra brickworks. All members of the community panel were asked to sign confidentiality agreements, because they were involved in the sale process; they were actually involved in evaluating the tenders. Because it was a commercial negotiation, we asked them to sign confidentiality agreements around the commercial nature of the

proposals that we were receiving.

MR COE: Has there been any interaction with these members since the contract has been awarded?

Mr Holt: The contract, I understand, has not yet been signed with the preferred tenderer. I am not looking after that part of the project at the moment. Since the preferred tenderer was announced, there has been engagement between the community panel and the preferred tenderer. We are in the process of handing over the engagement process to the preferred tenderer once the contracts are signed. The developer will continue that engagement with the local community.

MR COE: Is it true that no information about what is being proposed can be discussed because the contract has not been signed and the non-disclosure agreements are still binding?

Mr Holt: I would have to take on notice the legal ramifications of that. But that is my understanding, yes.

MR COE: Does the government now intend to allow for additional residential dwellings to be built on the north-east side of the block, in effect, adjacent to the properties in Yarralumla?

Mr Peffer: No. There has been no change to the arrangements that went out to the market as part of the tender process.

THE CHAIR: How can you do community engagement with a non-disclosure agreement?

MR COE: It makes it much easier, Ms Le Couteur.

Mr Holt: To be fair, the engagement process started long before the tender process commenced; it started back in 2015. The panel actually brought together groups representing various groups of the community, so they were not there as individuals; they were representing their groups.

The primary group was the Yarralumla Residents Association; they were there representing the Yarralumla community. They were engaged in the process up to the point of the actual calling of the first stage, which was the request for proposals. Through that process, they were able to engage with their respective groups about the forming of the tender documents. So they were actually there engaged with their communities to help prepare the tender documents.

It was only once the tender documents came in, the request for proposal documents came in, and they would have access to commercially sensitive information, that we asked them to sign confidentiality agreements. That was to enable the panel to participate in the actual tender evaluation process. They were not forced to do it. We said that if they wanted to participate in the evaluation process, they needed to do this. It was a controlled negotiation that we were entering into, and they signed the confidentiality agreement.

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Mr Ponton: If I could add something, in terms of applying innovation, this was something where ordinarily with a community panel the process would stop and then the evaluation of the tenders would occur. This was trying something new to see whether or not that would assist the community to be involved in the tender process. We are always looking to try new things.

MR COE: But what variations are taking place now, if I may just ask this very quickly. With regard to variations since the public information, is there anything that you think would be of concern to community members?

Mr Holt: I am not aware of any changes that have come through. With this process, all the way along we were always aware that there would be issues that not all the community would be supportive of. There were obviously sensitivities around this project that go back to nearly 40 years of engagement around developing or securing the Canberra brickworks. Not all community members were going to be happy with this, but the actual framework that was put in place by the community has not changed. The community objectives which the community put together are still the same community objectives now.

THE CHAIR: This concludes the committee's proceedings for the day. On behalf of the committee, I thank you all for attending the hearings today, in particular, the people who have been with us the whole day, Mr Ponton and Mr Reynolds.

I remind members that questions on notice and supplementary questions should be lodged with the committee support office within five business days of the uncorrected proof becoming available. Responses to questions taken on notice should be submitted to the committee office within five business days of the uncorrected proof transcript becoming available. Responses to questions on notice and supplementary questions should be supplied to the committee office five business days after the questions are received.

The committee adjourned at 5.30 pm.