



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING AND URBAN RENEWAL

(Reference: [Annual and financial reports 2017-2018](#))

Members:

MS C LE COUTEUR (Chair)

MS S ORR (Deputy Chair)

MR M PARTON

TRANSCRIPT OF EVIDENCE

CANBERRA

FRIDAY, 9 NOVEMBER 2018

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

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Amended 20 May 2013

The committee met at 9.02 am.

Appearances:

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

Environment, Planning and Sustainable Development Directorate

Ponton, Mr Ben, Director-General

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

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

Howell, Ms Elizabeth, Acting Senior Manager, Affordable Housing

Community Services Directorate

Foulcher, Ms Deborah, Director, Strategy and Viability, Housing ACT

THE CHAIR: Good morning, everybody, and welcome to this public hearing of the Standing Committee on Planning and Urban Renewal inquiry into annual and financial reports 2017-18. On behalf of the committee, I would like to thank you, Minister Berry, and your officials for attending today. Before we start, can I draw your attention to the pink privilege statement that is on the table. Can you and your officials please confirm for the record that you understand the privilege implications of the statement?

Ms Berry: Yes.

Mr Ponton: Yes.

THE CHAIR: Thank you very much. I also remind witnesses that the proceedings are being recorded by Hansard for transcription purposes and are being webstreamed and broadcast live.

As we have dispensed with opening statements, I would like to start with questions. The first is one of clarification. The public housing renewal program that we have had has been organised, I believe, not out of Housing ACT but out of the CMD. What will be the situation with the new housing renewal program that you announced in the housing strategy?

Ms Berry: The current renewal strategy or program was part of the asset recycling initiative, so that was negotiated through chief minister's. It now sits with me in EPSDD. That is where it sits at the moment.

THE CHAIR: The renewal that was announced will sit with you in EPSDD?

Ms Berry: Yes. The arrangements are still being finalised, but that is—

THE CHAIR: We do not need to know the fine detail.

Ms Berry: It will capture both agencies, yes.

THE CHAIR: Can I move on to the affordable housing targets? We asked about this in the chamber and you said that it would be determined on a year-to-year basis. Can I ask a few general questions about that? Are the sites for community housing going to be sold at cost to the community housing providers or at a normal price?

Ms Berry: I will have to take that question on notice. We might be able to give you some information.

Ms Howell: With the community housing site targets, none of those sites have yet been released to the community housing sector, but we are intending to release those through an expression of interest process.

Ms Berry: Are you talking about the 151?

THE CHAIR: No, I was actually talking about the 15 per cent target. Some of that, I believe, will be going to community housing providers.

Ms Berry: Yes.

Ms Howell: Yes. I am talking about the 15 per cent targets on the land release program and the percentage of those that will be for community housing. The intention is to release those through an expression of interest process. We have started having conversations with the community housing sector about things like their capacity to grow, their ability to finance and develop those sites, what their capacity to pay for them might be and the rest of their financial modelling that might help inform our decision about how we release those. Because the sites have not yet been released, we have not yet released what the expression of interest criteria will be. There has been no firm decision about what price those sites will be released for at this stage.

Ms Berry: It would be good in the meantime if the federal government came through with the commitment they made in 2017 to provide funding to community housing providers so that they can get on with doing this work. It would be nice and convenient if it was timely, and occurring at the same time as we were going through our processes as well.

THE CHAIR: Hear, hear! As a former resident of Downer, I am very aware that CHC made it quite clear that how much affordable housing they did depended directly on how much they had to pay for the school site. I assume that would be the case for other sites that you might be selling to community housing providers. I will be very interested to see the criteria and how you weight them in terms of the amount of affordable housing versus the return to the government, because the two go in different directions.

Mr Ponton: In terms of what the sites might go for, it is important to note that, because it is housing, it would need to be at market value; otherwise it would be a

concessional lease. Let me come back to what market value is. It would need to be a market value lease. Importantly, when we talk about a market value lease, that is what the market is prepared to pay for the particular site. When we go to market, by ensuring that we have criteria that deal with the typical issues around who the provider might be and what the provider needs to include in the development of the site, that then dictates what the market is. That would bring down the price.

THE CHAIR: Basically, you are saying that, hypothetically, when the site goes for sale, it could have a hundred units and 99 per cent of them would have to be affordable purchase or rental. You could argue that the market value of this site is considerably less than if it did not have that criterion. Is that basically what you are saying?

Mr Ponton: That is correct, yes.

THE CHAIR: That is good to know. Are you going to provide a forward program to the community housing sector—a prospectus of what land release is likely over the next few years, so that they can plan? I note that you have not decided on anything, it seems, yet. Is that the way you will be progressing?

Mr Ponton: I would expect, Ms Le Couteur, that that would be incorporated into the four-year land release or indicative land release program.

THE CHAIR: Will that go to the lengths of whether it is affordable rental or affordable purchase? That makes a considerable difference on the ground.

Mr Ponton: I will ask my colleague Ms Howell to provide more information.

Ms Howell: At the moment the government's policy splits the targets into affordable, community and public housing. At the moment the policy is that the affordable housing is all for affordable home purchase and the community housing covers the affordable rental component. That is the way that is currently determined.

THE CHAIR: We can assume that everything for community housing providers is rental and everything affordable is for purchase?

Ms Howell: That is the current policy, but there is capacity to review that.

THE CHAIR: The divvying up between the percentages is a work in progress?

Ms Howell: Yes.

MS ORR: The public housing renewal program is due to finish in June 2018. I know there has been an announcement of the new growth and renewal program as part of the strategy. I want to know more about the current program and how it is tracking to deliver new public housing.

Ms Berry: The program is going very well and has been, for the most part, very positively received by the community. The majority of the renewal program is complete now. We can give you some details or numbers as they stand at the moment.

With some of the new homes, I think Mr Parton has visited at least one of the new renewal sites. I am not sure about the other members of the committee. The high standards that we have been able to achieve, through our partnerships with the builders, in building newer and more sustainable homes for our community, have made a significant change in people's lives.

MR PARTON: It was impressive. I was impressed.

Ms Berry: They are really lovely homes. We can give you some more detail on the numbers, and how it is rolling out, before it finishes in June-July next year.

Mr Rutledge: Correct. Yes, Mr Parton came out to see one of our blocks of units at Kippax. I think we were all impressed. Often in the past you could drive down the street and tell which were the public housing houses and which ones were not. This renewal program has shown that, because of the sympathetic design, picking the right blocks, picking the right areas, getting the right architects and builders and working with the community, when you drive past, you do not notice any difference. We have learned this along the journey. Something as simple as putting window dressings in, curtain and pelmets, really makes a difference to the look and feel of it, both for the resident and for the residents of the community as they go past.

We are proud to say that we have secured sites and buildings for all 1,288 replacements. Some of those will be privately bought within existing dwellings; some of them are new builds, as we have seen.

As the minister said, we have faced some challenges with some areas of the community. That has been a difficult time for us. It means that on most of our sites we have dropped the number of dwellings, in response to community concerns, which means we need to purchase more dwellings. What it has shown is that we have been really responsive to the community. We have thought a lot about traffic concerns, the bulk and the scale. Often we have taken two, three or four designs back to the community before we have landed on a product that we think suits the community and their needs, addressing all of those issues.

We are on track for completion, with 1,288 to be delivered by June or July next year. Obviously, there are ACAT appeals, and we have had those. I think we are in really good shape. We have built a team of expert capital delivery people that are used to dealing with the community on what are sometimes seen as sensitive projects.

Ms Berry: Do we have some details of numbers of where we are actually up to?

Mr Rutledge: I will get back to the committee in a second.

MS ORR: Just for clarification, you have now secured all the sites for the program and there are still some properties under construction?

Mr Rutledge: Correct. As at November, as of last week, 861 dwellings had already been delivered. We expect to deliver another 81 in this calendar year. We are building 304 dwellings across Canberra. They will be in Denman Prospect, Greenway, Holt, Throsby, Taylor and Monash. With the program of 1,288, the figures are

772 dwellings constructed and 516 purchased.

THE CHAIR: If you have got to this stage, presumably you are in a position to say what the net cost of the program was, if you have actually secured all the houses?

Mr Rutledge: Yes, we can work out the net cost. We have the Holder dwellings; Holder is still going ahead. What we are seeing is that we are making savings and keeping the capital works program money available. It will be returned to government, already invested in further housing down the track. At the moment we are coming in under the appropriated amount.

THE CHAIR: Would you be able to take on notice the actual net cost of this?

Mr Rutledge: Yes, I am happy to do the net cost.

THE CHAIR: There is significant community interest in the cost of it.

Mr Rutledge: Yes.

MS ORR: Is it possible to do the net cost, seeing that you have this one outstanding ACAT one? You said there are 304 dwellings still to be built.

Mr Rutledge: Yes. I am happy to give costs to date.

THE CHAIR: As best you can, setting out the cost elements, bearing in mind that—

MS ORR: It is indicative; it is not final.

Mr Rutledge: It will not be final. I am happy to do costs to date.

THE CHAIR: It is not final but it must be fairly close, given you know where all of the dwellings are going to be. It is not hypothetical.

Mr Rutledge: I am happy to provide that to the committee.

MR PARTON: What is the current situation with block 1, section 45 in Chapman? I am not entirely clear as to exactly where we are there. Minister, are you comfortable that residents' concerns have been addressed there? Where are we actually at today with Chapman?

Ms Berry: From all the advice that I have about the concerns that the residents raised that we could respond to—some people will have personal views that we were not able to resolve and other views—as far as the actual development, the amenity, the look, traffic issues, maintaining trees and the size and the shape of the whole development is concerned, I understand that the community have been engaged in that. Even those in the community that did not want to be engaged did participate in that part of the process. I think it is finished at ACAT now, so it is ready to go ahead. Are fences up yet?

Mr Rutledge: No?

Ms Berry: Not quite. Very soon.

MR PARTON: Minister, in regard to bushfire risk—obviously there is a bushfire risk in many parts of Canberra—are you satisfied that, in relation to that development, all that has been eliminated?

Ms Berry: All of the advice that I have, and of course that development will be designed to meet—

Mr Rutledge: We will be building it to a higher bushfire-prone standard than we would otherwise and other than required. We are building to a higher standard for bushfire risk.

Ms Berry: That is the case for all dwellings in those kinds of areas. They need to meet those kinds of bushfire risk building requirements for homes, schools, shops and everything.

Mr Ponton: That is correct. If I could just add to that, “bushfire attack level” is the term. As Mr Rutledge said, there is a requirement for a particular BAL, which is the bushfire attack level. For this particular site, we are going over and above what is required, for abundant caution.

MS ORR: I want to ask about the 15 per cent affordable housing target that was announced with the strategy. Can you talk a bit more about the increase?

Ms Berry: In relation to the 15 per cent that has been announced as part of the strategy, previously the strategy only had housing for new affordable housing built in greenfields zones; the new 15 per cent target is around ensuring that new housing, affordable, public and social community housing, is built across the city, including in infill areas as well as greenfields. That means that we have a much bigger area to provide opportunities for people to live in the ACT.

It is one of those discussions that always have people on either side. Should we keep building out into the suburbs and out in the greenfields to our borders or should we continue and do more densification and infill within our cities? We can do both; we just have to manage it carefully to make sure that it meets the needs of our community and that we can provide opportunities for everybody in our community to live in new suburbs—or in city areas or suburban areas if that suits their needs better. Having that 15 per cent across the city will be a really great outcome and give us, the government and the community, more opportunities in where we build affordable homes.

Mr Ponton: Building on what the minister said, I will just make the observation that—previously only having the requirement in greenfields when the planning policy says that we are not going to just build in greenfields areas—it is important that we manage growth by providing for opportunities within the existing urban footprint. This is now providing much greater equity in the choices that people will have in where they live, rather than only having those opportunities in the outer suburbs or narrowly spread across the city. Importantly, whilst 15 per cent is less than 20, when you think about the total numbers, it results in more. I will ask Ms Howell to add to

that.

Ms Howell: The only thing I will add to that is that we have done some analysis on the numbers which showed that, under the old 20 per cent of greenfield target, the policy was delivering approximately 400 affording dwellings per year. Under the new 15 per cent target, we will be looking at a number closer to about 630 dwellings a year for the three categories.

MS ORR: Is that just because we are considering a lot more sites, so proportionally it is more?

Mr Ponton: That is correct, yes.

MR PARTON: My question is to Mr Ponton. It is about his tie. No, it is not, but I am loving it.

MS ORR: How many more comments can you have about your outfit?

Ms Berry: It is actually quite refreshing to have a male's dress critiqued; it is usually women.

MS ORR: Mr Hanson went out of his way the other day.

MR PARTON: I think he is jealous.

Mr Ponton: I think he may well be.

MS ORR: He compared it to a curtain.

Mr Ponton: And the strategy is working, because we have just taken three minutes.

MR PARTON: I would like to get back onto the invoice fraud issue that was reported in the *Canberra Times* earlier this week. Has that matter been resolved with no further investigation underway? Where are we at there?

Mr Ponton: I will start with a response to that one and then one of my colleagues may wish to add something. In relation to the matter itself, I might just talk a bit about what happened in the particular circumstances. When we receive an invoice, there is a process that we go through in making payment for that invoice. What appears to have happened is that a very sophisticated operator made contact using an email address that was a recognised email address for that particular provider. The email included details of the previous bank accounts and the authorised person's name, saying that they had recently sent an invoice, saying that they had changed their bank account details, and asking us to please provide the funds to that new bank account.

Our officer at the time went through it. Everything looked legitimate; they made the change and the money was deposited. Very soon after, fortunately, the actual person made contact to ask where the payment was. We were able to say, "We have made that payment." Very quickly, we were able to recover the moneys. We identified, as I recall, that the bank account was at Melbourne Airport, I think, a branch at

Melbourne Airport.

The money was recovered with assistance from the bank, very quickly. But, importantly, the point I am wanting to make here is that it was quite sophisticated. Whoever did this had the details of the directors of the company, they had their email addresses and they were able to get an address that essentially was exactly the same. So for all intents and purposes, we were dealing with the authorised person.

Whilst the matter was referred to police, and the question might be better asked of the police in terms of ongoing police investigations, from our perspective, what we have since done is undertake an internal audit to better understand what we could have done differently or better to make sure that these sorts of fraudulent attempts are not made—or, if they are made, that we do not succumb to them. We have received that audit report and implemented all the recommendations from that audit.

MR PARTON: So the task force became aware of that fraudulent activity at the point where the actual receiver of that money contacted you. Is that the point that you became aware that there was a problem?

Mr Ponton: That is my understanding, yes.

MR PARTON: The way it has been described to me is that we are not sure who the culprit was at this stage, which I think a lot of people find difficult to get their heads around. Obviously a bank account was set up. I just find it difficult to believe that—

Mr Ponton: As I said, Mr Parton, it was very sophisticated. This is not just some person who came up with a good idea; this was quite a sophisticated, fraudulent attempt. As I said, we were very lucky to secure the money back very quickly. I think that within hours a freeze had been put on that particular bank account and we were able to get the funds back through the bank.

As the minister just noted, the matter is being investigated by police. It is not for me to comment on the work of the police, but I am sure that they themselves are very sophisticated in working to track down these types of fraudsters.

MR PARTON: Obviously at the forefront here is that no-one wants it to happen again. I know you briefly alluded to it, but are you able to tell me what additional approval or vetting clearance steps have been put in place to make sure that that does not occur?

Mr Ponton: We certainly can, and I am going to turn to my colleague Mr Rutledge.

Mr Rutledge: A couple of things to start off with. There is absolutely no suggestion that it is an ACT government employee, and possibly it is not even an Australian resident, that set up this scheme, if you will. If one was to speculate, one would say that it would be an overseas-based scam. The other thing that I will say is that, just from talking to other people and having this raised, I dare say we are not the only capital works company in Canberra who have been done by this scheme.

MR PARTON: Really?

Mr Rutledge: It was very sophisticated. From both the initial investigation and the internal audit, it was crystal clear that there was no internal malice; no-one within the task force or the ACT government was set up to benefit from this. This is clearly a highly sophisticated scheme. What we have done as a result of the audits—and nothing is foolproof in this modern criminal world—is work with Shared Services, who now seek an additional authorisation when contractors change their bank accounts.

MR PARTON: What was the amount of money that was returned to the government?

Mr Rutledge: I am not sure. Mr Ponton, do you know off the top of your head?

Mr Ponton: I think I know the figure, but I am not going to say it because it may not be correct. It is some 12 months ago.

Mr Rutledge: It was in the order of tens of thousands.

Mr Ponton: I think it was over \$100,000.

THE CHAIR: The newspaper report suggested it was over \$100,000 from my memory.

Mr Ponton: The figure I am thinking of is \$190,000, but it has been 12 months, so I would like to check that before I said that that was the figure.

MR PARTON: Did that amount represent the total of the amount originally lost?

Mr Ponton: We recovered all the moneys that were paid. All the moneys were recovered. And in terms of the payment itself, it was a progress payment towards construction.

MR PARTON: There are some smart cookies out there on the dark side, aren't there?

Mr Ponton: Absolutely, and we all need to be vigilant.

MS CHEYNE: I foreshadowed yesterday questions on the ACT housing strategy—a very good piece of work—and I note that the report states that, during the consultation, cooperative and co-housing models were raised as alternative forms of accommodation. While they are not forming part of the strategy currently, the strategy commits to—and it is an action in the implementation plan—an investigation into these alternative forms of housing. And the indicator from this action is that the report will be completed. What is the time frame for this report? Is cooperative co-housing something we are taking seriously or is it a bit new and we really need to investigate it pretty thoroughly?

Ms Berry: I will start. There are two housing projects in the ACT. ECHO and Smart Urban Villages were provided \$45,000 to look at their innovative designs and the sustainable living opportunities that they provide or might think about but also to consider, given that it was a significant part of the feedback that we heard during the

consultation period, particularly homes like the Nightingale model, which is in Melbourne. I am not sure if there are any others in Australia at the moment, but something similar to that kind of community-style housing as well. There is work already happening around investigating that type of model. Did you have more you can add to that, Ben?

Mr Ponton: Yes. I was going to talk about the grant funding. The minister has covered that, so I will not add to that. The only other observation I would make is that through Minister Stephen-Smith's urban renewal portfolio we are also running a demonstration housing project. I might ask my colleague Mr Fitzgerald to come up and talk about the detail of that.

Importantly, what we are wanting to do here is make sure that all our policy work and our delivery work is connected across portfolios. While the housing strategy and the innovation fund do provide for opportunities in terms of building the capability of these providers, we are also then wanting to provide opportunities for them to build examples of this type of housing so that people can see, touch, feel, walk through and understand exactly what opportunities exist through co-housing models like the ones that we have just mentioned.

MS CHEYNE: Just on that action in the implementation plan about doing this investigation and the report, why do we need that, then, if we are doing this other work?

Ms Berry: I think part of it is, when we look at the ACT market, knowing whether there are people in the ACT who actually want to do this stuff, who actually want to be part of that. The Nightingale models in Melbourne are quite—complicated is probably not the right word—innovative. It is about developers, builders, architects and others coming together on a lower profit margin to build an affordable home, bringing in the community before the build actually starts. I think one of the things we need to find out is whether there is actually an appetite for that in the ACT.

Mr Ponton: And if I could add, we are looking at a range of different options here. We could have just run with the report, seen what came out of the report and then looked at strategies beyond that. We could have just looked at the innovation fund and providing opportunities for those two providers to develop their ideas or we could have just done the demonstration projects. What we are trying to do here is make sure that we get the momentum, having a number of prongs in getting these opportunities moving.

Dr Brady: Just to add to that, the reporting part is also about following up on those two projects that the minister referred to so that we can understand whether they can deliver co-housing, what are the impediments. With all the implementation actions on the strategy, there is a certain amount of monitoring that we will do to inform the next raft of policies that we might suggest to continue with the supply of housing. That is part of that reporting, working with them and through all the projects on the innovation fund and the demonstration project to see what we can learn to better inform policy and the future delivery.

MS CHEYNE: When do we expect this report to be completed?

Dr Brady: The funding has only just been allocated. We will monitor that over the next year or so to see how that is progressing. And we did include in the implementation strategy that we will monitor annually and report publicly on the website how we are progressing on the actions.

THE CHAIR: Back to public housing renewal, then. I am interested in your criteria as to what houses or what dwellings are going to be sold and where the replacement would be for that.

Ms Berry: Sorry, is this for the current program?

THE CHAIR: No, the new program. Obviously with the current program we have already decided what you are getting rid of and, I understand from what you have just said, exactly where it is going to be replaced. No, I am talking about the new program that you announced in the housing strategy.

Ms Berry: The new program will be different to the current program because we do not have in the ACT anymore, because of the current renewal program, the same number of high density housing blocks to renew. That work on how the program will actually look will need to continue. The commitment has been made by the government, and the planning that goes forward from that commitment that has been made by the government is still being developed, but it will look different because we do not have those higher density dwellings that we had previously under this current program. It will likely be more renewal and mixed dwellings on existing sites, rather than a whole lot of brand-new sites, as has been the case with this current program. Yes, it will look a little different to the current program but it is still in development. And then the government will consider that.

THE CHAIR: My understanding is that it appears that the government is anticipating no net cost for this program. This is how I read the \$100 million: both additional public housing and housing was in that money. Is that correct? No net cost is the plan?

Ms Berry: I think for the \$100 million the new homes obviously will cost that. But the renewal program, because it will be about recycling, if you like, older homes, perhaps building on existing sites more than having to build on new sites, should not have a huge cost. I think the question you were alluding to earlier was around the sale of the land where the older public housing was sold and did we make so much money that it paid for the whole renewal program. Actually, no, because the renewal program was \$600-million plus, I think. I do not know, but we will get the actual number to you. The income that was made from the sale of that land was not \$600 million.

Mr Ponton: I do not know what the figure was.

Ms Berry: No, I do not know what the figure was either.

THE CHAIR: That is what I was getting at earlier. I am particularly interested because I had assumed that the new—I do not know; should I call it the new housing renewal program to distinguish it from the current one?—housing renewal program, given that there did not appear to be significant funding, was going to be based on

selling public housing assets in high value areas and replacing it in lower land cost areas. That was my assumption, given what appeared to be minimal funding for it.

Ms Berry: No. It will be different to the current program.

THE CHAIR: But it will still be achieved that basically—

Ms Berry: It will pay for itself, yes.

THE CHAIR: Basically it is going to pay for itself. I am just wondering how, if you are—

MR PARTON: How does the maths work out?

THE CHAIR: Yes, exactly. Can you talk us through how this is going to work out at no cost to government and by not selling high value sites?

Ms Berry: I said at the start that the \$100 million commitment has been made.

THE CHAIR: Yes, but that is largely with the public housing.

Ms Berry: And the planning and programming for housing renewal program will run out. As I said, it will be different from this current program because of how we were renewing very old public housing dwellings, lots of high density, to lower density spread across the city. The new program will not look like this one. That detail is still being worked through, and the government will make a decision about that once that planning has evolved.

THE CHAIR: You have not as yet done any modelling as to what the 1,000 home commitment will cost?

Ms Berry: I do not have any information to provide to you today, no.

THE CHAIR: Will you be looking at what multi-unit developments the government still owns as part of this? On Ainslie Avenue there are some, for instance.

Ms Berry: Yes, that could be part of that consideration. We have some really old public housing stock.

THE CHAIR: I am well aware of that.

Ms Berry: That is right. We will be considering what is appropriate, how it meets the needs of our housing tenants, the people who live in public housing, and where we can build the best products to lead to the best outcomes for that community.

MR PARTON: The point that Ms Le Couteur I think is trying to get at here is: just hypothetically, for the sake of the exercise, let us talk about some of those older public housing developments on Ainslie Avenue, for argument's sake. And I am just using them as an example. This aspect of the program, in theory, is cost neutral. Surely that would require purchasing lower value land to replace the public housing

on those inner north blocks, for argument's sake, if they were one of them.

Ms Berry: Not necessarily, because it will include replacement on the existing sites.

Mr Ponton: And this is all hypothetical, of course, but it could be that you—

MR PARTON: When you say replacement on the existing sites—

THE CHAIR: The replacement of the existing sites, surely that will cost money. If you—

Mr Ponton: If I could finish, I think I can answer the question for you. You are talking about a particularly large site there. It is not just about the land. It may be that there is an opportunity for the land to be redeveloped. There is an opportunity, being a larger site, that you might then provide opportunities to sell to the private sector. But then that is reinvested in actual apartments or homes, and that is then reinvested into public housing, and that could be on the same site and same locality. It might be that you—

MR PARTON: You are talking about a mix on that?

Ms Berry: That is right.

Mr Ponton: Absolutely. You might have 100 dwellings that are built. You sell 80 of those and 20 could be public housing, for example.

Ms Berry: But this is really to do with public housing, probably from yesterday or whenever. We do not have anyone from Housing here to really give you any more of the detail that you are after, Ms Le Couteur.

THE CHAIR: It would be very interesting to get some because, as you were saying—

Ms Berry: We will give you that once we have done the planning around it, and that is still being considered by the government. But it will definitely include, as you say, Mr Parton, opportunities for mixed developments.

Mr Ponton: Yes, and I think the important point is that the housing strategy is just that. It is a strategy. It identifies what the government's ambitions are in terms of achieving outcomes. That means we then need to go away and do more work and that work, in terms of the questions you are asking, Ms Le Couteur, is underway. Perhaps when we—

THE CHAIR: Could we expect in that case that there will be additional funding for it? For most of us, if you are thinking of replacing a dwelling on the same block, it is a net cost and, as the minister said, there are not that many big multi-unit developments left owned by ACT Housing.

Ms Berry: Like I said, I do not know if there is anyone from Housing here today, but if you consider the housing renewal program that Housing ACT does as a matter of

course—not part of the 1,288 as part of the ARI—it just rolls through. Homes are demolished or renewed on site or are changed to different sites. It is just managed as part of the Housing portfolio. That is the kind of program that would be occurring under this new program, the new renewal program. In relation to the planning for that—which actual sites—what it will be made up of, as I said, will be different to this 1,288. We are working through how that will look. Government will make a decision about that and we will be able to provide some more detail as we get that planning work done.

MR PARTON: Can I say, with respect, that I think there was an expectation, with the release of the housing strategy, that more of those details would have been apparent?

Ms Berry: Yes, I understand that, but it is a strategy, and there is the implementation plan that has also been released. Did I table this? I thought I tabled this at the Assembly.

MS CHEYNE: It is definitely online.

THE CHAIR: It is definitely available online, yes. Some of us, certainly, have read it.

MS CHEYNE: Indeed.

Ms Berry: That is good; I am glad you have read it. That is what its purpose is. We provided as much information as we could at the time of the strategy as it was being developed, but some of the planning work that goes behind the implementation plan and implementing the strategy is still being worked through. I will still be having my housing advisory group engaged to assist with that work as well. As I said, I do not have anyone from Housing here to really go through any more of the information that you might be after.

Mr Ponton: If I could just add something, as I said earlier, a strategy is a strategy; it shows the government's commitment to achieving a particular outcome. Not all strategies have the pathway to get there clearly identified, but we do identify in the implementation plan the work that needs to be done to get us there. That is the whole idea of a strategy.

MS ORR: Minister, you mentioned the Affordable Housing Advisory Group.

MS CHEYNE: Is that a new substantive question?

MS ORR: It kind of follows on from what has been said.

THE CHAIR: I think that is a new substantive question.

MS ORR: It is going to what advice the advisory council provides. I think it is a follow-on, because it was raised as part of the last answer.

Ms Berry: It was part of the work that went to building the strategy. The whole purpose in bringing that group together was to bring some expertise into the room from across a whole lot of different organisations who would not normally get the

chance to get together and provide advice to the government on the strategy or to provide us with an ear, if you like, so that we could hear that what we were putting together in our strategy was what we heard from the consultations that we had during the summit and online.

The ACT Property Group and people who live in public housing, actual public housing tenants, were in the same room together, working on this strategy together—with real estate agents, architects, homelessness support services and Woden Community Service, for example—and giving us a whole mixture of views. Sometimes they were not agreeing with each other, but that was the whole point: to bring these people together, for their expertise, perhaps not always their personal views. That was a really useful sounding board for us as we put this strategy together. Is there anything that anyone else wants to build on that? No?

MS CHEYNE: Minister, you mentioned that the next tranche of renewals is going to be different, not so much high density. Is that no high density or is it just not so much high density? I am conscious that Belconnen town centre, particularly, has two areas of pretty high density public housing that is pretty aged, especially in Howie Court. I note that in the draft variations to the Territory Plan there is an increase on the heights allowed there, which suggests that that might be sold, that it might be part of the renewal program, being an old site. I am just wanting to clarify that.

Ms Berry: The high density was referring to the buildings here in the city that were no longer providing the type of housing that suited the needs of people who live in public housing. That is the high density that we were changing to lower density housing as part of the renewal program. All of the research and all the expert advice says that you get much better social outcomes with a lower density of people who are on low or no incomes. It gives them more of a chance to have better opportunities in our community.

It is the intention not to build high density public housing: to continue with the approach of having lower density public housing all the way across our city, rather than concentrating it in particular areas. There are still some areas where there are higher levels of density, the 200 or so that we were talking about in here. As the planning work continues around the renewal program and which parts of our stock will be renewed, those sorts of higher density areas will be considered as part of that as well. It is a program of 1,000 renewal. We have done 1,288 over four years. It is 11 per cent of our stock. We are looking at another 10 per cent of our public housing. It will be a significant program, but it will be about providing people who live in public housing with much better and more sustainable public housing.

MS ORR: Minister, I want to run through the extensive consultation process that the new ACT housing strategy was done through. Can you detail the consultation with the community and stakeholders that went into informing that policy? Do I have the right day for this?

Mr Ponton: Are you asking about consultation and engagement on developing the housing strategy?

MS ORR: Yes. Should I have turned up yesterday for this question?

Ms Berry: Not for the housing strategy. We can provide some information.

MS ORR: We are fine here? Okay.

Ms Berry: We kicked off with a significant amount of work providing as many people as possible with the opportunity to be part of the development of this strategy. We held the summit, which was an election commitment and part of the government's agreement that we would hold a summit to consider the development of a new housing strategy.

Again, as with my Affordable Housing Advisory Group, the people that attended the summit were quite diverse. There were people who would normally perhaps not have the chance or who never thought that they would be part of the development of a strategy around housing and housing affordability. We had significant input from many people who would not have normally been in the same room together. I remember talking to one group who said they could not believe that they were in the same room with an actual developer and that they could talk with them about the types of developments that they would like to see for public housing. Did you want to talk a bit more about that consultation process?

Ms Foulcher: One of the things that we did in the consultation process was record all the comments on the day of the summit, all the comments and suggestions that were in the seven-week lead-up to the summit and all the submissions that came in. We grouped them all together into themes. There were 200 unique themes that formed the basis of the strategy. In the strategy we covered around 190 of those themes that were raised throughout the consultation process and the summit on the day. A good thing for us was that some of the themes that were mentioned were things that we were already doing. Others are now included in the strategy.

Mr Ponton: If I could just add to that, what was particularly useful with the engagement activities for this particular strategy was that it was a collaborative effort. We had Housing ACT working and using their networks; we had the Environment, Planning and Sustainable Development Directorate also working on this. It was very much the two directorates working very closely together, making sure that we were able to capture as many voices as possible, including, as the minister said, those voices that we do not ordinarily hear in the development of policy. From my perspective, having that collaborative approach—not only collaboration between government entities but collaboration with the community and all of those voices—was particularly rewarding.

Dr Brady: The strategy has a strong focus on affordability and affordable housing, but it does cover the broader remit of housing. We also tapped into—which crosses over from Minister Berry's portfolio to Minister Gentleman's portfolio—the housing choices project that we undertook. There was a lot of consultation involved in that and a collaboration hub. That has fed into a lot of information for us around zoning. One of the themes in the strategy talks about building design planning and how that influences the delivery of housing, both affordable and the general supply of housing. That falls within our directorate, but that was another collaborative, cross-portfolio area that will also feed into the strategy. One of the things about the strategy is that it

does not just fall in one area. It is very collaborative. As the minister said, the implementation plan indicates that there are a lot of different parts of directorates that are responsible for delivering on the strategy.

MS ORR: Did you find that adaptable housing came up as a prominent theme? We know affordable has definitely come up as one of the main themes, but has adaptable housing been a theme throughout the conversation?

Mr Ponton: I would have to say that, as a specific issue that was highlighted, it was not up there with many of the others in terms of adaptable housing—accessible housing, certainly, in terms of making sure that housing provides for a range of needs, but adaptable, not so much.

MS ORR: Maybe we can use the words interchangeably for the purposes of this conversation.

Mr Ponton: Yes.

MS ORR: The livable gold standard that public housing has, what actually is that standard?

Ms Berry: We did have those questions—

THE CHAIR: We did that.

MS ORR: Okay. I will go back and check the *Hansard*.

MR PARTON: I note that Ms Foulcher is here. I know Ms Foulcher has now seen the document that I referred to yesterday, regarding the change to the total facilities management contract and the fact that subcontractors would be, according to the documents of the new tender, responsible for the determination and management of tenant responsible maintenance.

Ms Berry: Ms Foulcher does not have that—

Ms Foulcher: That is a question for Louise Gilding and Catherine Loft.

MR PARTON: Sorry, it was Catherine.

Ms Foulcher: Yesterday.

MR PARTON: Yes, it was yesterday; I am sorry.

Ms Berry: Send it to us on notice and we will try to figure it out for you.

MR PARTON: It is very clear. I know Ms Le Couteur has seen it as well. The change would involve the subcontractor having to take up that tenant responsible maintenance directly with the tenant, and to seek payment from the tenant directly, rather than the previous model.

Ms Berry: I do not know what you are talking about. Get it to me on notice, or however you want to do it, and I will find out what the story is. That is all I can give you today.

MR PARTON: In regard to the public housing renewal program, what steps have been taken to protect the last remaining residents in some of the old residential blocks? I know that Ms Le Couteur and I are very aware of the fact that there is high drama for some of them.

Ms Berry: It is really for housing, but I can say that—my mind has gone blank on the name; she was sitting there yesterday. She has been responsible for making sure that the tenants that are remaining, as the other people are moving out into newer homes, are being very well supported. Are these the ones you are talking about?

MR PARTON: Yes, and the threat of incursions by squatters, criminal elements and antisocial behaviour. My understanding is that it is a bit of a jungle out there.

THE CHAIR: It was actually mentioned at Woden community council on Wednesday. The police report mentioned the issues at Strathgordon and the theft of copper in particular.

Ms Berry: Yes, that is right. It was Kylie-Ann Petroni who has been part of this work. If you ask me a question on notice, I can provide you with a bit more detail about how they are being supported. Yes, that has become a bit of an issue.

MR PARTON: All right; thank you.

THE CHAIR: I think we have run out of time. We will have a brief adjournment for morning tea. Before we change ministers, I need to remind members that questions on notice need to be lodged with the committee support office within five business days of the uncorrected proof transcript being made available, and responses to those questions should be submitted to the committee office within five business days of the proof transcript becoming available. Responses to questions on notice and supplementary questions are to be submitted five days after the questions are received.

Hearing suspended from 10.02 to 10.15 am.

Appearances:

Barr, Mr Andrew, Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment

City Renewal Authority

Snow, Mr Malcolm, Chief Executive Officer

Sharp, Mr Andy, Director, Design and Place Strategy

Lee, Mr Joey, Chief Financial Officer

THE CHAIR: On behalf of the committee, I would like to thank you, Minister Barr and your officials, for attending today. During this session the committee will be examining the City Renewal Authority. I draw your attention to the pink privilege statement. Can you and your officials confirm for the record that you understand the privilege implications of the statement?

Mr Barr: Yes.

THE CHAIR: I also remind witnesses that proceedings are being recorded by Hansard for transcription purposes and webstreamed and broadcast live. I start with a reference to page 31 of the CRA annual report. You do not need to look it up. I will tell you what the question is. What is the town team and what does it do?

Mr Snow: I will ask Mr Sharp to join us at the table. Thank you for the question, Ms Le Couteur. Town team is an approach to the way in which the authority wants to go about its place-making program across the precinct. It is a technique that is being tried and implemented very successfully in other jurisdictions, particularly in Western Australia, where the purpose of this approach, essentially, is to go back into a place, a precinct, where it is important that at the earliest possible stage we garner support from all the different interests. Dickson was a prime example of a location within a precinct where we recognised that it was important we form or strengthen resilience within that community to take responsibility for the way in which Dickson emerges as a really competitive and appealing place. At this point I will ask Andy to summarise the process we went through.

Mr Barr: Perhaps the direct answer to the question is: an alliance of traders, residents in the community and the City Renewal Authority around a shared set of objectives in urban renewal. That is the short answer.

Mr Sharp: The town team is a not-for-profit organisation that originated out of Western Australia. It does exist overseas in other locations. It is very much about the idea of bringing those three groups together, particularly residents, community and businesses, to have a view as to how they might enliven and renew their local town centre. It is predominantly based on that model of bringing those three groups together to form a cohesive view.

THE CHAIR: Is it legally a standard incorporated association? In the ACT we have thousands of them. Is that what it is, and the ACT government is a member of this

association?

Mr Sharp: The ACT government is not a member of the association, no.

THE CHAIR: Are there any people who work for the ACT government? You said it was an alliance of the members of the association. You said it was an alliance of all these groups. I am wondering how you make it work, how you do it.

Mr Sharp: It is an organisation that seeks membership voluntarily. It aims to seek memberships from those different groups—community, residents and business owners. It becomes an incorporated body itself, a self-governed body.

THE CHAIR: It then is a body called whatever it is called—Dickson Town Team Inc. It then talks to government, but government is not part of that.

Mr Sharp: No.

THE CHAIR: Does government provide any financial support for it?

Mr Snow: We have funded the work associated with the place planning work that we have been doing in Dickson. A component of that work was to explore the appetite within the group that Andy has just referred to for forming this type of group. The consultant that we used in preparing that place plan had direct experience—indeed, had people on their team who had been associated with the formation of town teams in other jurisdictions as part of their consultancy work.

I guess that it was really as a result of being able to talk to the Dickson interests and stakeholders about the benefits that other similar communities have enjoyed through that approach that got this idea across the line. It is really a point where we say, “We have done our bit. It is over to you now to take the responsibility to help gather up the interest that we have created through that process.” It is for them to drive it. So government steps back, but we obviously keep close lines of communication with them about any follow-up work we will be doing, particularly capital improvements.

THE CHAIR: It sounds a bit similar to what happened with CBR Limited in the city. Is there a possibility that it is going to be associated with a special levy for improvements?

Mr Barr: That is something that may transpire in the future. It will depend, obviously, on local interest and a perceived benefit. But these sort of marketing levy improvement programs are commonplace around the world and, yes, we have a working example already in part of the CRA precinct. I would not rule it out, but I would not say that it is imminent, either.

THE CHAIR: Are you looking at establishing any more town teams? My question here is probably for you, Mr Barr, not just the CRA. I think of places particularly in Woden. There is a group, the Phillip traders, who are putting a lot of effort into trying to do very similar things to what you are talking about. I am sure that Dickson is not the only area of Canberra that would be interested in it.

Mr Barr: Yes, in relation to the example you have highlighted, over a number of years we have raised this, and we did, in fact, in the context of the last territory election at a forum organised by—you may have even been there.

THE CHAIR: I was, in fact, at the same forum, yes.

Mr Barr: You would be aware that I raised that as a possibility, should they be interested in doing it. To date, there has not been a formal approach to government to effectively be the auspicing body to collect a levy. So that has not progressed in the context of the Phillip precinct, but if they want it then it would not be managed through the CRA.

THE CHAIR: No, clearly it would not. That is why it is a question to you, minister, rather than the officials.

Mr Barr: Yes, it would be a different issue. But, again, the offer I made at the time was that if they wanted any further information in relation to how the levy was operating in the context of the precincts within the CRA—it was then the previous entity—then, yes, we would be very comfortable to provide that.

THE CHAIR: What about the sort of support that you have been providing to the town team in Dickson? It sounded from what Mr Snow said as though you provided considerable support in establishing it. Would that be available for other groups?

Mr Barr: Yes, but not through the CRA.

THE CHAIR: No, I appreciate not through the CRA. It was a question to you, minister.

Mr Barr: Yes. That would be a matter for the Minister for Urban Renewal. Minister Stephen-Smith has responsibility for urban renewal outside of the CRA precinct. There would be no problem with that, should there be interest. It is not something that I think you can force on an area. But should there be that desire, we have a working example in the city of how it can operate.

We would be very comfortable to share those experiences, should there be interest in other parts of Canberra to work with local stakeholders to facilitate just such an outcome. I would say in the context of the city model that you have large and small players involved. I think that is helpful, beneficial to the overall success of such a program. It is not just your large shopping mall anchor; it is also a very significant buy-in from small and medium enterprise, as well as the property owners within the different precincts. The point I could certainly make about the arrangements within the CRA precinct is that there are different areas. We have sort of sub-areas within the broader program. That allows for even more localised responses within a precinct program.

MS ORR: The CRA's sustainable strategy is mentioned in the annual report. Could you outline for the committee what the strategy sets out to achieve?

Mr Snow: Yes. Thank you for that question, Ms Orr. I am pleased to be able to say

that today we publicly released the sustainability strategy. Sustainability is a core strategic goal of the CRA. You can trace the importance of that goal right back to what the act that established the authority was talking about. Our concept of sustainability is one of multiple sustainability, of promoting and supporting sustainable development as part of the renewal program. We have done that in a way that acknowledges the different elements of sustainability, particularly social sustainability.

You can imagine that the renewal effort and, again, that people-centred approach that is a core foundation of our work are quite important in the way in which we go about our renewal program. The basis of our strategy was not to reinvent the wheel. It was to go back and look at pre-existing, already approved strategies that have already been implemented around climate change and around other intersections with our work. The lens through which we have looked at our needs, in terms of sustainability strategies, is about renewal: our contribution to improving building performance, particularly making them more thermally higher performing; our contribution to dealing with the heat island effects that we have in our city; and promotion, for example, of electric vehicle charging. A whole series of performance indicators are articulated within that strategy.

My board is very keen to ensure that we just do not accept current practice. Many of the indicators are in fact about code plus one, which is an approach to say, “Yes, that is what might happen in the mainstream, but if we are serious about real achievement in the sustainability space we need to be setting stretch targets.” The sustainability strategy which was released today clearly articulates what those targets are and that we will be monitoring the performance of our work and the way in which we act both as a referral agency and, indeed, through our own projects as we take sites to market. We should be leading by example, so we have a great opportunity through our work as a land developer also to be demonstrating best practice, next practice approaches to sustainability. Andy, do you want to add anything else to that?

Mr Sharp: I think you have covered it.

MS ORR: What specific targets does the strategy set out?

Mr Snow: The targets for 2025 include improving housing choices for families by lifting the number of three-bedroom dwellings within the renewal precinct. We want to promote and support a greater level of active travel within the precinct. To do that we are targeting what is called a walk score, which is a measure of the walkability attractiveness and the means by which people, other than in cars, can access different places within the precinct, whether that be cycling or walking but, in particular, walking. Having access to facilities means their dependency on cars is reduced.

As I said a moment ago, we also want to promote and achieve much higher levels of efficient energy performance in any of the new developments and even in the adaptive re-use of buildings within the precinct. We see real scope particularly for non-residential buildings to be achieving energy performance targets that are at least 25 per cent above the current codes. When I talk about those stretch targets I think we can do that particularly in building performance and building management.

MS ORR: What are some of the things that can be done to achieve those 25 per cent targets? Some people might say that is a good stretch target, but how do we get there? What are some of the things we are doing?

Mr Sharp: The code is the base Australian standard or the recognised standard which all developments need to achieve, so the code plus one is obviously the next level up. If our ambition is to achieve a code plus one rating on energy performance, it means those developers delivering that building stock need to consider the energy and thermal capacity of the building, they need to design it to a higher standard, they need to orientate the building in a way to achieve access to natural daylight and things of that nature. They are the kinds of things the development industry needs to achieve in delivering those outcomes for the community.

THE CHAIR: How will you achieve it, as distinct from what the developer could build?

Mr Sharp: We do not have the necessary statutory powers to enforce it; we encourage it.

THE CHAIR: That is what I thought.

Mr Sharp: Everything we do is about encouraging those outcomes. We are also the mandatory referral authority for developments that sit within the CRA area, so every development application comes across our desk. We have very deep and meaningful conversations with applicants as they apply for a development approval. I can count dozens of examples of conversations with developers around improving their energy and thermal capacity performance and basic things like access to daylight. We have rejected many applications because apartments do not get enough access to daylight. Those things affect thermal capacity, for residents to actually have a decent life. We have those discussions all the time and we have the capacity to not recommend a development application.

Mr Snow: The statutory levers we can pull are quite limited. That is why we are talking to our colleagues in the environment and planning directorate about how the strategic plan refresh and, following that, the Territory Plan review might help strengthen our ability—particularly if we are a referral agency—to say that these are the requirements of the statutory instrument of a plan.

If that were to occur it would give us the teeth, as it were. As Andy has just said, much of what we have been able to achieve is by encouraging potential applicants and current applicants for new developments to adopt the kinds of standards we are setting. In most cases we find that, as Andy has said, we have developers who are quite receptive to that because they understand that consumers are becoming much more savvy about the performance of the buildings they want to be taken to market.

MS ORR: You mentioned that three-bedroom dwellings are one of the measures you are looking at. Can you run through a bit more where the three-bedroom dwellings fit into achieving sustainability?

Mr Snow: That is particularly to the point I made in my introductory comment about

social sustainability. One of the things good urban renewal does is improve social connectedness. A real problem in Australian cities is that we are finding this gap between the haves and have-nots increasing quite dramatically. The Grattan Institute wrote a fantastic report about this, and it is an issue we are trying to embrace.

Part of what government expects us to be doing is creating and strengthening the sense of community that people have within our precinct. With a low residential population at the moment in some areas and with that residential population due to increase, potentially as high as an extra 15,000 people, we cannot just leave it to them to work out how they connect with each other. We need to create a strong community, and one way you can do that is to have greater diversity in the demographic mix.

We do not want to end up like Sydney and Melbourne, where there are two-hour trip times to places of work. We are a relatively compact centre in the city and we need to take advantage of that compactness but at the same time make it attractive for families. Flowing on from that, we need to provide the community facilities those families and people will need to support the decision they make to say, “We don’t want to live in the greenfields. We’d rather live back in the city centre,” where all of the services and requirements to support those families are available.

MS ORR: Is there anything in the strategy that relates to livability and urban design in getting those outcomes?

Mr Sharp: Sustainability from a design aspect is about not only thermal comfort and access to daylight inside the apartments but also environmental conditions like the amount of tree cover you might have and how much development sits on a site. Lots of developments maximise the site to be completely built out, for example. Our approach is to say, “Well, actually, what we want to try to do is maintain deep root planting zones for nature and trees to be encouraged into those spaces.” Those aspects of the sustainability strategy target—how much green space is given over to residents, how much is semi-public, public and private space, those kinds of things—are built into the targets we are trying to achieve. Tree cover, for example, is a part of that, and access to public open space.

Mr Snow: Retention and re-use of water collected off roofs is another. There are so many WSUD initiatives that could be integrated. Other jurisdictions are demonstrating that it is quite easy to incorporate and integrate these design features within new developments. I think we should be taking the lead from that.

MS ORR: Can I clarify for the record that WSUD means water sensitive urban design?

Mr Sharp: Yes.

MS ORR: You mentioned earlier the conversations you are having and the encouragement you are providing to reach the sustainability targets. Is there anything else you are looking at to make sure these goals are implemented?

Mr Snow: Our work particularly through the precinct renewal program and the way we collaborate with our partner agencies in the rest of government. We want to make

sure we are also supporting the wider strategic environmental priorities of the government through those other strategies.

There are quite a number of different forums, workshops, opportunities for those sorts of connections to be made not only internally but also with industry. I attend a meeting of chief executives within the development and planning sector that is chaired by the director-general, Ben Ponton. Quite frequently on the agenda of those monthly meetings are discussions on the role that industry must play and will have to play in the way those environmental targets are going to be met. I have to say that around the table I hear strong support from many different parts of the industry, particularly the development industry, for those aspirations.

MS ORR: What priority does the authority place on addressing climate change?

Mr Snow: The absolute highest priority, Ms Orr. If we are to do something about that particular wicked problem, government has to show leadership. All agencies within the territory government, I am pretty confident, are committed to making a contribution to that. As small as our precinct is, we can demonstrate that through pilot projects and the kinds of relationships I have talked about with the private sector. One of the most powerful things we can do is invite the community to observe good practice and good design practice—to have the costings and break down the misconception that this is unaffordable. In fact, this is very easy to do and adds long-term value not only to the city but also to the individual building and project.

MR COE: Mr Snow, a lot of what you just said seems to be fully within the purview of the planning directorate, as opposed to activation of the city. How much of your work is about activation of the city, as opposed to planning for the future of the city in 10 or 20 years?

Mr Snow: We are not a planning agency. We take planning policy and we implement it. In relation to something like sustainability, as I said, we are not going back to the beginning. We have taken a cue from what the planning directorate and other directorates, particularly the environment directorate, have developed around sustainability. We have made sure that in our urban renewal effort we are not doing anything that dilutes or detracts from the recommendations of actions within those strategies and, indeed, complements those. Our approach is to take them to a higher level than perhaps those strategies currently do. We think there is scope as part of the renewal effort simply because of the amount of development that is occurring in the precinct to effect change by virtue of that development.

Activation is an important and critical component. It is not a case of being distracted; it is more a case of making sure that, even through our activation work, we ensure we are also attracting more people into the city centre. With this concept of social sustainability, which is now widely understood as the best approach, you cannot just talk about one aspect of sustainability—in other words, about the environment. You also have to talk about strengthening communities. Activation goes to the very core of what people need to have as an experience when they come to the city centre. They will be shoppers, visitors and all sorts of people with different purposes in coming to the city centre, but activation is very much a targeted strategy of bringing people into the city centre to interact with their fellow citizens, because through that we get a

stronger community.

MR COE: Why should issues such as the walk score or water sensitive design et cetera only be limited to the city? Why doesn't Tuggeranong get that same attention, or Belconnen or Gungahlin? They seem to be very generic planning principles that should be applied across the city. Surely your charter is to activate the city and, as a planning directorate as well, to do this everywhere, not just in these few blocks.

Mr Snow: I think that is the intent of the planning directorate strategy. They are applying it across the entire territory. What we are saying is, "Thank you for that strategy, but we want to focus on a number of things that we believe are going to advance the cause of sustainability in all its forms within our particular precinct."

MR COE: But why should the architectural standard and design standard be higher in the city than in Gungahlin, Weston Creek, Woden, Tuggeranong, Belconnen or anywhere else for that matter?

Mr Snow: It should not be. That is the point. But I do not think—

MR COE: But it begs the question why your agency is doing it, when you only have a limited jurisdiction, as opposed to the planning directorate that has the complete jurisdiction.

Mr Snow: I think part of our responsibility as a public agency is to provide leadership on these things. We cannot just sit back and say to industry, "This is what we encourage you to do."

MR COE: Is this not the planning directorate's role? How is it any different to the work that the planning directorate is doing?

Mr Snow: I am simply saying that I think we complement very closely the ambitions and recommendations of the planning directorate. But when it gets down to it—

MR COE: Is the planning directorate doing any of this work or not?

Mr Snow: The planning directorate works, as I said in my response earlier, very closely with us. We have got to make sure that we are not working at cross-purposes. We are taking recommendations, actions out of the sustainability strategy of the planning directorate and focusing on particular dimensions or aspects of those recommendations to make sure that, given, as I said earlier, the amount of development that is happening within our precinct, those concepts and ideas can be more closely embedded within our work.

MR COE: But do you really think this is actually what the levy that businesses are paying should be going towards?

Mr Barr: I think you have completely confused—

MR COE: I understand it. I understand what you are saying. But most people do join the dots between the City Renewal Authority and the levy.

MS ORR: Sorry, can you say what you were going to say so that I can understand what everyone is saying?

Mr Barr: The objectives in the act that guide the authority refer to “encourage and promote social and environmental sustainability through planning and delivery of urban renewal and improved urban infrastructure and responsiveness to demographic change in the ACT”. The act under which the authority was created specifically references this type of work. But to Mr Coe’s substantive point, yes, of course it is occurring right across the city. To suggest that it would not occur in the CRA precinct and the CRA would not have a role, even though they are statutorily required to, would be absurd as well.

MR COE: But then it is a policy question for government rather than Mr Snow. Why is it that all this is not being led by the planning directorate?

Mr Barr: It has been.

MR COE: Why is it that planning strategy and planning reforms are not in the planning directorate?

Mr Barr: It has been. And this authority is simply enacting those policies in its precinct, according to its legislative—

MR COE: And who is enacting it in Tuggeranong or in Gungahlin?

Mr Barr: The planning authority has set the policies. Most of this would be delivered in those precincts by city services, in terms of the actual delivery of infrastructure, of government infrastructure.

MR COE: Water sensitive design?

Mr Barr: Yes. The delivery—

MR COE: The walk score?

Mr Barr: The delivery, as opposed to the policy developed by planning and sustainable development—

MR COE: But this has not been about delivery; this has all been about lofty ideals for 10 or 20 years down the track. This has not been about delivery.

Mr Barr: Because the organisation has been in existence for a little over a year and it is delivering against the policy objectives. They have given some finer grain in terms of the precinct in which—

MR COE: Are they a policy agency or are they a delivery agency?

Mr Barr: No, they are a delivery agency, but they have to deliver against the policy as put forward by the planning directorate.

MR COE: Everything we have heard today is about policy development and not about delivery?

Mr Barr: No, it is not.

MS ORR: I would like to be heard, if that is okay. I have to disagree with that comment that this is all about policy and not delivery, because this is an urban renewal precinct where a lot of change is going on, and if you are not implementing these things—it is not for 10 or 20 years down the track—the development is happening now. You have to implement it now. Am I right in my assessment?

MR COE: Tell us what water sensitive design has been delivered in the last 12 months.

Mr Snow: I am happy to take that question on notice. The reality is that the sustainability strategy was publicly launched today. That has not stopped us in those pre-application discussions, particularly with developers and applicants wanting to do development within the precinct, encouraging them to start thinking about some of these things. But my response to your question is that it is all well and good to have policies but we need to measure the effectiveness of those policies. To be able to do that, we need very clear indicators and measures. What our sustainability strategy focuses on is not policy. It is saying: what will be the indicators and measures of the effectiveness of the policy developed by the environment directorate?

MR COE: Who is doing that in Tuggeranong?

MS ORR: And you said that you were going to—

MR COE: Is anyone doing that in Tuggeranong?

Mr Barr: Yes. There are other agencies of ACT government who undertake that.

Mr Snow: You have got other agencies of government that have their KPIs and their delivery mechanisms and then you have got it all duplicated for the city.

MS ORR: I am sorry; this is getting too out of control for me. I am sorry; we are asking questions about who is doing stuff in areas outside the CRA.

Mr Barr: I think it is fundamental stuff, to be honest.

THE CHAIR: Yes.

MS ORR: And we are here to question the CRA.

THE CHAIR: Ms Orr, it is relevant to why we have the CRA versus any other arrangement we could have. I think this is a quite reasonable line of questioning, particularly as I was going to add to it. You were talking about how you were trying to get better than the building code as far as energy efficiency et cetera goes, which is a laudable aim, but it would be equally laudable if it was throughout the whole of the

ACT. Are you, in effect, saying that ACTPLA is not in a position to get high quality—

Mr Barr: No.

THE CHAIR: building for the rest of the ACT?

Mr Barr: No, that is not the case.

THE CHAIR: That seems to be effectively where you are going with this.

Mr Barr: No. The City Renewal Authority is tasked under its legislation with looking after this particular precinct.

THE CHAIR: Yes. I think we have all got that.

Mr Barr: Established by the Assembly under this legislation. Yes, it was a government initiative, but the legislation was passed by the Assembly to undertake a range of activities. That does not mean that activities that the authority undertakes within the precinct cannot be undertaken elsewhere in the territory, but I do not think anyone would suggest that there is not a significant amount of renewal occurring within the CBD precinct associated—

MR COE: And Belconnen and Gungahlin.

THE CHAIR: And Woden.

Mr Barr: But the volume here would be greater along the light rail corridor and in the CBD than the combined total of all of the other renewal activity in the territory. Billions of dollars of urban renewal are currently underway in this precinct. It is a priority now and it needs appropriate oversight, and that is what we have through this body.

THE CHAIR: I do not think anybody disagrees that there is a lot of development happening in that area. The question that Mr Coe put and that I would second is: given that we also have a lot of development happening in the rest of the ACT, why can't it get a similar degree of love and oversight?

Mr Barr: Yes, and so there is a portfolio. There is a minister for urban renewal. There is a specific portfolio in relation to—

THE CHAIR: That is a policy question.

Mr Barr: those other areas.

THE CHAIR: We will continue this conversation shortly.

Mr Barr: As I have indicated, the intent at the beginning of establishing this authority was that the CBD is first amongst equals. That has always been the case in the hierarchy of planning in this city, from its establishment. The CBD is first amongst

equals. This is the area that is having the greatest level of renewal, the greatest level of investment, and this will always be the case—always. It has been through the history of this city—that this precinct is the CBD precinct of Canberra. That is not going to change.

MR COE: But isn't the planning authority capable of leading the charge for the first amongst equals?

Mr Barr: The planning authority plays an important role in policy development, but it is not a “doing” agency. The CRA is a “doing” agency, but it has to take high-level, territory-wide planning policy and specifically apply it—

MR PARTON: Or stretch it.

Mr Barr: in this precinct.

THE CHAIR: Mr Coe, we have done this—

Mr Barr: Stretch it? So the fundamental objective here—

THE CHAIR: We have done this question; it is now actually—

Mr Barr: The fundamental concern here is that the CRA is doing too well or going too far in terms of its commitment. That is what Mr Parton has implied, Madam Chair.

MR PARTON: I am not the one who used the word “stretch” initially. That was from Mr Snow.

THE CHAIR: Mr Parton, do you have a substantive question?

MR PARTON: Yes, I do. Let us move away from that area, if we can. What is the status of negotiations with the commonwealth in relation to city to the lake?

Mr Barr: We have rolled through four ministers at the commonwealth level in the last 18 months—Fiona Nash, Darren Chester, John McVeigh and we are now dealing with Sussan Ley, who is not even a minister.

MR PARTON: What are you going to complain about if the government changes, can I ask? I wonder if you will have anything to say.

Mr Barr: It is very difficult to get anywhere because there is a new minister every four months.

MR COE: Aren't you dealing with the finance minister—

Mr Barr: It overlaps—

MR COE: who has been the same finance minister since day one?

Mr Barr: It has not been, because he stood down for a period. But, no, there is not a

resolution—

MR COE: How long did he stand down for? Two days?

Mr Barr: And there will—

MR COE: Two days?

Mr Barr: There will not be—

THE CHAIR: Mr Coe; leave that one.

Mr Barr: There will not be a resolution with this government. That is clear. They have closed up shop in terms of there being any possible outcome before the federal election. We will deal with the new parliament, and a new minister, after the federal election next year.

MR PARTON: The government's position on the reclaiming of the lake bed at this stage is, as far as you are concerned, of no consequence because we are just going to wait?

Mr Barr: It is in the National Capital Plan. The federal parliament and the federal government have already endorsed that policy position. With respect to the fine detail in relation to the ownership of the land that is currently underwater, it is federally gazetted. It would need to be de-gazetted in order for it to come into the territory's ownership. The National Capital Authority is involved. That is why this is an issue, because their minister has changed four times in 18 months—

MR COE: You just said it is already in the national plan and the NCA has ticked off on it. So what has it got to do with the territories minister?

Mr Barr: The National Capital Authority is putting in a range of other riders in relation to their support for this, including wanting more land for embassies and more land for a range of other activities. There are all of these other issues that are being piled on to this particular negotiation.

MR PARTON: Are you suggesting to me that if there is not a change of government, you are up the creek without a paddle?

Mr Barr: No, I am suggesting to you that there is no prospect of a resolution between now and the next election because it is not a priority for the current federal government.

MR PARTON: Do you believe that there would be the prospect of a resolution if, indeed, there is a coalition government returned federally?

Mr Barr: That would give a three-year run, presumably, so certain issues that are clearly being put on the backburner might come forward. But we will be in the business of having to negotiate over a range of issues.

MR PARTON: So at this stage of the game, there is no estimation of when the construction of stage 2 would begin?

Mr Barr: No, not at this point.

THE CHAIR: Henry Rolland Park—who makes the decisions there? In particular, it was just brought to my attention that the new exercise equipment all has male images on it. Was this something that you had anything to do with? Or is that purely the National Capital Authority?

Mr Snow: The CRA is responsible for the ongoing maintenance of Henry Rolland Park because it is part of an area that is under our jurisdiction to ultimately develop. Through the estate management arrangements we have with the Suburban Land Agency we are able to make sure that the grass is mown and the landscape is looked after. In relation to your comment about the exercise equipment, that was a bespoke prime cost item that was included in the design concept and procured through the construction process. It was only brought to our attention fairly recently, I think as a result of an approach made by a citizen, that the overseas company that manufactures this equipment had used a symbol which that person found not as inclusive as it could be. I cannot say what action we propose to take. We have gone back to the manufacturer to ask whether they would be prepared to change that symbol. I understand that a particular constituent raised that concern.

THE CHAIR: She will be delighted to hear your response, because her other concern was that she has written a lot of letters but got no response.

MR COE: You mentioned embassies. The ACT government does not want to provide any land for embassies?

Mr Barr: No. We need to identify acceptable sites for them for the National Capital Authority to expand the available national portfolio for a supply for new embassies.

MR COE: What has the planning directorate done in order to identify sites?

THE CHAIR: Mr Coe, you are probably getting past the scope of the CRA.

MR COE: No. The point of this is that the commonwealth, it seems, has said, “We’re not allowing you to have a lease over the lake bed because you’re not agreeing to other things.”

Mr Barr: No. What they have sought to do is tie in everything, from ACT government approval of the CSIRO Ginninderra development site to acquisition of little pockets of former Defence land at various points in the territory, rolled in with challenges for the NCA in terms of the national diplomatic estate, effectively. Almost every possible rider that you could put on to attempt to stymie an outcome has been thrown into the mix. Every time you advance and get a potential agreement, a new item is added. Then, you add into this that there have been four different ministers for the National Capital Authority in the last 18 months. Just when those ministers might begin to have an understanding of the relevant issues, there is a leadership change or a ministerial reshuffle and they are gone again, or they fall foul of the constitution, in

the case of Fiona Nash. We were closest to an outcome with Senator Nash. Darren Chester was not in the job long enough. He got rolled by Barnaby Joyce and was out of the ministry, as you might recall. Then—

MR COE: Will you make public the wish list that the commonwealth has?

Mr Barr: No. I cannot make the formal list public, because that is subject to intergovernmental discussions. But the sorts of issues go to—amongst other things, it is common public knowledge—the national diplomatic estate, the CSIRO site and others. But I cannot—

THE CHAIR: Mr Barr—

Mr Barr: I am not going to make any further comments until those negotiations are concluded.

MS ORR: It is lovely to hear this exchange, but I think the chair was right in saying this might be a bit outside our remit.

THE CHAIR: It is.

MS ORR: I support her getting it back on track.

MR COE: It is about city to the lake.

THE CHAIR: Have you any more to ask on the city to the lake? Or shall we move to Ms Cheyne, who has been sitting here very patiently?

MR PARTON: I am happy to move to my Labor colleague.

MS CHEYNE: I have rolled my eyes a few times, but I have otherwise been fine.

THE CHAIR: We cannot see your eyes from here, Ms Cheyne.

MS CHEYNE: We will see what Assembly on demand has recorded. This might be a little more boring, but it is very exciting for me. I know that you are the CEO, rather than the chair of the board. But from the annual report I note that the board has been very active and done quite a few things, and that a matter considered by the board during its first year included a visual identity strategy for the authority. What is that?

Mr Snow: That was about the co-branding with the ACT government logo. Graphic communication is an important part of the way in which we communicate our work. As a statutory agency, we have the ability to create a really strong identity for our work in things like the annual report. As an expression of the fact that we are a real agency, a forward-looking agency, an agency that is invigorated and energised by the challenge government has given us, we wanted to project and communicate an image which was commensurate with that challenge. We were given the approval to co-brand our agency. Whenever the words City Renewal Authority appear, they always appear in conjunction with the ACT government logo. It gives us the ability to position our different programs and projects in a way that we find engaging. Certainly

the feedback through social media and through the way in which we interact with other media outlets has been extremely positive in our taking that decision.

MS CHEYNE: Was all that strategy work done in house?

Mr Snow: No. We engaged a graphic design and communications specialist to support us through that work. But we developed, in conjunction with the board, a very strong design brief, and the board were engaged at every point in making sure that their aspiration was being met through the way in which we developed that communication collateral.

MS CHEYNE: I note that the board has established a range of subcommittees, including an audit and risk committee, and that there is an internal audit program established. Have any internal audits been completed?

Mr Snow: We have received recently the very first internal audit report. That has been very positive and quite complimentary about the work of the agency. The ACT Audit Office has conducted, as part of the annual performance review of the agency, its own external audit, and those results are provided in the annual report. So, yes, the agency has exposed itself already to both internal and external audit programs.

MS CHEYNE: Who is the internal auditor that you have engaged?

Mr Lee: The company's name is O'Connor Marsden, OCM.

MS CHEYNE: And that internal audit program was developed in conjunction with them and their advice on the organisation?

Mr Snow: It was taken before the audit committee. The brief instructions that were provided to those internal auditors had all gone through the audit committee. So there was, again, very close supervision, close interaction with the audit committee. Indeed, the internal auditors met with the audit committee on at least one occasion. So there has been very close involvement by our audit committee.

MS CHEYNE: How was the internal auditor chosen? Was it through tender or from an existing panel, or what?

Mr Snow: My understanding is that it was through a panel and that the process of selecting the firms we approached was supported, and advice was provided, by the environment, planning and sustainability directorate, who, as you know, provide us with the governance advice and the probity advice around all of our dealings with those sorts of matters.

MS CHEYNE: Is the city activation strategy out yet? Is it completed yet?

Mr Snow: No. The short answer is no, but it is certainly in progress. Again, I might get Mr Sharp to comment further. But, going back to my previous comment about the place planning work we are doing—

MS CHEYNE: I know that without a strategy it does not mean you have not been

doing things.

Mr Snow: No. The government set very clear expectations for us in year one, even before that strategy was developed, that we had to get on with the job of activating. The transfer of responsibility from In the City back into government, and specifically the CRA, to administer the levy, to achieve the activation that I think Mr Coe was referring to earlier, has been a critical component of our work. We have not waited for the activation strategy; we have gone on and implemented well over 15 different activities, and made sure that we have started to embed, integrate and incorporate major events, such as Enlighten, for example. Enlighten never had a presence in the city centre until this year—well, not a presence you would remember.

MS CHEYNE: Actually, I do. It was in the Canberra Centre, with the buttons that you could press.

Mr Snow: I guess I am referring to the broader public realm of the city centre.

MS CHEYNE: That is outside your realm, yes.

Mr Snow: Yes.

MS CHEYNE: But I do recall. This is a weirdly worded question, but without a city activation strategy, have some of the activations that have been undertaken perhaps not been strategic? Have they just been like “We’ll just give this a go and give this a go?”

Mr Snow: I will get Andy to comment in a second, but with the activation strategy, particularly in the city centre, there has been a specific piece of work which has focused on that in Civic. I will get Andy to elaborate on that. It has identified the particular public spaces that we want to focus on. Those are pretty self-evident: City Walk, Garema Place, Petrie Plaza, Civic Square.

MS CHEYNE: Festival square, as I would like to call it.

Mr Snow: I have to say that not just the anecdotal, but the—

MS CHEYNE: It is a good idea, right? You can take that for free.

Mr Snow: Not just the anecdotal feedback but the direct and unsolicited written feedback that we receive about those activations is extremely positive. It gives us the encouragement to say that, yes, we can use a strategic, long-term approach so that we can be confident that our investment in those activations is achieving what we want, which is not only to drive customers to businesses’ doors but also, as I said earlier, to have a much stronger psychological, social and emotional connection with the city centre. This is the centre of the national capital. It should be a place full of people, and activation plays an important part of that role.

MS CHEYNE: Of the 15 activities you have undertaken, anecdotally and otherwise, which one has been the most successful? Is it the pick and mix tables? And are they going to be a permanent fixture?

Mr Sharp: The pick and mix tables are very popular, and they are going to become much more permanent. I liken the idea of an activation strategy to inviting your guests home to your lounge. The activation strategy is about enabling people to come freely to the city and enjoy the city spaces. Everything we do is about enlivening those city spaces for that purpose. Things like the pick and mix furniture are the simplest of things, but they have become very popular. It is really about that invitation to stay. Everything we do—

MS CHEYNE: I have noticed that even the Chief Minister casually has his lunch at the tables. It is very well received.

Mr Sharp: Everything we can do to make people stay is hitting our target. As to the most popular things, obviously the tables are one, but some of the other activations—the Hurley Burley winter festival and the ice-skating, for example—were very popular events. The children’s playground in the festival square was a good one. Again, those kinds of things are enabling people to stay in what we call a sticky place, where people just stay and stick. That is important. All those things are adding up.

MS CHEYNE: Did any of them fall flat?

Mr Sharp: Some are more successful than others. If I were to be honest with the committee, we have had some feedback about the poets’ corner, for example. We had some poetry reading. That fell flat. It was a tiny investment in place activation, but it was not as well received as we would have thought.

Mr Snow: I think it is important that we do what I call the post-activation evaluation, and we are doing it. We need to not just say we think it worked; we need to have evidence that it did have a knock-on effect, that there was a cause and effect relationship between whether the activation event that we organised had a positive flow-on effect. That is an integral part of that activation strategy: that we take the time and care to go back and ask traders, ask businesses and ask the general public, “What did you enjoy about this? What would you want us to do differently if we were to do this again?” Andy is right; there is a bit of trial and error, initially. But we are learning a lot from taking the time to ask what worked and what did not work.

MS CHEYNE: I do not think it is a bad thing to try different things.

Mr Barr: No. There is also considerable value in working with other partners who are already staging events in the city. An example of that would be the work with the Comedy Festival, so activation of the festival square—

MS CHEYNE: We will send that off to the Place Names Committee.

Mr Barr: During the Comedy Festival, it provided a focal point for activity pre and post the various shows that were taking place in the Playhouse, in the Canberra theatre, and in the courtyards here. That was part of that event. We worked with them. They had a festival hub, a range of activities, that took place within that precinct. That is but one example of where we can support different sorts of activities. Others that are coming up include a street party in Lonsdale Street in a couple of weeks time. A range

of other proposals have come forward for us to consider in coming years as well. We take the opportunity to talk with event organisers who are putting on activities, everything from curry festivals to comedy festivals, street parties and the like.

A common piece of feedback is that, given the right opportunity and the right types of events, from Christmas to multicultural festivals and comedy festivals, people will and do come into the city, often in great numbers. There is New Year's Eve. There are a whole bunch of events and activities over the course of our city's four distinct seasons that will encourage that sort of engagement with the city centre.

There are 40,000 people or 50,000 people who come in every day for work. There are a lot. And we have an objective to build up the residential population as well. All of that underpins new investment, new business activity and new social and cultural spaces for the community. Importantly, it also takes the pressure off endless urban sprawl and protects the best elements of our bush capital by ensuring that we are not just bulldozing every paddock and piece of bushland on our city's urban fringe in order to meet our future population growth. It is a clear objective: more people live, work and play in the CBD.

MS CHEYNE: I have two quick questions to finish off this line of questioning. I am sure Mr Coe is excited at the prospect of having another robust discussion. Those tables with the colourful umbrellas—how many umbrellas have been stolen?

Mr Sharp: I do not think any have been stolen. We have had one or two that have been damaged, and we are replacing them. You have probably seen a gap in the line. Most citizens have been quite honest, and we have not had any loss. We did lose some deckchairs—two, I believe. So there has been a minor loss but nothing of any consequence.

MS CHEYNE: Is the city activation strategy still due later this year?

Mr Snow: Yes, it is. As I said, it is in progress. The commitment, through the statement of expectations, is that we will have that strategy, at least in draft form if not final form, by the end of the financial year. We are on track to do that.

MR COE: With regard to the visual identity design contract, if that contract could be uploaded to the contracts register, that would be good. With regard to the levy, what feedback mechanisms do you have in place for hearing from payers of it?

Mr Snow: Thank you for that question. I will get Andy to provide some further detail, but I would say in my response that it is a culmination of both formal and informal, the informal through our regular, almost weekly, contact with levy payers in their different roles. We have deliberately placed representatives of the levy contributors on, for example, selection panels for the grants program. That single initiative has been extremely helpful in getting very direct feedback from those representatives saying, "These are the sorts of things that, from my perspective as a business owner, I think deserve greater attention." That is just one example of our working arrangements with traders.

We have, at the board's request, also now developed, and had board approval for, a

performance and accountability framework for administering the levy. It is essential that, in the transfer of the responsibility for the way in which the levy is managed back into government, we are able to demonstrate as a public agency that we are achieving what the levy was set up in the first place to do.

The performance and accountability framework does set opportunities for us to go and consult in a formal way with the levy contributors, on a financial year basis, to confirm and reaffirm that the priorities, the actions we are taking in administering the levy through the events and grants that we are issuing, are achieving what those who contribute want. As I said, Mr Coe, it is a culmination of both informal and very formal mechanisms to regularly confirm that the purpose of the levy has been achieved.

MR COE: How many board meetings have taken place this year?

Mr Barr: This is in the annual reporting period or the calendar year?

MR COE: This calendar year.

Mr Snow: I believe there have been five. I beg your pardon; nine board meetings. A combination—

MR COE: In 2018?

Mr Snow: Yes, a combination of full meetings, what I call general meetings, as well as special meetings. The board obviously has to meet and convene formally to consider financial statements and a number of other issues related to the work of the agency.

MR COE: Is there a reason why there are only three meetings that are on the website for 2018?

Mr Snow: We have a backlog regarding reporting the outcome of those meetings. We would be in a position fairly soon to make sure that the balance of the minutes and the outcomes of those board meetings are reported publicly, and we are working through those.

MR COE: What could be the backlog?

Mr Snow: Simply obtaining the necessary approvals to the minutes. There is a process we have to go through with the chair and the board itself to make sure that the minutes accurately and correctly reflect the outcome of the meetings. We go through that process and make sure that, once those have been signed off and approved, they are then loaded up onto the public portal.

MR COE: What disputes are there about the minutes of, presumably, May, June, July, August, September and October?

Mr Snow: There are no disputes. It is simply so that the board has the opportunity, quite correctly and appropriately in a governance sense, to make sure that the minutes

reflect the decisions that are taken.

MR COE: But what chance have you got in October, given that that was five or six meetings back, to determine the accuracy of the May minutes? Isn't it standard practice that pretty much the second agenda item after attendance is going through the minutes of the previous meeting? Is that happening or not?

Mr Snow: Yes, it is.

MR COE: Are they being approved each month or not?

Mr Snow: Of course, in the meeting where the minutes of the previous meeting are being considered, occasionally, yes, members would want to correct the minutes, but the mechanisms we have put in place provide opportunities for all members to review the draft minutes in advance. At the meeting at which the minutes of the previous meeting are approved, they are generally supported quite quickly.

MR COE: To put it in perspective, the April minutes are about a third of an A4 page, and the heading and location take up about half of it. Then you have "Present: all board members present"; "Conflict of interest: board members declared any potential conflict of interest"; "Operations"; "Draft statement of intent"; and "Notification of a significant financial event". And that is it. They are the entire minutes for April, yet somehow you are still—

Mr Barr: There were two meetings in April, actually.

MR COE: Well, there is only one here. That is a bit of a blow, isn't it?

Mr Barr: No, there are two on the website; I am looking at it now.

MR COE: 6 April and 24 April, but for 24 April you have one-third of an A4 page. "Notification of a significant financial event" is the minutes. What was that significant financial event?

Mr Lee: The event related to a small amount of variance in the budget. Because the provisions within the FMA work on a percentage, and because the CRA's budget is quite limited, a small variance was considered to be possibly picked up by those provisions within the FMA. As a precaution, we put that up as a potential significant—

MR COE: It does say, "Notification of a significant financial event."

Mr Lee: Yes, and that is the wording in the FMA.

MR COE: Tell me what happened in the May meeting.

Mr Snow: I do not have those details in front of me, Mr Coe.

MR COE: I guess it is the same for June, July, August, September and October.

Mr Snow: The minutes reflect the publishable outcomes of the considerations of the board, so—

MR COE: In which case, why is there dispute about what the minutes contain?

MS ORR: Sorry, isn't it for the board to sign off on the minutes and decide? If the board has not signed off on the minutes, the reasons they are not signed off on would be with the board, not necessarily with Mr Snow.

MR COE: Come on! Are we going to say that because of the—

THE CHAIR: Ms Orr, let us—

MS ORR: “Tell me what is in the minutes.” You cannot even say “please”, Alistair, but, putting that aside—

THE CHAIR: Ms Orr—

MS ORR: if they are not signed off, you cannot say what is in them.

MR COE: But if all you are doing—

THE CHAIR: Ms Orr, you are on this side, not that side.

MS ORR: Yes, but I have to listen to this.

MR COE: is publishing two lines such as “Notification of a significant financial event” and “Draft statement of intent for financial year 2018-19”, how could there possibly be dispute about what the minutes contain?

Mr Snow: Mr Coe, I never used the word “dispute”. I think that is your word. What I have said to you is that there is a backlog in publishing those meeting outcomes. I accept that there has been too long a gap between those meetings and the publication of them, and we are doing everything we need to do to make sure that those outcomes are up on the website and that the community, under the open access arrangements, of course, have access to those outcomes.

MR COE: Looking at this headcount, there is a headcount of 24—16 senior officers, three executive officers and five administrative officers, and you cannot get one page of minutes published. Is this not a fundamental governance issue?

Mr Snow: No, it is simply about obtaining the necessary approvals from the chair and then making sure that we action it, once the minutes have been signed off, and put them on the portal.

MR COE: Does the relevant legislation require that you publish these minutes?

Mr Snow: Yes, it requires us to make sure that the proceedings, the outcomes of those meetings, are published.

MR COE: Are you in breach of the relevant legislation by not having the last five or

six board minutes published?

Mr Snow: I do not believe we are, but I will take that on notice. Certainly, it has never been drawn to my attention that there was a time limit or a time frame within which those publishable outcomes needed to be placed on the portal.

MR COE: Therefore there is no motivation to actually get it up on a monthly basis?

Mr Snow: No, I do not accept that. I think there is every motivation. It is important that we are absolutely transparent in our work as a public agency. The agency has now been operating for a month. The governance arrangements, the business operational arrangements, are now bedding down. I can assure you that if the agency has been slow to make sure that that information which is publishable is being made available, we will be making sure that, in a very timely way, those outcomes are published within the shortest possible time frame, with the support and cooperation of the board.

MR COE: Chief Minister, are you satisfied with the governance arrangements that are in place?

Mr Barr: I am satisfied with the governance arrangements. I am not satisfied that there has been a delay in posting this information on the website. I will be asking the authority—

MR COE: When was it brought to your attention that the minutes are not online?

Mr Barr: Just this morning.

MR COE: When I asked the question?

Mr Barr: Yes.

MR COE: What regular reporting do you receive from the City Renewal Authority?

Mr Barr: I meet with the authority weekly.

MR COE: Weekly?

Mr Barr: But I meet with them, so I do not need to go on their website to get information from them. But this is a problem and it needs to be rectified, and I will ask the authority—I will ask in front of you all: Mr Snow, can you please ensure that the minutes are updated on the website?

MR COE: There were all of these issues with the LDA and everyone was put on notice with regard to getting governance right. It seems to me to be pretty extraordinary that, despite all of those issues, you still have these fundamental problems with getting minutes online.

Mr Barr: It is an administrative failing. I accept that it is not a good look and I would ask the authority to upload their minutes to their website.

MR COE: Finally, can I ask: have any minutes been removed from the CRA website?

Mr Snow: Not to my knowledge, Mr Coe.

MR COE: Chief Minister, will you come back to the committee as quickly as possible—

Mr Barr: If any minutes have been removed?

MR COE: and tell us if any board minutes have been removed?

Mr Barr: Yes.

THE CHAIR: On Wednesday I asked the arts people what was happening with designation and entertainment precincts to protect live music venues and they said to talk with the CRA. So here I am, but I fear you may send me off elsewhere.

Mr Snow: I am not aware, Ms Le Couteur, of any specific conversations we have been having around live music. Clearly as part of our activation promotion it is important that we can provide venues for live music in the city centre. There are a number here already. But as residential population increases in the city centre we want to avoid the problems places like St Kilda and other cities have had, where those sorts of activities get pushed out through gentrification. We want to avoid that.

THE CHAIR: It has already happened in Canberra. Are you working at ways to stop more of it happening?

Mr Snow: We will work with our colleagues in the other agencies responsible—Access Canberra, the planning directorate, the EPA, whoever it needs to be—because we do not want to lose one of things that contributes to activation. Through good design and acoustic attenuation we can ensure that the developments in mixed-use precincts have the building design to ensure that those impacts can be mitigated.

THE CHAIR: Would you be looking at designating entertainment precincts in your area of influence?

Mr Snow: Not specifically the concept of entertainment precincts, although, as I said, that part of the economy, for the city, is quite important. We have a particular focus at the moment on the cultural precinct, the precinct we are currently sitting in. Through the development framework we are now working up certainly this would be one of the core entertainment and arts and cultural precincts in the city centre. We are focusing on a particular location, to an extent. In our work on the Melbourne and Sydney buildings there are a number of bars and music venues, for example, but we understand it is important in the revitalisation effort to ensure that the night-time economy of the city is supported in other locations as well.

MR PARTON: When it comes to the Sydney and Melbourne buildings you have just mentioned, has the construction of the waste enclosures in Verity and Odgers lanes been finished?

Mr Snow: No, Mr Parton, they have not yet been finished. We encountered a problem with Icon Water and Evoenergy. In our works in the city centre we are finding we are going to need very high levels of cooperation with those utilities. It had not been captured and recorded in any of the dial before you dig plans that there was a sewer connection in a different location, and it was far deeper than Icon Water understood. There was a delay in the connection of the garbage collection structures to the sewer because it is a wash-down facility, so that dirty water has to get into the sewer. Electricity has to be provided. Again, Evoenergy was not sure about the location of its own assets, so that was the source of another delay, but I am confident that the enclosures will be finished this month.

MR PARTON: I sense some frustration.

Mr Snow: There is a frustration, and there is work happening within the authority to get together with the public utilities to ensure that they appreciate the way they impact upon the public realm of the city and so that we avoid what we are seeing too much of—that is, construction fencing in place for months. In some cases, some of those utilities are not even aware that it is their contractors who have left them in that state.

THE CHAIR: Thank you, minister and officials. I remind members that further questions should be lodged with the committee support 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 proof transcript becoming available. Responses to supplementary questions should be submitted to the committee office five business days after questions are received.

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 Sport and Recreation and Minister for Women

Environment, Planning and Sustainable Development Directorate

Ponton, Mr Ben, Director-General

Dietz, Mr John, Chief Executive Officer, Suburban Land Agency

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

Lee, Mr Joey, Chief Financial Officer, Suburban Land Agency and City Renewal Authority

Gleeson, Ms Jody, Corporate Marketing and Community Development Manager, Suburban Land Agency

THE CHAIR: On behalf of the committee, I thank you, Minister Berry, for your second appearance before us today. I also thank the officials, both new and returning. During this session the committee will be examining the Suburban Land Agency. I draw your attention to the pink privilege statement before you on the table. Minister, can you and your officials please confirm for the record that you understand the privilege implications of the statement?

Ms Berry: Yes.

THE CHAIR: I also remind everyone that the proceedings are being recorded by Hansard for transcription purposes, webstreamed and broadcast live.

MS ORR: I note that there was a recent media article about the SLA not meeting its revenue targets for the last year. Can you can talk us through how you arrived at those targets, the major risks that exist in meeting those targets and any specific information on this particular year in question?

Ms Berry: Yes, we can provide you with some information about that. I will ask John Dietz to give you some detail.

Mr Dietz: I think the first point is that it is incredibly important we do hold ourselves to account. Our ability to budget, to estimate, to measure ourselves against the performance is absolutely critical. Often that does go to plan, but sometimes we are not 100 per cent to plan based on the estimates. In respect of this particular year, all estimates are based on a point-in-time estimate based on information that is available at that point in time. In this last year the point in time was that of the former LDA and based on the information that they had, which was some 14 to 18 months prior to the close of this financial year.

I bring to your attention that there are some inherent risks with regard to price and schedule in any development activity, essentially right from the beginning, where it starts with the planning. You can have planning risks, which could take into account prolonged schedules. Engagement of the community may have outcomes which could

have chain effects or actually public appeals.

We are also looking at environmental issues. The studies that we do of the environment can take different tasks to complete or, again, different appeals. There are also geotechnical studies and contamination studies. Our procurement of civil works is then a movement out to market or a request out to market that can have uncertainties. Then in delivering the civil works, again, when you start actually digging there is the possibility of finding contamination or experiencing weather that perhaps was not predicted. These all have an effect on our ability to deliver on a particular time frame.

Again, there is market behaviour, competitive behaviour, and economic and financial conditions. We have seen a constriction in financial conditions which has had an effect. There are commonwealth policies, and it comes right down to the individual circumstances of mums and dads who are buying our land at the time that they settle. All of these particular things can influence our ability to deliver on a plan.

For the particular forward point-in-time estimate that was done by the LDA some 14 to 18 months ago, we did not deliver. There were certain things specifically that affected that revenue. Most pointed was the Red Hill precinct. We had a tender out which was then pushed into the next financial year. We also experienced a developer who had a payment as part of their second stage that slipped into the next financial year. Some of the sales rates in certain suburbs that we were selling also slipped into the next financial year. Again, with each of those it was not that we are not delivering; it was that some of that revenue then slipped into the next financial year.

I think the last thing I would say relates to the process that we have taken for the estimation for this particular financial year. The team works very closely with EPSDD, other parts of government and internally to ensure that we have robust estimates. Those estimates, through our governing process, are then reviewed by our board. They are essentially agreed with our board through a collaboration approach within government. They are then included in our statement of intent, which is then signed off by the minister and the Treasurer. We do feel that we are generally on track to deliver against those estimates for this year.

MS ORR: Thank you for running through those risks. They were quite comprehensive. You mentioned the Red Hill one. The tender went out and then it changed to a different financial year. Can you give us a bit more detail about what was behind that?

Mr Dietz: Yes, I guess that the review period and tender negotiations period was extended beyond what we had planned. Essentially, we had a preferred tenderer and throughout that process the preferred tenderer no longer existed. They were a consortium that was coming together and before the negotiations finished the consortium was no longer.

MS ORR: The other one there that I think you identified went to market risks or market behaviour risks. You said that some of the progress payments have come into the next financial year.

Mr Dietz: Yes.

MS ORR: Can you clarify for me what that actually means?

Mr Dietz: Yes. Part of the sales contract for an englobo parcel of land had payment dates for each particular year based on those stages. Those payment dates were identified within the sales contract as 30 June, which essentially meant that without real penalty the group that were making the payment were able to slip it into the next financial year relatively easily.

MS ORR: It is still a case of the payment being made; it just has not necessarily been made to the contract date. It is perhaps a little later.

Mr Dietz: Yes, exactly right. I can say that we are also discussing with that particular company how we can ensure that that does not happen again in the future.

MS ORR: That actually goes to my next question of looking at these risks, where the risks are being identified. But we have also seen cases where some of these have been applied. What steps are you taking in the future, I guess, to mitigate behaviour we are seeing happening or the circumstances we are seeing going forward?

Mr Dietz: Yes, I guess that particular one is a very good one where we have identified that in our sales contracts we would not look to ensure that a particular payment is due right at the end of the financial year. We can do that going forward and specifically with that one we are doing it now to see if it is possible for us essentially to vary the contract to give greater certainty.

We have also improved our processes. For example, we estimate the weather so that we can take that into account. Also, we are looking to ensure that our project governance processes are 100 per cent, such that the estimates that are being made by our teams are appropriately reviewed by all aspects within executive team and then through the board. I also look at the types of sales rates that we estimate for our particular developments and the information that we can gain from understanding our community better and understanding our market better to ensure that we can better predict those sales rates.

MR PARTON: You mentioned missing some of those targets. You mentioned a number of payments that slipped into the following financial year.

Mr Dietz: Yes.

MR PARTON: Could you categorically state that if those payments had ended in the previous financial year, the targets would have been met?

Mr Dietz: I can say that it would have been very, very close. I think what was budgeted in those targets was essentially the fall in revenue, which was close to \$200 million.

MR PARTON: Okay; given that those payments would be surplus to the targets in this current financial year, are they being taken into account for this year's targets?

Obviously, they are going to provide a surplus. If you take something from somewhere, it has got to pop up somewhere else, doesn't it?

Mr Dietz: Yes. They will, essentially, be added to the targets that we currently have for this year. Specifically, that is based on timing. When we look at things like the indicative land release program, it is organised or approved at a particular time of the year; we do not have the actual knowledge of whether we have achieved the full target before the second year starts.

Ms Berry: But, I guess, what would happen then is, if everything else is paid up and the target is exceeded, the story would be, "This is the reason why. It was because of these late payments that came through."

Mr Dietz: Exactly right, yes.

MR PARTON: Yes, I am sure it will be. Back in February this year the SLA offered Coombs block 3, section 12 for sale by auction, stating that it had a maximum yield of 44 dwellings. The purchaser subsequently lodged a development application, not for 44 dwellings but for 212 dwellings, in what appears to be two seven-storey blocks. Can I ask: what was the basis of setting and advertising the maximum yield at 44 units? I think it was in a range of 21 to 44, according to the original ad.

Mr Ponton: We are just wondering who is best placed to answer the question.

Ms Berry: Or which order to do it.

Mr Ponton: Yes, indeed. There are actually two parts to the question. I might comment first in relation to how the numbers are set. They are essentially set through the estate development planning process, and Mr Gordon may talk a little more about that particular process. I might then jump to the latter part about how we get to the point of an application that has been made through the DA process, because, presumably, you are also interested in that component.

As I said, the estate development plan is the process that establishes and looks at road networks. It looks at community needs analysis, it looks at a mix of housing tithes and it also looks to establish the zoning, when you uplift the future urban area. As we work through all that, there is work done to determine what is the best mix of housing and yield for particular blocks of land. Once the site is then sold with that—and in this case I think it was 44 units—the Planning and Development Act does provide an opportunity for lessees to apply to vary the lease. That does happen from time to time. There was a period quite a number of years ago where you could not vary the lease for a period of five years after it had been purchased.

There was a change made—and I cannot tell you exactly when, but it was to that five-year mark—that meant you could vary the lease. This was because the feedback that we were getting was that it was too restrictive and that people were just sitting on the land for five years and not doing anything with it until it got to a point where they could seek to vary the lease. There were circumstances where there were very good reasons for that.

In the current circumstance, in the event that the lease variation and development application were approved, the difference would be that they would need to pay 100 per cent of the lease variation charge, as opposed to 75 per cent, which is the norm after the five years. I hope that answers the question. I do not know whether Mr Gordon has anything else he would like to add.

Ms Berry: That is the reason why.

Mr Gordon: Mr Ponton has actually answered the question. The estate development plan sets out the range of dwellings allowed on a parcel of land, and that is on the basis of the structure planning and the precinct concept planning for the site. That then develops into an estate development plan and is circulated within government agencies, where they look at things like, as Mr Ponton mentioned, the community needs, the road network, the volume of traffic that might be on that road and the availability of suburban parks and schools. Those sorts of things come into play when they are looking at the estate development plan.

That goes through a whole-of-government agency review and then goes into the process of a DA approval. Within that, it has a planning control plan that looks at the minimum and maximum numbers of dwellings that should be on a site, and then it goes through and gets approved. Those dwelling numbers then get lifted up into the Territory Plan, I think as a planning control that is related to the EDP, and when a developer comes in that is fundamentally what they would be allowed under the lease that they get issued. But, as was described, there is an opportunity for a lease variation.

MR PARTON: I understand—and it has been explained by Mr Ponton—the mechanism that is in place to go through that process, but I think we also understand that, from the perspective of those who are residing close by, that process is difficult to understand, because all they can see is that this block was advertised at 21 to 44 dwellings, and that was their understanding of what would be built there, and then, magically, all of a sudden we are talking 212 units and a seven-storey block. I would hope that there is an acceptance that, for some in that nearby community, their expectation of what the directorate can and should do is probably—Minister, have you got something to say there?

Ms Berry: I am just agreeing. My office has had conversations about this with people who live in that area, and so has the SLA and the Mingle program, to try to get some more information out into the community about what is going on, and the plans going forward for the rest of the blocks that are available there.

MR PARTON: Is there a need to review this? Is this an acceptable outcome?

Mr Ponton: This, I would suggest, is a matter that is probably better dealt with in the planning session this afternoon but, given that I am here, I am more than happy to answer the question.

I think the important thing with this particular proposal, and what it highlighted for me as chief planner, was that I would have expected that, in the particular circumstances, there would have been a degree of pre-DA consultation. The proponent bought the land and they determined that they wanted to do something

different from what the lease purpose clause provided. Ordinarily—and I think I have made my position fairly clear to the development industry—in such circumstances I would want to see that they would engage very early with their local communities.

Sadly, that did not happen on this occasion. We have challenged the proponent in this particular circumstance as to why they did not do that and, quite rightly, they have pointed out that under the pre-DA consultation guidelines that were released about a year ago, greenfields areas—and this is considered a greenfields area—have been excluded. That was quite an eye-opener for me.

After talking with the minister for planning and Minister Berry as part of the 12-month review of those guidelines, which is currently underway, I will be looking to remove that exemption from undertaking pre-DA consultation guidelines, because you are absolutely right. People buy into an area, it is new, they expect a certain outcome on other parcels of land, based on the estate development plan. The current legislation does allow for the lease to be varied. But, as I said, as an absolute minimum, I would expect that pre-DA consultation to occur. Mr Parton, you mentioned the 222, or thereabouts, units that are proposed. I just need to highlight that that particular application is currently under assessment and we ought not to assume that it will be approved in that form.

MR PARTON: I have got one brief one to finish this. I understand, based on the mechanism that you have explained, that the most savvy potential buyers of this block would have been well and truly aware—and there might have been presumption from bidders—that they could seek a much higher dwelling yield after the sale settlement and that the advertised figure was simply a hypothetical. When we see a multi-unit site for sale by auction and it says “dwellings, 21 to 44”, there is just about no point in putting that 21 to 44 on it because it is—

Mr Ponton: The main part of the question, as I understand it, is: would proponents have known that it was possible to vary the lease? The answer is yes.

MR PARTON: Of course it is.

Mr Ponton: That is a right that is available to them, to apply. It is not a right that it will get approved, but it is certainly right for them to apply for that proposal to be considered. That is under the Planning and Development Act, which ultimately is a matter for the Assembly.

THE CHAIR: While there is a legal right to apply, do you think that it will have influenced those who did apply on the basis of their confidence that they would be able to make changes? I have had a lot of complaints from people living nearby who are all astounded. The comments that Mr Parton makes about the sales process also concern me. We are not getting what we should. We are not having a fair process, potentially, if some people feel they can change the rules afterwards.

Mr Ponton: It is not changing the rules, just for clarity. The rules say that you can buy a parcel of land with a lease purpose clause. And, as is available to anyone else who owns a lease, you can apply to the planning and land authority to vary that lease. To be clear, it is not changing the rules. It is applying within the existing rules.

Ms Berry: And then there is the lease variation charge on top of that. You have been around this place long enough to know some of the debates around that issue as well. I think one of the challenges in all this is getting the balance right. When circumstances like this come up, it is clear that there is more work to be done.

MR PARTON: You do not think the balance is right?

Ms Berry: As far as developers go and how we sell land to developers and what our expectations are and their communication particularly with the community, no.

Mr Ponton: And also, I have just acknowledged that in terms of the pre-DA consultation guidelines there is certainly more that we can do in that respect, in revisiting the triggers for that pre-DA consultation. I have been quite open about that.

Ms Berry: Sorry, I should say that I have generalised there as well, about developers, because not every developer would not do pre-DA consultation. There are some developers in this town who do very good pre-DA and considerable consultation with the community prior to anything they do. I think that has to be noted as well.

We have got a balance between the issues of making sure that there are opportunities for developers to do this work and making sure that we meet the needs of the communities and that they understand clearly what is going on. If there are changes, appropriately, if they are going to get a bigger uplift than they would have normally expected on their site, they should absolutely be required to pay for that. The other things that we can look at are the expressions of interest as we sell or whether it is sold at auction, which I think is what you were getting to, Ms Le Couteur. Those are some of the things that the SLA has been considering, particularly the issue that everybody knows about, around the shopping centre down there.

MS ORR: Mr Ponton, you mentioned that this development application is before the authority for assessment.

Mr Ponton: Yes it is.

MS ORR: But you also made a comment that we should not assume it will be approved. Can you expand on what you meant by that?

Mr Ponton: In some of the public commentary I have heard and seen—I know I am generalising—there appears to be an assumption that, because the application has been made, that is what will be approved. We need to carefully consider the submissions that have been received. We will also need to consider the advice from other referral entities. We will need to undertake an assessment against the relevant precinct codes and the broader provisions of the Territory Plan and the legislation and then determine what is appropriate for that particular site. Until that assessment is complete I cannot say that 222 units is an appropriate outcome for that site. But it is a live application, so we need to see what comes out of that assessment.

MR PARTON: What is the maximum number of stories permitted for a building under RZ5 for that site?

Mr Ponton: I believe for that site it is seven storeys.

MR PARTON: And if hypothetically we ended up at 200-plus units from the original 44, what is a ballpark LVC on that?

Mr Ponton: That goes into what I would refer to as the dark arts of valuation, in which I am not an expert. I would not want to hazard a guess, Mr Parton, on that.

Ms Berry: I do not have the detail for you, but with regard to Mr Ponton's response on whether or not that DA would be approved at that level, I was trying to find out whether we had some information about how many of those kinds of development applications had been approved in the past, why they were approved and in what sort of make-up—that is, were they doing all the right things for the community and the build and all that sort of thing. If you are interested, Mr Parton, I would like to get some information on that for the committee. I think it would be useful.

MR PARTON: Thank you.

Mr Ponton: Just going back to the matter of the valuation—as I said, I am not an expert—but having more units would suggest that they are smaller units. They might be one-bedroom units as opposed to a mix of three and four-bedroom units. That can all impact on the valuation. So it is not automatic that, because you have more units, it is an exponential growth in the overarching value. You need to think about the mix, but that is for the experts to determine.

MR COE: When you take that question on notice about the number of DAs that have been varied before construction—

Ms Berry: No, it was around what—

MR COE: No, lease variation, I should say.

Ms Berry: Yes.

MR COE: But through a DA process. Can you also advise the lease variation charge for each of those varied leases?

Mr Ponton: Yes, we can do that.

MR COE: What ground would you have to not approve the lease if it is consistent with the Territory Plan?

Mr Ponton: That is a good question. It is not just the Territory Plan; I need to also highlight that there is the Planning and Development Act, which includes section 120, if you are of a mind to read that section of the act. It talks about the suitability of the land for the development. So that gives an overarching ability to say that we think there are too many dwellings, and we do use section 120 from time to time.

MR COE: Yes, but that goes to a point of law, as opposed to the Territory Plan. So

that becomes far more controversial, does it not?

Mr Ponton: Not necessarily. We often argue matters relating to section 120 before the tribunal.

MR COE: An informed and savvy person is again at a considerable advantage when bidding if they know you can do these variations with some confidence.

Mr Ponton: I would be surprised, Mr Coe, if somebody bidding for a site of this scale and this value was not informed and savvy, to be frank.

MR COE: I certainly know of some people, especially interstate bidders, who have been caught out and have been outbid considerably. When they have seen something built they have said, “If I’d known I could have done that, I would have bid a lot more.” I have heard that from numerous people.

THE CHAIR: I have also heard that sort of feedback, which is one of the reasons I asked the question.

MR COE: It goes to the integrity of the market, which I know you accept. I will ask a technical question here. It is good to have you here, Mr Ponton, for the holistic answers, but what is your role with regard to the Suburban Land Agency?

Mr Ponton: Under the administrative arrangements the Suburban Land Agency sits within the portfolio of EPSDD. It is a standalone entity but it is within the portfolio. We provide governance support in terms of high-level governance frameworks. Of course, day-to-day governance is the responsibility of the Suburban Land Agency’s executive and board.

Also, importantly, I am the territory’s representative under the Ginninderry joint venture, and the Suburban Land Agency then acts as the agent of the territory. I represent the territory, so I have a very keen interest in the activities of the agency. We liaise on a regular basis in relation to the territory’s expectations and what we expect our agent to carry forward through to the joint venture, in particular, the joint venture board.

MR COE: How does that differ from the CRA?

Mr Ponton: In terms of the government support, that is the same.

MR COE: Yes. That is right. But structurally—

Mr Ponton: The most important difference is that the Suburban Land Agency acts as my agent for the Ginninderry JV.

MR COE: But aside from the Ginninderry, because that is a bit tangential.

Mr Ponton: Aside from Ginninderry, it is the same.

MS CHEYNE: Mr Dietz at estimates—I think it was a week after the old water

police site just adjacent to Lake Ginninderra had been on the market then off the market—I accepted and very much appreciated your advice at the time that you thought there could be a better outcome achieved for it. My understanding was that it would then be released in this financial year. Is that correct? If not, please tell me; I am happy to be corrected. What is the plan for that site now?

Mr Dietz: I believe it is in the ILRP for next financial year. It is actually part of the discussion we were just having: that the importance of the SLA to deliver an optimised outcome is not just financial. It is optimising financial, social and environmental factors. Often an auction may be the most efficient way to get market value, but it may not be the best way for us to appropriately evaluate all the things we are trying to optimise. As we said, in that particular case we had decided to go out for auction. We were not confident an auction on its own would be able to optimise the appropriate financial, social and environmental outcomes. And also at the time a Territory Plan variation was in play.

We are doing two things at the moment. One is that we are maturing, with our board, a sales release methodology policy that does two things. Firstly, it acknowledges that there are some sites that are a bit special compared to other sites. These might be special because of their location—that is, the water police or perhaps a local centre. They might be special because they are the first or the last of something. If you are putting the first multi-unit site in a suburb, it might be special. Or there might be special circumstances around certain blocks of land due to government policy or SLA policy. The belief there is that the leases have permitted use identifications and that we need to be using the permitted uses appropriately to restrict it to what we feel is the appropriate use. That would be based on things like consultation and engagement with the community.

The second thing we have been looking at is, once we have identified the appropriate permitted uses for a site, how we go out to market. Again, auction might be very efficient in determining the market price. But a tender allows us then to evaluate on build quality, on the expertise of the company and on their management experience. I think that Turner and Braddon on Northbourne are great examples of this, where in working with the CRA we have identified some design guidelines based on our earlier community consultation. The tender itself then asks the respondents to provide a design taking into account those design guidelines so that it can then be evaluated by the tender. So much more than just going out to auction, it is evaluating the final solution.

Our land release policy that we are working on with the board will give much better guidance on when and how to use the different release methods. That can then be applied to the Belconnen water police. Gold Creek is another one, as I think we discussed previously, where perhaps a tender is a better way than an auction to get the appropriate outcome.

MS CHEYNE: The water police site has previously gone out, I understand, with an EOI. We expect this to be a high quality development. My understanding is that all the people who came in with the EOI said, “Thanks, government, but what we actually want to do is this,” so they were all rejected. How can we avoid that happening again?

Mr Dietz: I think there will be, firstly, some consultation and fully understanding the feedback from that particular EOI. The process we had in rejecting those EOIs essentially was to sit down and talk with the different respondents. I would need to ensure that we reflect on that to ensure that whatever their feedback was is covered and is catered for in the new way we go out.

Ms Berry: I have asked the SLA also to consider all the previous conversations around that site, the master plan process that has just been completed for Belconnen and any comments or feedback that we got from the community about that particular site, and also to engage with other stakeholders that might not have thought of opportunities there and might be interested through an expression of interest process.

MS CHEYNE: People keep raising with me that they want a shed for kayaks out there. I appreciate that very much. While I am on the town centre, the old remand centre site on Lathlain Street across from Westfield—

Mr Gordon: As I understand it there are still works being undertaken on the cleaning up of the site. But I will have to get back to you on where it is in the process of land release.

MS CHEYNE: My question is not so much about land release but more about the fact that I have had the occasional person mention that it is a pretty flat site in a potentially very interesting area and could be a good site for a pop-up. Is that something that is within the remit of the SLA if someone wants to utilise the site while we are waiting for it to be released at an appropriate time, if it is properly cleaned up?

Ms Berry: Probably the issue at the moment is the remediation of it.

Mr Ponton: I would think so. I would probably want to better understand the nature of the remediation that is required. Also, it depends on whether it is currently a Suburban Land Agency asset. If it is, then certainly there would be a role for the Suburban Land Agency. Alternatively, it is something that, through our urban renewal team in the directorate, we could certainly explore.

MR COE: Does the SLA have a long-range or mid-range forecast for the target sale prices for land?

Mr Dietz: I might call on my CFO, Joey Lee, here. Essentially, our revenue estimates are based on market valuations at this particular point in time. I will hand to Joey for whether those future long-range estimates are taking into account capital growth in estimates.

Mr Lee: As John mentioned, the value we place on revenue is based on a point in time. We undertake biannual reviews to look at the revenue against each site. Those estimates are based on the values at that point in time. So, no, there is no forward estimate in terms of which way prices are going to go, although valuers should be considering the market when they provide those valuations to us.

MR COE: But this is a core issue for the agency. From a policy point of view, what is

the role of the agency? Is it to just keep on riding the market as high as possible, or is it to have a band that you are targeting?

Mr Dietz: When we look to our forward estimates, we will firstly take into account the indicative land release program. The indicative land release program will give us an idea as to when we would be releasing certain sites. As Joey said, we would then be using market value to understand what sort of revenue might be attached to the sites that we release. We would then be using our own understanding of market conditions to forecast when that revenue would be received.

MR COE: But you are not doing this; you are doing it the other way around. Do you not say, “This is the supply we want, these are the prices we want, and therefore everything else gets shaped accordingly”?

Mr Dietz: No. For very specific reasons the architecture of it is designed in such a way that the EPSDD is responsible for indicating the ILRP, which is essentially giving us the supply. In the past there have been concerns that a single agency which was responsible for controlling the supply and the revenue therefore had the ability to perhaps drive a profit where it might not be appropriate. So the way it is structured at the moment is that we work closely with the EPSDD in the indicative land release program but it is a program which is advertised and controlled by them.

MR COE: Who is actually considering prices, then? If the planning authority is just looking at either supply or land use, who is actually thinking, “A thousand bucks a square metre is a lot of money”?

Mr Dietz: We are. The Suburban Land Agency is then valuing the land that we would release in accordance with the indicative release program. We do that based on independent market valuations, then we predict sales rates as to when they—

MR COE: That is in response to the land that you are given through the ILRP. I would like to know, probably from the minister, where in government you actually determine the social policy with regard to land supply?

Ms Berry: Are you suggesting that the government should interfere with the market?

MR COE: Well, you do. You supply the land. You are in complete control.

Ms Berry: You interrupted. I did not get the chance to complete my answer. Are you suggesting that the government should set the market rate for the value of land—actually set it before going out with a valuation—

MR COE: But you do. You have got published prices here.

Ms Berry: The market is what sets the price.

MR PARTON: I am not sure it is.

MR COE: It is not; you set the price. The SLA sets the price.

Ms Berry: What are you suggesting we set it for?

MR COE: Say the planning directorate says, “Here are 1,000 blocks.” Then you go and value what we can get for 1,000 blocks. You determine that it is \$1,050 a square metre and then you put it on the market for \$1,050 a square metre, as opposed to saying, “Should we, as a government, be supplying land at \$800 a square metre or \$900 square metre and, if so, how much land should we release in order to achieve that band?”

Ms Berry: The land release program goes to the issue I think you are trying to get to. The 17,000 that are on there—

MR COE: They are dwellings; it is not land.

Ms Berry: Well, dwellings. The number of dwellings that will be released as part of a land release program does consider what the population will be in the ACT, how it is growing, and makes sure that we can meet the needs of a growing population. You know as well as I do that in the ACT there are a lot more people on higher incomes than in the rest of the country, which will often mean that they can pay more for a particular site. We just talked about it with regard to developers and land sales. So the government does some work around adjusting tax levers to make sure that there are still opportunities for people other than those people on higher incomes to purchase homes of their own. But if you are suggesting that there needs to be more market intervention around those prices and therefore—

MR COE: You completely control the market.

Ms Berry: Are you suggesting we hand it over to a private developer?

MR COE: I guess in four years time—

Ms Berry: It is the only public asset—

MR COE: In four years time what will the price of land be, according to your strategy?

Ms Berry: You are asking a hypothetical there.

MR COE: No. You just said 17,000 dwellings. Under your policy, what will the price of land be in four years time?

Ms Berry: I do not think you can ask that question and I could give you an absolutely definite response.

MR COE: And that is because you are riding the market?

Ms Berry: No, it is because there are things that could happen within the market that would adjust the price of houses or land in the ACT that are beyond the ACT government’s control. For example—and we have already seen this happening with the banks and how they are responding to the banking royal commission’s

work—I am hearing from people that they are getting phone calls from their banks offering them all kinds of weird little deals because they are feeling under pressure through the royal commission. There could be all kinds of—

MR COE: Are you likening the banks to the SLA?

Ms Berry: No. You are. I am just describing to you the possibilities that could occur that are beyond the ACT government's control.

MR COE: Okay. Just—

Ms Berry: No, you can argue about it, but that is the fact.

MR COE: Just say that the market in four years time allows for \$1,200 or \$1,300 a square metre—

Ms Berry: Now you are doing hypotheticals again. We cannot respond to that.

MR COE: No, this is core government policy.

Mr Ponton: If I could just jump in there?

MR COE: Just a second, please. At \$1,200 or \$1,300 a square metre, would you accept that or would you say, “Actually, we're riding this way too high. We shouldn't be allowing this to happen. We should be keeping it in a certain band”?

Mr Ponton: I was just going to make the observation that it is important, I think, not to just consider these matters in isolation. There is a whole lot of other broad policy work that is undertaken. And the reason that the Environment, Planning and Sustainable Development Directorate has been tasked with developing the land release program is to make sure that the government is delivering on the needs of the Canberra community, the housing needs. We look at typologies; we look at housing mix in terms of age, composition and the like.

In addition, there is policy work around housing. There is the housing strategy. The housing strategy is incredibly important. We touched on some of that in hearings this morning, but it also has a component in relation to affordability. There are a whole lot of policy levers. The minister mentioned tax levers as well. There are a whole lot of things—policy and levers—that are available to the government to ensure that we are providing affordable products for those people who need it.

At the end of the day, the role of the Suburban Land Agency, as the government's agent, is to sell land. But it is important that we do have that separation between the policy and the delivery, for that very reason, so that if we do see that there is an increasing affordability issue we are able to then look at the policy settings and the levers that might be available at that hypothetical point in time that you have alluded to, if that hypothetical situation eventuates, and determine what the best course of action is. I caution that we do not just focus on “SLA sets land values”. It goes to market having undertaken valuations, but it does so in the context of all the other policy work that other parts of government are doing.

Ms Berry: But I would also suggest—at the start I did talk about this—that population growth in the ACT is very high. Everybody acknowledges and recognises that, and that really is going to be the thing—

MR COE: It is on trend, though. It is high but it is on trend. You know what it is going to be.

Ms Berry: You can excuse it if you like, but the fact is that population is growing, and that means that we will have to provide opportunities for that population growth. But you could not just flood the market because then we will run out for future generations. It has to be carefully managed, which it is. It is already at 17,000, which is higher than I think the population growth—nobody can help me here?—is estimated. We are doing as much as possible without completely flooding the market or interfering in a way where speculation around that would drive prices in a different direction or would mean that we could not correct the situation the way we are trying to, to make sure that everybody has the chance to get into a home right now, through understanding what the population is doing.

MR COE: You are satisfied that we have the right level of land being released for standalone homes?

Ms Berry: On the advice that I have, based on population growth and changes within the needs of our community, families and others making different choices than perhaps they would have done 40, 50 years ago about where they live, yes, I am.

MR COE: So you do not have any issue with land being over \$1,000 a square metre?

Mr Ponton: Mr Coe, can I say—

MR COE: You do not have a problem with that?

THE CHAIR: Mr Coe, we will probably have to come to an end on this fairly soon because we are getting into land release, which is this afternoon.

MR PARTON: Mr Dietz, you were talking earlier about the revenue estimates. I want to know whether the long-range and even the short-term revenue estimates would be affected by the 15 per cent announcements in the housing strategy. Surely they must be affected?

Mr Dietz: Only to the extent that a valuer might consider the product that would then be delivered on the particular land as part of their valuation.

Mr Ponton: Can I just jump in there and say, though, that there is evidence to suggest that that is not the case. In fact, for some of the asset recycling initiative sites, another part of my portfolio responsibilities, some of the work that we have undertaken there is suggesting that incorporating those requirements does not impact on the value of the site.

MR PARTON: How could it not impact on the value of the site?

Mr Ponton: I am not a valuer. As I said, I am not an expert in that field, but the evidence that we have before us would suggest that it does not have an impact on what people are prepared to pay for the site.

THE CHAIR: I have been here all morning, as you have, and we asked basically the same question earlier today about valuations for community housing sites. From that I got the clear impression that the belief was that if the sites were going to be sold for affordable housing and purchased it would make an impact on the valuation. I am totally—

Mr Ponton: That was a slightly different question and different context. What I was talking about there was a much more restrictive deed of sale in terms of exactly what needed to be provided in the product, as opposed to selling a site with a certain number of units and with a percentage being affordable. The context, if I recall the questions this morning, was in relation to community housing providers. We would be restricting the market in terms of who could purchase the sites. That in itself reduces what people are prepared to pay, as opposed to going to market with a site that is open to anybody who is interested in purchasing. The evidence that we have there is that it does not have a significant impact, given that they are two very different circumstances that we are discussing here versus this morning.

MR PARTON: But if the 15 per cent announcement in the housing strategy, if that release and their subsequent sale along the lines that have been indicated in the housing strategy have no effect whatsoever on the revenue estimates then what benefit could it possibly have to the market?

Mr Ponton: In terms of the individual units?

MR PARTON: Yes, if—

Mr Ponton: Again, I am not an expert in this field and my colleagues might want to jump in, but if a proponent is providing more affordable product in addition to other product then I suspect what you often will see is that those who can afford it will pay more for their apartments or dwellings and that then cross-subsidises. A developer will look at the whole and work out: how do I provide for this more affordable product?

MR PARTON: What you are suggesting to me is that—never mind the 15 per cent—the 85 per cent that is not included in that release will be more expensive? That is what you have told us.

Mr Ponton: Potentially but, as I said, I am not an expert in this field. I am just going to go back to making the comparison in terms of land—being a developer—and in terms of the two scenarios we were talking about. The one this morning was very much about restricting the sale to community housing providers with very specific requirements for the delivery in a project delivery agreement, as opposed to going to market for a site for redevelopment in a potentially high value area. The circumstances I am talking about are in those high value areas.

MR PARTON: But the blocks and the dwellings that are not a part of the 15 per cent, in theory, on the basis of that assessment, will be more expensive?

Mr Ponton: Potentially. But, again, I am not a land developer.

Mr Dietz: To support Mr Ponton's point, I think it could be a total regeneration of the mix of what the developer might provide. We are looking at the specific valuation. A valuation may be looking at the highest best use for particular locations, and each location will have a very different highest best use, so when you add the 15 per cent it will be quite different around different areas. In certain areas, absolutely, the inclusion of 15 per cent may have absolutely no impact on what the highest best use for that site could be. In other areas it may change the mix that the developer would look to provide.

Mr Ponton: Again, the sites I am thinking about are mixed use developments, so I would expect that the commercial aspects would have a higher return. The developer might make sure they have a greater amount of commercial mixed use type development, which then allows them to provide for a more affordable residential product. There are a lot of metrics that you can use in working out how to make a profit on a development site and still provide for that affordable product. Just going back, I would expect that the community housing providers would not be in mixed use developments and be in the commercial and office market.

THE CHAIR: That is a whole other subject. I will now move on to my substantive question, which is quite different. I want to talk about Kama Nature Reserve and the buffer to—I was going to say the future suburb of Whitlam, but it is almost not future.

Ms Berry: That one is not in the annual report.

THE CHAIR: You have got these Whitlam consultancies—

Ms Berry: It is probably for the environment minister, is it not?

THE CHAIR: on the top of page 149.

Mr Gordon: Whitlam does abut Kama, yes.

THE CHAIR: Whitlam is next to Kama.

Ms Berry: Yes.

THE CHAIR: You are developing this.

Mr Gordon: Whitlam is the next stage, yes.

Ms Berry: That is right. It depends on what your question is, though, as to whether we can answer it or not. It might be with the environment minister.

THE CHAIR: My question basically is: where are you up to in determining where the interface is going to be between Whitlam and Kama and the buffer zone which is

required by the federal environmental approvals? I understand that it is on the Whitlam side. Can you can talk more about where it is and how it is meeting the federal environmental approvals?

Mr Gordon: A precise location I cannot actually illustrate without a plan here, but fundamentally on the eastern boundary there is a buffer zone for environmental consideration of the Kama edge. That buffer zone also includes fire protection measures for the suburb. The work in determining what the requirements will be and the width of that buffer will be covered in the planning design framework currently being undertaken by EPSDD. When that is finalised we will have more definition about the indicative line of where it is. As we do the suburb development, we will look at how the suburb development impacts on that buffer area and the requirements we may need in the suburb as it interfaces with that buffer.

THE CHAIR: Can you confirm that you are looking at the Whitlam side, not the Kama side?

Mr Gordon: Yes, the Whitlam side.

THE CHAIR: It is Whitlam, not Kama?

Mr Gordon: Yes. On your plan there is an eastern boundary of Kama. The buffer sits to the east, inside the suburb of Whitlam.

THE CHAIR: What community and stakeholder consultation has been done about this, and what more is to come? You said you were still working on it, but tell us more.

Mr Gordon: It does go into the realm of EPSDD's planning and design framework for Molonglo 3 in total. I understand that that framework has to go out for public consultation.

Mr Ponton: Yes. I would suggest, Ms Le Couteur, that that is a question best dealt with this afternoon.

THE CHAIR: Okay, so that is all in EPSDD?

Mr Ponton: The planning design framework, environmental approvals and also management of the commonwealth approval are all within EPSDD. I will have a range of officials who can talk about that this afternoon.

THE CHAIR: Okay. This one, I think, is going to be SLA. When do you think suburb construction work is going to start, particularly on the western side of the creek that runs through Whitlam?

Mr Gordon: The first stage of construction is likely to take place next year. That is on the eastern side of the creek, next to the current extension to John Gorton Drive. That will be the first stage of development. The second stage will move south towards the school and the local shop that is identified in the current structure plan. Then as issues like the Kama edge are resolved we will move into the third stage, which is further to the south, towards the Murrumbidgee. The fourth stage is adjacent to the

Kama edge. We would anticipate that probably in about three to four years' time we would be in that space.

Mr Ponton: I know we will talk about Kama a bit more this afternoon, but I do know that we, through the directorate, meet with the Conservation Council particularly. We have had a number of meetings with them to better understand their concerns.

THE CHAIR: While we are talking about conservation and environmental sustainability, one of the things that you say in the annual report is that you are considering the orientation of blocks and street layouts to optimise solar access to homes. Can you tell me how you have done this?

Mr Dietz: Part of our strategy is to improve people's awareness of how to build a more sustainable home. We have a lot of knowledge within the group that we would like to ensure is appropriately passed through to the community. The main idea is to provide a bunch of guidelines which essentially say, "For these particular lots and this particular orientation, this is the type of house you would most appropriately build for a sustainable outcome."

THE CHAIR: So you are not looking at making the blocks well orientated; you are just instructing people on how to build on whatever they have ended up with?

Mr Dietz: Actually it is both. We are definitely during the EDP process working with our consultants to get the best planning outcome, which does orient the blocks appropriately. Then we are also educating the community as to how to build on those blocks. Whitlam is a good example there. Whitlam is sloped in a particular way going south. That might not be your most optimal orientation for a development. One of the things we would like to do there to help educate the community, after we have got the best EDP in place, is to do a builders display village where we bring in certain builders who can build houses that show the community the best way to build a house on these particular sloped blocks.

THE CHAIR: You also say in your report that living infrastructure helps the community adapt to a changing climate and that the Suburban Land Agency has supported this by planting trees along the streets and in public open spaces. Can you tell me a bit about what you are doing to maintain those trees once you have planted them? I have heard some sad stories on this subject.

Mr Dietz: We maintain it for as long as we are continuing operations within the suburb, but there is a point in time when we then dedicate those assets to other parts of government within TCCS. So we do not actually maintain it through the life of the whole suburb. We do work closely with, and do have an initiative at the moment with TCCS to start a working group to see how we can ensure that we are providing better living infrastructure in our newer suburbs, to understand things like how much verge area we have to plant, with an appropriately deep band of trees. We work with TCCS then to ensure that what we do is appropriately maintainable through the whole of life of particular infrastructure.

THE CHAIR: Do you have any goals in your planting? Do you have a tree canopy goal, for instance, or a pollinating goal, or an anything goal?

Mr Dietz: The answer is “almost”. We are working with our board to have a sustainability strategy for both environmental and social sustainability. We have identified living infrastructure as one of the areas where we look to ensure we have an appropriate strategy in play. We are working with EPSDD and other parts of government to ensure that the strategy we put forward is appropriate within the policy context, and then also working with TCCS to ensure that it is maintainable. We have definitely identified that as an area that we are looking at and will be focusing on. We do not yet have a number which is the goal for a new suburb as to what we want the tree canopy to do. The reason for that is that we are working with other parts of government to ensure that it is consistent with policy and maintainability.

THE CHAIR: On the same page you say:

The Suburban Land Agency included extensive pedestrian and cycle path networks in new developments to encourage the community to walk or cycle rather than drive.

That is great. You continue:

An active travel street was designed in North Wright to support this.

What is an active travel street?

Mr Dietz: I might pass over to Tom. Essentially, it is a street with shared access for both vehicles and people, and in its best form the street puts people first.

THE CHAIR: Can you give me a bit more detail on that? How am I going to feel safe? Is this in any way different from what we have had for a long time—very short cul-de-sacs where, effectively, you only have half-a-dozen houses at the end of them? Is that what you are talking about?

Mr Gordon: I think it is Akuna—or is it Bunda?—where the landscape sets out the environment in which cars will move through that space, so that it is seen as more of a pedestrian space and cars are not to be the dominant feature. The design has to be well thought through. You will have normal street furniture—trees, light poles and things—that tend to restrict the movement of traffic through that area, and it encourages the public to consider, “This is a lot safer space,” than an environment which would allow cars to move up and down at the normal speed of 50 kph or 40 kph.

THE CHAIR: Could you identify where it is rather than just “north Wright”?

Mr Gordon: I would have to—

THE CHAIR: Take that on notice, but I would be interested to have a look at it.

Mr Gordon: Yes.

THE CHAIR: I assumed it was one of the little cul-de-sacs that we have in many places, which generally people regard as pretty safe to walk in.

Mr Gordon: Cul-de-sacs are good at doing that because they tend to be shorter, you get fewer dwellings on them and you do not have the through traffic. In the right environment the cul-de-sac can be used.

MS ORR: Can we talk about the mingle community development program? I know that has been going quite well in my electorate. How do you change the focus of the mingle program as the suburb develops more? In quite a few cases it has been good during the establishment phase but it is probably heading into the next phase.

Ms Berry: It is. It is really great. Jody, who is kind of the heart and soul of the mingle program, can give a bit more detail. What has been really great—and you will have seen this too, particularly in Moncrieff—is that, through the mingle program and bringing new neighbours together, there is already now a pretty strong community out there. They have their own Facebook group and they communicate well with each other. They seem to know each other, which is what you want in any neighbourhood. We are able to do that from the start in new neighbourhoods. I will ask Jody Gleeson to give you some more detail about where it goes to after it has landed.

Ms Gleeson: With the Suburban Land Agency's mingle program we are working with local residents as they move in. We initiate local resident groups, we initiate a local Facebook page and we also work with them to do a mentoring program. Initially, probably in the first 12 to 18 months, we establish a program of activities and events which is also endorsed by the local residents. As we move through the program, depending on whether it is a three or five-year program, we then work with those residents so that those events can become more sustainable.

We mentor them, we work alongside them and we show them how to do event approvals. We also show them how to do Facebook messaging and how to communicate with each other—we help them with communications. We also help them to connect with each other and put out calls for local skills in the community. Where we find that there are local musicians, local school groups, or whatever it might be, that do this work for free, or volunteer their services, we find that those events become more sustainable.

It is about really getting that core group of residents that become our champions in each community, and we educate them and work alongside them. As the Suburban Land Agency's program removes itself after a number of years and transitions out of the suburb, we know that those residents are geared up to be able to run the program themselves.

MS ORR: Moncrieff in Yerrabi has one of these. That one has been going for a little while, so what would you be up to in that particular program?

Ms Gleeson: We launched Moncrieff last December, when we opened the Moncrieff recreation park. Since then we have established a resident group. We meet with them bi-monthly. This year alone we have initiated a group that is delivering the Diwali festival of lights event on Sunday, and that is really resident led. It is completely resident driven but we support them in that journey. We are almost a step ahead in Moncrieff, which is great to see. On 2 December we are also delivering a Christmas

event, which again is about celebrating those local traditions that people want to see. In addition to that we are seeing that the entertainment, the communications and all the messaging around that is being driven by the residents.

We support by way of some of that initial funding, but ultimately a lot of these services are volunteered, to the point where the residents on a Sunday night are cooking some of the food, and it is all about sharing a plate and bringing the community together.

MS ORR: I will go through the ones in my electorate, just to check where they are up to. What about Throsby?

Ms Gleeson: Yes, Throsby launched earlier this year. Since then we have established a Facebook page and a quarterly newsletter, and we have had a couple of introduction events. We have had a brekkie in the park, and a treasure trek, where we have encouraged people to walk around the suburb. As you would be aware, we launched the kangaroos a few weeks ago. We are trying to establish a group of residents who will become those resident champions.

We probably do not quite have the population there at the moment, but as we go through the next six months, a lot of that will be occurring. Particularly with Throsby, as it does not at the moment have any community facilities, we are working quite closely with the Mulligans Flat team, as well as Harrison School, which is the local feeder school for that suburb.

MS ORR: Lawson is the next—

Ms Gleeson: We have just partnered with CIT. A whole class, on community development, are running the program for us this year. Part of that is educating them and mentoring them. Next Saturday night we are delivering a local twilight movie night, and the students are being brought on that journey. We have also just started a program where one of those students in that class is working in our team, for one day a week at the moment, to get an insight into community development. Lawson has only just commenced, and it will go for a maximum of 18 months.

MS ORR: The last one that I believe is going in Yerrabi is Taylor?

Ms Gleeson: Taylor, yes. Taylor is due to commence next year. We know that the school is due to open in February. We have held some introduction conversations. The first of the potential students for next year met the principal this week. We were very heavily promoting that and involved in that. We would hope to initiate the Taylor program early next year. Part of that initiation is understanding the community—putting out surveys, knowing who they are and what skills we need to produce and gaps we need to fill as part of that program. That program will then run for five years in Taylor.

MS ORR: I believe I got all the mingle programs going in Yerrabi, but if I have missed any, feel free to add them.

Ms Gleeson: The only one is Jacka. As we develop Jacka, the next stage of Jacka

does meet the threshold for the community program.

MS ORR: Okay; so that is one to watch.

Ms Berry: The Molonglo mingle has been going really well as well, with Stromlo Cottage, and some of the things that the community has picked up and run with down there. They are being facilitated and encouraged.

MS ORR: Yes, they put up a book box, a little library.

Ms Gleeson: Yes, we have established—

Ms Berry: They have a couple down there.

MS ORR: I was a bit jealous of that, to be honest.

Ms Gleeson: We have established a book box in Wright and Coombs. The first one was in Coombs, next to the school. It is amazing to see. It is filled with books each week. We have had no vandalism. It was completely resident led. Part of the difference in this program is that we make sure that these things are driven by the community and owned by the community. We work with them to deliver that, so that, hopefully, it is there forever.

The other great thing about Molonglo is that we have started a local seniors group which meets each week. It started with two people and it now regularly has 17 people. Those people were not connected to their neighbours probably two years ago, and now put each other's bins in when they are away. They are the small wins that we get out of that local program.

MR PARTON: Can I ask about Riverview, Ginninderry and where we are at there. What infrastructure has been delivered?

Ms Berry: Do you want a whole update on Ginninderry?

MS ORR: In three minutes or less.

Ms Berry: Yes. I understand the first bitumen has been laid for the display village, which will be up and running next year. But there is so much that has been happening down there. Pick your favourites, Tom.

Mr Gordon: To give some sense to it, you are probably no doubt aware that construction has commenced on the first stage, which is for about 350 dwelling sites, and we have run through a sales program where we are regularly selling single residential blocks out there. We have got a program of affordable housing called flexi-living, which is small housing, which is going out in tranches at the moment. That will be delivered over the next year to 18 months, the first stages of that.

We have had agreement with government as to the management of the river corridor, in terms of a conservation management trust that will look at how that gets managed. We do have a number of site-specific issues like the zones around the Belconnen tip

site, which is slowly being worked through as government invests time and money in closing that, and closing the Parkwood area, which is slowly progressing. That will then enable the next stage of development to come on as those buffers have moved backwards.

We have also got an employment and training program which is doing exceptionally well. We are winning awards for the efforts that are being put in to bring people that are in those disadvantaged areas into employment. That vocational training is a key element of what we are delivering out there as well.

There are many aspects to it. We could talk about the way we are using solar energy to power some of the housing in the estate, incentivising people who are putting PVs on their roofs, and not using gas. It is all renewable energy.

THE CHAIR: That is probably time, I am afraid, Mr Gordon. Thank you all very much for your attendance. Before we break though 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. 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, supplementary questions, should be submitted to the committee office five day after questions are received.

We will resume with Minister Stephen-Smith at 2 pm. I remind members that we actually have a private meeting now. Thank you very much.

Hearing suspended from 12.45 to 2.02 pm.

Appearances:

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

Environment, Planning and Sustainable Development Directorate

Ponton, Mr Ben, Director-General

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THE CHAIR: On behalf of the committee, I would like to thank Minister Stephen-Smith and your various officials for attending today. During the next two sessions we will be looking at urban renewal, the Suburban Land Agency as it applies to urban renewal sites, and the loosefill asbestos insulation eradication scheme. Before we start, I draw everyone's attention to the pink privilege statement before you on the table. Minister, can you and your officials please confirm for the record that you understand the privilege implications of the statement?

Mr Ponton: Yes.

Ms Stephen-Smith: Yes.

THE CHAIR: Thank you. I also remind witnesses that proceedings are being recorded by Hansard for transcription purposes and being webstreamed and broadcast live. Minister, before we move on to more substantive questions, I must ask the question that we all unfortunately need to ask: can you clarify what your responsibilities are?

MR PARTON: Good start.

THE CHAIR: I am sorry, but we are all in this boat. I was even more confused this morning. I asked about what environmental issues the CRA was supporting in its areas. From memory, Minister Barr suggested that for the rest of Canberra I should ask this in the urban renewal sessions. He said that it is your responsibility. Please enlighten us.

Ms Stephen-Smith: I have to say that I was not watching this morning but I think that was in relation to activation activities that CRA was undertaking?

THE CHAIR: I also asked about sustainability ones. Anyway, go for it.

Ms Stephen-Smith: Mr Ponton can take over when I make mistakes here. In terms of land release responsibilities and working with the SLA, I am responsible for essentially brownfield infill site land releases, as opposed to the greenfield suburban land release that Minister Berry is responsible for. Now, we are still sort of working through, for the full land release program, what that exactly means and where we draw the line between brownfield, infill and greenfield site renewal. But do not worry; SLA is all over it. Minister Berry and I are talking. So we have a pretty clear idea and we are obviously happy to take questions on any of those potential sites you might be interested in.

In relation to town centres, group centres and other urban places, probably a good example of the urban renewal team's responsibilities versus TCSS, for example, is around—I talked about this at the Woden Valley Community Council—the Woden experiment. The place making activity that is going on there is the responsibility of TCSS. They are doing the actual development, the Woden experiment. Then, the urban renewal team is working with them to monitor the experience of the Woden experiment to develop a place making manual, essentially a manual—is that the right—

Mr Ponton: Yes.

Ms Stephen-Smith: Yes, I am getting nods—for the ACT. As I said the other day, we know a lot about what delivers good place making and what you have to do from international experience. But we need to learn some of those lessons in terms of the ACT and the way Canberrans interact with spaces.

At a more strategic level, we are looking at an urban renewal strategy, I guess, for our town centres and urban places. Ben can probably talk a bit more about the role of the urban renewal team, and Bruce can talk about it within EPSDD, and what that does. Then there are specific projects like Kingston arts precinct, the Canberra brickworks, section 72 and the strategic work or the feasibility work that relates to future brownfield land releases, in Eastlake, for example, or EPIC and Kenny; that strategic work.

The other thing that is in my space is the asset recycling initiative land release—obviously, that is brownfield infill land release—and the demonstration housing projects. Minister Gentleman is responsible for the housing choices strategic discussion and the collaboration hub in terms of the delivery of the demonstration housing projects coming out of that housing choices work. The delivery of those projects is within the urban renewal portfolio.

THE CHAIR: I was talking to Minister Barr in the context of the CRA specifically about the town teams. The CRA, just today, put out a beautiful sustainability statement. The impression I got from him, which seems I think possibly consistent with what you have just said, is that if anything like that were going to be done in our town centres, you are the one. Is that correct?

Ms Stephen-Smith: That is—

THE CHAIR: You and your team.

Ms Stephen-Smith: Yes, I hope so; and just on the my Dickson town team, I think it is really important to note that while the town centre, the group centre part of Dickson, is CRA, obviously section 72 across the road is something that we are looking at. I am talking to the Chief Minister actively because the Dickson town team actually wants to take a wider purview around Dickson and activation.

We have been speaking with them about how they get involved in some of the section 72 work, both activation and consultation with the community about the future of some of those parts. To go to your question about the environment part of that, specifically that has been around the Sullivans Creek stormwater drain area, which obviously is going to remain green space. How do we work with the community to plan for the future of that?

Mr Ponton: I was listening to the conversation earlier with the City Renewal Authority. The point I would like to make is that EPSDD, the directorate, undertakes the broader policy work. That involves a range of ministers. There is planning policy work, which is Minister Gentleman. There is climate change policy that is relevant to Mr Rattenbury. The work of the City Renewal Authority in relation to their sustainability strategy is acknowledging and recognising that broader policy work. As was discussed this morning, there was a reference to the fact that they are essentially operationalising that broader policy.

In terms of how that occurs outside of the City Renewal Authority precinct, that is then the responsibility of Minister Stephen-Smith in terms of taking the broader policy matters and seeing how we can then operationalise that.

THE CHAIR: The CRA has put out quite an ambitious lot of sustainability things that are clearly in many instances above the minimum requirements enacted by the Territory Plan. Are you going to be trying to implement that in all of the area that I think is under your control? “Influence” would be the word rather than “control”. So as Woden, Belconnen, Tuggeranong renew, are we going to try to have environmental standards as high as those in the CRA area?

Mr Ponton: In terms of the work of the City Renewal Authority and its ambitions, that has essentially been set through the board. So the board, as Mr Snow said this morning, has a set of ambitions that relate then to the legislation and the statement of expectations that have been provided to it by the government. In their thinking, they have not focused on the existing regulatory framework in terms of: this is it. I think the term this morning was “the code plus one”. What they are saying is that we want to be more ambitious. They acknowledge that they are not the regulators.

But we work very closely with our colleagues in the City Renewal Authority, as we do across government. They then can help us develop and influence policy. I would expect, in terms of the broader city, that the Territory Plan review would be a great opportunity for us to start thinking about how we start to bring in some of those other ambitions that are contained within existing policy or that might be the subject of imminent policy decisions.

Ms Stephen-Smith: I guess there is another point to make about the CRA giving effect to some of their ambitions. As has been said, some of them are just laid out in the statement of expectations from government. Similarly, there have been conversations. Both Minister Berry and I have had conversations with the SLA, the board chair and with John around our expectations that when we sell, whether it is greenfield or infill land, we are delivering community benefit, that we are not just getting money for the land but we actually need to deliver a positive outcome for the community. That means needing to consider environmental outcomes and social outcomes for the sale.

I think John spoke earlier today, with Minister Berry, about the different ways in which land can be sold and the different mechanisms we have for ensuring that on particular blocks we are delivering a particular environmental and/or social outcome in addition to the revenue from the sale.

Mr Ponton: Can I add to that? Going back to my earlier comment about the Territory Plan review, we have really high quality experts on both of the boards, both the City Renewal Authority board and the Suburban Land Agency board. I would expect that as we continue to develop that more detailed small “p” policy, I guess, that we would be tapping into that resource as well community and industry.

THE CHAIR: But in the immediate future, the CRA will be aiming higher than the rest of Canberra. Basically is that what you are saying?

Mr Ponton: That is in the context of, in terms of delivery, whilst they can make those ambitious statements in relation to things such as energy efficiency going beyond the existing building code, we as a regulator work within the legislative and regulatory framework. Making changes to the building code is a national process; so that is—

THE CHAIR: No, I appreciate that but—

Mr Ponton: No, I am just making the point because I am going to get to other commentary. In terms of how they might then achieve that, that might then be through their land sales processes, which are separate to their regulatory framework. I guess what I am saying to you is that whilst there are small steps that they can take, and they can continue to work with us in terms of their ambitions and articulating those ambitions, we will be certainly bringing that as best we can into the policy development work.

I know that Mr Dietz, through the Suburban Land Agency, is also thinking about how we can achieve greater social outcomes through the land sales process, separate from the regulatory process, as we are undertaking the broader policy work.

THE CHAIR: I would like to pursue this but I have other questions. I am very interested in the demonstration housing projects as a result of my motion. Your website shows that 18 projects got through to the second stage for assessment. What happens now?

MS ORR: And can you update us on the project?

Mr Ponton: Certainly.

Mr Rutledge: There is a lot of interest in this project and it is a really interesting project. It goes to what we were just talking about: what urban renewal is doing versus, you know, big “P” policy. What we are seeing in the demonstration housing project is working with industry and they are putting forward those proposals. We are not rewriting the policy for the whole city but we are providing an instant feedback loop about what industry is telling us. That feedback loop will feed into future policy work that would affect the broader city.

As you said, 18 have got through. We have been really surprised in that they are all demonstration housing projects but they are the sort of thing that is happening elsewhere. Nightingale co-housing is an easy one to talk about. Liam Wallis, the CEO of Nightingale, came here and did a half-day workshop not just with us but all the other proponents to learn about that. At the end of the day he said, “I wish the Victorian state government could run something like this demonstration housing project process,” because he thought that it really listened to industry and got both community and industry proponents involved.

We have seen a couple of proposals for co-housing, build-to-rent schemes and townhouses. Townhouses as a typology are not particularly innovative but these are townhouses specifically designed for ageing in place or ageing in the community. That is also interesting because when we talk about ageing in place, some people talk about ageing in place as adaptable housing and a house they can live in forever. But when you talk to people in the community they see ageing in place as downsizing but not leaving their suburb. In some suburbs where there is not townhouse or adaptable use housing, even just townhouses in those areas would be considered new for us.

A manor house was put forward, so multiple bedrooms in a manor house, and also micro apartments. We are working with the proponents of the micro apartments to work out whether micro apartments would be both deliverable and then livable, that is, if the inside space is tiny, what are we doing for the outdoors to make sure it is a livable alternative.

MR PARTON: How tiny are you talking?

Mr Rutledge: 40 square metres.

THE CHAIR: So it is not tiny.

Ms Stephen-Smith: It depends on your definition and how many people are there.

Mr Rutledge: It depends who you ask.

THE CHAIR: In many places that is not tiny.

Mr Rutledge: As I stated, some of these are not innovative but they are innovative for Canberra in that they are housing typologies we do not see a lot of. Beyond housing typologies, it is also tenure type. So a build-to-rent scheme is something we have not

seen before. We have seen, say, Project Independence get up an intentional community for people with disability. Whether you could have a similar model just for young people or just older people are tenure types that are also new.

After those are considered, design and build quality are the issues we heard through the collaboration hub that was mentioned in your motion, Ms Le Couteur. We will make any of the designs we see go through the national capital design review panel so that we can get that input. That includes the ACT Government Architect and other experts across this city.

That is where we are up to now. The next part is we are dividing those into projects that are being proposed where they already have identified a site and they are pretty ready to go and those that have a new type but they need access to land. So we are splitting the two proposals in that way.

We will go out for a request for a proposal. We have talked to all the proponents. We are mindful it will be over Christmas, so we will go out for a longer period of time. The proponents are comfortable with us going out over Christmas for that request for a proposal. We expect those back probably early February next year and then we will do the assessment.

I should say that each of the proponents is at a very different stage. Some, if they have land, they have holding costs. They might decide to pull out and pursue something else if it is not perfect. But I would like to think that by May or June, the end of this financial year, we will have some DAs in the system. Then we might see some action on the ground by the end of the next calendar year.

I think I mentioned this when we talked about this at estimates: some of them are talking about planning regulations they would like to change: RZ2 and RZ1. But the one that keeps coming up is, "Can we rid third-party appeal rights for these projects?" That always raises concerns. So those are some of the things we have seen the proponents come through with, all for consideration further down the track.

THE CHAIR: Will some of the DAs require Territory Plan variations? If so, what is the expected time line for that?

Mr Rutledge: That is an interesting one. Some might require a site-specific variation, some might be just minor difficult amendments and some would have flow-on effects. A Territory Plan variation would depend on the variation, the response from the community and the response from this committee. That is where the holding costs for some of those proponents will come into play.

We have been very up-front; we have talked through the time frames and kept them up to date with the time frames but, as I say, some of those that already have land might decide not to pursue this process and go with something less innovative because they have large holding costs.

THE CHAIR: I am a bit confused. The ones for which you are thinking about Territory Plan variations, when do you think that process is likely to start at least?

Mr Rutledge: We would have to consider them when we get the proposals. We will get the proposals in February and then we will see what requirements against the Territory Plan are needed.

MS ORR: If I have understood correctly, you have a shortlist and now it is scoping it up?

Mr Rutledge: Yes.

MS ORR: I appreciate that some of it might be commercial in confidence because designers do not necessarily want to go handing out their innovative ideas. You have mentioned townhouses and micro apartments. Can you give us an indication of anything else we might see happen?

Mr Rutledge: You are right; I do not want to go to the individual proposals. The only other ones I would say are the co-housing ones where they want changes to parking requirements. Some want no parking at all, so obviously they are site specific because they want to be close to services or close to transport hubs. Those are the sorts of things we are considering.

Not all of the proposals are unique but they are all fairly unique. In the request for proposals we expect to start getting that design and build quality excellence and the environmental standards excellence that we hope will all be new for this city.

MS ORR: Can you talk more about how you will be putting in to the projects those design and environmental excellence standards?

Mr Rutledge: It is really a combination with us and the proponent. We are not asking for a change to the rules or anything; we are just asking them to come forward with their best. We will assess those because we want to see that they are demonstrably better than what is current. But, as I said, we will use the design review panel including the Government Architect. For the environmental standards we have a level of expertise both within the directorate and external as required to assess whether or not they meet those.

Ms Howorth: Our assessment criteria for the stage 2 RFP includes design quality and build quality and also the criteria from the Assembly resolution. Along with the national capital design review panel we will be looking at the successful proposals and basically locking them in through a delivery deed to deliver what we have assessed in their proposal.

MS ORR: You said that we would be looking, potentially, at February next year?

Mr Rutledge: Yes.

MS ORR: So we report with that and—

Mr Rutledge: Yes. We hope to get all the proposals back in February, and then we will start an assessment process.

MR PARTON: Can I get an outline of the current status of development plans at the Kingston Arts Precinct, please?

Mr Dietz: It is still within its preferred tenderer negotiations in Stage 2 of the Kingston Arts Precinct, which is essentially the tendering stage. We hope to have the negotiations complete by the first quarter of next calendar year.

MR PARTON: At this stage, would you even hazard a guess as to when construction would start?

Mr Dietz: Yes, I would hazard a guess. I will call on Tom Gordon to ensure that those dates are appropriate.

Mr Gordon: I do not know if it is something that you could define, other than as to what a normal developer would naturally do. You would conclude the negotiation process. One would assume that that could be successful. Then they would have to go through a DA process, which may take a number of months. It could take eight to 12 months, possibly, and then you have a construction stage from there. As John alluded to, we would hope to conclude those negotiations around the first quarter of next year, and so you could look at 12 months or so before construction would commence.

MR PARTON: The delays from the original announcements until now, and obviously we have still got a bit of water to pass under the bridge, are somewhat frustrating, are they not?

Mr Dietz: Yes.

MR PARTON: Can you talk us through exactly why it has been delayed so much?

Mr Dietz: The biggest reason is that, with the instigation of the SLA beyond the LDA, there has been a paradigm shift in our governance model. For decisions that the new board are required to make, it is important that we ensure that every step of the process before that decision is made has been appropriately governed and has been done appropriately and well. When the new board joined, this process had been in train for a year or two. Then, as part of the new board joining and as part of our briefing of the new board, we have taken the time to ensure that probity is appropriate, our business case is appropriate and everything is in line to ensure that when we make a recommendation to go ahead with the preferred tenderer we are 100 per cent sure that it is appropriate.

MR PARTON: Questions keep coming to me about this project. One, which I am sure you will not really be able to answer definitively, is that arts organisations want to know when they will begin to move into the precinct. I also get questions about the car parking that will be available post development. On the timeline thing, again, that really gets back to the previous answer.

Mr Dietz: Yes.

MR PARTON: Talk to me about car parking there. Obviously the process is not

finalised, but what can you tell me, based on what you know now?

Mr Dietz: As part of the tender, some of the functionality was to provide a car park. That is what we are negotiating, as per the tender requirement.

MR PARTON: Can you be more specific than that?

Mr Dietz: Tom Gordon may know the yield of the car park.

Mr Gordon: Not precisely, but it is several hundred.

Mr Dietz: It is a substantial carpark.

Ms Stephen-Smith: But we could take on notice to provide further information about that to the extent that we can.

MR PARTON: Excellent, many thanks.

THE CHAIR: On section 72, can you tell me a bit more about the process? I went to some of the consultations quite a few years ago. One of the questions I have had from people who are going to the current ones is how much the work that was done four or five years ago has fed into, or whether it fed into, the current work.

Ms Stephen-Smith: One of the things that the team have tried to make clear is a high level of consciousness around the fact that there have been a number of previous consultations in relation to Dickson section 72. The information provided to the community has tried to take on board the feedback from those previous consultations and to be clear that that is part of the work for this. But, to some extent, some of those previous consultations had a slightly different focus. I will hand over to Karen Wilden.

Ms Wilden: The first thing I would say, Ms Le Couteur, is that this is not a hugger-mugger of an engagement. This is an engagement that has no secrecy. There is no hidden agenda. We absolutely understand that the community is frustrated because it has been going for a long time. If you look at our your say website, you will see that it was the baseline. The very first thing that we took back to the community was, "This is what you told us in 2014 and 2015," but we also know a lot of things have changed. We are putting this out there to say, "Is this still current?" For some people it is current.

During the very first stage we did a social pinpoint exercise. It was online, and it was a matter of saying, "Go and tell us where you think the problems are and what ideas you have for section 72." We started to see a whole new range of ideas coming forward that were not part of the original conversations. Some of those original conversations were very much focused on what happened where the Northside Community Service Majura community centre is.

Obviously, this is a much more integrated approach. Also, other sites on section 72 really were not part of that original conversation. The approach we are taking is to say that that has to be a good baseline. Before we even started the public consultation, we invited in three members of the community: the chair of the North Canberra

Community Council, as well as two other members of the community from Dickson who had been quite vocal and very well engaged in that and in previous engagements in Dickson.

We had a meeting with them to say, “We know the community is going to be cynical. I guess this is a bit like Red Hill; we’re at the same starting point. We know that you might be suspicious of what is going on, but we really want to try to start with a clean slate, take everything we have learnt and build a more collaborative approach to understanding what the future of section 72 needs to be, now that we know that there is a quickly changing demographic and different needs emerging within the inner north community.”

We met again with the three representatives. We gave them the opportunity to go back and talk with the people they have been representing. I think pretty well everything that they suggested that we add to the engagement was added: about pulling in the Dickson pool and taking advantage of the summer period, and doing things like walk shops.

We are trying lots of different ways to make sure that there is a really open spread of input coming back to us around section 72. We also made sure that it was clearly in the context of the engagements on Watson, for the Academy of Interactive Entertainment, the city gateway work that was going on, and the work that was going on with public housing.

People say, “You’re talking too much and we’re getting confused.” We said, “Let’s make sure people understand how it all fits together.” Section 72 is not just for people on the other side of the stormwater channel, and it is not just for people on the other side of Antill Street. It is actually for all of Dickson, Downer, Watson and Hackett—all of the surrounding suburbs.

That is probably a longwinded answer to say that we are only halfway through this engagement. I know people are saying, “You’ve already decided your Territory Plan variation.” I can tell you that there is no Territory Plan variation being drafted at the moment. We are about to put out the report on your say, hopefully next week, to summarise the second stage of the engagement. We had an open house to show people the scenarios. We went to the North Canberra Community Council. We said, “These are not scenarios for all residential; we haven’t even assigned what the possible uses may be, let alone what the possible zonings may be. This is how you could break up this site in different ways.”

We are reflecting back, both in the first stage report which you will see on your say and in the second stage report that, as I said, hopefully will be out next week, and we are hearing very clearly that the community wants particular attention paid to the green spaces. We are also hearing, which was not quite so strongly stated four years ago, that you really should have some level of mixed use which includes residential. Another message is that social housing, community housing, is another thing that people want to see. We have had a very clear message that they do not want it to be all private residential, and I do not think that any of us have suggested that as something that would be an option.

That is what we are going back to the community with next Thursday. We will have one more workshop and we will say, “Show us physically how you think this should work.” We are sitting down with members of the community. They again reiterated issues around building height, about the open space and about wanting to make sure that they connect.

One of the other big issues that has come out of it is that it is about what happens at the ground level. You might have residential above, but a building with residential is not necessarily all residential. There are possibilities for community use and there are possibilities for commercial. They are all sending a pretty strong message: not retail. They do not want to take over from Dickson. We need Dickson group centre to work.

That is also why, with the town team that was mentioned this morning, we are looking to hook up with them and say, “Clearly, we want this to integrate with Dickson. We’re really happy for you to help us talk to the community, including looking at ideas of activating, within section 72, with the town team,” because we know that the community trusts the town team. We know that the community does not particularly trust us; that is okay. It is a bit like a dog with mange: you know it is there; let’s feel sorry for it, but we’d rather you not be there. That is the reality of being an engagement officer in planning in Canberra. That is okay; we can live with that.

I think we are at an exciting point now. Next Thursday we come back for the second workshop, and that is where we say, “Based on what you’ve told us about the open space, the balance between the open space and the built form and the heights and the importance of the connection along the green spine of the current stormwater drain, this is what it might look like.”

The community gets to come back and tell us again whether or not we heard them correctly. If they say, “We’re kind of happy with this baseline,” we have then got to go back again and design an estate development plan and then do pre-development application consultation. The thing I want to stress is that we are actually only halfway through the consultation with the community.

THE CHAIR: I know that there was a tender released for an estate development plan consultant a while ago. What happened with that? There appears to be a parallel non-meeting process.

Ms Wilden: It is not a parallel process. It is about saying, “We want to make sure that the consultants responsible for the estate development plan are hearing and seeing the community engagement,” so that they understand what some of the overarching priorities are for government in terms of delivering a quality outcome on the site.

Mr Ponton: That was one of the key learnings from Red Hill. We had the consultants who were developing the estate development plan on the journey with us and the community. That is critically important, so that they do not come in at the end and start designing something. They are actually hearing it firsthand. That is why we took that approach.

I have heard and read some commentary that would suggest that that was being disingenuous, in that we were going off on a path and designing something whilst we

were consulting. It is the exact opposite, in fact. We want to make sure that we achieve what it is we are hearing from the community as we develop this policy in a co-designed and collaborative way.

THE CHAIR: You talked about an estate development plan and a DA. You did not mention a Territory Plan variation. Are you assuming that there would not be any Territory Plan variations?

Ms Wilden: I am saying I am making no assumptions about it and nobody here is either, because you do not know what variation you may or may not need until you know what you want to put into the overall site. There is also a difference between a zone and a use. People talk about, “We want community uses.” That does not necessarily mean it has to be zoned CFZ. At the moment we need to accept that there is a likelihood that there will be some type of variation, but as to what that looks like, we are still in the middle of consultation.

THE CHAIR: Do you have an idea of the timing, whether it is with or without a Territory Plan variation? I think people are in quite a—

Ms Wilden: Do you mean for this process?

THE CHAIR: For this process; then, if you are feeling very ambitious, actually to construction of something at the end of it.

Ms Wilden: I would like to think I was that wise, but I am not.

THE CHAIR: For as far as your eye can see—how long?

Ms Wilden: I will put my glasses on, in terms of how far my eyes will see. We certainly have some rough goals for being able to start talking with the community about the estate development plan in the first half of next year. Obviously, there is also alignment with Common Ground, because that is a very clearly stated government commitment. It is about having these two processes working together and the engagement working together.

I would expect some of the outcomes that you are seeking answers to are going to be happening over the next 12 months. With the exact timing, there are two processes working together, and we have a number of stages of engagement that we have to go through. Certainly, we are indicating in the listening report that we are talking about some of those major milestones being met next year, as in calendar year.

THE CHAIR: When you said two processes, do you mean your process and Common Ground? Those are the two processes?

Ms Wilden: Yes, that is right. With Common Ground, we have been working very closely with CSD. Obviously, decisions around what is in Common Ground and what they want to design is a matter for them. But we are going on that journey with them, to make sure that we understand what their needs are. They also want to be part of our journey, to understand how that can be an integrated part of the section 72 community, whatever that community ends up containing.

MS ORR: I want to get an update on the asset recycling sites and how they are going for release and renewal.

Mr Rutledge: I think we are all watching Northbourne Avenue come down, and if you ever drive on Northbourne Avenue you get a daily update on how that is tracking. I think the only other remaining one is Strathgordon in Lyons. As discussed earlier today, we have got tenant issues there as well. As we have done with all our public housing assets, tenant welfare has been one of the many drivers to get it happening. I think that is all we have really got to come to market after Northbourne.

Ms Stephen-Smith: Singleton in Gowrie, is that still to come to market?

Mr Rutledge: Yes.

MR PARTON: When do the last tenants leave Strathgordon?

Mr Rutledge: I would not want to speak for Housing on that but there are not many people there now.

THE CHAIR: But there still are some.

Mr Rutledge: As discussed earlier today, you are right.

THE CHAIR: There are some. I live fairly close and I observe that there clearly are people there. Next is asbestos.

MR PARTON: I can now roll into asbestos with this question. It is a fairly specific question. Is the government aware of any remediated Mr Fluffy blocks being advertised to buyers with specific plot ratios?

Ms Stephen-Smith: I literally at lunch time signed a response to Mr Coe about this issue. Yes, we are aware of the issue that you are raising. Bruce can probably talk about that.

Mr Fitzgerald: In relation to specifics of plot ratios, that is not something we advertise. We advertise the site size, but plot ratios, no.

MR PARTON: But surely there is an understanding by buyers of a plot ratio that will line up with whatever block they have purchased?

Mr Fitzgerald: We advertise based on the “may or may not be eligible for variation 343”, which will allow a greater plot ratio. What we do not do is tell people what the specifics of the precinct code are that may govern a specific plot ratio.

MR PARTON: I just wonder, particularly when we are talking about some fairly savvy people in this space, how there could have been a misunderstanding of specifically what plot ratio they could utilise on a block. And you have indicated to me that there is not an advertised plot ratio. But certainly that is what I am hearing. Minister, when did you become aware of this specific problem? Was it when you

received notification from Mr Coe or—

Ms Stephen-Smith: I did not characterise it as a problem. That is your characterisation of it. The issue—

MR PARTON: I think it is quite a problem for the owner of the block.

Ms Stephen-Smith: Again, that is your characterisation of it. Mr Coe obviously drew to my attention one specific block and the expectations that that one specific purchaser had in relation to that one specific block. My response to him has explained the circumstances associated with that, in response to what has now been approved for that block, but then there are broader issues that Bruce has referred to in relation to the information that is provided to buyers: the fact that it is very clear in the documentation that it is up to purchasers themselves to do their own due diligence in relation to what is able to be done in a specific area. In this specific area there was a precinct code that applied to that particular suburb. My understanding is that the information available to purchasers specifically indicates that it is their responsibility to be aware of those other issues.

Mr Fitzgerald: As a matter of course we will advertise that most blocks, unless they have specific heritage concerns, over a certain size limit may be eligible for DV 343 and the higher plot ratios. What we do not allow for is that on some sites there may be trees, there may be slopes, there may be rock, there may be driveway accesses that may make that unworkable.

MS ORR: Could you actually give us an update on the current status of the loose-fill asbestos eradication scheme?

Mr Rutledge: I think we are progressing well. We see ourselves as well ahead of where we predicted we would be at this stage and that is due to both efficiencies of the market and efficiencies that we have gained in contracting. As you know, individual residents were able to nominate a surrender date, and some of those have brought it forward.

Where do we think we are? Nine hundred and fifty-seven of the 1,023 affected properties have now been demolished. Of those 957 demolished, 954 have been removed from the affected residential premises register. Of those, 809 have been sold. Forty-five went back to the original owner through the first right of refusal, 759 have been public sales and five have been sold to another government agency, obviously Housing ACT. I do not need to say that.

Where we are now: we think we will have probably one last auction in the current form, probably in December this year, and that I think will be the last large auction that we will see. The remaining properties will take either a little more time to come forward to demolition time or be deferred for some time and they will be single, one-offs. Where we were doing multiple demolitions every week we are now doing one a fortnight. They are the numbers that we are looking at. Therefore the sales program will be very different from now on.

MS ORR: Have you seen any changes in the anticipated costs of this?

Mr Rutledge: No. As I said, the scheme has got more efficient and the costs have generally come down as the scheme has gone on. But we do have some complex properties that are two townhouses in a set of four or those sorts of things. We still would not want to model what the end price will be.

The other thing that we are facing now is that the people with a lot of the skills and expertise that we have built in the industry, because there was so much work on, are looking to either move out of town or move back into other forms of the construction business. We continue to talk to industry stakeholders and we are very open with the plan program, because we have got a recognised skill in that workforce and we want to make sure that we have got that skilled force remaining in our city while we have still got the work going.

MS ORR: Continuing with the workforce, how are you going to ensure that we do not lose the expertise gained?

Mr Rutledge: We have been working with industry and with the unions, and the week after next Bruce and I will be going to the national conference run by the asbestos eradication agency. It is interesting that in that world they really do think that we have developed a skill, and they keep talking to us. We are sharing as much information as we can to try to lift the skills right across Australia. That is really what their goal is.

The best we can do to keep people in town is—there is a lot of construction going on in this city; there is a lot of work on—make sure that the contractors that we are using know what work is coming up and allow them to juggle the work, the timing of the work. When they are not working for us on asbestos removal, as I say, there is a lot of work in this city right now. It is trying to keep them here and keep them knowing where our program is up to.

MS ORR: You mentioned that 954 properties have been removed from the register, but 957 have been demolished. When are we going to see an update of the register?

Mr Rutledge: We probably will see an update to the register this calendar year. I should say that we update the register for ourselves all of the time. That is just a timing issue. I think it is probably worth republishing it. The register as it first went out some time ago now still appears on the ABC website. A lot of people have knockdown rebuilds, new owners; you would not want, and we would not want, people to have as the only source of truth a four-year old list published by the ABC. So we will probably look to publish. We will need to notify all the current residents who will be listed on that register, but I think we will probably do that either this calendar year or early next year.

Mr Fitzgerald: The difference between the two figures is that as we demolish properties we go through a rigorous soil validation process to ensure that all contamination has been cleared from the site, so generally we have a two to three-month lag between demolition and them actually being removed from the register. That is the difference between those numbers.

MR PARTON: Can I get an outline of the government's plan for homes that have not participated in the buyback scheme?

Ms Stephen-Smith: I guess the first thing to say is that the government's position remains that properties affected by loose-fill asbestos insulation should be vacated as soon as possible and that the only way to remove the physical, financial and social risks is through demolition. Geoffrey noted that a number of participants are choosing to bring forward their surrender date. This year we have seen seven of those. Additionally, there was one self-funded private demolition in 2018 and there are a further four that are being considered or are underway. The task force continues to expect movement in surrender dates and private demolitions. Given the changes in the market and the way that that is evolving, our current position is that it is premature to determine what the best course of action will be when the number and circumstances of those remaining is not fully known.

MR PARTON: If we get to a point where there is a handful of home owners left who, despite the government's position, choose to remain, where does that end?

Mr Rutledge: All residents affected by this need to have their asbestos management plan in place. We will keep reminding residents of that and work with our colleagues at WorkSafe to remind people of that so that with those not participating in the scheme or those who have not undertaken their own private demolition, visitors, contractors or tradesmen who come onto their site are aware of the presence of loose-fill asbestos.

MR PARTON: Have any complaints been raised in regard to non-compliance with asbestos management plans?

Mr Rutledge: Complaints raised by tradespeople or by residents?

MR PARTON: By anyone.

Mr Rutledge: I might ask Greg Jones from WorkSafe to join me. He would be handling those.

Mr Jones: In terms of the regulatory requirements, there are currently 48 houses that are still occupied that have been identified as having loose-fill asbestos. Of those 48 houses, there are a total of 23 properties now that are fully compliant with the legislative requirements about having an asbestos assessment done, having asbestos management plans and having any recommendations by the licensed asbestos assessors in terms of modifications such as sealing of certain areas of their house done. There are four houses out of that 48 that are partially compliant, meaning that they have an asbestos management plan and they are in the process of fully complying with those management plans. At this stage, there are 21 properties which are not compliant with the current legislation.

I have written to all of the owners with their various levels of compliance, emphasising the need to comply with the legislation in terms of meeting their safety responsibilities to visitors and tradespersons who may enter the house. There are a number of places which we continue to liaise with, with a dedicated officer, to

educate in terms of the necessity for taking that responsibility and meeting the regulatory requirements of the legislation.

MR PARTON: If they do not meet those regulatory requirements, though, at the end of the day, what means are available to your agency, to the government generally, to rectify that situation in line with the government's position that the only solution is demolition, ultimately?

Mr Jones: There are a number of remedies. Our preference is to continue to liaise with those households and to make sure that they are fully aware of those responsibilities. If, ultimately, education and engagement do not lead to them meeting the legislative requirements, there are potentially a number of regulatory options that could be pursued in terms of making sure that those households are safe to other people, including tradespeople who may visit and other people who must enter those properties, such as people working for Evoenergy doing meter readings, and generally meeting those responsibilities. There are a number of regulatory options available which we would look at, ultimately, on a case-by-case basis.

MR PARTON: I am not sure I am understanding what you are saying when you are talking about those regulatory options, which sound to be a last resort sort of thing.

Mr Jones: It is a last resort. We prefer to engage with each household. Each household has their own range of reasons why they may or may not be compliant. They are individually based; there is not one set collective view. We are very conscious of that and we will continue to liaise with each household, with their particular circumstances, to ensure that they fully appreciate the responsibilities and the obligations under the legislation.

MR PARTON: No-one is going to be forced out of their home?

Mr Jones: Certainly not by WorkSafe under current dangerous substances legislation. It is making sure that everyone undertakes their responsibilities. Protecting the community—those who visit their property: as well as themselves, their families, friends and anyone else who enters that property—is our primary objective.

Ms Stephen-Smith: This also relates back to the earlier conversation with Mr Rutledge about publishing the affected residential premises register. That will make it easier for tradespeople, healthcare workers and others to identify the properties that remain on the register so that they can take proactive action to ask about asbestos management plans.

MR COE: Mr Jones, your comments today are pretty much the first time I have heard the government say, somewhat definitively, that people are going to be able to stay in their homes beyond the buyback period.

Ms Stephen-Smith: I did not hear Mr Jones say that.

Mr Jones: I do not recall that.

MR COE: That seems to have been it: you are not going to be evicting people.

Ms Stephen-Smith: The context of Mr Parton's question was in relation to enforcement action around whether or not someone has an asbestos management plan today. I interpreted Mr Parton's question as a question to Mr Jones about whether he could require them to leave their house in that context.

Mr Jones: But more broadly, I did say that no-one is going to be forced out of their home.

MR COE: That is right.

Ms Stephen-Smith: There was a context to your question, Mr Parton. I do not think you should put words in Mr Jones's mouth, Mr Coe.

MR COE: Going to the core question, then, are people going to be forced out of their home?

Ms Stephen-Smith: I am not sure if you were here at the beginning of this hearing, but in relation to Mr Parton's first question about what will happen in 2020, my answer was, consistent with last time, that it is premature at the moment to determine the best course of action now, when the number and the circumstances of those remaining is not known at this time, and the market continues to change and people's circumstances continue to change.

MR COE: But at that time, other than special legal action or special legislation, if there is no evidence of loose-fill asbestos being present at the time, what grounds could you use to move someone out of their house?

Ms Stephen-Smith: That is an entirely hypothetical question at this point, Mr Coe.

MR COE: No, it is not. It is very reasonable scenario planning, I would have thought, given that this is imminent: 2020 is 14 months away.

Ms Stephen-Smith: As I have said, and consistent with previous answers; Mr Ponton might want to expand on that.

MR COE: If there is no asbestos present, if you go and do a test and you cannot find any loose-fill asbestos, on what grounds could you move somebody out of their home?

Mr Ponton: I recall we essentially had this same conversation during estimates hearings.

MR COE: Exactly, and I am still waiting for an answer.

Mr Ponton: The answer is, as the minister said, that at this point in time it is premature.

MR COE: That is why I keep asking the question.

Mr Ponton: The program ends in 2020. I am sure the minister will do all she can to make sure that you are one of the first people to know once that work has been done, but it is premature.

MR COE: I actually do not need to be one of the first people. I would much rather the owners of these properties were the first. I think they deserve an answer now.

Mr Ponton: I believe I said “one of the first”, Mr Coe.

MR COE: They deserve an answer now.

Mr Ponton: In terms of the timing, what we are saying and what the minister has said and we have said previously is that it is premature at this point of time.

MR COE: I do not know how it could be premature. Have you considered it, or not?

THE CHAIR: Mr Coe, unfortunately, we are going over the same question. Let us give Ms Cheyne a chance to ask hers. We are repeating ourselves.

MS CHEYNE: Thank you. In estimates, we talked about the number of complex properties remaining and how many impacted properties had been acquired. I believe that, usually, complex properties have shared walls and thus acquiring impacted properties makes sense. There were 53 complex properties remaining at that time, and 14 impacted properties had been acquired. Is there any update on those numbers?

Mr Rutledge: Yes. As at 7 November, yesterday, 25 complex properties have now been demolished. Twenty-one of those were affected and four of those were impacted. We continue to work through those.

MS CHEYNE: Of those 53 that were remaining?

Mr Rutledge: Of the 53.

MS CHEYNE: So almost half have been dealt with now?

Mr Rutledge: Yes.

MS CHEYNE: That is pretty good progress in five months. Is complex the right word? Semi-complex?

Mr Rutledge: The hard ones are still hard.

Ms Stephen-Smith: Maybe they should be complex and very complex.

Mr Rutledge: They get more so. Yes, they are complex but we are learning, too, along the way, as I said at estimates. Each one is different but we are learning how to do the titling, how to liaise with the residents and how to make purchases.

MS CHEYNE: Because it is still on a case-by-case basis.

Mr Rutledge: Yes. It still is, absolutely, case by case, and—

MS CHEYNE: And you are still, I assume, dealing with body corporates?

Mr Rutledge: there are still hard ones left. But we have been trying to do the “easy” complex properties first so that we can learn along the way. We will be having these questions for the next couple of hearings, I promise.

MS CHEYNE: To be a bit parochial, how many complex properties remain in Ginninderra, or Belconnen?

Mr Rutledge: We would not have that but we can give the committee a rough update.

MS CHEYNE: Yes, maybe just on region. Would that be all right?

Mr Rutledge: Yes, by region. We can do it like that.

MS CHEYNE: Then everyone can know. While we are on the topic of what we discussed in estimates—to draw a really long bow—the committee had recommended that the government put in place a mechanism to inform the community which blocks have dual-occupancy rights due to their being in the loose-fill asbestos buyback concession scheme, and the government agreed that it would explore the most appropriate mechanism to inform the community. Where is that up to?

Mr Rutledge: The short answer is that it is not finalised. The longer answer goes back almost to where we started with Mr Parton: where is the best place to put the information so that it is readily accessible for everyone?

MS CHEYNE: It is obviously the *Canberra Times*.

Mr Rutledge: Even some—using Mr Parton’s words—savvy people do not do enough of their own due diligence. We are still working on the most appropriate mechanism but we have not dropped it; we are just trying to work out the fail-safe way to notify the community on an ongoing basis.

MR COE: What is the status of the asbestos at Harrison School?

Mr Jones: At Harrison School, just for context, there was a small amount of bonded asbestos found in the garden landscaping material around that school. Following a remediation program over the school holidays, there was something like 600 or 700 tonnes of landscaping material removed. Harrison School itself, other than one small fenced-off area in the corner of the yard, has now been tested by a licensed asbestos assessor/removalist, and a clearance certificate has been issued so that the grounds, other than that small isolated area, are clear of the very small quantity of bonded asbestos.

WorkSafe is continuing its investigation into the potential source of the material. We have managed to narrow it down to a smaller time frame in 2011-12. We have identified the most likely landscaper that sourced and delivered that material, and we are currently conducting some sampling of other material that was delivered to other

areas, not schools, at about the same time. The testing that has been completed of material that was delivered at that time has all come up negative, meaning no asbestos, and we are just finalising our sampling before that investigation is closed out.

MR COE: When were you notified of a sample being tested?

Mr Jones: I do not have the exact date, so I would need to take that on notice. It was a couple of days after the Education Directorate was informed. They arranged, to their credit, their own asbestos assessor to do the testing. When the results were returned, WorkSafe was advised something like two days after the initial query was sent to the Education Directorate.

MR COE: Does that actually comply with legislation: that there can be suspected asbestos and then WorkSafe is not informed for two days?

Mr Jones: You said “suspected asbestos”, so yes.

MR COE: And under the legislation it has to be assumed to be asbestos.

Mr Jones: The Education Directorate did all the right things as far as we are concerned in terms of being responsible, getting an assessor in to assess the material, to undertake that, and then advising WorkSafe from there.

MR COE: How can you say they did the right thing? Did they assume that it was asbestos at the time of that sampling?

Mr Jones: My understanding of the way they treated it is that they did, and my understanding is that the way they treated it was responsible and what we would expect.

MR COE: On what day did they restrict children from having access to the affected areas?

Mr Jones: I would need to check with Education on that one; I do not have that in front of me.

MR COE: Under the legislation, you have to assume that what you are sending off to be tested is asbestos.

Mr Jones: Yes. I would need to take that on notice; I do not have that information in front of me.

MR COE: If a private sector operation sent off material to be tested, would WorkSafe need to be informed?

Mr Jones: The responsibilities under legislation are the same whether it is public or private sector.

MR COE: And what are those responsibilities?

Mr Jones: Those responsibilities are to arrange testing, to treat the suspected material as indicated and potentially to isolate areas.

MR COE: That is right. What about notification of WorkSafe?

Mr Jones: I would need to check the legislation as to whether it is at the time of suspecting or at the time of confirmation by the assessor.

THE CHAIR: We have come to the end of our time. On behalf of the committee, thank you all very much. I remind members about the time limit for questions on notice. Supplementary questions are to be lodged with the committee support office within five business days of the uncorrected proof transcript becoming available. Questions 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 within five business days after the question is received. Thank you.

Hearing suspended from 3.16 to 3.30 pm.

Appearances:

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

Environment, Planning and Sustainable Development Directorate

Ponton, Mr Ben, Director-General

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

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

Cusack, Ms Kathy, Executive Director, Planning, Land and Building Policy

Cilliers, Mr George, Director, Development Assessment

Nockels, Mr Alexander, Acting Director, Land Development Projects

Chief Minister, Treasury and Economic Development Directorate

Green, Mr Ben, Acting Director, Regulatory, Solutions and Compliance, Access Canberra

THE CHAIR: On behalf of the committee, I would like to welcome Minister Gentleman and his many and varied officials. During this session we will look at land release policy and planning. I draw your attention to the privilege statement. Can you reaffirm for the record that you agree with it all?

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

THE CHAIR: Thank you. I also remind witnesses that proceedings are being recorded by Hansard for transcription purposes, webstreamed and broadcast live. I will start with housing choices, which is a really exciting project. It is on page 41 of the annual report and also on page 45 as a forward priority. What is happening next?

Mr Gentleman: I think that it is quite an exciting opportunity for Canberra in looking at the future of being able to choose how to live in a residential area. As you are aware, we have done quite a bit of work with the community. We had the particular panel that I think worked very well. In fact, I want to congratulate the people who facilitated the housing choices collaboration hub. I think that it was a really good result.

In relation to the recommendations from that, we accepted all of those recommendations. I think we are moving forward with those now. But I will pass over to the directorate to give you the detail on what is next for housing choices

Mr Ponton: Thank you, minister. I will start. As the minister said, we were quite excited about the housing choices engagement process in particular. I will not dwell too much on that. The overarching engagement process, and in particular the collaboration hub, was particularly helpful as we further develop our policy.

The next steps I have announced. I think I mentioned in this place before that in 2019, once we complete the planning strategy refresh, which I hope will be very soon,

we will be launching into a Territory Plan review. I would expect that much of what we learned through the engagement activities will find its way into the Territory Plan review. But there are some aspects of that work that may be the subject of a separate Territory Plan variation. I do not know whether my colleague Dr Brady wants to add anything further.

Dr Brady: No, thank you.

THE CHAIR: That leaves, of course, the obvious question of how long is this Territory Plan review likely to take. The last major overhaul was the lead up to 2008. There were years in that. Are we talking about the same sort of timing on this?

Mr Ponton: We are about to kick off the scoping exercise. We are hoping to have some further conversations with the minister; so I think it would be a little bit early to say exactly how long this will take. In terms of scoping, I have had some initial conversations with some ministry and community groups. I am quite keen to have those groups involved in the scoping of the project itself. So I think I might be in a better position in a few months to answer that question.

Until we fully understand the scope of what it is that we are dealing with here, it may be just the Territory Plan but I suspect that it may be beyond the Territory Plan. The Territory Plan that we have is established essentially by the legislation; so I would expect that we may need to be looking at the legislation as well. But until we finish the scope, I cannot tell you exactly how long it will take.

THE CHAIR: I guess I had assumed, as you have spoken to us often about a one-page Territory Plan, that the scoping had already been done for you to make that statement.

Mr Ponton: That is my ambition, a one-page territory plan. But as I think I said before, that is an ambition. It is unlikely that it will be, in fact, one page.

THE CHAIR: The impression that you are giving me—I appreciate your not being precise—is that this sounds like a very long process that will not be completed in the term of this Assembly. That is what it sounds like from what you are saying—

Mr Ponton: That sounds depressing, Ms Le Couteur.

THE CHAIR: That is what I was thinking. I actually would love to see the housing choices stuff implemented. But it sounds like it is going to be rolled into a very major review of the Territory Plan—

Mr Ponton: Parts will.

THE CHAIR: and that it will be years and years.

Mr Ponton: Parts will be but, as I said, there were some aspects that we are currently working through that we think can be done much sooner. But I think there are aspects of this that necessarily will need to be incorporated into the Territory Plan review. In terms of how long the Territory Plan review takes, that in and of itself depends on

how we scope the engagement activities as well and the extent of community engagement. As I said, it is a little early to say. But there are certainly aspects of the housing choices work that I would expect we could work on next year.

MS ORR: I have a question about McKellar shops. In 2016 I asked some questions on the DA for McKellar shops and the approval of that. Following on from that, very kindly I got a copy of the decision. But I note that the determination was made on 29 August 2016. I somehow got it into my head—I am happy to be corrected if I am wrong—that the notice of decision lasts for two years.

Mr Ponton: Ordinarily it would last for two years unless there is a lease variation, and that could provide for a different—

MS ORR: This essentially goes to my next question. We have approached that two-year mark. Where are we up to with this DA from the perspective of the directorate, noting that obviously it is the developer's ultimate responsibility?

Mr Ponton: I will call my colleague George Cilliers to the table. I think George will be in a position to provide you with an update. I understand that there is progress being made on that particular site.

Mr Cilliers: The McKellar shops DA was due to expire on 30 September 2018, if you count back the build time frame as well. I was provided with a commencement notice by a certifier on 25 September. Since then, hoarding has gone up and a notice has been installed on the site. They have two years to complete the development now. That time frame can be extended by a planning—

MS ORR: Sorry, was it 13 September that the certifier's notice came through?

Mr Cilliers: It was due to expire on the 30th; I received a commencement notice on 25 September.

MS ORR: So they have got two years from 25 September to finish?

Mr Cilliers: To complete, but we can extend that time frame provided it is substantially progressed.

MS ORR: So it can be extended provided it is substantially complete.

Mr Cilliers: Progressed.

MS ORR: Sorry?

Mr Cilliers: Provided it is substantially progressed.

MS ORR: Progressed; okay. That was a quick answer to my question. Thank you.

MR PARTON: My questions relate to page 21. I am talking about the Eastern Broadacre strategic assessment. Under strategic indicator 1 you mention continuing work on the Eastern Broadacre strategic assessment for its potential development. It

may seem like a silly question but, broadly speaking, what is the purpose of that assessment and what outcomes are you looking for and/or hoping for?

Mr Gentleman: Yes, we identified that area on Eastern Broadacre for a possible development at some point in the future. There are a number of leaseholders in there that we are consulting with along the process, as well as looking to consult with the general public. We have been in quite some deep consultation with the particular leaseholders, particularly around Majura Road and the parkway as well.

We have identified a piece of land in Eastern Broadacre, that you would have seen in the documents, to see whether there is an opportunity to do some commercial development in that corridor. We are working with those landholders now to see how we can facilitate their continuing involvement in the area, as well as some future commercial development.

MR PARTON: And commercial development is what is being considered here? We are not talking about residential development in these places, are we?

Mr Gentleman: No, it will be commercial and possibly industrial.

MR PARTON: What is the time frame for completing that assessment?

Mr Gentleman: We have done quite a bit of work already. We are still at the time of talking with those leaseholders to see how we can work with them to finalise the Broadacre study.

MR PARTON: Getting a step ahead of ourselves, if the assessment comes back with some positive and optimistic outcomes and a decision is made to move forward, if leases within that assessment area need to be resumed, how would that be done?

Mr Ponton: The majority of those leases are short-term leases, particularly three-month rolling leases. So it is relatively easy for those leases to be acquired by the territory.

MR PARTON: You have identified all of those leases and where they are at?

Mr Ponton: Yes.

MR PARTON: Does that include the site of the Greyhound Racing Club?

Mr Ponton: I do not believe so, no.

Mr Gentleman: Not from my memory, no. They have a continuing lease until 2027 from memory. We will find out the details for you.

MS CHEYNE: I have some questions about the policy around shipping containers on residential properties. I was reading a response to Chief Minister's talkback that, depending on the size of the shipping container and the block size, some shipping containers are DA exempt. Is there a table that says shipping container X on block Y or bigger is exempt? Is there a broad guideline about what makes something

DA exempt, and where can I find that?

Mr Cilliers: Yes. The exemption of shipping containers is covered in schedule 1 of the Planning and Development Regulation. The specific answer to your question is that the maximum plan area for a class-D structure—a shipping container is deemed as a class-D structure—relates to block size. For a block of 500 square metres we can allow a shipping container of 10 square metres; for 500 to 600 it is 25 square metres; and greater than 600 is 50 square metres.

MS CHEYNE: So even if I had a block that was 3,000 square metres, 50 is the maximum?

Mr Cilliers: Fifty is the maximum we can exempt from development approval. So beyond 50 you would need to apply for a development application.

MS CHEYNE: Is there any guidance about where shipping containers can be placed on a block or is it just about the size of the shipping container?

Mr Cilliers: There certainly are. The general rule is that it should be located behind a building line to be exempt from development. If you have your main dwelling, for example, it should be behind the building line of that dwelling.

MS CHEYNE: So we should not have shipping containers in front yards?

Mr Cilliers: No.

MS CHEYNE: Ever?

Mr Cilliers: I will get to that in a sec. If it is greater than 10 square metres it must be set back no less than 15 metres from the front boundary. There is also a height limitation of not more than three metres above natural ground level when it is located on the boundary or four metres overall.

The question around being in front of the building line, there is another category under which we can potentially exempt a shipping container, that is, temporary buildings or structures under section 1.31 of the schedule. So that allows a general exemption for temporary structures, which may include a shipping container.

That exemption is not specific about a locality, but it has to be located in that position for no longer than a year. The Planning and Land Authority has the discretion to extend that time frame for up to three years, but there needs to be an application to extend that time frame.

MR PARTON: Would that apply to the Guzman y Gomez Project Wing kitchen? It is a shipping container, is it not?

Mr Gentleman: It is not in a residential setting.

MS CHEYNE: Are we just talking in all these cases about whether something is DA exempt? Can people have bigger shipping containers if they go through the

DA process?

Mr Cilliers: Yes, we can consider a larger class-D structure when it becomes a DA.

MS CHEYNE: In what circumstances do you allow that?

Mr Cilliers: There is a whole range because it becomes a merit track DA. So you will test it against the codes and probably against the provisions of the single dwelling residential code: maximum plot ratio it is allowed to exceed, the typical setbacks. There are also the general interface considerations that can be dealt with under section 120 of the act where you can consider the impacts on, say, a neighbour or the suitability of a site in general for a shipping container.

MS CHEYNE: How many complaints do you get each year about shipping containers in people's front yards?

Mr Green: We receive a number of complaints about shipping containers primarily relating to families wanting extra storage space. We manage the complaints in a way where we respond where the greatest harm is. So where shipping containers are forward of the building line that may be causing an obstruction or traffic issues for example we will seek to get that rectified. Generally speaking, as Mr Cilliers mentioned, they are only there for a short time and are often associated with another development occurring on the land.

MS CHEYNE: How many did you receive in 2017-18?

Mr Green: I will have to take that on notice.

MS CHEYNE: Are you able to compare that to some previous years to see whether they are trending up in terms of complaints?

Mr Green: I would need to confirm whether we can do that. We have changed the way we report our data. Within Access Canberra we have instituted a complaints management team, so I will need to check whether that is something we have previously reported on and if it can flow from there. If so, I can provide that to you.

MS CHEYNE: You said you triage them based on the harm they are causing. If they are not causing harm—they are just annoying or ugly—do you just go, “No, we’ve got bigger fish to fry”?

Mr Green: Part of it is about looking at the context of what our regulatory remit is. Obviously, we have finite resources, and we would much prefer to be allocating those resources to where the greater harm is; looking at buildings that are leaking, for example. The same team that assesses that deal with matters relating to shipping containers. We generally find that, if we work with the owners—and it may take an extended period of time—we usually get the result that they relocate it, either behind the building line, so that it does fall into that exempt development category, or they are removed completely.

MS CHEYNE: You said that working with owners can take an extended period of

time.

Mr Green: Yes.

MS CHEYNE: Do you generally find that owners are reluctant to do anything about their shipping container?

Mr Green: I would not say they are reluctant. There are some circumstances where we are dealing with particular individuals who may have some mental health issues associated with the reason why they have those shipping containers. We need to be very careful about how we go about engaging, making sure that the citizen, and certainly the people who have raised the concern with us, are kept informed along the way and know that we are working towards getting a result.

MS CHEYNE: Going back to the containers that cause the most harm, do you have a breakdown of the number of complaints received versus the number of actions taken?

Mr Green: The way that we have split that is “cases resolved”. We have not filtered it down to the next level around how they were resolved.

MS CHEYNE: It could be feasible that Access Canberra is getting complaints but is thinking, “That one just isn’t as important for us as these five over here that we want to be using our resources on”.

Mr Green: It is correct to say that we have allocated our resources to where the greater harm is. That does not necessarily mean that we do not get to deal with those issues. Certainly, where we make decisions that we cannot allocate the resources to deal with it because of competing priorities, those people who have lodged a complaint are informed of that. Certainly, that is on a very rare occasion. We do try to deal with all the complainants about how we resolve it, but some of those would take an extended period of time, as opposed to just dealing with them there and then. And it is on a case-by-case basis, as I mentioned earlier, depending on the particular individuals involved, depending on the approach that we need to take to get the outcome.

MS CHEYNE: Have there ever been cases where a shipping container has been removed and then has come back?

Mr Green: Not that I can recall, no.

MS CHEYNE: This might be a question to Mr Cilliers. In terms of the schedule, has it been reviewed or updated recently?

Mr Cilliers: Not to my knowledge—that particular part of it.

MS CHEYNE: I know I can look this up myself but you have it in front of you, I assume.

Mr Cilliers: I do not actually have the schedule itself in front of me.

MS CHEYNE: You probably know, but if you do not, I will look it up and not waste your time. When was it dated?

Mr Cilliers: I will have to take that on notice.

Mr Rutledge: It is the Planning and Development Regulations 2008. There have been updates. As Mr Cilliers said, this particular issue has not been updated recently.

MS CHEYNE: Where that question is going is whether that schedule is keeping in line with community standards about what people are expecting in terms of what they like to see in their community. I know Mr Green will get back to me very quickly about complaints and, if he can, whether they have increased. Anecdotally, they seem to me to be increasing. I wonder whether our scheduling is as tight as it could be.

Mr Cilliers: In terms of the DA side that I see, the development application side, it is actually a very small proportion of what we work with. I have not personally received any complaints from members of the public about that. Mr Green may have. I have not had any reason to flag it as something that is critically important to review at this stage.

MS CHEYNE: In terms of the DA process?

Mr Cilliers: There certainly may be merit in doing that, but I have not received a message from the community, in terms of the DAs that I see, that that is a very high priority for us.

MS CHEYNE: There are two streams of shipping containers: those ones where the community or the neighbourhood around them can see them being used for a purpose, and they genuinely are temporary; and others that do not seem to be used at all and are just a storage site.

Mr Cilliers: Yes. The ones that we see through a DA are actually in the first category you described. They are probably the better ones. They are intended either as a temporary room, or even as a living space, complying with the BCA, maybe for a teenager or sometimes for the elderly. They are generally well appointed and well placed—those ones that we see. The second category that you refer to is mostly within the exempt and within the compliance area.

MS CHEYNE: Finally—I am sorry if this is Mr Green’s area—is there any easy way for people to learn whether a shipping container has gone through a DA process? If I notice a shipping container appearing in my neighbour’s front yard and I think it might be related to a renovation out the back, but I do not want to jump over their fence and check that they are actually renovating, can people ring up and say, “Should that shipping container be there?”

Mr Gentleman: On the DA finder app, you can look at the particular area, and there is a map on which you can look at DAs in the area. It will show you what DAs have been put in for that location.

MS CHEYNE: As we have discussed here before, the DA finder app does not go

back as far as some of us would like it to.

Mr Cilliers: The answer is that there are two options. One is that you can put in a complaint through Access Canberra. The other option is that you can just call our DA inquiries area and we would probably be happy to find out, or at least give you a preliminary view of, whether there is a DA for a particular structure. It depends on privacy aspects as well.

MS CHEYNE: I understand.

MR COE: Where are things at with regard to commercial land release, and why is it that there was no land released in 2017-18?

Mr Gentleman: The program for 2017-18 showed 4,300 residential dwellings. If we go down to commercial, the 2017-18 target was 24,000 square metres of commercial. The actual result was 1,860 square metres of commercial in that time frame.

MR COE: There are quite a few blocks that were held back. The annual report for the SLA, on page 169, states:

These sites were held over to ensure that when released in 2018-19 they deliver on both the Territory and the community's expectations for the sites.

Who is actually making a call as to what and when land is released?

Mr Ponton: It would certainly be helpful if we knew exactly which parcels of land you were referring to, in terms of the—

MR COE: Okay. Block 1 section 295, Wanniasa, Erindale centre car park; block 1 section 22, Moncrieff, the Moncrieff local centre; there is the former water police station; and others.

Mr Ponton: In terms of Moncrieff, I believe that is a commercial site for the group centre. The particular issue there is a policy issue. That has been delayed at the request of the directorate, and some work is currently being done with the directorate and with the Suburban Land Agency around the mix of commercial, in particular, the appropriate size for a supermarket, and that may necessitate a Territory Plan variation.

The other sites, I suspect, would be in a similar circumstance. Ordinarily, what would happen is that the Suburban Land Agency, if it had particular cause to delay a parcel of land, would make an approach to me as director-general. We would ordinarily brief relevant ministers, seek a view, and adjust the indicative land release program accordingly. Importantly, that is why it is an indicative land release program. That word is quite important, in terms of its being indicative. It does provide some flexibility, depending on the particular circumstances.

MR COE: The SLA annual report shows under “Non-Financial Performance Indicators 2017-18”, “Indicative Land Release Program”, “Commercial”: “Target 24,070 m²”, “Actual Result 0m²”, “Variance from Target 100 per cent”.

Mr Rutledge: I think, as Mr Ponton said, with the Moncrieff one, they are waiting for some policy work so that they can get a four-line supermarket in there. The Wanniasa one was identified in the 2012 master plan for potential release for a future supermarket but the feedback was that the pressures on car parking in that area at Erindale are such that I think the community would expect that to be held off and kept as a surface carpark for a further period. The last one is the former Belconnen water police site, and that also is waiting on the town centre precinct code.

Planning decisions have been made that have led to those blocks being held back. We are only talking about three blocks. I know the number is 24,000 and the answer is zero, but truly it is only three blocks of land.

MR COE: Where are things at with Coombs shops?

Mr Gentleman: My understanding is the Coombs shops are nearing completion and they are waiting for a tenant.

THE CHAIR: I think they are completed, if you have been out there.

Mr Ponton: I think they are completed. It is a question that is not, I would argue, for planning. Planning identified the site that was suitable for the shops. It is zoned appropriately. It was included on the land release program at a time that warranted the provision of shops. The land was sold. It is now for the proponent to complete the shops, which they have done, but they have not been able to secure a tenant.

I have certainly had conversations with my colleague Mr Dietz in the Suburban Land Agency around how we go to market for these important sites. In that particular circumstance it was sold at auction to the highest bidder and there was not a great deal of analysis as to whether or not there was the capacity for that particular proponent to deliver a supermarket site.

Work is now being done and we are working with Minister Berry to look at what can be done in terms of looking at these important, more social community building sites and think about different ways of delivery in terms of potentially tender and then weighted criteria about the ability to deliver.

MR COE: Minister, you said in a *Canberra Times* article in August this year with regard to Coombs:

We zoned to allow for a shop, sold the land for a shop, approved the DA for a shop and support the development of a shop on that site.

Certainly, the ACT government expected the developer would have opened a shop there by now.

The actual opening and operating of a shop there is a commercial concern?

Mr Gentleman: That is what Mr Ponton just advised, yes.

MR COE: In actual fact, the lease and the terms for completing construction allowed

for 48 months, did they not?

Mr Gentleman: Yes.

Mr Ponton: They are standard terms in a crown lease.

MR COE: Why would you in effect criticise the developer when your own contract allows him to go through till April 2019?

Mr Gentleman: I do not think it was a criticism. It was just a statement of fact. Since he was getting to completion, we would expect him to have a tenant close to in place.

Mr Ponton: And if I could add to that in terms of the lease provisions, again thinking about when sites are required, there is the completion date but there is also the commence date within the crown lease. In this particular circumstance the shops are built; they just do not have a tenant. I think that is where it comes to. It is a commercial matter now. The shops are there. The lessee needs to negotiate a commercial arrangement with a supermarket operator.

MR COE: But he is still not in breach of his construction terms, is he?

Mr Ponton: Because he has built a shop, that is correct. The shop is built. It is a commercial matter now in terms of him being able to secure the commercial arrangement with the supermarket operator.

MR COE: Do you think that it is possible that the developer would feel somewhat alienated, with the government not making it clear that he was acting in accordance with his contract that you issued?

Mr Gentleman: That is a conversation we have not had with the developer.

Mr Ponton: I would not want to speculate as to the proponent's feelings.

MR COE: What communication have you had with the developer, minister?

Mr Ponton: From my perspective, in terms of the directorate, there is no cause for us to have contact with the lessee. Our colleagues in Access Canberra may have had contact but from our perspective, from a planning perspective, there is an improvement in place; the building has been built in accordance with the approval; there is—

MR COE: But minister, have you—

Mr Gentleman: I might take that on notice and ask our other directorates what contact they have had.

MR COE: I find it interesting that you would give a rolling commentary without even speaking to the owner or the developer to find out where things are at.

Mr Gentleman: I hardly think an article in the *Canberra Times* is a rolling

commentary. I have not—

MR COE: I beg your pardon?

Mr Gentleman: It was a response to a journalist's question, I think.

THE CHAIR: Can I ask: what influence do you think that the sale of the site diagonally opposite, where Koko is going to be developed, has had on this sad saga? It allows for a 1,500-square metre supermarket as part of it and that appears to be being developed.

Mr Ponton: That is not a matter that I have directly turned my mind to, but certainly I am aware that our colleagues in the Suburban Land Agency have. Perhaps that is a question that we could direct to Mr Dietz.

THE CHAIR: I was just assuming it was a planning decision to have the zoning for two similar buildings all but next to each other. We will take it on notice.

Mr Gentleman: Just the zoning as mixed use?

Mr Ponton: The corridor through there is mixed use, yes.

MR COE: With regard to Wanniasa, Moncrieff and Belconnen, those three sites, do you have a date when each one will be released?

Mr Rutledge: Just checking.

MR COE: Given that it has been rolled over from last year?

Mr Rutledge: Yes. I think the Wanniasa one is now on the 2020-21 land release program.

MR PARTON: That is quite a rollover.

MR COE: What is the reason for the four-year rollover?

Mr Rutledge: As I said, the pressure on the shops for car parks at the moment means that a car park is more valuable to the community right now than an additional building.

MR COE: But that would have been pretty similar pressure as of June 2017 when the call was made to publish the 2017-18 schedule? What about Moncrieff local centre?

Mr Ponton: That would depend of course on firstly the policy work being completed. My colleague Dr Brady may be able to elaborate on the status of that policy work and then that would require, if supported by the government, a Territory Plan variation and whatever time that takes.

MR COE: Why would it need a Territory Plan variation?

Mr Ponton: Because currently the Territory Plan restricts a supermarket to a particular size and the proposal is that it would be a larger supermarket.

MR COE: But if it is zoned for a local centre that was a policy decision not to have a larger supermarket?

Mr Ponton: That was a policy decision at the time and for this particular proposal there has been a suggestion that there is a need, for various reasons, for a larger supermarket for that site. And that is not at all uncommon.

MR COE: So we are going to have a large supermarket in Taylor as well? We are going to have a large supermarket in Taylor, a large supermarket in Bonner, a large supermarket in Amaroo, a large supermarket in Casey and a large supermarket in Moncrieff, all over 1,500?

Mr Ponton: Mr Coe, we have not made that determination yet. As I said, the proposal is being put to us and we are doing the policy work. I think you are jumping to the next phase of the—

MR COE: It is currently zoned for a local centre; it was on the schedule to be sold in 2017-18; and now there are policy decisions—

Mr Ponton: A proposal has been put to us that it could accommodate a larger supermarket, as I said, and we are doing the policy work to respond to that.

MR COE: Is it an unsolicited proposal?

Dr Brady: We are working currently on a retail model review. We are finding that with some of the planning policies that we have, we are getting different feedback that perhaps they are not delivering their outcomes, which goes to some of the things that Mr Ponton has been saying about being outcome focused. It has required us to perhaps review the policies around the retail and the level of mixed use in centres. As we look at some of the different centres, that is one of the things that we are looking at.

We are getting feedback from communities about the size of retail in their centres. We are getting feedback from developers and from retail enterprises about the GFA that they require. The policy work that we are doing is considering all of that and what is best for the centres. That is one thing that has happened with Moncrieff.

MR COE: Has a proponent approached the government about Moncrieff in particular?

Mr Ponton: Not a proponent, no.

Dr Brady: Not that I am aware of.

Mr Ponton: As I understand it, a discussion has been had with our colleagues in the Suburban Land Agency, and then, as Dr Brady said, we have been doing various policy work in terms of the retail model. But no. The short answer is: no, there is not a proponent that has made an approach to us.

MR COE: At what point did Moncrieff get pulled from the schedule?

Dr Brady: I would have to check on that as to exactly what time.

Mr Gentleman: We will take that on notice and find out about the time.

MR COE: It was scheduled to be sold in 2017-18.

Mr Gentleman: Can I just restate that this is an indicative land release program. As Mr Ponton said earlier, these decisions on land release are made as we go forward, looking at what the community needs are now and into the future.

Mr Ponton: Just in terms of the public record, could I say that the reason my knowledge is a bit scant in relation to that particular project is that whilst I am familiar from a peripheral perspective, I have family members who own property in Moncrieff; therefore I have declared a conflict of interest and have removed myself from that policy consideration.

Mr Nockels: In terms of the Moncrieff group centre, that was programmed for release in 2017-18; it was pulled in May of 2018 and not offered to market. My understanding is that currently the plan allows for a 2,500-square metre supermarket, but they would like to extend that to 3,500 square metres. The closest supermarket to Moncrieff is Amaroo, which is 1.6 kilometres away. Casey is three kilometres away and the Gungahlin town centre is 3.7 kilometres away. So I think there is—

MR COE: And Bonner Woolworths as well.

Mr Nockels: Sorry, I do not have that information. But I think that is the rationale for looking to make it a larger supermarket.

MR COE: And Taylor to come on line as well across the road.

THE CHAIR: I will continue on the first question I asked the Suburban Land Agency, about environmental issues in the Molonglo Valley. This morning I asked about the interface between the Kama nature reserve and the suburb of Whitlam. I was told that it would be determined through a planning and design framework. What is this framework going to cover, and what sort of consultation are you going to have? I assume that you were expecting this question given the response I got this morning.

Mr Gentleman: We may have heard this morning, yes. We have already begun some consultation, particularly with conservation groups. The conservation council, for example, is one of the groups that we have been talking to. As you know, they have been vocal in regard to the Kama buffer. This goes back quite a way to when I was in your shoes over there, chair; we made a recommendation about Kama that the government accepted. We are not deviating from that; we want to see a good result in an environmental sense as well as planning for residential for the future. Today I have signed off on a variation to the Molonglo River corridor which allows for further discussion about the river corridor and Kama.

THE CHAIR: A variation to what with respect to the corridor?

Mr Gentleman: It is an open draft variation for commentary on the river corridor and the management plan that we have been talking about.

THE CHAIR: A variation on a management plan?

Mr Gentleman: Yes.

THE CHAIR: I am just trying to find out what we were varying.

Mr Gentleman: Sorry, yes. The community will be able to have another round of consultation on that particular plan and restate their concerns or interest in the Kama buffer. We have been working with them in regard to that, too. I will ask the directorate to give an update on the work that they have been doing with the council and other groups.

Dr Brady: The planning and development framework, the planning and design framework, is not a statutory document like others, but it will inform what happens in the estate development plan. The PDF is where we identify what that Kama buffer is, which we have picked up from the ecology report that was done. It will represent that and it will flow through to the EDP. We are at a point with the PDF—sorry to use all these acronyms—where we are quite close to being able to share that document, subject to the minister’s consideration. That will start to clarify more about the Kama reserve and its boundaries, size and location. It basically follows what had been in some previous reports.

THE CHAIR: It is going to become publicly available. Is it available for consultation or is this going to be a statement of the government’s decisions? I am just trying to work out where we are up to in this process.

Mr Gentleman: We have some more detail coming for you.

THE CHAIR: Thank you.

Ms Cusack: There is consultation occurring, but it is quite targeted. We are working primarily with the ACT Conservation Council to review the content of the PDF and to also review the recommended buffer that is currently within the draft PDF.

We had a workshop with the Conservation Council two weeks ago. Minister Gentleman, the executive director for environment and I joined this week to meet with the Conservation Council to receive some preliminary feedback. We have supplied a copy of the draft PDF to the Conservation Council for review by their members. We have another workshop with them planned for next Friday, to run through in more detail some of the work that we have done in the PDF and some of the work that the environment division is doing in Molonglo 3.

THE CHAIR: Minister, in response to question on notice 24 for the 2015-16 annual reports hearings you said:

... consideration of Central Molonglo is in the context of the area not being a future urban area. There has been no change to this position.

Can I just confirm that that is still the situation? There is no change in that position? Central Molonglo is not being considered as future urban in any context?

Mr Gentleman: That is correct. The investigations that we are doing at the moment in central Molonglo relate to whether there is any opportunity for it later on to be environmental offset or whether there are any infrastructure needs for central Molonglo in the sense of fire protection and that sort of work. I restated to the Conservation Council just the other day that there is no intention to do residential. There was a statement by the Chief Minister way back—it might have been the planning minister at the time but the Chief Minister then—that we stand by that previous position that there is no residential planned for the area.

THE CHAIR: Great. I want to look at that a little further—

Mr Gentleman: I am sorry to jump again.

THE CHAIR: That is okay.

Mr Gentleman: I want to reiterate the way that the community has told us they would like to see future residential for Canberra. I go back to the statement of planning intent workshops that we did in 2015. We had a policy of 50 per cent urban renewal, or densification if you like, and 50 per cent greenfield. The community said to us, “We would like to see that changed. We would like to see 60 per cent urban infill, or densification if you like, and 40 per cent greenfield, and a move even further from that.”

Most recently you would have seen in the activations for land release and DAs an even steeper curve to more interest in the city rather than spreading our borders. We know that it is more expensive to do greenfield. It is more expensive to live in those outer suburbs as well when you think about commutes and that sort of thing. I think that just reiterates the position I have made about central Molonglo.

THE CHAIR: Looking a little more broadly, the 2012 planning strategy included the delivery of the western edge study as a possible growth area to the west of Canberra. Is EPSDD still working on this?

Mr Ponton: As part of the work that we are undertaking for the year 2012 planning strategy refresh, and hopefully the 2018 planning strategy, we are looking at those areas that might accommodate expansion. I expect that in terms of the more detailed work for the western edge, that would come in the coming year. But all of that is, and it always has been, subject to securing budget funding.

THE CHAIR: So there is no funding for any investigation of work for the western edge study at this stage.

Mr Ponton: All of the actions identified in the 2012 planning strategy were subject to both budget funding and other government priorities.

THE CHAIR: Certainly, and that means that nothing is happening. Sorry, can I just get it clear that that is what that means.

Mr Ponton: Nothing is happening at this point in time.

MS ORR: Can I get an update on the work of the National Capital Design Review Panel?

Mr Ponton: Certainly. Dr Brady?

MS ORR: We have heard about it a few times but can I get an update?

Mr Ponton: I could talk for a long time but I am starting to lose my voice.

MS ORR: Some of us have more questions.

THE CHAIR: Please do not. Some of us have other questions. We have heard about it.

MS ORR: Please take as long as you feel necessary.

Dr Brady: Shall I start?

Mr Ponton: Go for it.

Dr Brady: I will start. The design review panel that has been functioning is an interim one. It is chaired by the government architect and the chief planner from the National Capital Authority, where there are developments that sit in the areas of ACT and NCA jurisdiction. A lot of proposals that we have put through the design review panel have been in the city centre, along the corridor or in other centres, what we would see as sort of quite significant areas.

The interim panel has had a number of people volunteer, in many respects, to be on that panel to do reviews of the proposals. We have been trying to get proponents to come early in the program. That is the way that we are heading for the permanent design review panel, which got funding in the budget. Again, it will be chaired by the government architect and the chief planner from the National Capital Authority.

We are in the process at the moment, hopefully quite soon, of going out to an expression of interest to seek members for that panel. We will seek a range of skill sets when we go out for that. Then, again, the meetings will be set up quite regularly to try to get those proposals through at an early point so that we can influence them at an early pre-DA stage, or at an early stage before they progress too far, before they spend too much money on a design that probably, in some respects, might not be suitable.

The feedback that we have generally had from people who have gone through the review panel is that they think it is actually quite positive. There are a few teething problems, I guess, because it is a new process in the past year or so. Some people

were not quite sure whether it was going to be more of a hindrance than a help. I think, from the community perspective, from the government perspective and for the outcomes that we are seeking, it is definitely a positive thing.

We think that the permanent panel when it is put in place will be really good. We have learnt lots of lessons from other jurisdictions that we have been talking to and from the interim panel. It has so far been functioning very positively and we think it can only get better as it goes ahead.

MS ORR: Thank you. Mr Ponton, did you want add anything, briefly?

Mr Ponton: No.

MR PARTON: Yes, there is so much to choose from, isn't there? The EPSDD annual report states that 4,309 residential dwelling sites were released. I think we mentioned that figure earlier in this session, Mr Gentleman, and that 432 of those sites were for single or stand-alone dwellings, or around 10 per cent. I ask again about the evidence that we have that 90 per cent of people want to live in multi-unit dwellings or apartments. I am still not really clear on that.

Mr Gentleman: Certainly. I talked earlier on about the workshops for the statement of planning intent. That is where we start to get feedback from the public on how they want to live in the future. Particularly younger people advised us that they want to live in denser opportunities, as long as they have good amenity. When we say "dense" they were talking about apartment-style living. They said they would like to live in those opportunities, as long as we have good amenity and good urban open space with it as well.

Moreover, they did not talk particularly about the size or the height of their building. They told us how they would actually want to live, close to great opportunities for dining, for recreation, close to their friends, close to work if possible, and close to public transport stops. That is where the evidence started to come through about how we change from, as I mentioned earlier, greenfield to urban intensification, if you like.

The land release has shown support for that move most recently. You have seen a take up in accommodation of that style. It is not just younger people that are picking it up, either. There are a lot of other people picking it up, particularly older persons that want to downsize. You will see that in some of the suburbs, too; not particularly apartment accommodation. But certainly where older persons want to age in place, they have taken up opportunities to have a denser lifestyle, if you like.

Mr Ponton: I just add, minister, that in relation to that particular year, keep in mind that we had the asset recycling initiative that contributed significantly to the larger number of apartments, particularly within the city renewal precinct where we had sites in Braddon, Turner and Reid that totalled 1,243 dwellings in that locality. So I would not expect, in terms of that 90 per cent—the figure that you mentioned—you would be seeing that every year.

Certainly in terms of the current policy, it is 50/50 greenfield, urban renewal. The feedback from the community, as the minister said, is looking at something greater in

terms of the urban infill. But importantly in terms of that particular year, we need to keep in mind that there were a number of sites that contributed significantly to the apartment mix.

MR PARTON: Yes, there were. But I sort of get the impression that although you are indicating that that mix may not be as heavily weighed away from stand-alone dwellings, it will still be quite heavily weighed against them. I guess I would love to get a sense of how the percentage of land release for single, stand-alone dwellings compares to survey figures on the number of people who want stand-alone properties. I would refer to the Winton housing choices.

Mr Ponton: I am so pleased that you did, Mr Parton.

MR PARTON: Sorry.

Mr Ponton: I am so pleased that you did so that I can talk about that.

MR PARTON: Good. Of course, it revealed that 91 per cent of those who planned to move proposed to move into a detached house.

Mr Ponton: I know the survey figures have been quoted often. In that survey it is important to keep in mind that you cannot take the response to a particular question in isolation. For example, in terms of those people who wanted to live in a detached home, the figure was quite high. The nature of that particular question was: if there were no other considerations, what is your ideal home? People were saying, "Yes, we would like a detached home."

But then you ask them to start weighing up other considerations such as: do you want the city to spread; are you okay with the environmental impacts that that might have; are you okay with the social costs and the environmental costs of that? As people started to filter that through, the results started to shift in terms of, "Well, yes, we would like a detached home but we are also okay with medium and high-density if that means we can protect other important values."

I do not think we should just selectively quote particular points out of that survey. We commissioned that work. We asked the question intentionally to understand what is people's preferred housing choice. But then we wanted them to start thinking about what that means for the city. Once you get them to think about what it means for the city, their attitudes start to shift.

MR PARTON: The SLA annual report states:

The single residential market showed signs that supply is improving to meet demand, with 119 blocks available for purchase across three suburbs at 30 June 2018.

Would you consider, Minister, that that is enough?

Mr Gentleman: If you look at new blocks in that particular time frame, you look at the demand from people who want to buy new blocks. But if you look overarchingly

at the number of people who are purchasing stand-alone homes across the ACT, where we have movement now, and we have quite a lot of movement, since we are moving to reduce stamp duty. In particular, older people who want to downsize into smaller accommodation pay no stamp duty if they do not have an income. You see a lot more movement where younger families want to purchase a single stand-alone home. It may be in a residential suburb that is already completed, for example. So these add to the mix of opportunity. As to whether it is enough, we test that by looking at the market and what people are asking us.

Mr Ponton: Those numbers that you have quoted, Mr Parton, relate to greenfields development. That does not include the Mr Fluffy blocks. As we were talking about earlier, many of the 1,023 have been demolished and put on the market. In fact I think we still have 100 vacant blocks—

Mr Rutledge: I think that over the counter there are probably about 80 blocks on the market today. That is a cleared site, a remediated block but in an established suburb. Those options for a new build in an established suburb still exist and continue down that program.

MR PARTON: As do Googong and other places over the border.

Mr Gentleman: We had a look at Googong the other day. It is interesting that you have brought that up. The prices seem quite steep for quite small blocks, so we are not sure whether you are getting value for money by moving to such a remote suburb when you could purchase in the ACT.

MR PARTON: With respect, minister, that seems like quite a remarkable thing for you to say as planning minister of the ACT.

MS CHEYNE: I want to talk about sheds.

Mr Gentleman: I am a bit of a shed man so I am happy to—

MS CHEYNE: You can leave, Minister. Am I bringing back my friends from before?

Mr Ponton: You are bringing Mr Cilliers back. I think he knows the particular shed that you have an interest in.

MS CHEYNE: My first question is also about complaints, so maybe Mr Green would like to join in the fun.

Mr Rutledge: Shall we start by saying this is in schedule 1 of the Planning and Development Regulation 2008?

MS CHEYNE: You are on fire, Mr Rutledge.

Mr Gentleman: While we are going down that track, let me say that my very first job in the ACT was building garages.

MS CHEYNE: I take it back; I have no questions!

I absolutely support people's right to have a shed in their yard but it does seem to me that there are some cases where people are pushing the boundaries of the sizes of their sheds. Having a bit of a stroll around some of the suburbs in Belconnen where there are larger blocks, you can see that people are taking advantage of that by having big sheds. I will not make any comment about why. Mr Green, I know that you were not able to give stats at the moment about shipping containers, so I suspect you might not be able to give me stats at the moment about sheds. But with shipping containers you were able to say you do get quite a few complaints. Do you get quite a few complaints about sheds?

Mr Green: I can in part answer your question from earlier. As I foreshadowed, the way we have been recording is different. We have been recording in terms of a classification "unapproved structure". I would need to go back through every record we have had of complains around unapproved structures to determine whether that is a shed, another building or a shipping container. We have made some changes recently, from the start of this year. We have had three complaints about shipping containers. That has probably answered your earlier question.

MS CHEYNE: This financial year?

Mr Green: This financial year: from 1 July. I will need to take on notice the number we have had about sheds.

MS CHEYNE: But do you have a sense, anecdotally, of how many you have had?

Mr Green: Looking at our overall complaints, it is not one I would say is high. The matters we deal with often manifest from neighbourhood disputes, so we see a high number of complaints around things like unclean leaseholds, dirty blocks and hoarding activity, and building-related complaints around building quality. Complaints from the suburbs around those structures are few and far between but I am happy to take on notice to get an exact figure, if we can provide that, at least from 1 July this year.

MS CHEYNE: That would be very good. Speaking of neighbourhood disputes, I would not describe this as a dispute but just how this shed came about is an interesting thing to reflect on, both for me and for a constituent in Fraser, where a 144-square metre shed has been built on a property neighbouring the constituent's. It is five metres tall at its highest point. It is taller than the house on the block. But technically the size of the shed meets the threshold because it is proportionate to the block, because it is in Fraser, one of our large-block suburbs. Because it is a shed, it did not require DA approval. But my constituent wanted to not look at the shed all day, so they decided to raise the fence line and needed a DA to raise the fence line to partially block out the shed, but not all the way. I appreciate that, anecdotally, this is not a prolific issue right across the territory. But this seems like something where the planning rules are not quite working, for that to have occurred.

Mr Green: My planning colleagues will correct me if I am wrong, but one of the exemptions available under the Planning and Development Regulation is where they meet the code requirements and so they have ticked the rule off and are not required

to be assessed under merit. In that circumstance, while it does not fit under the class 10 exemption criteria that Mr Cilliers mentioned earlier, it may well sit in the position of being code compliant and therefore exempt from requiring a development approval.

MS CHEYNE: You might be right in this case. I think all this neighbour had to do was walk around to other neighbours and say, “Hey, this is what I’m planning to do,” but no-one actually looked closely at what the plan was going to be until it was suddenly there. Would it be a Territory Plan issue, then, in that case, Mr Green?

Mr Green: I am not aware of the particular issue but I am quite happy to get more details about the specific issue and have our team look into it for you, in the first instance to eliminate whether it is something that is exempt. If it is not exempt, then the development approval process will need to be navigated. If it is exempt, then we can explore that question further.

MS CHEYNE: Okay. What is the best way to get all the information to you through this process?

Mr Green: You could have your constituent contact Access Canberra.

MS CHEYNE: I believe she has, extensively.

Mr Green: If you would like to provide, maybe through the minister’s office, the details of—

MS CHEYNE: Okay, I can do that. Mr Cilliers, hearing about that case, does it sound right to you that that should have happened under the current rules, legislation and schedule? Is this really the outcome that we are trying to achieve here when we have laws in place like this?

Mr Cilliers: The floor area and the separation, or the site setback, are probably the most critical aspects that I picked up out of that.

MS CHEYNE: And the height.

Mr Cilliers: It is interesting that more or less the same controls apply as to what we discussed earlier on shipping containers, as long as it has that 50 square metres of blocks of 600 square metres and up. That is where the issue potentially will lie in those cases.

MS CHEYNE: Because it is 144.

Mr Cilliers: But there is also a requirement for the site setbacks to be respected, as well as easements. All of these exemptions cannot go beyond the general exemption criteria. You have site setbacks. You may have services on the sites and those sorts of things. So we rarely see those sorts of sheds right on a boundary. There is often a fair bit of separation. What is unique about our exemption for garages—it comes through as garages here—is that the height limitation is slightly differently expressed. It talks about a maximum height of three metres above natural ground level or a maximum four metre height above natural ground level if there is no part higher than a plane

projecting 30 degrees above the horizontal from a height of three metres above natural ground.

MS CHEYNE: Okay.

Mr Cilliers: A little bit of geometry is involved and that is to protect the solar access and the interface with a neighbour, that 30 degree plane. I think that there has been some thwarting of that, so it is more a question of whether we require further setback provisions. On a 600 metre block—600 metres sounds large, but it is not really—if you make your setbacks too generous then you start impacting on the dwelling's private open space and the amenity of the residents. It could potentially impact significantly on that. I think that fundamentally comes down to the floor area limitation.

MS CHEYNE: That is helpful. Shipping containers are less of a permanent structure and your officers are dealing with problems that are a bit more moveable, whereas when a shed is up it is up—kind of like a house, right? So if this were to be found to be in breach and should not have been allowed, what is available in terms of remediating the situation?

Mr Green: The first point I make is that the planning laws allow for retrospective development approval, so there is an opportunity for the owner of that structure to seek development approval if it, indeed, needs development approval. From there, depending on how they cooperate—whether they choose to make that application or not—options are available to issue orders to have the structure removed.

MS CHEYNE: Is that rare?

Mr Green: We generally find people will afford themselves the opportunity to submit a development application and work through that process. There are occasions where buildings have been altered to comply with the development approval.

THE CHAIR: What is happening with Curtin? Where are we up to with the master plan and the associated Territory Plan variation?

Mr Gentleman: Very close to completion of Curtin. I am pleased we have been able to work with the community and the proponent to bring about a position with which I think everybody will be happy.

Mr Ponton: We are currently settling the master plan to refer to the minister for his consideration. I expect he will have that in a matter of days. I would expect the Territory Plan variation to follow soon after. You might recall, Ms Le Couteur, that we incorporated with the draft master plan a draft variation, so people could see how that might translate. That work is done, so we will be ready to go out fairly soon.

Having said that, of course there is the Christmas-New Year period. So, realistically, the TPV might not be until early in the new year simply because by the time it is considered by the minister and the government and released we would not want to notify in December, I would expect. I think most people would rather we wait. But if you have a different view on that—that the community would be happy with

consultation over the December-January period—I am happy to receive that view. And the DA is currently under assessment.

THE CHAIR: This is something not in the annual report: there are two sites in Watson, sections 74 and 76. In July there was a community survey which got people excited. What is the process and what is happening from that?

Mr Ponton: They are urban renewal sites so are best dealt with by Minister Stephen-Smith. Having said that, it falls within the directorate's responsibility. The public consultation you refer to as I recall related to a possible Territory Plan variation. The feedback from that engagement activity is being considered. Further due diligence work is being undertaken. In terms of the current status, I will turn to my colleague Mr Rutledge.

Mr Rutledge: I do not know if there is anything further to add. We have received the feedback. We had those two meetings in June and July and at the moment we are considering that feedback. That is where we are up to.

THE CHAIR: Any idea when that consideration will lead to some public output?

Mr Rutledge: Shortly.

THE CHAIR: Does that mean this year?

Mr Rutledge: We will certainly report back to the community this year. If it results in a Territory Plan variation there will be further discussions. Some work has been done; there has been a bit of tree removal and the community has been concerned. It has actually been tree removal as part of trying to rid the area of myna birds. There is a myna bird infestation in Watson and you know the scourge myna birds are to our community.

I think it is fair to say that we need to talk more with the community in that Watson area. They see a little bit of capital works and a little bit of tree upgrade. A number of sites are being privately developed around the same time and we have our own government-led development with these two blocks. Not only is there community interest but I think there is also community confusion over what stage each of those developments is at. We have done that consultation and we are considering our position.

THE CHAIR: Where are we up to with the integrated plan for development on the areas around Red Hill; the old Telstra site and the Federal golf course area?

Dr Brady: We have been doing that internally within the directorate. We have had a round of consultation with community groups and the proponents, and we have been doing our own work internally. We have advised the community groups and other stakeholders that we are at the point where we think we will have a draft at the end of this year.

We need to consult with the minister, so we have been doing that work internally to get all of the assessments of the different areas. You might recall that it captures the

surrounding area as well and so the plan covers a broader context area because we have to look at the transport implications and those sorts of things.

We are at the stage where we think we might have a draft toward the end of this year and we will then sit with the stakeholders again to talk to them about that. We have kept the community up to date. They are very much a part of the process as we are making it, but a lot of the work has been going on internally to prepare that.

THE CHAIR: Thank you very much for your attendance, minister and all your staff. I remind members that supplementary questions on notice should be lodged with the committee support 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 supplementary questions on notice are to be submitted to the committee office five days after the questions are received.

Appearances:

Ramsay, Mr Gordon, Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans

Chief Minister, Treasury and Economic Development Directorate
Green, Mr Ben, Acting Director, Regulatory, Solutions and Compliance, Access Canberra

THE CHAIR: On behalf of the committee I thank Minister Ramsay and his officials for attending today. I draw your attention to the privilege statement; you are all nodding agreement.

MS ORR: Is there anything that you would like to update the committee on?

Mr Green: I can update the committee on the role of the ACT Architects Board and some of the work that has been happening across the country that the ACT board has been involved with. The ACT Architects Board is part of a large national network of architect boards. Primarily the legislation across all jurisdictions is around protection of title of architects. One of the main things the national body, the Architect Accreditation Council of Australia, is responsible for is about making sure that all jurisdictions are consistent in their approach with the regulation of architects.

One of the key pieces of work they do is in relation to the architecture practice examination. That is the examination individuals need to undertake prior to becoming a registered architect in Australia. There have been some recent changes. Last year you may recall I updated the committee in relation to the digitisation that the ACT Architects Board took to part one of this three-part exam. I am pleased to say that nationally we have now moved to a digitisation of part two. That is the written examination that is coordinated right across the country twice a year.

The ACT has participated in the exam we have just had. A number of people participated in that examination and we have seen great efficiencies through that. Applicants have saved a lot of time by doing it in this manner.

The other matter I would like to update the committee on is that we have recently advertised a vacancy on the board—the position of academic architect—with applications closing for that position on 30 November.

MR PARTON: How many issues did the minister refer to the board in 2017-18?

Mr Green: No issues were referred to the board by the minister in 2017-18.

MR PARTON: Excellent. What was the nature of the two complaints you received in 2017-18?

Mr Green: The board received two complaints. If I recall correctly one related to an architect or a person representing to be an architect who was not a registered architect,

and the board has written to them.

MS ORR: That is a bit naughty.

Mr Green: It is a bit naughty. I think that was towards the latter half of last year. The other complaint related to allegations that the architect had engaged in behaviour in relation to a development proposal. That was not something the Architects Board regulated so no further action was taken in relation to that complaint.

MR PARTON: What sorts of things do you look for when registering or re-registering an architect? For example, professional competencies, qualifications, professional development?

Mr Green: Certainly. I will see how long I can take to answer that question for you, Mr Parton. The architect registration process is a national process. As I mentioned earlier, part of that is a three-part examination with the first part being an individual obtaining a qualification. In the ACT and across the country that is a masters in architecture. The ACT has one architecture school, and the role of the board in its remit is to approve courses of study of architecture. UC's course is one that is approved by the board.

In terms of an individual, they need to have demonstrated skills and experience. There is a set of national competency standards that apply right across the country where individuals need to demonstrate their experience at an executive level. That means that they have done the work unsupervised for a large portion of the education requirements they need to demonstrate. That, coupled with a statement of their experience aligning to those national standards of competency, is required to be submitted, and that is part one of the assessment for registration.

The second part of the assessment, as I mentioned earlier, is an examination testing the knowledge and experience of an architect prior to them entering into practice. That covers some of those national competency areas such as understanding and applying legislation and understanding and administering contracts in terms of engagement with clients.

The third part is the interview that is undertaken by peers within the industry. The ACT Architects Board coordinates that examination process on behalf of the AACA. Like many other jurisdictions, the ACT has a high pass rate and we see that the process that exists provides that stepping stone and a clear pathway for registration as an architect in the ACT.

MR PARTON: What was the 2017-18 budget for the Architects Board and how much was spent in terms of salaries, admin expenses, full-time equivalent staff?

Mr Green: There is no separate budget for the Architects Board. The Architects Board sits within one of the divisions of Access Canberra, so it is not specified in terms of a board operation funding model.

MR PARTON: What is the nature of supports provided within Access Canberra?

Mr Green: Within Access Canberra the function of architecture sits within our licensing and registration division. That has a team of people whose responsibility is to do the licensing and registration of architects and all the construction occupation licensees—builders, electricians, plumbers, and the like. That team provides the administrative support—arranging for papers for board meetings, undertaking the first part of the assessment for the logbook for consideration by the board and undertaking the work to renew.

One of the things we did last year was to push out renewals digitally, and that was part of the reforms from that licensing team. About four or five people at any one time would be doing some type of architect registration work. The work is quite limited, noting we had only 332 registered architects in the ACT at the end of that reporting period, so it is absorbed into other functions within that licensing team.

THE CHAIR: Thank you, minister and official. This concludes our hearings for the day and for the week.

I remind members that supplementary questions on notice should be lodged with the committee support 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 days of the uncorrected proof transcript becoming available. Responses to supplementary questions on notice should be submitted to the committee office five days after questions are received.

The committee adjourned at 4.59 pm.