



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

**STANDING COMMITTEE ON PLANNING AND URBAN
RENEWAL**

(Reference: [Annual and financial reports 2018-2019](#))

Members:

**MS C LE COUTEUR (Chair)
MR M PARTON (Deputy Chair)
MR M PETTERSSON**

TRANSCRIPT OF EVIDENCE

CANBERRA

FRIDAY, 8 NOVEMBER 2019

Secretary to the committee:

Ms Annemieke Jongsma (Ph: 620 51253)

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

APPEARANCES

Chief Minister, Treasury and Economic Development Directorate	115
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Amended 20 May 2013

The committee met at 1.45 pm.

Appearances:

Stephen-Smith, Ms Rachel, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families, Minister for Health and Minister for Urban Renewal

Environment, Planning and Sustainable Development Directorate

Ponton, Mr Ben, Director-General

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

Durie, Ms Lea, Acting Executive Branch Manager, Urban Renewal

Suburban Land Agency

Dietz, Mr John, Chief Executive Officer

Gordon, Mr Tom, Executive Director, Development Delivery

Holt, Mr Nicholas, Executive Director, Built Form and Divestment

Sharp, Ms Irena, Development Director, Urban Projects, Development Delivery

THE CHAIR: Welcome. Thank you all very much for coming this afternoon. The topic is urban renewal and the SLA, as far as urban renewal is concerned, and we will later move to asbestos. We have the usual five-day turnaround for everything. I will not go through it all. I know you are all aware of the privilege statement, but please just indicate that fact. Minister, do you have an opening statement?

Ms Stephen-Smith: No. I was under the impression that opening statements were verboten, so—

THE CHAIR: It is good to know that the message has got through. A number of ministers have claimed their annual report as an opening statement. Luckily none of them have tried to read it yet.

Ms Stephen-Smith: I should, however, acknowledge the privilege statement.

THE CHAIR: Wonderful. I would like to start with the section 72 Dickson urban renewal process, because it is something which occupies a fair amount of my inbox, I am afraid. Where is it up to these days?

Ms Stephen-Smith: There are a number of things to say about that. As you will be aware, there is currently a Territory Plan variation out for comment—I think community comment on that closed yesterday—in relation only to block 25. That would allow changes to be made to the Territory Plan to enable the development of Common Ground on block 25, within section 72.

Going back a few steps, as you will be aware, there have been a range of community engagement processes around the future of section 72 that were aimed towards the development of an estate development plan for the section. The specific blocks that were potentially being looked at for use and design were block 6, block 22 and block

25. Block 6 and block 25 are currently owned by the ACT government. Block 22 is a lease owned by—even though we do not own things in the ACT, to use that language—the Salvation Army. When that process commenced, there was an expectation that the Salvation Army was going to surrender that site to the ACT government as part of its future development. That has not yet occurred. Conversations are ongoing with the Salvation Army in relation to its future plans for that site.

Essentially what has happened is that since December last year, as you will be aware, there have been some concerns raised by some members of the community. I should say there are a diversity of views about how people want to see section 72 used and the appropriateness of things like residential development on section 72. Some members of the community absolutely support it and think this is a good place for urban intensification and residential development; other members of the community absolutely oppose it and think there should not be residential development on section 72.

As part of the broad community engagement process some preliminary designs were developed that were the subject of further consultation. In December last year the North Canberra Community Council wrote to me expressing some concern about both the consultation process and some of the outcomes of that and recommending the establishment of a community reference panel for the next stage of the process, which was to be the development of an estate development plan. I wrote back to the North Canberra Community Council on 21 December acknowledging that proposal and agreeing that I would be happy to discuss it further with the working group, which I subsequently did. I have agreed that when the time comes for the next round of community consultation on the future of section 72 as a whole, a community reference panel will be established and we will work through the issues around that.

I will be happy to table the three letters that I am going to refer to for the information of the committee, if that is helpful.

THE CHAIR: That is an excellent idea.

Ms Stephen-Smith: Subsequent to that letter, it became clear that the Salvation Army was not planning to surrender block 22 in a great hurry and that there was some uncertainty about the future of that. I then wrote to the North Canberra Community Council again, on 20 February, following up on a meeting I had had with their working group members on 1 February to discuss the renewal of section 72 and their proposal for the community reference group.

At that time I outlined some of the things that I thought the community had told us with near universal agreement. These had been discussed with the working group during our meeting as well. Those four dot points were “contains a mix of uses, including new community facilities, in an integrated precinct that better connects and builds on existing uses and services”, “be a safe environment, inviting and permeable with appropriate lighting, passive surveillance and improved connections, especially for pedestrians and cyclists”, “feature attractive and usable green space with existing trees retained to the greatest extent possible, increased urban tree canopy and places for children and families” and “ensure development comprises primarily low to

medium buildings up to three to four storeys”.

I noted in that meeting that I was open to establishing the community reference group but was awaiting further information in relation to the future of ownership of block 22. At that time I advised the community that to deliver on the commitment to Common Ground we intended to progress with design and construction on block 25, guided by the community engagement outcomes we had had to date for section 72 Dickson, and that that would require a separate Territory Plan variation and development application process. I encouraged the community to engage in that process. I stated at that time that I was confident that we could progress Common Ground in a way that delivers good urban renewal outcomes and facilitates integration into the precinct without unnecessarily delaying that project.

I wrote again to the North Canberra Community Council when the Territory Plan variation was lodged for community consultation. I wrote to them on 17 September alerting them to the fact, which I am sure they would already have been quickly aware of, that the Territory Plan variation was out for conversation. Alongside that were the plans for Common Ground, including artist impressions; a description of what Common Ground was going to deliver in terms of long-term housing for people facing chronic homelessness, focusing on supporting women and children, families and single parents and older women, which are, as you know, growing cohorts in need of assistance; and acknowledging that the proposed design of Common Ground had been guided by the previous section 72 consultations. In particular, the majority of the build is three to four storeys—there is one element of the proposed development that is up to six storeys but that is right in the middle of the site—and it would include additional green space, play areas for children and young people, passive surveillance, good connections for pedestrians and cyclists, community spaces and a social enterprise on site.

The proposed variation that would be required for that is a variation from CZ6 zoning, which is a commercial zone of leisure and accommodation, to community facility zoned land but with an overlay. That is all laid out in the draft Territory Plan variation.

In the current community consultation there has been some concern expressed publicly recently that the Territory Plan variation for block 25 will provide some kind of authority for other developments that are in some background documents in relation to through roads and the like, that it would require the removal of numerous trees, and so on and so forth. I want to firstly reassure the committee that that is absolutely not the case. Some documentation in relation to future planning of the site that was prepared on the basis of one of those draft proposals designed for further engagement with the community did have a through road that would go into the existing green space between block 22, block 28 and block 27 and go into block 26, where the current trees are, between the developable sites and the stormwater drain.

What I would like to emphasise, as I have in a comment on the Dicksonia Magnifica Facebook page, is that those through roads are not part of the plan for Common Ground. The intention is that road reserves that are part of the Territory Plan variation for block 25 will not be through roads; they will end in turning circles. It is quite clear in a range of the background documentation that that is what is proposed.

We have no capacity at the moment to build through roads through block 22. I personally do not support the building of a through road through the treed area of block 26. I will not say “not on block 26 at all” because the southern boundaries of the blocks vary. You can have a straight road along the bottom of block 25, slightly below block 22, within block 26, that would essentially end at the car park. We cannot build a through road into a private car park outside the dance school. But there are numerous options for creating through capacity, either for vehicles or for pedestrians and cyclists. My personal view is that building that road through that current treed area would not be appropriate. And that is absolutely not what the Territory Plan variation would provide authority for.

THE CHAIR: Some people will be quite reassured to hear that, minister.

Ms Stephen-Smith: I will table the three letters that I was referring to.

THE CHAIR: So those roads were there in the Common Ground maps just because of the bigger process?

Ms Stephen-Smith: Yes. That was background material that had been prepared in relation to the bigger process. We postponed or put on hold the community consultation around the estate development plan for section 72 as a whole at a time when that proposal had been developed by some consultants to put on the table to further discuss with the community. That was the latest iteration of that proposal to discuss with the community. We had not had the opportunity to discuss with the community those through roads and the location thereof, so we had not had the opportunity to go back and say, “No, that’s not where we want the through roads. Let’s reconsider that option.” Some technical work was done around the latest iteration of those plans that were part of the community consultation, but those plans do not have any government imprimatur. And, as I have said, I personally do not think that they represent the best option.

THE CHAIR: Despite the fact they do not have any government imprimatur, they clearly have had some government work. They are government plans. In the interests of a more informed debate, if those broader plans were to go ahead, has the government given an estimate of how many trees would be lost? That is the main item of public discussion: how many trees?

Mr Rutledge: The short answer is no. The longer answer is that when you ask a road engineer to work out where the road is, they normally just do it straight; they do the simplest road possible. That is their early draft. When you see that it would go through trees, you would go, “Okay, let’s do some work on that.” I think what has happened here is that in our fervour for being open and releasing all of the documentation, what was essentially the first draft of the road engineer has been taken by members of the community as set in stone, as a grand scheme for the removal of a lot of trees.

The answer to the question is that we have done a tree survey, but we have not got to the point where we have worked out what the estate development plan would be and then what trees would be removed and what trees would remain. We just were not up to that stage. It is always a challenge when doing community engagement. How much

do you release? If you do not release technical reports, there is an accusation that you are hiding something.

MR PARTON: You are damned if you do and damned if you don't.

Mr Rutledge: Yes. And when you release an early technical report—which is, as I say, at best a first draft of where you might go—we see, as you say, much community concern about this grand scheme for removing those trees. As the minister said, they were not part of some grand scheme and they were never slated for removal. This community concern is upsetting, I am sure, for the community, but also challenging for us. As I said, in our fervour for being open and transparent, we may have unnecessarily drummed up some community anxiety.

Mr Ponton: If I could just add to that, the minister has made it very clear that those plans have not been endorsed by the government. Equally, and building on Mr Rutledge's comments, it was not endorsed by the directorate either. It was a body of work that was done by consultants. We did not get to the point of doing the detailed analysis, going back and exploring options, because the engagement for that body of work, as the minister said, ceased at that point in time.

It was a body of work that was done. In the normal course, we would have had the planning and urban design team look at that and put that overlay on the engineers' drawings. We would have done the further work in relation to the trees. We would have looked at alternative options before going back to the community with a range of different options. I just reinforce Mr Rutledge's point that it was the very first set of drawings prepared by a consultant with a particular skill set.

THE CHAIR: Common Ground, I believe, has waste access coming from the creek corridor. Is that correct? If so, what impact will that have on trees? It comes off the creek.

Mr Rutledge: I understand that that is on a road that is wholly within the property boundary.

Ms Stephen-Smith: Waste access, did you say?

THE CHAIR: Yes. Maybe you can take that on notice.

Ms Stephen-Smith: Yes, noting it is the Territory Plan variation, so that is EPSDD.

THE CHAIR: You can take that on notice.

Mr Rutledge: I will get back in a few minutes.

MR PARTON: When are we likely to see the draft variation pertaining to this discussion?

Ms Stephen-Smith: The Territory Plan variation has been out for community consultation. The community comments closed yesterday. It is linked from the your say site, which also has a whole range of frequently asked questions. The directorate

has been updating those as concerns have arisen; as people have asked questions, there have been new responses to frequently asked questions uploaded on your say.

MR PARTON: As we move forward with various projects and various developments, I think governments and directorates learn things along the way, in particular in regard to community consultation. I want to ask the minister, and anyone else who wishes to, to reflect on what we have learnt first and foremost regarding the community consultation on this project. I think some lessons have been learnt, but I am not sure exactly what they are.

Ms Stephen-Smith: I think that is a very good question, Mr Parton. You are absolutely right that we are constantly learning lessons about community engagement and how to do it better. Part of the challenge is that each situation is unique. The community panel that ended up working very well for the brickworks did not work very well when it was established for a subsequent planning process.

Probably the primary lesson for me out of this is understanding the sensitivity of the community around section 72. We certainly were very well aware of that, but we probably should have had a closer look at those background documents that were being uploaded in relation to the Territory Plan variation. Presumably there was a view that people would understand that these were background documents and that the Territory Plan variation for block 25 stood alone. I think that we could have been clearer earlier that those background documents were to inform the work around Common Ground but were not endorsed documents or future plans.

Some of the technical work has informed the development of the Common Ground proposal and the territory planning variation but does not say anything about the future plans for section 72. In retrospect, perhaps we should have picked up earlier that that would become a sensitivity in the community and we should have been on the front foot in addressing that.

MR PARTON: It was interesting to listen to the comments about the initial plans that went out, with the road going through a block, whichever block it is, and how, in essence, the way it has been described here today, in trying to engage better with the community, the outcome was worse. We sit here and think about possible recommendations, and I am blown if I know what they are over that. It is just a case of finding the sweet point of how much information we release and when we release it.

Ms Stephen-Smith: I think the other thing is, as I said, that in the next stages of the conversation about section 72 in the broad, I have committed to the establishment of a community reference group. We made a decision not to do that while the future of block 22 was uncertain. In retrospect, was that the right decision? Should we have established a reference group which essentially did not meet very often but was a vehicle for keeping people up to date on what was going on and an opportunity for people to have a point where they could come and ask questions?

Having said that, people who are raising concerns have a lot of good connections into the area of EPSDD that is responsible for these matters. They can always pick up the phone to those people or to my office if they have questions. But potentially a community reference group would have provided a formal opportunity to update

people and provide some further background.

I would also note that there has been some positive commentary around our work on section 72 with the Dickson pool forecourt enhancement. That is some temporary work to uplift the Dickson pool forecourt that is being tested over summer. That has been welcomed by the community. That was a response to one of the things we heard from that community engagement around section 72: that the pool forecourt was a pretty dowdy and unattractive place to hang out.

It has been pleasing to see that at the same time that people are expressing concern about block 25, they are also expressing appreciation for the work that officials have done around that, which I think has been very much welcomed by the community.

Mr Rutledge: Going back to Ms Le Couteur's question, yes, the waste access is on the southern side of the site, but it is within block 25.

THE CHAIR: And it does not involve and tree removal, I trust.

Mr Rutledge: Yes.

MR PARTON: I know the Kingston arts precinct has been a living, breathing, dynamic, fluid thing that has changed. My question pertains specifically to when the winning tender was awarded to build the Kingston arts precinct. Are you able to tell the committee the number of new apartments that were to be built on the site at that point in time?

Ms Stephen-Smith: To clarify the point in time you are talking about, there was a relatively recent announcement only a few months ago where Geocon was identified as the successful tenderer, as opposed to the preferred tenderer. Are you talking about that point in time a few months ago, the successful tenderer point, or the preferred tenderer point, which was some time previous?

MR PARTON: If there are two numbers that would be good.

Ms Stephen-Smith: I do not know whether there are. I will hand over to Ms Sharp.

Ms Sharp: There are not two numbers. The documents that were released to all of the proponents interested in the site did not define the number of dwellings. They were looking for the proponents to respond to precinct objectives and urban design objectives and the functional brief for the arts precinct itself.

MR PARTON: So at no point was there an actual parameter put on the maximum number of dwellings?

Ms Sharp: No, predominantly because the definition of the developable site area and the heights within the site are already defined. It was up to the proponents to consider the precinct holistically and think about all the possible uses that can occur on the site that are complementary to the arts precinct and to develop their own opportunities within the residential component.

MR PARTON: Now that we are at this point three months after the Geocon tick, what planning has been put in place to manage parking during the construction of Kingston arts precinct?

Ms Sharp: Again, as part of the documentation that went to all the proponents, they were asked to think about how parking will be managed during the construction period. Certainly there was a response to that in Geocon's proposal.

We have to remember that the documents were written in 2015 and submissions were made in 2016. Some of the land that was available at the time that could have been used for the purposes of temporary parking has now gone, so new thinking is being put in place on how to tackle that. Geocon are required to demonstrate that as part of their development application proposal. We have not really got to that point as yet, but they are certainly thinking about it and it is a topic for conversation with the community panel and the broader community.

MR PARTON: Upon the completion of the project, what will be the net growth or loss of public car spaces?

Ms Sharp: To be honest, we would have to do the calculations to answer that question definitively. I can say that the number of car parks available at the moment as surface parking will be replaced one for one. Additional public parking will be made available on top of those numbers which forms part of that 500-space car parking structure. As part of the studies that have been done over time, and taking into account the success of the Old Bus Depot Market on the weekends, in addition to those 500-plus spots the proponent is required to make another 300 available over the weekends.

MR PARTON: Is anyone able to speak to what plans are in place or being formulated to ensure the current businesses in that area will not be adversely affected during the construction process?

Ms Sharp: Certainly there have been a number of initial conversations with businesses as part of the introduction of the project process. Businesses have been invited on to the community panel and they have their representatives on the community panel. Again, the discussions around how the construction will be staged across the site and how the parking laws will be staged are yet to happen.

The period we are in right now is establishing strong links and relationships and knowing exactly the people we will need to discuss all those concerns with. The construction will not start for at least another two years, so there is a long period where we can nut out all the details for the best way going forward.

THE CHAIR: How are you consulting with the arts groups?

Ms Sharp: We are doing it together with artsACT; they are the conduit to the arts organisations. We have established a regular monthly meeting with all the arts organisations where we brief them on the progress of the project, on the community engagement and on matters that are important to them. In addition to those monthly meetings where all the arts organisations come together, depending on what we are

talking about and what solutions we are looking to agree on, they have direct access to the design team. There have been a number of meetings between the design team and both individual arts organisations and groups. We have had quite a bit of interaction with the arts organisations over the last few months.

THE CHAIR: Do you any consultation opportunities with the arts groups, local residents and business stakeholders so that you hear everyone's points of view?

Ms Sharp: Yes. We have been thinking about this in the context of the arts organisations being a stakeholder and the community groups having a slightly different interest in the project. Certainly at the next community panel artsACT have been invited to discuss the project. Certainly the members of the arts organisations are free to participate in the community engagement process, as members of the community. But we are thinking about the moment where we can bring the two together because it is important for the arts organisations to present themselves and for the broader community to understand what they will bring to the precinct.

THE CHAIR: Will the living infrastructure plan commitments of 30 per cent permeability and 30 per cent canopy cover be implemented in this precinct?

Ms Sharp: We understand that plan is yet to be introduced into the Territory Plan for it to become a statutory requirement. We can look at it pre-emptively and think about how it would apply, but at this stage we are still just drawing simple lines and dealing with concepts. We are not really applying all of the details into the master planning process.

MS CHEYNE: All my questions relate to urban renewal in Belconnen and almost entirely to the Belconnen town centre. The demolition of the old Belconnen health centre started a bit over a week ago. I understand this site will be used for demonstration housing. Has any tender been awarded for that site yet; if not, what type of demonstration housing is appropriate for that site?

Mr Rutledge: The SLA is currently in the process of demolishing it, in preparedness for providing a clean site to the tender process. The tender process for the demonstration housing is being managed by EPSDD, so we are not involved in that.

MS CHEYNE: I have a quick question on the demolition. I saw on the contracts register that Delta Group was awarded the contract. I appreciate that it is a complex site. The public communication about the demolition work suggests that it is going to be completed by March 2020—so in about six months. The contract has been awarded until October 2020. Why is there six months of work for a 12-month contract?

Mr Gordon: Sorry, the period of the contract is longer than the actual works program?

MS CHEYNE: Yes, significantly.

Mr Gordon: Yes, typically you might have defects that they have to come and fix. So the contract could be for a longer period to manage that sort of activity.

MS CHEYNE: Is it usual that it is double the amount of time that they expect to—

Mr Gordon: It is only a small project, but the opportunities to come in and fix things up might take a bit of time. Typically for our large construction projects, we will have a defects period that could go for a year beyond the completion of works.

Mr Rutledge: The decision has not been made on what it will be. As you know, there were two strings to demonstration housing, those with a site and those without a site.

MS CHEYNE: Yes.

Mr Rutledge: So the one that we are looking at that could be for that site would be a build-to-rent opportunity, but we still need to go through the second stage before that proceeds. So it is not guaranteed to go through.

MS CHEYNE: What do you mean by “it is not guaranteed to go through”? Do you mean there might not be demo housing at all?

Mr Rutledge: At the moment it is for demo housing. I suppose that our preferred option is a build-to-rent one, but there is still an extra stage for demonstration housing for them to go through, I suppose—the RFP—to prove that they are able to deliver. So the second stage of that proposal has not yet occurred. If that is still the case then they will go forward. If they fall through for whatever reason, then we will reconsider what to do with that parcel of land.

MS CHEYNE: With the build-to-rent, the indicative land release program I think has said that it would be a maximum of 60 dwellings on that site. Is around 60 what build-to-rent would look like?

Mr Rutledge: I am not sure on that. I am being told yes.

MS CHEYNE: Good. In the same communications that businesses and residents have received from SLA, there has been reference to just across the road, to the very large car park adjacent to the health centre and the Belconnen Community Centre. Good work, SLA, sending through two sets of communications so far about that. That is more than we have ever received for anything else. I am pleased to see that change in focus.

We have talked about that site on several occasions over the years, including, I think, a few years ago, when I asked whether we could take down the sign that says, “This site is going to be released in the future,” because it had been up for so long. Now it is going to be released at the end of the year, but there has been quite a bit of community consternation about it, particularly regarding the loss of such a significant number of car parks, the park-and-ride car parks that are adjacent to the community centre, as well as there being so many apartments about to come online. I am wondering what the rationale is to finally release that site.

Mr Gordon: Yes, the car parking is certainly a consideration. At this point in time we are undertaking some studies to look at what is happening with the traffic modelling in that area, with a number of developments occurring. By having a better

understanding of that, we will understand what other infrastructure may need to be put in place in the public realm. But on that site we would look to see what the car parking requirements currently are and what currently would need to be put in place in a new building—whatever gets put onto that site. That will work through a process of studies to understand what that capacity could be and certainly it would go into tender documents that would require that to be—

MS CHEYNE: Is that work going to be completed before that site is released?

Mr Gordon: It is.

MS CHEYNE: Because the latest information that we have publicly received is that the site is being released at the end of this calendar year.

Mr Gordon: Sorry; is it this calendar year or is it next calendar year?

MS CHEYNE: This calendar year, yes.

Mr Gordon: My understanding is that it is next calendar year. Section 152; it is next calendar year.

MS CHEYNE: I am pretty sure it says this year.

Mr Gordon: So the LRP has section 152.

MS CHEYNE: I have a copy of the letter. I will bring it up in a second.

Mr Gordon: Sorry, it might be an error in the letter, but it is in the land release program for next calendar year.

MS CHEYNE: Okay. Is there any possibility that there could be an incentive for the developer to ensure that they are maintaining car parks on that site while they build anything on that site?

Mr Gordon: It will relate to what sort of development goes on that site—the opportunity to have car parking in a temporary sense, yes, but ultimately there would be structured parking in that building.

MS CHEYNE: Ms Sharp, the letter is from you.

Ms Sharp: Yes.

MS CHEYNE: Perhaps you can tell me if I have misread it.

Ms Sharp: The letter is from me. I believe that the letter does talk about release in December 2019. That was the intended time line. However, we need to do the traffic modelling and implement some of the infrastructure works associated with the servicing on the site. So there will be a delay in the release of the land. However, it will still be within the financial year that is indicated in the land release program. We are just doing those extra studies to ensure that what is put to the market actually

responds to the requirements.

In terms of the parking that you have just discussed, the Territory Plan very clearly requires replacement one for one with respect to the public parking amenity; so that will be a requirement on a future developer taking up that site. The question is: are there any other provisions that need to be put in place for the parking that need to occur on that site as well—

MS CHEYNE: Okay.

Ms Sharp: which will come out of those traffic studies that Mr Gordon mentioned.

MS CHEYNE: So, given that there has been a community expectation set that that site was going to be released in the coming weeks, really, will there be more communication forthcoming that there has now been a bit of a delay while some of that modelling around parking is done?

Ms Sharp: Sure; I do not recall the letter word for word, but I would hope that we did put in a proviso of some sort about the December 2019 release. But definitely we can follow up with subsequent communication and even a discussion at the Belconnen council meeting that is coming up shortly.

MS CHEYNE: Has there been work done with the Belconnen Community Centre about their needs while something is being constructed? Some feedback that I have had is that Geocon's car park is coming online soon and that people can just walk from there. I am not sure if anyone has actually visited the town centre, but you can't. It is very hard for me to get that sort of feedback from directorates and give that back to the community when it is just not going to work.

Ms Sharp: Yes. At the moment we are really just doing the kind of technical assessment of what is happening on the ground before we start in-depth conversations with surrounding users.

MS CHEYNE: Okay.

Ms Sharp: There are some previous studies that have been done on that car park specifically that did identify that utilisation of the car park varies throughout the week and on the weekend as well. It is not necessarily occupied 100 per cent of the time.

MS CHEYNE: No; that is correct.

Ms Sharp: Most of the time, but we will verify that data first and then have an informed discussion with the users as well, yes.

MS CHEYNE: I want to ask about the Belconnen water police site. In estimates hearings in the last financial year, Mr Dietz, we talked about its very interesting history in terms of going out to select tender with a small market and then being publicly released for sale. Then you withdrew that, which the community commended you for. I understand that you said there was going to be some further strategic work around what would be appropriate for that site. My understanding is that it is now not

on the land release program at all. I am keen to know what is happening.

Mr Dietz: That is a good summary of the actions up until now. It has been taken off the ILRP while that due diligence is occurring. On completion of the due diligence, it will become part of the ILRP again. I might hand it to the planning directorate.

Mr Ponton: There is not much more that I can add. As Mr Dietz said, that due diligence is underway. The Suburban Land Agency is doing some additional work.

MS CHEYNE: What do you mean by “due diligence”?

Mr Ponton: I will let Mr Dietz respond to that, but in terms of the indicative land release program, which I am responsible for, we would not put that back onto the program until we were confident of what its best use is. That work will continue, and at the appropriate time it will go back into the process for the ILRP.

Mr Dietz: That is all that can be said.

Mr Ponton: Yes.

MS CHEYNE: I do not understand what the due diligence is.

Mr Dietz: There is probably not a lot further that I can add. It was really just looking at the strategic nature of what was needed in the area and then ensuring that that identified when it should go on the ILRP and how we might ensure that it goes out to sale.

Ms Stephen-Smith: Maybe we should go back to the reason that it was withdrawn from the ILRP in the first place. The due diligence, to my understanding, is looking at potential appropriate use for that site and how that can then potentially go to market for an appropriate use for that site.

Mr Dietz: Correct, minister; yes, you are right. And allowing us to then ensure that we use the appropriate methodology in sale for the site. When we took it off, we essentially noted that we had gone out to market for a tender that could essentially allow any use there that gave an appropriate value for money. In the time since then, with our board, we have gone through and developed essentially a standard operating procedure which allows us to ensure that, for any opportunity like that, we choose the right methodology for release. It takes into consideration whether it is the first or the last of a particular type of site; whether it is a community site; and whether it is a unique site, which is this one to a tee.

Then it gives us guidance on the types of methodology that we may go to market on. We can take anything from a two-step process which might have an expression of interest followed by a tender, or a tender-type process. Also, the value of the site and the critical nature of the site determine at what level the authorities are required to approve the methodology for release. This particular site was not in that period. Once it goes back on the ILRP, we will use our standard operating procedure to decide how we will take it to market. That process is occurring now, essentially.

MS CHEYNE: It is reassuring to hear that there has been that work within the SLA to make sure that sites are not just being released willy-nilly, particularly if they are unique. It has been suggested to me several times, through all sorts of different quarters, that something like the Lake Ginninderra Sea Scouts taking over the site and using it as a boat storage facility or something that the community could interact with would be appropriate use for that site. Is that something that you would consider? Is that what due diligence could also reveal?

Mr Dietz: Yes. I might then use a parallel example: Gold Creek. It was one we decided to pull at the same time because of the methodology. We now have a methodology, which is to bring together a community panel to understand the history of the place and what is really important to the community of the place. Then that educates how we go to market.

In this particular case, an expression of interest at the Belconnen site would allow different members to provide an expression of how that site could be used. It may be that we use that methodology, a two-step process, to see what is the best use for that site. That would then educate the RFT or the process it would go out to market on.

MS CHEYNE: But essentially nothing is going to happen on that site until we see it back on the indicative land release program?

Mr Dietz: Exactly right. We would not be looking to release something until it is back on the ILRP.

MS CHEYNE: Do you expect that that will happen in the next financial year?

Mr Dietz: I am not sure. I do not have that information as to whether it will be back on the ILRP within the next financial year.

MR PARTON: If there was a specific case that led to the development of this new methodology, what is it? Was it inspired in part by this case?

Mr Dietz: I would say it was a multitude of factors. When the SLA was brought into being, essentially it brought with it a new culture and a new statement of expectations. That was not just to provide and sell land for the purpose of financial returns; it was to balance environmental, social and financial returns. When we look at our release methodology, we look at it with a different lens.

I would also say that there were some very specific examples that occurred around the time which ensured that we were using the lens across all our releases. These were two very good examples of releases where we were not happy with the methodology used, so we pulled them to ensure that we could. There are also some releases in the history. Coombs is another example where people have suggested that a different methodology may have got a different outcome. That was again a reason for us to consider a new way of doing things.

MS CHEYNE: I want to go to two more sites. One is an amalgam, the old ambulance and fire stations, together with the remand centre. There is a lot of interest in the ambulance and fire station in particular. Now that work is happening on the old

Belconnen health centre, attention is directed to the eyesore at the other end of town. The last update I got was that remediation works were going to take some time and may not get started until next year, due to budget funding. Are you able to give an update on the progress of any plan for remedial works and why these works cannot be prioritised sooner?

Ms Sharp: ACT Property Group are currently the custodian of the site itself. They have undertaken some studies to identify the remediation works that are required. These studies are ongoing; they have not been completed. Subject to that being complete, a plan will be developed as to how to remediate the site itself. It does take a bit of time; it is a process. A number of issues need to be cleared with EPA. Once the plan is established, we will be able to commission the works to happen on site. At this stage, the studies are still ongoing to formulate and understand the exact scope of contamination on that site.

MS CHEYNE: I think the community is looking for some reassurance that this site is being taken quite seriously.

Ms Sharp: Yes.

MS CHEYNE: Especially given that I get numerous reports that there are squatters there. Obviously, it is a target site for illegal activity.

Ms Sharp: Yes.

MS CHEYNE: I appreciate that this work is complex and the site is complex, but are there assurances that you, or perhaps the minister, can provide that once the work is completed there will be this focus on remediating the site quickly?

Ms Sharp: Yes, certainly. The land is on the land release program as well, so there is a target that we are working towards. In situations like this, we are not necessarily going to tie ourselves up in a program and not get it right. The reports and studies, the testing and ultimately the establishment of how the site will be remediated are absolutely critical before we even consider any other works. We are putting all the effort into doing that, but, yes, the land release is looming, and we will start programming the works as soon as we can.

Ms Stephen-Smith: From a ministerial reassurance point of view, I regularly ask for updates across the range of urban renewal sites. I get regular updates on where things are up to. This is one that I ask about every couple of months. I ask if there is an update, what is happening and what is the future. It is definitely something we are keeping an eye on and trying to keep moving.

MS CHEYNE: Just adjacent to that site is the old remand centre site, which has been looking very nice—nice grass—and as a result people have got used to it being that green space. I am now getting quite regular contact from people wanting it to remain green space. Can I just get some confirmation that it is not going to be green space? I think the Belconnen town centre master plan made it quite clear that there were going to be green corridors in that area but that it needed to be a development site. Is that right?

Ms Sharp: Yes, it is going to be a development site. But, equally, the master plan provides for a green space between—I will get it wrong but I think it is—section 21 and section 22. There is an in-between section that fronts the Westfield entry. We have not necessarily designed that area or looked into what it will be like, but there is certainly a good proportion of the area allocated for an open park.

MS CHEYNE: And that remains a commitment?

Ms Sharp: Absolutely. That is in the master plan, the Belconnen master plan.

MS CHEYNE: My final question is on the Frewin Centre in Scullin, and then I will hand back to the committee. I understand that that is slated for community housing but that the site is going to be sold through a request for tender process managed by the SLA. Is there any update that can be provided on the timing of the request for tender process?

Ms Sharp: I am sorry, I missed it. Is this for the Ngunnawal site?

Mr Dietz: No, the Frewin Centre.

MS CHEYNE: The Frewin Centre in Scullin.

Mr Dietz: If I could ask Nick Holt.

Ms Sharp: Just on the process, yes, a limited request for tender restricted to community housing providers.

Mr Holt: The Scullin site has just completed its due diligence process with the EPSDD, and what we call an assurance package from EPSDD has come across to the SLA in the last week. We have taken all the documents that EPSDD has pulled together for that site and we are now starting the process at our end to get that ready for sale. We will not be able to get it to the market this calendar year because it would just be timed out before we get to Christmas, but early in the new year we will expect to be taking that out to the market.

MS CHEYNE: Will you be consulting with the Scullin community on what that site might look like?

Mr Holt: Yes. We are having those discussions at the moment about what that might look like and the level of the engagement that we need to do around that.

MS CHEYNE: You are having internal discussions about what your external discussions should look like?

Mr Holt: Internal discussions, yes, our engagement plan. As I mentioned, we got our package from EPSDD. We are digesting all that information at the moment and we will prepare our own internal engagement plans around what is the level of engagement we need to do to take these sites out to the market.

MS CHEYNE: There is a significant interest from the Scullin community ,who are just wanting to be involved in that process. That is very reassuring to hear. Just for clarity, you expect the site to go out for limited tender in perhaps the first quarter of the next calendar year?

Mr Holt: Yes. Like I said, we only just received the documents in the last week. We want to finish our own due diligence on this side before we firm up a date for when that release would be. But it generally takes a couple of months before we can get a site out to the market.

MS CHEYNE: And you would expect to have consultation or community engagement both before and after that tender is released?

Mr Holt: Yes. There would be a level that we would do and then there would be a level that we require the purchaser of the site to do as well.

THE CHAIR: Where are we up to with the former Woden CIT site?

Ms Stephen-Smith: We will have something more comprehensive to say about plans for that site quite soon. We are just going through some processes internally around potential short-term use for that site. I have obviously publicly committed that there would not be any decision about medium to long-term use for that site without further community engagement.

As you are aware, the DA for the demolition is approved and the buildings are about to be demolished. We have gone through the reasons for that previously. We are looking at potential short-term use and then we will talk to the community about potential medium or longer term uses for that site. But there is no intention to change it from being community facility zoned land.

THE CHAIR: Are you looking at health uses at all in this? There have been many suggestions in this regard.

Ms Stephen-Smith: There have been many suggestions.

THE CHAIR: And they may be prosecuted some more on Monday, of course, but this is one of the obvious areas—

Ms Stephen-Smith: I think it is fair to say that the site's proximity to the hospital is something that we are very keenly aware of.

THE CHAIR: I will not suggest what I think you might possibly mean by that. The community can expect to—

Ms Stephen-Smith: There were a number of issues that were raised in another community council that are also relevant to the potential future considerations for this site—to be as obscure as I can for everybody else in the room.

THE CHAIR: I probably know what you mean, but I will not speculate on it because you would be unable to confirm or deny if I got it right anyway. When are we likely

to hear what it is for the immediate, short term?

Ms Stephen-Smith: I expect within the next month to six weeks we will have more to say on that.

MR PARTON: We all look forward to it.

THE CHAIR: We all look forward to that. There will be no more community consultation before whatever the eventual long-term blossoming of the site is? We will have many people involved in it?

Ms Stephen-Smith: We also need to recognise, as was recognised in the infrastructure plan, that there are a lot of demands for additional ACT government and community sector facilities that will not just be in the growing north but also in the growing south of Canberra. Woden obviously, Weston Creek and Molonglo are all growing areas. There will be demand for new community facilities and new government facilities as time progresses.

MR PARTON: Help me. I am assuming that I am able to speak extremely broadly about demonstration housing here in this section. I am keen to know where we are at in terms of a number of projects that are in play. But we do not know about all of them. Obviously we cannot know about all of them because they are at a delicate stage. I am just wondering if you can give me a summary of where we are at with the various demonstration housing projects and what potentially the outcomes will be.

Mr Rutledge: I will ask Ms Durie to join me because she is right across the project as well. As we have talked about before, it is a two-stage process and they are divided into two groups. For stage 1, I suppose they have had to prove that they have got something that is innovative, excellence in design quality, medium-density infill—all the things that the Assembly asked us for—and then we asked them whether they had a site or they did not have a site. I suppose those that had a site are the more developed ones. In regard to those without a site, the teams looked across the territory to see whether or not territory-held land would be possible for that.

I think when I spoke to the planning committee in a briefing recently I spoke a fair bit about the one in Griffith, the Manor House, and then already today I mentioned that the build-to-rent is one that we are seeing some good interest in.

On the ones without a site, we are also considering one which is—again co-housing is very popular—a site in Ainslie. We would look for, I suppose, people downsizing, where you would have three or four people but with shared outdoor space and a shared common room. That is at the older end of the market. Then there is another one, also without a site, where we are thinking there is a site in Ainslie that might be appropriate for, I suppose, young entrepreneurs. We are going through that process. I will hand over to Ms Durie to give us an update on anything further she wants to add.

Ms Durie: As Mr Rutledge has said, we have got two streams with demonstration housing. We have gone through the first phase where projects have been shortlisted and then, for the with-site stream, we have actually gone through the second stage of the process, where proponents had to submit a detailed submission.

They are evaluated through a panel that included the Government Architect. They have also all been required to go through the design review panel and undertake community consultation on their proposal, with EPSDD supporting them in a community consultation by going along and talking about what the demonstration housing project is and giving people an overview of what that is. We have met with both the North Canberra Community Council and the Griffith/Narrabundah Community Association.

The challenge for the other bit about the without-site stream has been identifying suitable sites that relate to the particular projects. All the proposals really wanted sites that were located close to facilities, preferably on a light rail line.

MR PARTON: Really?

Ms Durie: And of course there are so many of those! We have done quite a substantial piece of work looking at sites that might be suitable for that, where we might be able to subdivide sites, where we might be able to include them within urban renewal projects. We have got to the point where we have a number of sites that are suitable for proponents. We are just finalising the review of the financial criteria the proponents need to go through to see whether their proposal will be suitable for government to sell them land to deliver it. The sites will be valued and each of the proponents will pay market value for that site once their proposal goes through that evaluation process with the panel, as well as then going through the design review panel and community consultation.

MR PARTON: When it comes to the first stream, those who had land available for their project, how many projects are we talking about that are still in the mix? How many projects are we talking about?

Ms Durie: There were six that were successful through that process and there were another three that were given an opportunity to refine their proposal a bit further and come forward. One of those has withdrawn and another two we expect to come in in the next couple of weeks for the panel to review again.

MR PARTON: I do not know if you have got anything to add.

THE CHAIR: For the siteless projects, when are they likely to get to their next stage?

Ms Durie: With each of those projects it is not like they are all going to be released at the same time. As we are ready to go out with the request for tender to those proponents, we will. There will be a progressive approach with each of those. It is as the sites are ready to be released and we have done all the due diligence work that we need to do on those sites to confirm that they are suitable for that type of development.

THE CHAIR: Do you have any sort of time line? Obviously, it has been over a year.

Ms Durie: Yes, with most of those sites we are very close. With all of those sites, in fact, we are very close to being able to release our request for tender.

THE CHAIR: This year very close?

Ms Durie: Look, with most of them, yes.

THE CHAIR: Great. Then how long will the groups have to respond?

Ms Stephen-Smith: Just to clarify, Ms Durie, when you say “this year” do you mean this financial year or this calendar year?

Ms Durie: This financial year.

THE CHAIR: I thought you meant this calendar year.

Ms Stephen-Smith: I just do not want to get people’s expectations up.

THE CHAIR: It has been an awfully long time. I imagine that some groups or some siteless entities are finding it harder to keep going for this period of time, not knowing whether there is going to be any sort of conclusion.

Mr Rutledge: I think that is right, Ms Le Couteur. We are trialling new things, and in the end we will need site-specific Territory Plan variations and we will evaluate the whole project because we need to learn from it. I think one of the things to note is that it would be remiss of us only to learn from the projects that are successful. Those that are put forward and get knocked out on the first stage we are going to learn as much from as we will learn from those that get knocked out on the second stage and then those that do not proceed, because I think we need to work out what are the barriers to delivering this in the territory.

I think this is what the Assembly wanted and that is what the response is. What we found, just even at the first stage, was that people thought they had a good idea. But they might have been first-time builders or first-time cooperatives and they really had not thought through the proposals. As you have mentioned, the time is a challenge. The holding costs for those with sites—

THE CHAIR: Yes.

MR PARTON: It is, big time.

Mr Rutledge: is a big one. But that would be the same if demonstration housing had not come up and they were looking for redevelopment opportunities. They would then be limited by what is only available in the current planning. So they have come forward to take on a demonstration housing project because they think they can deliver something greater than what would currently be available.

I think, yes, there are a few things that we are learning along the way. I think the success will be when we see projects built, delivered and communities accepting that. That will be success, but I think we will learn a lot about what barriers are in place once we move beyond the design competition and actually ask people to put their time, effort and money behind it. So there are lessons being learnt every day on this.

THE CHAIR: Yes, knowing some of the proponents, one of the lessons is that there is a limit to how long people are able to wait when they do not know whether there is any future in it.

Mr Rutledge: Yes.

THE CHAIR: That is the situation for some at this stage.

Mr Rutledge: There may be some uncertainty, but it is not from a lack of engagement. All of the proponents that have been on this journey have been talking to the team every day. But the government, through its support through our directorate, has certainly tried to encourage all of these proponents along the process. The process has been well explained during that time. They have been updated along the way. But no building project is without uncertainty.

MR PETTERSSON: I start with a question on terminology. In regard to east Gungahlin and Kenny, why have you called them urban renewal areas?

THE CHAIR: Urban renewal?

MR PETTERSSON: Yes.

THE CHAIR: That is a very good question. I did not realise that.

Ms Stephen-Smith: That is a good question, Mr Pettersson, and I think we may have touched on it last time. Essentially, that is because when we talked about the EPIC Kenny urban renewal project, Kenny sits between EPIC, an existing developed site, and Mitchell, an existing developed and long-managed developed site. I am trying to make sure that I get the name of the suburb above it right. I am not sure whether that is Harrison or if there is something else on the other side of the road. Harrison crosses the road; good. Harrison obviously is also a developed suburb. At this point, Kenny is now intensification rather than expansion of the suburban perimeter of the ACT. But I think it is a fair point. It is also a greenfield development.

MR PETTERSSON: Sure. In regard to those sites, investigations have been undertaken to inform future planning. Are all investigations born equal? What has gone on in these investigations? Can you give me an insight into what the future of some of these sites will be?

Mr Ponton: I will kick off on that one. Then I will ask Mr Rutledge and Ms Durie to talk about the current work. There have been a lot of investigations over many years in relation to the Kenny site in particular. That has primarily been because, as we have done work, it has identified further issues, particularly with the geology of the Kenny area. There has been a lot of ongoing working in that space.

In terms of the more recent work that you may be referring to, that is broadening beyond just Kenny itself and looking at those areas that the minister referred to surrounding Kenny. That is providing context. That does include the EPIC area, but that is not about changing the use of EPIC. I need to make that really clear. It is just understanding that Kenny is part of the broader context. I will ask Ms Durie, who is

coming to the table, or Mr Rutledge to talk more about the specifics of the current work underway.

Mr Rutledge: Yes. I was going to add that the Kenny nature reserve was established under the Gungahlin strategic assessment. There have been studies of both the geology and the conservation values of the area. I suppose that the next round of studies has been more specifically around Kenny, what buffer will be required to the nature reserve and where the two would interact.

Then I suppose that the next part of the study—this has already occurred—updates all the time. As the city grows, there are a lot of users around EPIC. The growth of Gungahlin has been quite strong over that time. So we are just retesting those. As Mr Ponton said, there are geology studies and also any contaminated sites et cetera. That is the sort of stuff that we are looking at. Ms Durie, did you want to add anything further?

Ms Durie: When you think about urban renewal, it is important to consider what sorts of facilities you need for a growing city. The work that we are doing now really explores that precinct and what the environmental constraints or opportunities might be, what some of the planning constraints and opportunities might be, their uses, the transport access, all of those things that can build a picture that informs any sort of government decision and thinking in the future.

MR PETTERSSON: In regard to east Gungahlin, is there any rhyme or reason as to why east Gungahlin is the last section to come online in the region when the surrounding regions have been built up and out?

Mr Ponton: I think the short answer is because of some of those challenges that we have referred to through those studies around the geology and the environmental values. It has been more challenging to work through those issues in that area.

MR PETTERSSON: In Gungahlin east? What are the environmental issues on those four or so blocks of land?

Mr Ponton: Sorry, are you talking about the—

Ms Durie: The east blocks?

MR PETTERSSON: Correct.

Mr Ponton: My apologies. Now that I understand the particular parcels you are referring to, that work just comes down to staging in terms of when the demand is there for those particular parcels of land.

MR PETTERSSON: Why would you build further away from the town centre and work your way in, as opposed to working your way out from the town centre? It seems like reverse staging.

Ms Stephen-Smith: Without knowing a lot of the detailed history of that, it is probably a bit of both because you are building low-rise residential and low to

medium density around the outside in building the town centre, but then there will be a limit to the demand for building potentially higher density developments closer to the town centre. There is a limit to the market demand for those, which grows over time, but you need to balance the demand for different types of residential. That would be my guess as to why it has been balanced that way.

Mr Ponton: Correct, yes.

Ms Stephen-Smith: I also note that the construction of light rail has been a significant project in that area that may have limited the capacity for people to undertake other development work at the same time. That may have also been a factor in the timing of the release. We can provide further information on the background to that if you are interested, Mr Pettersson.

MR PETTERSSON: Sounds wonderful.

Ms Stephen-Smith: I am worried, Mr Pettersson, that people are going to do a lot of work for something you do not sound that enthusiastic about. Do you really want them to take this question on notice?

MR PETTERSSON: I do. I feel like we can flesh this out outside of this place.

THE CHAIR: I asked about this in the context of the Kingston foreshore, but more generally the government has put out a commitment to living infrastructure, with a 30 per cent tree canopy and 30 per cent permeable. We have talked a lot about trees in the context of Dickson. In terms of urban renewal, one of the issues with most if not all of the sites is that trees are there already. What will you do to implement the government's commitments?

Ms Stephen-Smith: As Ms Sharp said, the changes to give effect to that commitment are not in the rules as yet, but we are certainly very conscious of them. The way the CRA and SLA are thinking about releasing land in terms of the requirements for tenders or proposals for sale that are put around that will take into account the government's policy.

Mr Rutledge: We are very mindful of that and we are trying some new things. To talk again about the Dickson pool forecourt, we think that was the biggest tree transplant ever in the territory. We also transplanted four trees from section 72 over to near the Lyneham wetlands. This is not new technology around the world, but it is new technology for Canberra builders to transplant major mature trees. They are a demonstration of what you can achieve in the urban setting.

We have also done a micropark in Woden. The first design was certainly not filled with permeable surfaces and we went back and put in a few more. We are learning as we are going. We have also set up, alongside the SLA, a working group around the living infrastructure plan and we are looking to see what we can do in greenfields.

Although we are quick to say that statutorily we do not need to do this, we know this is where we need to be, so we are trying to do some action research in urban renewal sites, using the urban renewal space and separately working with the SLA on some

demonstration projects in new suburbs.

THE CHAIR: Will you follow up to see how the trees you have transplanted go?

Mr Rutledge: Absolutely.

THE CHAIR: I saw a picture of one being moved and the root ball was much smaller than the canopy.

Mr Rutledge: That is why we are trialling it. We did that move and gale force winds happened that day and I was extremely nervous that the tree might blow over on the first day of the transplant. But, as I say, we will learn by doing and taking these opportunities as they arise. We will absolutely be watching them because, as the city grows and as different precincts happen, if we can transplant large trees where required that will certainly help. So we will let you know.

MR PETTERSSON: What community consultation is going on with regard to the Gold Creek homestead precinct?

Ms Sharp: We have started community engagement on this site. As you know, about a year ago it was in the land release program and it was meant for market release but we pulled it back because we felt significant emphasis was not given to the values of the site to the community, as opposed to financial values or otherwise.

We have shaped the community engagement plan to include a broad spectrum of members in a community panel format. They met a couple of weeks ago for the first time and talked about the site, the condition of the site and the opportunities and constraints. They also undertook a walk around the site to get a feel for the homestead, its status and where it is at in terms of its built form and state of repair.

Subsequent to that meeting we offered a couple more walk-in workshops for those members who either could not do it on that day or those who put their hand up for the community panel but were not selected. All of the participants were asked to give feedback on their values, the good things about the site and the things they do not like about the site.

The next community panel meeting is tomorrow, where they will be discussing the feedback that has been received. The point of this exercise is to create a place-making brief that will contain all the information from the community. That brief will form part of the tender documents that will go out to the market. Future proponents can think about the development in the context of the land release, but they also need to consider how they will address the values the community wants preserved.

MR PETTERSSON: What is the view of the SLA in terms of the status of the homestead? It is not heritage listed—controversially so—so what is the view?

Ms Sharp: This is what we are trying to establish with the community and put to the market. In the absence of heritage registration, the next best option in terms of its retention and potential re-use is to do it through the development of the site. Those values will be captured from the community.

To a certain extent, looking at the homestead from the road or from somewhere else there is a bit of a romantic feeling about how good it is. I think the workshops and walk-overs have given people a more realistic picture of where the homestead is at and what level of investment would be needed to bring it back to its former glory.

We had a heritage architect on board at the first meeting who outlined a history of the homestead and clarified for everyone where the original structures were and showed how many times it has been extended, remodelled, renovated and rebuilt, almost to the point where the original structures are buried inside the current structure.

In any case, the point of the brief we were putting together and the tender we are going with is to articulate to the market the remaining values around this homestead and for the market to respond and tell us how they can balance the retention of the homestead with the development they are proposing.

MR PETTERSSON: Cutting to the chase, is the possibility still on the table that the homestead could be knocked down?

Ms Sharp: It is an option. From a tender perspective it would be a criterion that would be measured. Depending on proponents' proposals and how they address the homestead retention and to what level, the tender assessment will relate to that.

THE CHAIR: That is the end of this session. A number of questions have been taken on notice. As per usual, if we can have those back in five days that would be appreciated. Thank you all for your time.

Appearances:

Orr, Ms Suzanne, Minister for Community Services and Facilities, Minister for Disability, Minister for Employment and Workplace Safety, Minister for Government Services and Procurement

Chief Minister, Treasury and Economic Development Directorate
Jones, Mr Greg, Executive Branch Manager, Workplace Protection, Access Canberra

Environment, Planning and Sustainable Development Directorate
Fitzgerald, Mr Bruce, Executive Group Manager, Urban Renewal

THE CHAIR: Welcome to what I think is the final hearing for the planning and urban renewal committee for this set of annual reports, on the loose-fill asbestos insulation eradication scheme. I know that all of you have been here before, so you are well aware of the five-day turnaround for questions; I will not go through that again. You are also well aware of the pink privilege statement. For the record, can you please indicate that you are happy to agree with it?

Ms Orr: Yes.

THE CHAIR: Thank you. Minister, how many Mr Fluffies have we got left? Is it fewer than the number of officials here?

Ms Orr: I might hand over to Mr Fitzgerald, who can give you a very detailed answer on that.

Mr Fitzgerald: We currently have 38 properties that we have not acquired. There are more properties that have not been demolished; we are still going through the planning process for those demolitions.

Ms Orr: Just to add to that, the ones that have not been demolished are the ones that are quite complex builds, where there are a few more issues to work through.

Mr Fitzgerald: Yes. They are generally in a unit complex, where we have unit title considerations and potential rebuild considerations.

THE CHAIR: What fun. With the 38 that you have not yet acquired, what is the plan from here? My understanding is that the majority, if not all, of the residents are older residents whose desire is to live out their time there and who are probably well aware, even if they were not before the hearings of the royal commission, that any move is likely to be detrimental to their health.

Ms Orr: The next step in what happens after the program is finished is really a decision for government. That is something that cabinet is considering at the moment. We will have more to say; I cannot pre-empt what cabinet will decide.

I would like to observe that, in determining the next steps, part of the process has been

to work very closely with the people who are still in the homes to understand their circumstances and how they can be best supported to transition out of their Fluffy homes. Mr Fitzgerald is really at the coalface; I might get him to give you a bit more information about what sorts of things we are doing to work with the affected owners.

Mr Fitzgerald: The other important point to note is that, of that 38, we have a number that have signed a surrender deed with the task force. The task force was to run to 30 June 2020. A number of those, particularly the elderly, look to the latest date possible to surrender their property. We have approximately 18 of those properties that will fall into that category, that have that later surrender date: they have opted into the program but will surrender to the task force on 30 June 2020. As you rightly point out, some of the conversations we have had are very much about people dying in place.

THE CHAIR: Or if they do not die in place, feeling that they will die from the move.

Mr Fitzgerald: Yes; that is right.

THE CHAIR: I am not exaggerating here.

Mr Fitzgerald: No. That is absolutely the feedback that I get as I meet with these home owners: they have complicated medical needs as it is, and they have strong support networks that exist around them. It is all about retaining that support network and getting the best quality of life in later years.

THE CHAIR: So no decisions as yet?

Ms Orr: Just to add to that, making sure that we are taking those considerations on board and finding the best way through for everyone is very much at the front of my mind, as the minister responsible, in what I take to cabinet.

MR PARTON: Mr Fitzgerald, you spoke of 38 properties that have not been acquired, but you have mentioned that 18 are going to be at the latest possible time, per the whole framework that has been set up. That leaves 20.

Mr Fitzgerald: Correct.

MR PARTON: I would like to know how many of those home owners have an asbestos management plan.

Mr Jones: Mr Parton, I can answer that. I am the Work Safety Commissioner and we have responsibility for compliance with the asbestos management plans and general safety for the occupation of those premises. Of the 38 residential properties, 30 have compliant asbestos management plans. There are seven additional properties—so that is 37—that have asbestos management plans which have not been fully implemented yet. That means that there are some minor works or minor improvements to be made to ensure the medium-term safety of those places. Some of those have not been done. So there are seven we classify as partially compliant; they have an AMP, but it has not been fully implemented yet. There is one property that is non-compliant and does not have an AMP.

MR PARTON: Just one?

Mr Jones: Yes.

MR PARTON: In letters that were sent earlier this year, owners were threatened with fines ranging from \$16,000 to a quarter of a million and five years imprisonment if they did not comply with the conditions. Bear in mind that we have seven home owners who are not fully compliant and one that is not compliant at all. I want to know where that is at and why we would have a government threatening home owners with significant fines and imprisonment for exercising their right to stay in their own home. I do not know that that sits well with me.

Ms Orr: I will hand over to Mr Jones because, as the Work Safety Commissioner, he is the one who has responsibility for implementing the act and making sure that public safety is maintained. He is the author of the letter. I think he will be able to tell you the legal requirements that led to those letters.

Mr Jones: Yes. This is about community safety. As we have heard, we are very sensitive to the specific needs of individual householders. We have been working with the task force for a number of years now, liaising, informing, having meetings and communicating with the individual householders. There were a number of householders—just a very small number compared to the whole program—that were not compliant in meeting their community safety needs by having an asbestos management plan. Over the last few years, I have written a series of letters—I think six all up—outlining their responsibilities and encouraging each householder to contact us and talk to our dedicated inspector, who will liaise with them and assist them to be community safety compliant.

Most people were compliant with those requests, as it were. There were a small number overall that were not. As part of being completely transparent, we outlined what the legal situation was if they remained non-compliant and the various actions that maybe taken in terms of what we may do.

MR PARTON: Including fines and possible imprisonment?

Mr Jones: There are provisions in the legislation for non-compliance. We identified those sections of the legislation, including the maximum penalties that the legislative provisions provide. To be completely transparent, we did point those out to those householders so that they knew the seriousness of meeting the community safety requirements.

MR PARTON: Mr Jones, do you think that that is really appropriate? Do you genuinely believe that a situation would arise where someone would be sent to jail for staying in their own house?

Mr Jones: No, not at all.

MR PARTON: If you did not believe it was ever going to arise, why would you put in the letter?

Mr Jones: As I said, to maintain complete transparency as to what the legal requirements were and what the maximum penalties were. It would be a matter for the court to decide, if it ever went to court. I would be extremely hopeful that it never would go to court. But if it did, it would be a matter for the court to decide as to what penalty, if any, would be appropriate. In terms of that transparency, we thought it was appropriate that they understood the seriousness of their community safety requirements.

MR PARTON: How much does an asbestos management plan cost for the home owner?

Mr Jones: There is a range, because it is done by a private licensed organisation. An initial assessment is somewhere between \$800 and \$1,200, and a renewed one, which has to be done every two years, is anywhere between \$300 and \$600.

Ms Orr: The task force can help with those too.

Mr Fitzgerald: We have been in a situation for a number of the households that were previously non-compliant where, through the relocation assistance grant that is provided to each of our home owners that are participating in the scheme or potentially participating in the scheme, we have utilised that fund to pay for the asbestos management plans. We will effectively reimburse them. It is still the obligation of the home owners to get them in place and to make sure they are implemented.

MR PARTON: Was that available to all the home owners or just some?

Mr Fitzgerald: That has been available to home owners that have approached us that have identified a financial capacity issue, in order to do so.

THE CHAIR: Thank you, Minister Orr. Thank you, officials. I do not think we had any questions taken on notice.

Ms Orr: I did not hear any. I am happy to be corrected if there were some questions on notice we missed.

THE CHAIR: You are off free. Thank you all very much.

The committee adjourned at 3.28 pm.