



**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

SELECT COMMITTEE ON ESTIMATES 2025-2026

(Reference: [Inquiry into Appropriation Bill 2025-2026 and Appropriation
\(Office of the Legislative Assembly\) Bill 2025-2026](#))

Members:

MR E COCKS (Chair)
MR S RATTENBURY (Deputy Chair)
MS F CARRICK
MS C TOUGH

TRANSCRIPT OF EVIDENCE

CANBERRA

FRIDAY, 1 AUGUST 2025

Secretary to the committee:
Dr D Monk (Ph: 620 50129)

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

City and Environment Directorate 914, 947, 973, 1015

Privilege statement

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

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

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

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

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

Amended 20 May 2013

The committee met at 9.00 am

Appearances:

Cheyne, Ms Tara MLA, Attorney-General, Minister for Human Rights, Minister for City and Government Services and Minister for the Night-Time Economy
Orr, Ms Suzanne MLA, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Climate Change, Environment, Energy and Water, Minister for Disability, Carers and Community Services and Minister for Seniors and Veterans

City and Environment Directorate

Peffer, Mr Dave, Director-General

Engle, Mr Sam, Deputy Director-General

Wright, Ms Fiona, Executive Group Manager, Climate Change, Energy and Water

Burkevics, Mr Bren, Executive Group Manager, Environment, Heritage and Parks

Malouf, Ms Ros, Executive Branch Manager, Climate Change and Energy Programs, Climate Change, Energy and Water

Sendaba, Ms Bethel, Executive Branch Manager, Climate Change and Energy Policy, Climate Change, Energy and Water

Clapham, Mr David, Executive Branch Manager, Office of Water, Climate Change, Energy and Water

Watts, Ms Michaela, Executive Branch Manager, Parks and Conservation Service

THE CHAIR: Good morning and welcome to the public hearings of the Select Committee on Estimates 2025-2026 for its inquiry into Appropriation Bill 2025-2026 and Appropriation (Office of the Legislative Assembly) Bill 2025-2026. The committee will today hear from Ms Suzanne Orr MLA, Minister for Climate Change, Environment, Energy and Water; and Ms Tara Cheyne MLA, Minister for City and Government Services; and Mr Chris Steel MLA, Minister for Planning and Suburban Development.

The committee wishes to acknowledge the traditional custodians of the land we are meeting on, the Ngunnawal people. We wish to acknowledge and respect their continuing culture and the contribution they make to the life of the city and this region. We would also like to acknowledge and welcome other Aboriginal and Torres Strait Islander people who may be attending today's event.

This hearing is a legal proceeding of the Assembly and has the same standing as proceedings of the Assembly itself. Therefore, today's evidence attracts parliamentary privilege. The giving of false or misleading evidence is a serious matter and may be regarded as contempt of the Assembly. The hearing is being recorded and transcribed by Hansard and will be published. The proceedings are also being broadcast and webstreamed live. When taking a question on notice, it would be useful if witnesses used these words: "I will take that question on notice." This will help the committee and witnesses to confirm questions taken on notice from the transcript.

We welcome Ms Suzanne Orr MLA, Minister for Climate Change, Environment, Energy and Water, and Ms Tara Cheyne MLA, Minister for City and Government Services. We also welcome the officials in attendance. Please note that, as witnesses,

you are protected by parliamentary privilege and bound by its obligations. You must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly. As we are not inviting opening statements, we will proceed directly to questions. I will kick off by passing the first question over to Ms Castley.

MS CASTLEY: Thank you, Chair. I would like to chat about the Water Abstraction Charge. Minister, one of your responsibilities is setting the Water Abstraction Charge, which seems to be growing at a consistent rate of three per cent per year. I am wondering if you could explain why that is.

Ms Orr: Thank you, Ms Castley. The Water Abstraction Charge is set by an equation that is monitored by the various regulators. I might hand over to the officials, because it is very detailed and technical in how they get there.

MS CASTLEY: Sure.

Ms Wright: You are right: since the 2015-16 financial year, the Water Abstraction Charge has been indexed and has been rising each year. We are currently having a look at how that charge should be made up and considered going forward. But we have not finished that body of work as yet.

MS CASTLEY: Is there a methodology that you could table or put on notice for how we get to the three per cent?

Ms Wright: No. It is straight indexation at the moment, but we are looking at a methodology that better represents what that charge is for, which is to look at the cost of removing the water from the environment.

MS CASTLEY: Have you done any calculations on what the impact would be if the Water Abstraction Charge grew at a slower rate—at, say, one per cent?

Ms Orr: Ms Castley, the indexation is a rate that is there to acknowledge price changes year to year. There is also the equation which is what goes to accounting for the cost of extracting the water and the cost to the environment and so forth. Maybe the officials could just run through a little bit more about how the pricing is determined through various different regulatory organisations that would have a role in determining the pricing.

Mr Clapham: I should acknowledge that the economic regulation of water sits in the Treasury portfolio. So, in this work, we support the Treasury department and the Treasurer. There is a methodology for the Water Abstraction Charge. The ICRC have played a role in the past in helping government to set that methodology. It takes into account commitments through water agreements and other frameworks that help set the pricing of water.

Ms Castley, unfortunately, I am not going to be able to take you through the specifics of how each component is calculated. But, as Fiona and the minister said, it goes to the cost of extracting that water from the environment and also to reflect the value of water in a market or in the environment. That is the construction of that initial charge and then

there is a flat indexation on top of that.

MS CASTLEY: Could you table the methodology that you just mentioned?

Mr Clapham: Yes, we can take that—

Ms Orr: I believe it is online.

MS CASTLEY: Okay; great.

Mr Clapham: Yes, it is available. The ACCC reports yearly on the—

Ms Orr: The methodology equation.

Mr Clapham: The methodology and the charge levied through that.

Ms Orr: Ms Castley, we are trying to be very helpful but a lot of this does actually sit outside of the advice and the role that the Office for Water would play. So bear with us while we work through it.

MS CASTLEY: Yes. I will keep going on if I can. So the ICRC uses that framework where water pricing is basically growing by the Water Abstraction Charge plus inflation each year. This means that local households are facing a five per cent to six per cent growth in their water bills. I am just wondering if you have any thoughts on why it is growing that—

Ms Orr: I think, Ms Castley, that is probably a question for Treasury.

MS CASTLEY: Okay. The increase in water charges allowed Icon to grow the dividend it pays the ACT government from nothing in 2023-24 to almost \$30 million last financial year, \$50 million this financial year and \$90 million next financial year. The government's profits are going from zero to \$500 per household over four years through higher water charges. What do you have to say about that? If this was the conduct of a private business, that would be profiteering, I would say. How do you feel about the government—

Ms Orr: Ms Castley, I do not think it is appropriate for us to give an opinion. I also am finding it very hard to follow the numbers and scenario that you are putting forward from your page. So I do not think I could give you a clear answer, because I have not really understood what you are presenting.

MS CASTLEY: Okay. You sign off on the regulation that establishes the annual abstraction charge. Do you accept Treasury's advice for that?

Ms Orr: I have no reason not to accept the Treasury's advice.

MS CASTLEY: Thank you.

THE CHAIR: Minister, you have said that it is Treasury's responsibility. But you are the one who signs off on the instrument. Is that correct?

Ms Orr: There is a lot of input and advice that goes into any decisions around this. It works across multiple directorates.

THE CHAIR: What due diligence do you undertake to make sure you have understood the rationale behind increasing fees under an instrument that you have signed?

Ms Orr: Mr Cocks, in relation to all the instruments that I would sign around fees, I go off the advice that is provided to me from the public service.

THE CHAIR: So you simply take that advice? You do not check?

Ms Orr: I do not have any reason not to take the advice, Mr Cocks.

THE CHAIR: Okay; so there is no due diligence process?

Ms Orr: Mr Cocks, I do not agree with your assessment that taking advice from the public service is not equivalent to doing due diligence.

THE CHAIR: Do you undertake any effort to understand what the factors are that contribute to the pricing increase?

Ms Orr: Mr Cocks, again, the advice that is provided will cover off on the information that I need to know in order to make the determination.

THE CHAIR: Did any of the information you were provided with go to the question of how the increase in the fee had been calculated?

Ms Orr: Mr Cocks, I have answered the question.

THE CHAIR: No; that is a different question, Minister. Did any of the information you were provided with go to how that increase was calculated, including the indexation component?

Ms Orr: Mr Cocks, again I go off the advice provided to me—and I am speaking in broad terms across all portfolios, not just to this specific part.

THE CHAIR: I understand that, Minister. We have had a few instances during these hearings where ministers have attempted to redefine questions and not answer the question that they have been asked. The response you have just given is not a response to the question I asked, which was about whether you have been advised about the factors contributing to that increase. You have just said that you take the advice. I understand that. But could you go to the question, please?

Ms Orr: Mr Cocks, in your role as Chair, I believe I have gone to the question as to how I look at advice that is given to me and make decisions based on that advice.

THE CHAIR: Indeed. It seems like we are once again in the space of redefining the question. If—

Ms Cheyne: Mr Cocks, this is set out in the explanatory statement to the fee determination.

THE CHAIR: Minister, you made the comment that there was a complex formula which contributed to the increase in the fee—because the question was specifically about the increase—and then Ms Wright provided information that it is basically linked to indexation. Are you talking about the same complex formula?

Ms Orr: Ms Wright might clarify what she said, but that is not my understanding of what she said.

Ms Wright: Just to clarify what I said: there is a formula that sets the fee but that has been indexed. There has been a three per cent indexation applied, which is a straight indexation. But there is a methodology that sets the—

THE CHAIR: That is much clearer. The indexation was applied to the formula. It was not the formula that created the increase; indexation was applied to the formula which is used to create that. What indexation was that?

Ms Wright: The Water Abstraction Charge which applied in the 2024-25 financial year has been increased by three per cent for the 2025-26 financial year.

THE CHAIR: So that is neither the wage price index nor the consumer price index. How is that indexation rate calculated?

Ms Wright: I am sorry, I would have to probably defer. This is set by Treasury, as we have said. We have been very helpful, but this is not a charge that we set.

THE CHAIR: I am comfortable if you are willing to take it on notice and get whatever input you need to. Given the minister has signed it off in the role that is relevant to this session, it would be great if you could take it on notice if you need to get other advice.

Ms Orr: Sorry, Mr Cocks, what is the question you are asking us to take on notice?

MS CASTLEY: How you got to three per cent. How did you get to three per cent?

Ms Cheyne: Where does the three per cent come from?

THE CHAIR: How did you choose three per cent as the indexation rate, which is neither the wage price index nor the consumer price index?

Ms Orr: Mr Cocks, if you are asking how I personally chose the rate, I did not personally choose; I took the advice that was provided to me.

THE CHAIR: No, Minister—

Ms Orr: If you are asking how Treasury or the place that gave me the advice came to the indexation rate, then we can potentially take that on notice if that will wind up this very circular round of questioning.

Mr Engele: I would point you to the instrument which outlines the basis for it. I am happy to read the relevant section here. The regulatory fee in the determination which applied in the 2024-25 financial year had been increased by 3.25 per cent for this current financial year based on the wage price index, which is as per existing government policy, plus an additional 0.35 per cent as per the decision in the 2023-24 budget, for a total increase of 3.6 per cent. As you can see from the explanatory statement, some of that is existing government policy which dates back a number of years to link it by WPI, and there were additional budget decisions in relation to those additional components added onto that. That is on page 1 of the explanatory statement for the Water Resources (Fees) Determination 2025.

THE CHAIR: Minister, in your assessment, given that you have signed off on it, what justifies the increase above the wage price index? We are at 3.6 per cent, according to that, not just three per cent.

Ms Orr: Again, Mr Cocks, I feel I have answered the question.

MS CASTLEY: Minister, did you take advice from anyone other than Treasury before signing off on this year's charge?

Ms Orr: Ms Castley, out of an abundance of caution, I would need to take that on notice to go back and check exactly what input was provided to any advice, given that advice, while it may come from one particular area, usually is consulted across government informing that advice.

MS CASTLEY: Great; so take it on notice.

THE CHAIR: I note that was taken on notice.

MR RATTENBURY: I note Ms Castley is asking about two different sets of water charges, the Water Abstraction Charge and water pricing through Icon. I would like to specifically ask about the Water Abstraction Charge. The ACT is required to report to the ACCC about our annual expenditure in this space. That is right, isn't it? Where are the reporting obligations derived from? Is it the National Water Rules?

Ms Wright: I will double-check this, Mr Rattenbury, but I believe the National Water Initiative has some pricing principles and some transparency principles.

MR RATTENBURY: And the ACT is required to report on its expenditure of the money derived from the Water Abstraction Charge against those principles. Is that what we have to report to the ACCC on?

Mr Clapham: The ACCC has a statutory role under the commonwealth Water Act to monitor and report on regulated water charges. That report includes government expenditure and revenue for water planning and management activities within the Murray-Darling Basin. I am not clear, Mr Rattenbury, I am sorry, on whether it is an external report that the ACCC conducts and I am not clear on the level of information we provide. I assume there is an exchange there. But, to your question about the legislative framework, I believe it sits primarily under the Water Act. But the pricing, as Fiona said, is calculated with reference to the National Water Initiative and other

commitments and frameworks around the value of water.

MR RATTENBURY: Thank you. In the ACCC's report is the ACT deemed to be meeting its obligations under the National Water Initiative criteria or guidelines?

Mr Clapham: I am not aware if there is an assessment of meeting the obligations; I am sorry.

Ms Wright: Not an assessment of meeting the obligations, but certainly what we would report is the amount money collected and then the amount that is discharged under water projects. At the moment, there is more collected than spent on water projects.

MR RATTENBURY: Are you able to tell us what those two figures are?

Ms Wright: I believe they are published on the ACCC website.

MR RATTENBURY: I know; I just cannot remember.

Ms Wright: I will see if we can get that information while this hearing progresses. I am sure that we will be able to look that up and provide that.

MR RATTENBURY: Thank you. I want to ask about the ACT's Climate Change Strategy. The ACT's Climate Change Strategy is currently set up for the period 2019 to 2025. With just five months of 2025 left to go, I would like to understand what is going to happen next for the ACT's Climate Change Strategy.

Ms Orr: I will interpret the question of what is going to happen next as what plans are in place to progress a new strategy.

MR RATTENBURY: Sure.

Ms Orr: Mr Rattenbury, as I am sure you are aware, in the budget there is funding there to develop the next strategy. The directorate has been doing the preliminary work and we are in the process of taking that to cabinet to look to release for public consultation.

MR RATTENBURY: Are you going to be releasing a draft strategy for consultation or are you going to start by asking the community, from a more ground-up perspective, what should be in the next strategy?

Ms Orr: Mr Rattenbury, the policy approval is being taken to cabinet. I would not want to pre-empt what cabinet gives me approval to do.

MR RATTENBURY: Okay.

Ms Orr: What I would say to that, Mr Rattenbury, is I think the question that you are going to there is what input the community will be able to have in bringing forward their views and their opinions and—I think it is probably fair to say—the opportunities they see there for action into the process. That is definitely part of the considerations that we have been having. The exact form that is going to take on, I think is a decision for cabinet.

I think it is also fair to say that, within a lot of climate change action, a number of the issues and challenges that we see are already very much known, and we have things in place to also articulate what it is that we need to be responding to. I am thinking about the Greenhouse Gas Inventory and those sorts of things. So there is a lot of information we will be drawing from a range of places. In what is quite a large and complex policy area, there will be different points throughout the process, which is not a “set and forget”; it is something we do look at, and we will see different parts of input and different sources of information to inform it.

MR RATTENBURY: Can you just specify for me—and I am afraid I have just lost track of it—how much money has been allocated in the budget? I was not exactly clear from the budget papers.

Ms Orr: I have forgotten the exact name of the initiative, but it is core climate change.

MR RATTENBURY: Core climate change?

Ms Orr: Core climate change functions, was it? It might be core climate change functions, but we can find out for you what exactly it is. It is “Maintaining core climate change and energy functions”.

MR RATTENBURY: You can see why I was slightly hesitant.

Ms Orr: That is fine.

MR RATTENBURY: What is the timeline then to the commencement of that consultation?

Ms Orr: Mr Rattenbury, we are in the process of taking it to cabinet.

MR RATTENBURY: Do you have a target date for the publication of the new Climate Change Strategy?

Ms Orr: In answering your question, I think it that is actually important to take a step back. We are actually look to take that strategy out for a form of consultation—not wanting to pre-empt what cabinet decides. In determining when you would finalise the strategy, which is I think how your question was phrased, in some respects that depends on what comes of the consultation and how much work we may or may not have to do based on that.

MR RATTENBURY: I understand that. That is why my question was very specifically framed as: Do you have a target or a timeline for the completion of the work or the publication? Presumably one has one, even if it then has to change.

Ms Orr: My hesitation, Mr Rattenbury, is that, if I give you a target, every question will become, “Why haven’t you met that target?” This has come up in a few sessions and is consistent with my approach in those. We certainly will not want to be dragging things out or taking more time than we need to; however, if I put in place a target and everyone holds me to that and there are issues raised that need to take a little bit more

time, we end up in a bit of a perverse alternative where we cannot actually work through those because we are working to an arbitrary target that was put forward.

MR RATTENBURY: One might say the same about our legislated climate targets, Minister.

Ms Orr: You could probably say it about just about everything. In answering your question—and hopefully this will satisfy you; I daresay if it were Mr Cocks questioning me it would not—I would like to take the time to have the conversation. We are not looking to drag out the development of this strategy, but certainly also do not want to put in place a deadline, no matter how well intentioned, that prevents us from actually working through the issues that are raised during the consultation.

MR RATTENBURY: The Labor Party only took two climate policies to the election. One was the continuation of the Sustainable Households Scheme and the other was the inspiring commitment to no backwards steps on climate action. You have already taken a backwards step on the Sustainable Households Scheme by introducing a three per cent interest charge which you did not take to the election. So how can the community have confidence that you are going to meet our future climate change targets?

Ms Orr: Mr Rattenbury, I do not agree with the premise of your assessment of the indexation of the interest rate, which is actually also not within my remit. But, putting aside our differences in how you have premised the question—actually, no, Mr Rattenbury; I am just going to reject it. Sorry.

MR RATTENBURY: Okay. Given the commitment was no backwards steps on climate action, what is your vision for what might be in the next Climate Change Strategy?

Ms Orr: In answering the question as to my vision, I also premise this with it is not to the exclusion or the consideration of matters that other people or organisations might raise as we work through this process. I have my officials writing me lots of notes too. As I am sure you can appreciate, given that you have held this portfolio, there are a range of different perspectives in the transition and in the response to climate change that really need to be addressed. I think it is fair to say, with where we up to at this point in time and going into the new period that this strategy will cover, that there are certain things that we perhaps have not addressed, either because they have not been as prominent when previous strategies have been written or in the need for the response, or because our understanding has grown within that area.

Key within the Climate Change Strategy, for me, in the discussions I have been having with the directorate, is how we focus on adaptation, making sure that, with what damage has been done that we cannot avert, we now actually do have a response, looking much more to an equitable transition. I think that, as we have progressed through this, it has become very clear that the impacts of climate change are going to be varied across our community based on different factors that shape their lives, and we need to make sure that we are considering that range of impacts and how we can best respond to them, as well as that people are not left in a position where they do not have the support to be part of the transition.

Those are probably the two main areas that stick out to me when I look at the work that has been done to date. Having said that, the strategy obviously will be more than two areas.

MR RATTENBURY: Sure.

MS CASTLEY: In the Climate Change Strategy there were 83 actions and goals. Other than actual emissions reduction, has the government published any reports into the activities, expenditure and progress for each of those action items?

Ms Orr: I am advised “Yes”.

MR RATTENBURY: The annual ministerial statement does that and it is published in the Assembly each year. So I will alert the officials.

Ms Orr: I appreciate the help, Mr Rattenbury.

MR RATTENBURY: You are welcome.

Ms Orr: As much as I do appreciate Mr Rattenbury’s help, I might just let him frame his next question up while I get Ms Wright and Ms Sendaba to answer the question.

Ms Wright: As was pointed out, there is a minister’s annual report on the Climate Change Strategy, which I believe is legislated under the Greenhouse Gas Emissions Act.

MS CASTLEY: And it covers activities, expenditure and progress for each of those actions?

Ms Wright: It has progress for each item. I do not think it details expenditure, but it definitely lists each item and its progress.

MS CASTLEY: I would like to ask about all of those. I can obviously read progress and activities. Can you talk about expenditure for each of the activities? Do you track that?

Ms Wright: I do not believe at that level of activity we track. We obviously have accountability indicators across the output class, which we do track. But, as you pointed there were 83 items and some of them are quite granular and some of them are part of a policy response—and, no, we do not track it at that level.

Ms Orr: Expenditure will also be presented in the budget.

MS CASTLEY: For all 83? I do not know that the note in the budget is for all of the 83 items individually. I am trying to understand how the government reviews the evaluations in order to determine which of the actions you are talking are value for money.

Ms Wright: We do undertake monitoring and evaluation. I cannot say that definitely for all 83 items. But, for all large programs and large expenditure items, we conduct

monitoring and evaluation exercises.

MS CASTLEY: Is that in the ministerial statement or a report I could read?

Ms Wright: I will have to check that one.

Ms Orr: Maybe, Ms Castley, if you have a look at the report, that might answer some of your questions. It is just a bit—

MS CASTLEY: Not if the expenditure is not in the report. I am trying to understand how you are going with the 83 items, tracking them according to progress. We are keen to know how it is all going, including the cost of it—if you could send me information on that. I am wondering if the government benchmarks its performance against other jurisdictions, such as comparing the effectiveness of policies or the cost of abatement.

Ms Wright: I might ask Ms Sendaba to talk about some of the work we are doing on the cost of abatement and how we might compare. As a smaller jurisdiction, we certainly negotiate, correspond and collaborate with all our fellow states and territories on work that they are doing and we do share ideas and share experiences on the work that they are doing and the activities that are providing a good response in terms of climate action. Luckily, the ACT has been quite a leader in this space, and quite often we are sharing those ideas with others, especially on our electrification and other measures, and how we are doing that.

In terms of value for money, as I said, we do monitor and evaluate on a kind of more program-by-program basis. With the 83 items in the Climate Change Strategy, some of them were very granular and probably performed by a person, part of an FTE, doing their job in carrying out their BAU activities—so difficult to measure. Some of them are quite large, though, and I think we would have some measures. I do not think we definitely have monitoring and evaluation across all of that. I might just pass to Bethel.

Ms Sendaba: In terms of evaluation, I would just note that there is a legislative requirement for an independent review into climate action that the territory has undertaken. That happens every five years, and we are in the final stages of completing the current review. That will provide an independent assessment of how the ACT has gone against its commitments.

As Ms Wright has indicated, there is a large variation between the types of those 83 actions. Many cut across different portfolio responsibilities and are subject to the same cost-benefit analysis if it requires a regulation, for example, or expenditure assessment against value for money that any other would have to go through.

MS CASTLEY: When is that due?

Ms Sendaba: The independent review? It is currently before cabinet. So pretty soon.

MS CASTLEY: Minister, could you, on notice, provide a table of the expenditure, the expected abatement and the average cost per tonne of abatement from each item?

Ms Orr: I am advised that is not possible.

MS CASTLEY: Okay. Given the enormous cost of decarbonisation, I am wondering why cost effectiveness and value for money—

Ms Orr: Ms Castley, there is an enormous cost to not decarbonising too. That is climate change and the impacts that we are seeing there.

THE CHAIR: We might see if we can get to the end of the question.

MS CASTLEY: Given the enormous cost of decarbonisations, why isn't cost effectiveness and value for money at the heart of the government's climate policies?

Ms Orr: Ms Wright, you are looking like you want to jump in there.

Ms Wright: I am happy to, Minister. Value for money is definitely considered for every initiative. We go through a business case process and present to government the value for money consideration of every initiative we take in the climate change space, as we would in any other space. The cost of abatement is only one metric. Obviously, with a lot of these actions, there are co-benefits that come with decarbonisation. There is thermal comfort. We have seen co-benefits across education and otherwise.

MS CASTLEY: I am not doubting any of that. I understand that and that is all in reports. But what I am not seeing is the financial cost. That is my point. I get all of the needs and reasons we are doing these things. They are reported on widely. I am just wondering why we are not tracking the cost.

Ms Orr: I believe we do track the cost, but just not at probably the granular level that you have been requesting today.

MS CLAY: Minister, the original question was on the climate strategy and the timeline, and I am still confused. It is August and the current climate strategy expires this year, in a few months. Do you have a timeline to ensure that the climate strategy due to commence in 2026 will commence in 2026?

Ms Orr: Ms Clay, as we have already said, we are in the process of going through our cabinet processes with a view to releasing it. From the way you framed the question, in that the strategy that is for 2025 finishes in 2026, I think the point you are going to is that there may not be a strategy. That is not my understanding. My understanding is that the strategy will continue in place until there is a new strategy.

MS CLAY: The question was: do you have a timeline? I know it has gone to cabinet and I understand—

Ms Orr: No; it is in the process of going to cabinet.

MS CLAY: Do you have a timeline written down somewhere?

Ms Orr: Ms Clay, Mr Rattenbury asked a number of questions around the timeline, and I have already answered. I have already said that we are looking to go through the cabinet processes and go out to public consultation by the end of the year.

MS CARRICK: You mentioned a list of programs that you had. Would you be able to provide us, for the portfolio, the list of programs and budget against them?

Ms Orr: Is this the 83 actions that we were referring to?

Ms Wright: Ms Carrick, are you talking about the 83 actions, or are you talking about—

MS CARRICK: Not actions; just the programs that you manage, so you can assess the program and how it is working. There are a lot of initiatives in there, but how do they roll into programs? What are the programs that you manage?

Ms Wright: Minister, would you like us to talk through some programs?

Ms Orr: We could talk through some. As Ms Sendaba said, the actions and the programs that the actions would come under happen across all of government, . In the interests of time, we might—

MS CARRICK: That is okay. For the sake of time, I do not need you to talk through them. Could you provide a list of the programs, even if they are cross-portfolio ones?

Ms Orr: I am also going to refer you to the annual report that we publish on the—

MS CARRICK: Does have a budget against each of the programs?

Ms Orr: Again, the budget provides the budget information.

Ms Wright: We can talk about some large programs that are key budget line items.

THE CHAIR: That is not quite the question. I think Ms Carrick is looking for a straightforward list of programs that you are involved with, including whole-of-government and cross-portfolio programs. Are you able to provide that on notice?

Ms Wright: We can provide that on notice. I would also say that we publish on our Everyday Climate Choices website. Because programs are there for the community to utilise, they are publicly available on the websites. But we can provide that on notice.

THE CHAIR: I have a quick question I want to ask just for clarification in a lot of ways. Minister, I think you mentioned in the early discussion around the Sustainable Household Scheme that you did not make the decision around applying interest to the program?

Ms Orr: It is the Minister for Finance who administers that scheme. While my section will provide advice and support into the delivery of that scheme, the ministerial authority sits with the Minister for Finance.

THE CHAIR: How does that relationship work?

Ms Orr: I think quite well. It is quite a positive relationship. We have good

conversations.

THE CHAIR: Rather than whether it is good or bad, I am trying to get to the practicalities. I am sure you like each other. I have no reason to doubt that. However, when it comes to your role and the policy remit that you have, this program seems to be fairly strongly within that policy function. I am trying to understand how it is sitting with the Minister for Finance and why that decision sits there rather than within your portfolio.

Ms Orr: My understanding is that it is a loan scheme and it is administered by Treasury, which is why it sits with the Minister for Finance.

THE CHAIR: Did you provide any policy input ahead of the decision to add interest to the program?

Ms Wright: Mr Cocks, I might just pass to Ros Malouf. She is our EBM. As the minister pointed out, whilst it is definitely within the Minister for Finance's portfolio, we have a team that basically supports that program and reports up through Treasury to the Minister for Finance. So we can talk about what input we had, but I do not believe it was policy input. I believe it was just purely program-related in terms of administering that function.

THE CHAIR: Is that correct—that it was not policy input; that it was just administrative input?

Ms Orr: It partly depends, Mr Cocks, on how you define “policy”. Maybe Ms Malouf can explain what she does during the support of it. That might provide clarity for all of us.

Ms Malouf: I look after the program's delivery across this section. I have read and understood the privilege statement. The Sustainable Household Scheme had an original commitment of \$150 million. That is—

THE CHAIR: Sorry—I am going to ask, given so many people want to ask questions, that we keep answers really tight. Just policy input or administrative input would be great.

Ms Malouf: It was administrative input, because the policy of this sits in our central agency, in CMTEDD, in the Treasury.

THE CHAIR: Thank you.

MS CARRICK: How are they the experts in the subject matter? Shouldn't you guys be doing the policy?

THE CHAIR: I think that is the question we are all asking.

MS CASTLEY: Who decided? Did the Treasury decide we need the Sustainable Household Scheme and foist it on you, or it is—

Mr Engele: I can provide a bit of history on that. My previous role was Coordinator-General for the Office for Climate Action. Originally, that program was run from the Office for Climate Action, which reported to the Minister for Climate Action, Andrew Barr. That originally sat in the policy and cabinet part of CMTEDD and utilised a hybrid team. We had the subject matter experts in what was EPSDD, but it was always administered from the central agency. It has a range of issues. There are the policy issues as they relate to engagement with industry. Because it is a large loan program of around \$300 million, it has a special-purpose vehicle and a range of financial considerations in relation to administering those loans. It originally sat in CMTEDD. I think the reallocation keeps it in CMTEDD. The Office for Climate Action was discontinued, so that function has moved to the Treasury.

THE CHAIR: Thank you. I ask that any further questions on this line be put on notice at this stage. There is clearly more interest, but we will have to keep moving. Ms Carrick, do you have a substantive?

MS CARRICK: Thank you, Chair. My substantive is about mapping the green spaces in the urban footprint as we densify.

Have you done any mapping of the green spaces that we need to keep as we densify?

Ms Cheyne: Yes.

MS CARRICK: What mapping has been done for the light rail stage 2B corridor? That will potentially be heavily densified, so what mapping has been done to show the parts of that corridor we need to keep? Where can we see the mapping? And how does it relate to areas that will be densified—for example, Athllon Drive and Yarralumla Creek? What mapping has been done within the urban footprint to identify areas that we need to keep?

Ms Orr: Ms Carrick, I know you have a particular interest in Yarralumla Creek, because we have had a number of discussions about it leading up to this. I think it is fair to say that the issues you have raised with me previously go to preserving the corridor and ensuring that it is not built out in a way that precludes any future re-naturalisation of the corridor. Part of that, as we have discussed, is a question for Planning and is not necessarily within my remit. If you would like, we could have a bit of a discussion about the work we have been doing to map environmental values around—

Mr Engele: Probably two things for that particular corridor are subject to the EIS for light rail stage 2B. Some work has been done on that. Then, under the planning portfolio, there is the Southern Gateway Planning and Design Framework. That is the piece of work that has been run through the Minister for Planning and Sustainable Development, to look at that entire corridor from a range of factors, including, of course, the blue-green network, which is a key component and is constrained to various pieces of infrastructure considerations. If that work is underway at the moment, it is probably more a question for the minister for planning.

MS CARRICK: What conversation has the environment area had with the planning area to ensure that the environment is looked after?

Mr Engele: That formed part of all the planning studies. A lot of those already mapped in ACTmapi are available. As the planning studies move through their different phases, they will include detailed investigation of any of those constraint areas.

Ms Orr: Sorry to interrupt you, Mr Engele. You are doing a great job. A conservator is here and could talk a little more on what the directorate has been doing with regard to mapping areas of conservation value within the ACT and how that is feeding into our broader processes and considerations.

Mr Burkevics: Thanks, Minister. Good morning, Ms Carrick. I have read and acknowledge the privilege statement. Thanks for the question in relation to the Woden area, and, in particular, the various corridors. I might break the question down into two parts, if I may. To reflect on the remarks of DDG Engele, the light rail stage 2B EIS is a draft, and that is out for public comment. The conservator has the opportunity to comment on that document and has actively participated in providing data and assistance to its development. Of course, any matters that engage in nature conservation, threatened species or native animal matters are, of course, of keen interest to me as conservator.

More broadly across the City and Environment Directorate, considerable mapping has been done as part of the blue-green network work. I note your interest in Yarralumla Creek. Yarralumla Creek is a really important area mapped as part of the blue-green network. It connects to the Molonglo River. There is certainly some ongoing thinking with colleagues in the Office of Water around future restoration opportunities, noting that there are significant flood risk considerations for that area.

Another body of work that was undertaken, thanks to members of the Red Hill Regenerators, was an ecological assessment of the lower slopes of Red Hill, around the old Telstra building on Carruthers Street and Kent Street. As a result of that ecological study that was undertaken independently, on two blocks there all trees of a particular species were registered under the Urban Forest Act. That was a significant ecological assessment undertaken on those blocks.

To sum up, the EIS for stage 2B is under public consultation and the conservator will be continuing support and involvement in that matter as part of the ACT's planning frameworks. Yarralumla Creek, as part of the blue-green network restoration opportunities, is always being considered as part of the broader blue-green network, and ecological studies are undertaken on the lower slopes of Red Hill on Carruthers Street in Hughes.

MS CARRICK: What about between Mawson and the town centre? That area is under threat of high densification. What conversations have you had with the planning directorate to ensure that the creek is considered in the future densification of the corridor?

Mr Burkevics: I am not aware of any proposed immediate development, Ms Carrick. That would activate the ACT's strong planning frameworks and environment protection frameworks. I note, though, that previous governments and previous ministers have arranged for investment in that creek. I am aware there is a wetland in that area. That

provides really important water quality benefits to Yarralumla Creek towards the head. Any development proposal that impacts on an area such as that would be considered very carefully. As you may know, there is the Biodiversity Sensitive Urban Design Guide, which is part of the ACT's planning framework. Of course, any development proposal that has an impact on an area such as that would activate the BSUD, and then relevant considerations would apply. The BSUD is available online.

MS CARRICK: The area is zoned for high-density housing. Would you be able to be proactive and talk to the planning directorate about the area and the potential to save the creek?

Ms Cheyne: It is one directorate.

MS CARRICK: I know, but I have been asking for years.

Ms Cheyne: I know. I have a lot of appreciation.

Mr Pepper: I have read and acknowledge the privilege statement. For any of these developments, we have a well-worn path of referral entity processes. The conservator is a critical part of that. These sorts of proposals that come through are considered by a range of statutory decision-makers, utilities and others to consider all these sorts of things in order for a decision to ultimately be made. We have a process to cover these things off in the normal part of businesses.

MS CARRICK: What happens if the blocks go to market before we have a plan to save the creek? The blocks are on the land release program.

Mr Engele: To clarify, the southern gateway goes all the way and includes that whole corridor, all the way down to the edge of Woden.

MS CARRICK: I am talking about further past that. Woden—

Mr Engele: Sorry, I mean the Woden district. Our study area does not relate to a terminus in the town centre; it includes the Mawson area, and Athllon Drive is an active consideration.

MS CARRICK: Can you guarantee that the creek is part of the southern gateway and the plan to naturalise it, and that blocks along the corridor will not be released to the market prior to the southern gateway being finalised?

Ms Orr: The southern gateway is a project for the Prime Minister. It is a question he would have to take.

MS CARRICK: This is chicken and egg stuff. If you release the blocks before you do the planning—

Ms Cheyne: I understand that. I think what Mr Burkevics and Mr Pepper were talking about before is that, for any of this significant work, but particularly if there is a precinct development—more specifically, if there is a development application—when it goes through the approval process, there are entities within ACT government that need to be

consulted. Who is always consulted? The conservator.

MS CARRICK: But, when you do it block by block, it is piecemeal. We do not have a plan to save the creek; we just have piecemeal block-by-block development and—

Ms Cheyne: The southern gateway work has helped identify areas of sensitivity, and we also have the ecological dashboard that I can share with you. It is publicly available.

MS CARRICK: That would be great, because I feel none the wiser with all this, given it is on the land release program. It is zoned for high-density housing and it is on the land release program. I feel none the wiser about how we are going to save the creek.

Ms Cheyne: There has been a considerable project to map all the green and blue corridors across the city and areas where there is fragmentation. A bit of investment would bring it together. I will take that on notice and I will provide it to the committee for you.

MS CARRICK: Thank you.

MS CLAY: We have funding in the budget for a landscape plan. Ms Carrick has talked about the mapping being done, and the Conservation Council has developed a biodiversity network plan. I am wondering which minister is responsible for pulling these things together and making sure they are implemented in the actual planning system—the zoning, the design guides, the tech specs and the territory planning. Is that the environment minister or the planning minister?

Ms Orr: Ms Clay, I am the minister responsible for the appointment of the government landscape architect. They will be responsible for developing the landscape plan. I think there are a number of assumptions in your statement around what the landscape plan will be and how it would work. The government has not taken decisions on it, partly because we would like to appoint the landscape architect before making decisions that they have to administer, so that they can have input into those decisions. I would be hesitant to go too much into what could or could not be included and how it is going to work prior to those decisions being made.

MR RATTENBURY: Minister, when will you be appointing that landscape architect?

Ms Orr: Within the budget, we have funding to establish the office and appoint the landscape architect, and we are in the process of working through going out to applications for that.

THE CHAIR: Minister, correct me if I have misinterpreted it. It sounded like you just said that you are not taking decisions about what the landscape architect is going to deliver.

Ms Orr: Mr Cocks, I do not believe that is a fair assessment of what I said. I said—

THE CHAIR: That is why I said it is what it sounded like.

Ms Orr: My view is that the government landscape architect should be appointed so

that they can have input into what the landscape plan will cover and how it will work, because they have to develop and administer it.

THE CHAIR: Surely, to select the right person, you need to know what the job is and what you are asking them to deliver. I am trying to understand the thinking, as to why you would not define the deliverables, and what you are trying to get out of the person before you choose the right person to deliver that.

Ms Orr: Mr Cocks, you are now presenting it as though we have done no thinking whatsoever, which is not quite correct either. What I am saying is that we are not looking at taking decisions or finalising things without having input from the government landscape architect. We already have a range of activities across government, including the mapping of conservation areas and the work that we do through planning on landscape in our city. How we bring all that together and what the final part of that is going to look like is a conversation I do not want to have without the person who is responsible for doing it.

THE CHAIR: Ms Clay's question was actually about who pulls all of the disparate pieces together, not just this piece of the equation. Regarding all the work around the southern gateway, including the landscape work and all of those things, which minister is actually responsible for pulling all of the environmental thinking together?

Ms Orr: If I understood Ms Clay's question, she was asking about how it was going to be put together in a landscape plan. If I have not understood that, I am happy for Ms Clay to clarify.

MS CLAY: The Conservation Council has prepared the biodiversity network. We see that there is a new landscape plan, and it has been given as the answer to a lot of environmental questions that stakeholders are asking at the moment. We are trying to work out which minister will be responsible for bringing together the planning system, the zoning, the Territory Plan, the design guides and the technical specifications, and actually implementing on the ground any work that the government intends to do on the Conservation Council's biodiversity network and the landscape plan. Which minister is actually implementing those things?

Ms Orr: Ms Clay, you are making reference to the Conservation Council's Biodiversity Network. Officials, if I am incorrect in my understanding, please correct me, because I have absolutely no intention of intentionally misleading the committee. The Conservation Council's network is their network; it is not government policy.

MS CLAY: I said, "If the government had any intention of implementing it, which minister would it be?" Is it the environment minister or is it the planning minister that we should be directing these questions to?

Ms Orr: Ms Clay, I think it is hypothetical, because, to the best of my knowledge, the government does not have any intention of implementing the Conservation Council's network.

THE CHAIR: Minister, allow me to very quickly try to rephrase this one more time. Which minister has responsibility for ensuring environmental considerations are

incorporated into the planning system?

Ms Orr: Mr Cocks, it will be Planning, but it will be with input from various entities across the ACT government.

THE CHAIR: Thank you.

MS TOUGH: I want to change tack and talk about native wildlife management. Everyone in Canberra sees dead kangaroos and other native wildlife on the side of the road, and sometimes on footpaths when they have been moved off the road. Lots of people have car accidents with kangaroos, particularly over winter, but sometimes wombats and other native wildlife as well. What work is involved in assisting those injured animals or cleaning up when animals die in accidents?

Ms Cheyne: I can start and then I will perhaps hand over to Ms Watts for the specifics. We have a dedicated wildlife call-out team. They are incredible. I have met them. There are only a few of them and they are available 24 hours a day for wildlife call-outs. Calls about injured wildlife are usually received through Access Canberra and then referred to the rangers. Sometimes the referrals come through Policing and sometimes directly to PCS. Rangers will get to the incident as soon as they can. One of the challenges they find is that sometimes the location, especially if it is on a parkway, is not always as specific as it could be.

The past financial year has been a record year in terms of wildlife call-outs, particularly in relation to kangaroos. Appreciating it has only been a month since the new financial year began, we need to do a bit of thinking about what is causing this. Are there more reports or is it that more kangaroos are approaching the road because that is where the water run-off is and that is where the grass is greener? We have had a much drier season since the end of last year.

I will hand over to Ms Watts to tell you more.

Ms Watts: Thank you, Minister. I have read and acknowledge the privilege statement. As the minister said, we have a dedicated team of Urban Wildlife rangers who are available 24 hours a day, 364 days of the year—we give them a day off at Christmas time—as well as an after-hours on-call suite of rangers who are available to attend injured wildlife calls that are processed through Access Canberra. As the minister said, in the last two months we have had two record months. We are seeing an increased number of animals on roadsides that have been struck by vehicles. It is very typical during winter that we see an increase in numbers. That is generally attributed to Eastern Standard Time, with dawn and dusk lining up with when there is more traffic on the road during peak hour. The support that we provide is through these call-outs and attending to the animal as required. We also support ACT Wildlife and Wombat Rescue in rescuing orphaned animals. We rescue pouch young or dependent young and, where possible, triage those animals and then hand them on to wildlife carers for rehabilitation.

At this time of year, we see an increase in grass curing in our nature reserves. There is the location of nature reserves. We are in the bush capital. One of the great things about being here is the number of parks and reserves that we have scattered throughout the city, so we see the animals move onto our roadsides. I implore Canberrans to keep an

eye out and be aware that this is all part of living in this city. Roadside grass at this time of year provides green feed. It is regularly mowed by our City Services team, which means that it sprouts more palatable green feed for kangaroos, which attracts them to the roadside. Is there anything else that you want to know about?

MS TOUGH: Thank you. I think the minister mentioned that a fairly small team of rangers do this really important work. How do you look after the wellbeing of that team—physical and psychosocial safety. If they are being called out to clear a quite large dead kangaroo off a major road, that obviously presents a physical hazard, and there is the emotional and psychosocial side of dealing with dead and probably quite injured animals as well over and over again.

Ms Watts: Yes. It is a really horrible job. I will be frank about that. In terms of the physical protection of staff, they undertake training in manual handling and animal handling—ways to load heavy carcasses and move them, to reduce the risk of physical injury. Our team operates on a rostered basis. That gives them an opportunity for rest relief. Mandatory rest relief is attached to attending after-hours call-outs. Permanent team members are rostered on a 10-4 basis, which means that they get an extended four-day break after their 10 days on roster. In terms of managing the risk of psychosocial injury or the impact of handling these animals, Converge operate within the ACT government and can provide assistance to staff who are experiencing levels of stress.

Ms Cheyne: I think it is a 10 days on, four days off roster, but also, if they are rostered to begin early the next day, that will accordingly be delayed so that they get proper rest.

Mr Burkevics: Ms Tough, I have further information following the minister's and Ms Watts' remarks. Another process that is being undertaken at the moment is the upgrade to the vehicles used by the Urban Wildlife team. They operate in all weather conditions, day and night, and on high-speed and low-speed roads. There is a process underway to upgrade all the vehicles, including, as Ms Watts mentioned, lifting equipment for the carcasses. All of us would implore Canberrans to slow down when they spot those vehicles in operation, because the staff have to enter roadways. It is hazardous for all City and Environment staff who work around roadways. Of course, it is very hazardous for emergency services and police as well, so it would be great if all Canberrans could keep watch and slow down.

MS TOUGH: Definitely. Thank you.

Ms Cheyne: Recently, I met with Wildlife ACT and Wombat Rescue. Both shared with me that their relationship with this team is amazing. That really does show the care and compassion that is provided in what is, as Ms Watts said, a really horrible job for these people. They often have to put an animal out of its misery or move it from the road. When there are babies in pouches, there are opportunities to get a really good outcome. Notwithstanding that, as I have learnt, looking after a wombat from a very young age to it being able to walk is about a two-year commitment.

MS TOUGH: Thank you.

MS CARRICK: I want to ask about your investigations or whether there is any work on electronic fences?

Ms Cheyne: Virtual fences?

MS CARRICK: Yes.

Ms Cheyne: Ms Carrick, there has been a lot of attention. I appreciate that there is a petition about this as well. There have been quite a few reports from some councils. Having done a deep dive, as I am wont to do, and having read many, many research papers on this, one particular company has referred to a research paper that has had three or four follow-up studies. It effectively said that there is no conclusive evidence that it works. However, of course technology and research are changing all the time. We are very happy to consider that petition in full. I do not think it is being presented to the Assembly until the end of the year. I very much appreciate the intent behind it. But, drawing it all out, there has been a lot of research in multiple places since the article that is often referred to, including where the original article did the study. It is certainly contentious at best.

MS CLAY: Minister, on Community Day we heard from environmental orgs and they told us that they have been given a one-year extension to their service funding agreements. They have been told that the next funding will be run under open tender and that a review is going on. They also said they had not been consulted on that review. This is causing some distress. Can you tell us where that review process is up to?

Ms Orr: Thank you, Ms Clay. I will hand to the directorate for more information. I met with various groups—not all of them; specifically catchment groups—on Community Day. I heard some of the concerns that they raised. I think it is fair to say that some miscommunication has led to a number of these concerns. I do not know whether they are necessarily all warranted. The undertaking that I have made is to work through those and to get the directorate to work through them. I do not think we need misunderstandings when there is no need for them. That is probably looking a bit more at where we are up to and where we are going. Ms Malouf can probably provide you more information on what has happened to date, as that has mostly been with the directorate.

Ms Malouf: Regarding community orgs, we did a review, as we do with all programs, to make sure they are fit for purpose and align with government priorities. That review has informed what a procurement process or a tender process would look like when going out to market, making sure that we provide the opportunity for other community organisations to potentially tender for that process. We have had several conversations. Those three organisations have regular meetings with our team. For approximately 12 months, we have discussed how the procurement and review will look. There has been some change in staff in some of those community organisations.

Referring to the minister's comment about some miscommunication, I am not sure the information was passed on. I was certainly clear enough in meeting the current understanding of those organisations. We are looking at that review and are discussing it with the minister so that she can give us some direction on what the next step would look like, to make sure that we get the great outcomes that community organisations provide us.

MS CLAY: You said the review has been conducted. Is that review finished?

Ms Malouf: That review is finished.

MS CLAY: Can you table that review?

Ms Orr: I think it is about components of the review. The process is not finished. Components that would count as a review have potentially finished. I think that is a better way to look at it.

MS CLAY: Can you table the components of the review that have been completed?

Ms Malouf: There are some probity challenges with going out to market—pre-empting what those would look like. We will look at the procurement rules and will table what we can table.

MS CLAY: Excellent. Thank you. The question was about going to open tender and the answer went to allowing other community groups to tender. That does not sound like an open tender to me; that sounds like some kind of restricted community-group-only tender process. Do you have any information on that?

Mr Burkevics: Ms Clay, to assist in answering, it would be great to confirm which community groups you are referring to, because there are two different stages.

MS CLAY: I am interested in all of the public tender and review processes going on for all of our environment groups. The ones that have been raised with me are the Conservation Council, SEE Change, the Canberra Environment Centre, FrogWatch, Waterwatch, and the catchment groups. My questioning is about any reviews and any procurement changes that are going on with those groups.

Mr Burkevics: Thank you, Ms Clay. There are the first three you referred to. Ms Malouf was speaking about the process. Those groups go to matters that Climate Change and Energy colleagues have managed for some time. For the latter three, the catchment groups, the review of the processes and the grant arrangements go to matters that are being managed by Environment, Heritage and Parks—the group that I am with. Maybe Ms Malouf can finish any questions on the first three, and I can certainly address catchment group matters.

MS CLAY: Excellent. We were talking about the review in relation to the Conservation Council, SEE Change and the Canberra Environment Centre. That review is complete, and you have agreed to take on notice, subject to probity requirements, the elements of that review you can table. Is that where we are up to?

Ms Malouf: Those are the three—yes.

MS CLAY: We will come back to this one. That is fine. We were talking about open tender, but then you said the tender would be for community groups only.

Ms Malouf: We have not committed to any procurement pathway yet. The review is for discussion. We would make sure that we run a process that is open to anyone who

could deliver the services we are looking for.

MS CLAY: Regarding the process that you are going through at the moment—I will not call it the review, because the review is finished—have you looked at the exemptions that were usually applied to government procurements? There are often exemptions, where there is a supplier with specialist knowledge or where a new supplier would not be feasible because they would not be compatible with existing services. We are talking about groups with lots of expert knowledge and lots of volunteers. Would those be reasonable exemptions to not go through an ordinary public tender?

Ms Orr: Ms Clay, regarding the three organisations that Ms Malouf is overseeing in this process and that report to me, I think it is fair to say that the groups have raised concerns. We are having discussions as to where the next steps go. I think the questions you are asking are about those next steps. Nothing has been formally decided. Considering that we have provided to better understand the concerns of the groups that have raised them, I think it would be a little premature to jump to the next steps without having that conversation.

MS CLAY: Sure. Are the current service agreements public at the moment?

Ms Malouf: The service agreements would be on the Contracts Register—correct.

MS CLAY: We could not find them on the Contracts Register, so we might circle back by email to get the links to make sure. That could be on us. In relation to the other groups—FrogWatch, Waterwatch and the catchment groups—has there been a review into the way the funding is done?

Mr Burkevics: Correct. Ms Clay, a review is underway. That has involved a survey of the three catchment groups, and that is informing advice that the City and Environment Directorate has provided to the minister. That is under deliberation, as the minister said. I certainly would like to acknowledge that the catchment groups have expressed that uncertainty is a worry to them. I acknowledge that. It is important to recognise that the government invests around a million dollars a year in the three catchment groups. Of course, whilst that is done under a grant type arrangement, the government procurement arrangements require that anything over \$25,000 has quotes. That factors into some decision-making and advice to the minister.

We are also aware that undertaking reviews is very healthy. It encourages innovation and ensures that complacency does not set in. The review is a very healthy process. I certainly acknowledge the catchment groups for their willingness and their engagement. I and colleagues met with the three catchment groups very early to explain the process. We have exchanged correspondence. There will be a benefit in talking further with them about the outcomes of the listening exercise that we have undertaken—what we have heard—and that will help inform the final decision by the minister.

MS CLAY: Thank you. Can you table that review?

Mr Burkevics: It is an internal review. It is advice for the minister at this time. There will be a minister's decision on what is tabled in due course.

MS CLAY: You have talked about the procurement thresholds and the probity process. Has your review considered standard exemptions being built into that procurement guideline, where there is a supplier with specialist knowledge or where a different supplier would not be feasible because they would not be compatible with the existing services, such as volunteer labour? Is that part of that?

Mr Burkevics: They are all provisions that a delegate may wish to consider in making a decision on a procurement approach. We have looked at a longstanding arrangement with the three groups and considered the best course of action, and we provided that advice to the minister, noting that others may be interested in providing the important environmental services.

MS CLAY: Absolutely. Given that this was an internal review, how were the existing organisations able to input?

Mr Burkevics: The catchment groups in particular were invited to provide feedback for a survey mechanism. That has been considered and provided to the minister. As Ms Malouf indicated, we are conscious that, should future decisions mean we take a different procurement path, we need to be very careful that it does not jeopardise or give anybody an unfair advantage. But, of course, those are decisions for the future. At the moment, we have done an internal review, we have some advice for the minister, and the minister will consider that in due course.

MS CLAY: Thank you. We have done a double-check on the Contracts Register. I would love this to be taken on notice. We cannot find the service agreements. Can someone take that on notice for us?

Ms Malouf: I can correct it now. I made a mistake. My apologies, Ms Clay.

MS CLAY: That is fine.

Ms Malouf: That was not done through a full procurement process; that was done as a single-select. That is in relation to the comments you made about expertise. Under our procurement rules, they are not required to go on the Contracts Register.

MS CLAY: Are they able to be provided on notice? Can you take on notice whether all of the service agreements can be provided?

Ms Malouf: Yes. I will take that on notice.

MS CLAY: I will take whatever comes back. Do both reviews anticipate that there might be a need to increase the funding pools, or are these reviews being run on the basis that we are just cutting up the same funding in a different way?

Mr Burkevics: I think it is fair to say that any future deliberations about funding increases and so on are a matter for government in due course.

MS CLAY: Absolutely. Have the reviews looked at the current environmental need and what the funding level would be required to meet that need? I am not asking you what the details are; I am asking you if both reviews have looked at the current

environmental needs and what the funding requirements are to meet those current environmental needs.

Mr Burkevics: I can talk about the review being undertaken for the catchment groups. It is primarily focused on the funding envelope that is currently provided. Of course, there are a wide range of financial pressures in the environment sector and any particular needs that are identified would obviously be discussed as part of future processes, but of that funding, the review has been undertaken within the existing budget envelope that is provided at the moment.

MS CLAY: Within the existing budget envelope?

Mr Burkevics: Correct.

MS CLAY: Thank you; you have given me the answer. That is great. Is this some kind of commissioning process on both of these reviews? Is this what we are going through?

Mr Burkevics: Could you clarify commissioning process?

MS CLAY: We have seen commissioning processes in other sectors such as the community services sector. Is that a similar sort of process that we are embarking on here?

Mr Burkevics: It could be. I think what I would probably like to say is that it would be—I would be reluctant to obviously speculate on something that is subject to future decisions—so it could be there are a range of mechanisms that the government has available to appropriate community groups with funding. So it could be, but obviously subject to future decisions.

THE CHAIR: I have a few follow-up questions here. At the outset you were talking, Minister Orr, about a miscommunication. Did you actually manage to miscommunicate the length of funding, which is what it sounded like. That seemed to be the concern that we started with, the 12-month funding extension. Was that what was somehow miscommunicated?

Ms Orr: Mr Cocks, the miscommunication and the misunderstanding that I was talking to was around different expectations of what a review might be, what that might look like, questions around procurement and procurement policy and what needed to be done when. It was not around the 12-month extension.

THE CHAIR: So it was 12 months, which is right?

Ms Orr: Yes.

THE CHAIR: And that is for those three organisations only that we were referring to?

Ms Malouf: So it was communicated to the three—we will just keep calling them the three organisations—SEE Change, Conservation Council and Environment Centre. It was communicated that we would extend their funding for 12 months while this review process would happen to provide the government with an opportunity to make a

decision on what the future funding would look like.

THE CHAIR: Thank you. What program is that funding under? Is this a grants program or are we talking about contract services? What is the source of funding in the budget that it comes from?

Ms Wright: Yes, I might jump in there. So for the three organisations, these are service funding agreements which are contractual arrangements to deliver services specified by government in accordance with defined government objectives, but I understand that some of the other ones that we have been talking about are grants—

THE CHAIR: That is all right. I will come to those in a minute.

Ms Wright: and grants are there to support the existing organisation's mission and their own goals. So yes, we are talking about agreements.

THE CHAIR: So what you were talking about are contracts for services, and what are they funded under?

Ms Wright: They are funded through directorates.

Ms Malouf: They are funded through base directorate funding and have been, for some of them, for 30 years.

THE CHAIR: Okay, so that is ongoing funding.

Ms Malouf: That is ongoing funding.

THE CHAIR: Ongoing base directorate funding. Okay, so if it is ongoing funding, there is no reason that decisions could not be made before a budget decision then. You can make multiyear decisions at whatever stage in the budget cycle.

Ms Malouf: Correct. I think our process, without pre-empting the minister's decision, would be that if we are going to lock in this, let us lock it in for a period of time that gives some certainty to those organisations as well. So whether it be a three or a four year decision that the minister makes, give that certainty for all three organisations and for potentially the staff they may hire to do the work that is in their service funding agreement.

THE CHAIR: Very good, and in what timeframe would you normally come back to revisit that before the expiration of an agreement?

Ms Malouf: As far as a review along the way?

THE CHAIR: As far as making a decision as to whether you were going to stay with the same organisation providing those services or make a change.

Ms Malouf: We would do that well before the end date. It would depend on what the process was going to be. If it was going to go back out to market, that would be at least a 12-month process. If it was going to—yes, it would depend on what the process would

look like, but I think what we are looking at is in plenty of time for them not to worry about the funding ongoing.

THE CHAIR: Going back to the other organisations that we have been discussing; it sounds like we still might have some that are on service contracts and some that are grant arrangements. Is that correct?

Mr Burkevics: To further expand on Ms Malouf's answer, the three catchment groups that are funded at the moment is from base funding. So you are correct in your remarks that, yes, decisions can be made, that it is ongoing funding and it has been there for a long while. At the moment, the three catchment groups are funded through a deed of grant and an extension or a new deed of grant was given for a further year whilst this review process is being undertaken.

THE CHAIR: Okay, so there is no specific grants program, it is grants funded from base funding?

Mr Burkevics: Funded from base, although the catchment groups, of course, are not excluded from, and are actually encouraged to apply for, the other grant programs that the government offers, the environmental grants and so on. Some of them have been successful for specific program funding through those mechanisms, as well as funding that is achieved under some commonwealth programs, too.

THE CHAIR: Okay, so those dedicated grant programs, is that a single program or multiple programs? Are there many? Can you give us a list?

Mr Burkevics: There are multiple programs for grants each year. There is the Environment Grants Program. Information is available online. That has just closed. It is always popular and successful. I know colleagues in climate—and Ms Malouf, feel free to jump in with regard to the many programs that you manage.

THE CHAIR: To be clear, I am talking about the funding that seems to be for community organisations rather than generic.

Ms Malouf: I think there are two different things. There is funding for the community organisations' operations to do a set level of activities the government wants and then there is additional grants programs which very often community organisations are well placed to deliver. Some of those examples are community gardens, community zero emission grants, and also a bike library that we run as well, that SEE Change happens to run because they are best placed to do that.

THE CHAIR: Just so that I do not waste everyone's time with a whole lot of questions, maybe could someone give me on notice a list of grant programs for environmental purposes and whether they are ongoing funding or terminating funding and if they are lapsing or terminating funding, on what date they cease?

Ms Malouf: Yes, we can do that.

MR RATTENBURY: Minister, can I just clarify what is happening here? We have the Conservation Council, SEE Change, the Environment Centre, three catchment groups,

FrogWatch and the City Farm; many of our key environmental organisations in the city, all in the same uncertainty. What message are you trying to send to the environment sector in the territory?

Ms Orr: Mr Rattenbury, I have certainly been working with the groups that, through my part of the process, come to me, so that is meeting with the Conservation Council, SEE Change and the Environment Centre. I have had many meetings with them at every step of this process to talk through where we are going and what is going to come next. I know the directorate has had many meetings with all of these groups as well. I would make the observation that in looking at the funding arrangements, one thing that has become clear is that these have not been looked at for a very long time. I think that it is fair to say this is not a familiar process for any of the groups and I think that is perhaps a contributor to the confusion or the misunderstanding that we are seeing here.

So then, as I previously said, I would much rather take a moment to work through those differences of opinion and make sure that they are not—if it is a misunderstanding then we can clarify, and if there is a genuine issue we can address it, rather than proceed and not listen to those concerns. I know this is not a process that these groups are necessarily used to. Again, talking to the three groups that I have had a particular focus on through my portfolios, I have met with them right the way through. So just to say that I met with them to discuss their concerns when I came into the portfolio and they had many calls in the lead up to the election for reviews of their funding. I had discussions with them as to what those could look like and what processes could be put in place to have a look at it.

I think the point where everyone has got very nervous and we have started to hear these concerns raised quite loudly, is around the point where we are just at, which is understanding what is meant by review, what has been undertaken, how that has been fed in and what the processes are going forward. And again, I think, those in the first instance, are points of clarification to get a good assessment, and a proper assessment of where things might be diverging and what we might need to reconcile.

MR RATTENBURY: What is your desired outcome out of all these review processes?

Ms Orr: Mr Rattenbury, bear with me in answering this question. There is a fine line here, given that a lot of these are done through service level agreements with the directorate and there is a level of discretion there that is just not entirely mine. There are parts there that we need to look at around procurements and then looking at what the directorate is in a position to do. So certainly, when it is put to me for noting, or for input, or to seek any views that I might have throughout the process, in front of my mind is not to put the directorate in a position that would be inappropriate for them in meeting their fiduciary duties. It is also to make sure that we are taking on board the feedback of the groups and aligning the expectations of the groups with what the directorate and the government is in a position to provide and getting on with the work that we would like to get on with. I think Ms Wright has something that she would like to add, if that is all right?

Ms Wright: No, I was just going to—I thought we were closing up.

THE CHAIR: All right.

MS CARRICK: It seems to be driven by procurement processes and checking value for money and who else can deliver the services. Should you go to tender, will you guarantee that you would consider in the criteria—and not just leave it that the delegates may wish to consider—the value of our organisations for their local knowledge, their local volunteer base, that they have stewardship over the areas that they look after, that they have networks across the region? Will those sorts of values be embedded in the criteria as opposed to just left to the delegate to maybe consider?

Mr Burkevics: I can assist with that one. I think what is really pleasing is that I am sure that these groups—should a future decision be made to go to tender—that all of these groups with such considerable experience and connections to the community—I would envisage should they decide to apply as part of a process that they would be in a very competitive process. However, noting it is open and it is tough financial times for everybody, it is really appropriate that anybody that applies for a procurement process considers ways to ensure that it is most efficient.

I am very, very conscious at the moment of the range of environmental groups, all doing great work, but how do we ensure that every possible dollar is going towards the environment and not on an overhead, for example, three rentals for accommodation and managing different comms requirements. So all that I would encourage is that groups, should there be a future decision, make their own decision to apply and consider ways to be as efficient as possible in their application to ensure every dollar is going to the environment.

MS CARRICK: Do you help them be efficient by providing help with IT or with plants to put out from the Yarralumla Nursery? How do you help them be efficient?

Mr Burkevics: Well, all of the groups receive and are part of the process, in terms of a deed. There are slightly different arrangements between the catchment groups and the groups mentioned by Ms Malouf. We meet regularly with the catchment groups on a day-to-day basis at an operational level, to a more strategic level through the Diversity Conservation Forum. I know that I have had a number of representations about where government could assist them in their objectives and their endeavours and their obligations under a deeded grant. It is very much considered on a case-by-case basis. I think, certainly there would be considerations of anything they wish to propose, and it would be considered.

MS CARRICK: And perhaps insurance, you could sort of take them under your wing and help them with insurance?

Ms Malouf: Sorry, I cannot answer the insurance question. But to your—

MS CARRICK: I know. It is just things that you could help these organisations with. I am sure there is a range, I have just said three—

Ms Malouf: I think there is some additional things I can add here to Mr Burkevics's comments. This is the opportunity to avoid any duplication between the groups as well, to make sure they are not duplicating each other's work. I think the power of the government is big and it can use its broad communications reach to promote the events

that these organisations have to make sure they get the right people coming to whatever events they have.

It is also an opportunity for—so we promote the three groups. I know the catchment groups are promoted on all of our social media and the like. It is also an opportunity to reach those that potentially are not in their regular catchment group or community group remit. So maybe other people come into that space, to go to those events and maybe be subject, for the first time, to coming to have a look at a bike library or a catchment thing that is happening in their area.

MS CARRICK: I would suggest that it should not be about pitting them against the private sector for the work. It should be about supporting them and enabling our local people to do this work.

Ms Orr: Okay. We will take that as a comment, given the time. I think Ms Wright had an answer to a question from earlier that she would like to provide before we finish.

THE CHAIR: Yes.

Ms Wright: It is on the Water Abstraction Charge that we discussed earlier. I would just firstly make a note that it is set based on a methodology that includes three components, being water planning, management costs and environmental externalities and scarcity value. The ACCC requirement is only on the reporting on water planning and management costs. So the figures that I will read out do not include the environmental externalities and scarcity value because that full reconciliation of revenue and expenditure is not possible. We do not have the 2024-25 numbers as yet. The amount of revenue collected by the ACT, from the Water Abstraction Charge in 2023-24 was \$36.379 million, and the reported expenditure for the water management activities component was \$22.204 million.

THE CHAIR: Members, I understand Miss Nuttall wishes to ask a question directed to Minister Cheyne, while she is still in the room. Are there any objections?

MR RATTENBURY: No.

MISS NUTTALL: That is extremely kind. Thank you everyone for your patience. I am interested in talking about the Demanding and Max and Bert Oldfields Huts in Namadgi. Could you please provide an update on the timeline for the replacement of these two huts since the destruction of the huts back in the 2020 bushfires?

Ms Cheyne: They are not going to be replaced.

MISS NUTTALL: I am interested to understand that, noting that the approval of the conservation management plan by ACTPCS was in 2022. What has changed since then?

Ms Cheyne: I have reversed the decision.

MISS NUTTALL: May I ask on what grounds you did that?

Ms Cheyne: Many. The starting point is that this was never presented as a decision for

or against to the government. So having gone back through the background, there was a brief to ministers on 4 November. That brief did not seek any agreement for the huts to be rebuilt, rather it asked to note that consultation would occur on a developed proposal for the reconstruction of the huts. The community was consulted on whether they supported the designs proposed, not whether to build or not.

The consultation process and decision process had erroneous costing methodology, focusing solely on the capital expenditure funding of reconstructing the huts, but not the hidden costs of government time in preparing the studies, DAs, conservation, environment management plans, and critically, not the costs associated with the life of the assets, including access, servicing, maintenance and protection, which are significant.

A risk analysis, to my knowledge was never undertaken. The decisions were also made in isolation and not in the context of the state of all huts managed by PCS, particularly when PCS has statutory obligations under the Heritage Act to ensure the management of them. The decisions taken therefore were not based on all relevant information and I formed the view that PCS and the ACT government were exposed to significant future costs and risks which were unaccounted for. Accordingly, I reversed the decision.

Instead, I have endorsed a proposal of modest investment, which recognises the history of these huts, including through signage and interpretation to be finalised, based on the findings of the studies, for which a request for quote has been sought. I think that is out at the moment and in consultation with stakeholders, and of course the families.

I have also asked Parks and Conservation Service to put insurance funding towards their statutory obligations regarding the maintenance of the existing huts and other heritage sites, which are a strategic risk for Parks and Conservation Service, because of the state that some of the remaining huts are in. I made that decision last week, I think, and I have asked that this decision be communicated with stakeholders as soon as possible.

MISS NUTTALL: I understand that. I am interested in understanding what the expected future costs of the huts were to replace.

Ms Cheyne: The only cost that had been put forward, again was some time ago and it was several hundred thousand, which was expected to be paid for through the insurance funding. However, as I said, there was no calculation of the lifecycle cost of the asset, the risk to PCS staff, especially in defending the very remote one—I always get confused about which one is the most remote—and the other one, is right next to Horse Gully Hut.

Ms Wright: It is on Naas Valley Road.

Ms Cheyne: Yes.

Ms Wright: It is approximately 2.1 kilometres down the road.

Ms Cheyne: The other one is very close to a hut which has survived the fires and which has always been much more popular.

MISS NUTTALL: Can I confirm then that you took the decision without having the full costs of what it would take to replace these huts when you decided that you would reverse that decision?

Ms Cheyne: I can tell you right now that the costs would be significant, and it would have taken years and years, particularly given the remoteness. Ultimately, I have a responsibility about how we manage our finances and what are value for money decisions. I also have responsibilities to the public service and their safety. I could not, in good conscience, noting the likelihood of fire to come through that area again, put investment into rebuilding huts that did not have a huge amount of community engagement and interest in the first place. Noting, they are significant, it would also be inconsistent with heritage advice. When something is affected by natural disaster, standard heritage principles are that it is left in place, so rebuilding is not consistent.

MISS NUTTALL: What community consultation did you undertake specifically when it came to reversing the decision or was this a notification exercise after the fact?

Ms Cheyne: I have heard from the Kosciusko Huts Association. I have heard from National Parks Association. I have gone back through the briefs that preceded my time to understand exactly what was occurring here. I spoke to staff about the cost to them and the diversion of their scarce resources in having to manage projects of this scale. And I made the decision. Again, I made it last week, I think. The dates are not helping me, 25 July, I think that was last week.

Communication will be made with stakeholders, but I need to give certainty to everyone and going out for consultation again, when I know that, in my view, if this has been through the proper processes, with the proper life cycle asset cost associated with it—I cannot see, in the context of all of PCS’s other pressures, how this would have been a viable proposition to anyone.

THE CHAIR: We will have to wind it up there. On behalf of the committee, I thank you for your attendance today. If you have taken any questions on notice, please provide your answers to the committee secretary within five business days of receiving the uncorrected proof *Hansard*.

Short suspension.

Appearances:

Orr, Ms Suzanne, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Climate Change, Environment, Energy and Water, Minister for Disability, Carers and Community Services and Minister for Seniors and Veterans

City and Environment Directorate

Engele, Mr Sam, Deputy Director-General

Tetley, Ms Melissa, Chief Finance Officer

Wright, Ms Fiona, Executive Group Manager, Climate Change, Energy and Water

Burkevics, Mr Bren, Executive Group Manager, Environment, Heritage and Parks

Sendaba, Ms Bethel, Executive Branch Manager, Climate Change and Energy Policy, Climate Change, Energy and Water

Magee, Ms Alex, Executive Branch Manager, Communications, Engagement and Media

Watts, Ms Michaela, Executive Branch Manager, Parks and Conservation Service

Brawata, Dr Renee, Acting Senior Director, Office of Nature Conservation

Hunter, Dr Arnagretta, Chair, ACT Climate Change Council

THE CHAIR: We welcome back Ms Suzanne Orr MLA, Minister for Climate Change, Environment, Energy and Water. We also welcome the Chair of the ACT Climate Change Council, Dr Hunter, and the officials in attendance. Please note that, as witnesses, you are protected by parliamentary privilege and bound by its obligations. You must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly. As we are not inviting opening statements, we will now proceed to questions. Ms Castley, you did not get to your question last time around, so we will go to you.

MS CASTLEY: Thank you, Chair. I appreciate that. I would like to ask some questions about wild dog management and get an understanding of the ACT government's current approach to managing wild dogs or warrigal populations. There was fairly extensive reporting throughout May in the *Canberra Times* in relation to the impact of wild dog attacks on livestock, with one farmer in the article, released on 18 May, referring to the situation as "lambs to the slaughter". Around the terminology, I will refer to the grouping of warrigals, dingoes and wild dogs throughout these questions simply as wild dogs, unless there is any objection. My understanding is that wild dogs are a declared pest through the Biosecurity (Pests) Declaration 2025 and that this allows an authorised person to destroy a wild dog under the Biosecurity Act 2023. Is that accurate?

Mr Burkevics: Thanks, Ms Castley. Just for clarity, Ms Castley, I will note that operational matters for wild dog control fall under the responsibility of the Parks and Conservation Service and Minister Cheyne. So we might come at this one from a bit of a policy lens, initially. So we will just take that into account, if that is okay.

MS CASTLEY: Yes.

Mr Burkevics: You are correct in that wild dogs/dingoes are a declared pest under the ACT's biosecurity legislation. That has been a longstanding policy practice, primarily because of limited information about the differentiation of those species. I might shortly invite Dr Brawata to talk more about some work that we have done to distinguish

between what wild dogs/dingoes there are in Namadgi. There is a significant level of external scientific opinion. But, at the moment, the declaration allows for control action to be taken against those species, noting that, from a farmer's point of view or a trapping point of view, you cannot tell the difference between the two.

You may be aware, Ms Castley, that the government announced, through the previous government, that dingoes would be recognised in their own right. That is a result of the scientific work that has been undertaken. If you would like further information on that, on the different species and the genetics, I will invite Dr Brawata to address that issue.

MS CASTLEY: Just to confirm that I understood this correctly: an authorised person can destroy a wild dog?

Mr Burkevics: Wild dogs/dingoes are a declared pest under the ACT's biosecurity legislation, that is correct.

MS CASTLEY: Are there any wild dogs protected by the ACT government in any way, such as within Namadgi National Park?

Mr Burkevics: They are a declared pest under legislation. I will note that there are considerations under the ACT's animal welfare legislation as well. Of course, we are now getting into an operational space slightly. But, in terms of policy around the control of wild dogs/dingoes, the focus is on the buffer areas between Namadgi National Park and areas that adjoin agricultural land, with the aim of protecting adjacent landholders and, in particular, their livestock. There is a plan that the ACT does cooperatively with the New South Wales government to deliver its responsibilities under the plan, whether that be trapping, baiting or shooting.

In other areas of the park, though, the preference is that wild dog/dingoes are allowed to act as such and act as an apex predator in the park, where they perform an important role in the ecosystem. So baiting measures are not undertaken in some areas of the park simply because there is no need. That is part of the ecosystem.

THE CHAIR: Just quickly, can I just double-check, given the overlap of officials in this session, while the minister is not here, do we have officials who are able to speak at all to that operational aspect?

Mr Burkevics: We do. The head of parks, EBM, Michaela Watts is here.

MS CASTLEY: Can you outline for us whether a rural landholder who is legally licensed with a firearm is able to destroy a wild dog on their property?

Mr Burkevics: That is correct. It is a declared pest under legislation.

MS CASTLEY: Has the government considered schemes to compensate farmers for the loss of livestock as a result of wild dog attacks?

Mr Burkevics: No, it is not something that is considered. The government invests heavily in wild dog/dingo control actions in those buffer areas, as mentioned. We work closely with the ACT's rural community, and I am aware that discussions occur

regarding the provisions of baits and other technology to use to control wild dogs and attacks. We have a dedicated trapping and invasive and over-abundant animals team and, should there be a notification of a wild dog attack or dingo attack on livestock, through the resources of the Parks and Conservation Service, there would be a response initiated.

MS CASTLEY: I would like to understand the effectiveness of the current management scheme for wild dogs. You have mentioned it a couple of times now. Is there a reporting framework for the government to track the number of attacks on livestock by wild dogs?

Mr Burkevics: There are. I am very happy for Ms Watts to talk further about how that information is used by the Parks and Conservation Service to determine a control measure that is, indeed, an operational matter. Ms Watts?

Ms Watts: Thank you for your question, Ms Castley. We do recognise that there are adverse animal welfare concerns in relation to wild dogs and dingoes attacking stock; and we work very closely with our rural landholders, in terms of our management programs. Across the Namadgi National Park, we have a series of camera traps or camera rays which assist us in locating where there are potential hotspots or game lines that we would typically see wild dogs and dingoes traverse. That also assists us in our design of scenting, trapping, shooting, howling and other operational activities that assist in the control of wild dogs.

We also really strongly encourage our rural landholders to keep in touch with our operational teams, in terms of their land management practices and any sightings that they have of wild dogs and dingoes and where they might be crossing between the management zone or the buffer zone around Namadgi National Park and into rural landholders' properties. So we do work hand-in-glove with those rural landholders in the ACT. We also work closely with the New South Wales Local Land Services in the design of our programs.

Mr Burkevics: Ms Castley, just to supplement Ms Watts's answer, I am aware that concerns have been raised recently, since the government's announcement of recognising wild dingoes in their own right as a species, that there is some nervousness that suddenly there would be no methodology or capacity to control dingoes. That is incorrect. The proposal to recognise dingoes in their own right is really important and we have some very solid genetic evidence now. Around 50 samples have been independently verified as being pure dingo, and that is really special news for the ACT.

However, we recognise the cost, as Ms Watts has said, of wild dog/dingo attacks on livestock. So, in moving forward, we have made a recommendation to the minister, which the minister has supported, that we proceed in the development of a controlled native species management plan under the Nature Conservation Act for dingoes. That is going to be a really important body of work. That plan is the responsibility of the Conservator under the act. As announced and as advised and working closely with our rural community, we will be looking to establish a consultative committee in the near future to progress that body of work.

MS CASTLEY: Do we track how many attacks on livestock by wild dogs were

recorded over, say, the last three years?

Mr Burkevics: Ms Watts?

Ms Watts: Those attacks are reported by rural landholders to the ACT Parks and Conservation Service. Because it is led by rural landholders, there may be some anomalies in terms of the numbers that they are reporting. But we take that advice from the rural landholders to help us to design our wild dog and dingo control programs.

MS CASTLEY: Why would there be anomalies?

Ms Watts: Potential for over- or under-reporting.

MS CASTLEY: Have you tracked how many attacks on livestock there have been over the last three years? Can we get a number?

Mr Burkevics: We can take that on notice. Where we are notified, we suspect that attacks on wildlife are under-reported. The rural community are busy people. They are in sometimes areas where there is not phone reception. Whilst we have absolutely supported and encouraged the use of the app, often the conversations between the rural community, the rural lessee and the dog trapper onsite is probably the best form of communication in some instances. But we can certainly provide advice on data that we have received.

MS CASTLEY: Thank you. Do we have an understanding of the wild dog population?

Mr Burkevics: Thanks, Ms Castley. That is a really interesting issue, and I will hand over to Dr Brawata on that matter. We have been doing some really interesting work to track wild dog or, actually, dingo movements—and I should say dingoes, because we know that they are 100 per cent dingoes—across Namadgi. I will hand over to Dr Brawata.

Dr Brawata: I have read and acknowledge the privilege statement. As Mr Burkevics has mentioned, we have recently set up a monitoring program for warrigal dingoes across Namadgi National Park. It uses remote cameras that are located about two and a half to four kilometres spaced apart and distributed across all the accessible areas that we know of. We analysed this data from November 2024 to April 2025 and detected warrigal at 32 per cent of the sites that we monitored—that is 25 out of 84 cameras. They are found across the park, but they are most active in the grassy valleys down the floor of Namadgi, such as Gudgenby, Boboyan, Naas and Orroral, and we used unique markings to identify 49 individual animals. That is not to say that there are only 49 individual animals in the park; it is just that that is a minimum number known alive, which is very different to density.

MS CASTLEY: I have a couple more questions, if I can, Chair, just to wrap up here.

THE CHAIR: If we can wind it up.

MS CASTLEY: There are just so many to ask. So we are tracking how many numbers there are. I know I said I am bailing them all in the one bag as “wild dogs”, but just to

confirm: licensed people can actually shoot dingoes?

Mr Burkevics: That is correct. They are still classified under the ACT's biosecurity legislation.

MS CASTLEY: How many people do you have working as pest controllers?

Mr Burkevics: Ms Watts?

Ms Watts: We have a team of four people that work on the wild dog and dingo control program.

Mr Burkevics: It is important to note, Ms Castley, that we have a really good working relationship with New South Wales Local Land Services and also the New South Wales National Parks and Wildlife Service. There is a significant exchange of information between those three entities that meet at programmed intervals as part of the working group on that issue. Certainly I have been very keen that, should there be a spike of wild dog attacks anywhere across the district, that committee is convened as soon as possible. At the moment, that committee is managed by the New South Wales Local Land Services.

MS CASTLEY: You mentioned animal welfare in response to my question on what the rural landholders can do. Can you briefly explain how that has a relationship with the wild dog Biosecurity Act?

Mr Burkevics: The Biosecurity Act—the new act that came into effect in May—provides the legal authority for lethal action to be taken against those species. I note that it is the minister's decision to declare a species a controlled native species—and whilst the minister has indicated support for that, that decision has not been made at the moment—and then, after that, a plan is developed. So, should the minister decide and has indicated support to declare the species a controlled native species, the arrangements for managing that species would fall under the controlled native species plan—not dissimilar to the way in which kangaroos are managed in the ACT as a native animal.

MS CASTLEY: Great, thanks.

MISS NUTTALL: Do you have a timeline for the native species controlled management plan at this point in time?

Mr Burkevics: I expect that it would be a body of work that will commence in the second half of this year, but they are a challenging plan to write. They are obviously based on the best scientific information. Colleagues such as Dr Brawata will take a lead role in preparing that plan, along with the Office of Nature Conservation. I will invite Dr Brawata to provide an overview of the complexities of writing controlled native species plans and timelines.

Dr Brawata: Yes, it is incredibly complex. There is obviously a lot of stakeholder interest in the plan. Also, it is a culturally important species, we must remember, to the Ngunnawal people. As Bren said, we will have a consultative committee to develop the

plan and have input into the plan, and we will be obviously using the great work that has been done on the eastern grey kangaroo plan, macropod plan, to help us create and shape the plan, moving forward.

MS CASTLEY: I would like to talk about the cost of abatement policies. Minister, I am interested in the decision-making process for abatement policies like subsidies for charging infrastructure, the Big Canberra Battery, the electrification of gas assets and the like. What criteria do you focus on when comparing different policy options?

Ms Orr: Ms Wright, do you want to run through the various considerations that are taken when making decisions?

Ms Wright: I have read and understood the privilege statement. In terms of cost of abatement, similar to the answer I provided earlier: the cost of abatement and cost of emissions are criteria, amongst many others, that we consider when we look at any initiatives. Certainly when we bring forward a business case to expend money, be it on charging infrastructure, the electrification of gas assets or the Big Canberra Battery, there is a cost-benefit analysis that is undertaken that looks at how these measures can be compared to similar measures that provide a similar result.

MS CASTLEY: Has the government tracked the cost of abatement by program? For example, do you have a list of all the abatement measures and the amount of the abatement that has been delivered each year and the cost of the measure?

Ms Wright: Not probably in terms of the direct cost of abatement. I know that we have looked at preparing frameworks and guides for people making decisions on what various cost of abatement options would be. That is usually done, as I said, at that business case level.

MS CASTLEY: So we do not reflect after or during the program?

Ms Wright: I do not believe so, but I might just ask Ms Sendaba to elaborate if we have any further information on that.

Ms Sendaba: Not that I am aware.

Ms Orr: Ms Wright, is it fair to say your comments are specifically with regard to abatement, not reviews and evaluations in general?

Ms Wright: Yes; correct. Again, as we talked about earlier, monitoring and evaluation—evaluation of the effectiveness of programs and whether they delivered what was stated at the outset—is routinely completed.

MS CASTLEY: Where could I find that information?

Ms Wright: Probably for each of those projects. A lot of these projects are in progress. The electrification of government gas assets will be a long-lived program. So I imagine that at periods during the completion of that project there will be check-ins, monitoring and evaluation. The Big Canberra Battery is now an Infrastructure Canberra project, so it may be directed there. Charging infrastructure is something that we report on

routinely. I can probably find some information on the number of charges that we have delivered and the expenditure of those programs during the course of this session and provide that update.

MS CASTLEY: So there is a review process for the initiatives that are funded and you do look at the abatement delivered compared to what the initial expectations were across different programs?

Ms Wright: If I go into a bit of detail on, say, the charging infrastructure, there are a lot of assumptions in usage and behaviour, and we test against those assumptions, yes.

Mr Engele: Just to expand on that answer: for some programs, it is clearly intended to reduce emissions and then, as part of the program design, there are normally multiple factors. For example, the conversion of heating systems in public housing has multiple benefits. It was chosen because it directly reduces emissions from not using gas heating systems, but it also has cost savings for those households and a range of other things. That is an easy program, where you have a clear amount of emissions reduction.

A number of other programs are supportive mechanisms. So they may not be directly responsible for the actual change in the energy system itself, but they are supporting that—work in relation to regulation, work in relation to education and things like that. We see them as helping the community to understand the accessibility side of the programs.

MS CASTLEY: So the government does not have an explicit goal of delivering maximum abatement and minimum cost—that does not factor in? Is my understanding correct?

Mr Engele: That is not the case. If you look back at the Integrated Energy Plan, you will see a large number of references to the cost of abatement and seeking cost-effective measures both for government and for the community. That was an important part of the Integrated Energy Plan. It was delivered in the last term of government.

MS CASTLEY: I will have a look at that Integrated Energy Plan, because I am interested in whether the government could deliver abatement commitments at a lower cost by moving the funding away from the high-cost ones but getting better abatements elsewhere for a lower cost.

Mr Engele: Definitely front of mind as part of all our program designs is: how can we do this in the most cost-effective manner?

MS CASTLEY: Following Labor's reforms to the Clean Energy Regulator, has the government considered whether the use of Australian carbon credit units could help realise net zero sooner or at a lower cost than its existing initiatives?

Ms Wright: Is that a federal government initiative?

MS CASTLEY: Yes.

Ms Orr: Sorry; can you repeat the question, Ms Castley?

MS CASTLEY: Following federal Labor's reforms to the Clean Energy Regulator, has the ACT government considered whether the use of Australian carbon credit units could help realise net zero sooner, at a lower cost?

Ms Orr: Is the issue you are going to offsets for carbon credits? If that is the broad issue, as opposed to the federal government's policies—

MS CASTLEY: Yes; if you have considered—

Ms Orr: Offsets is a discussion that has been ongoing for a long time, and there are various views on offsets around how they should be used and what is appropriate. My understanding is that the government does not have a formal view on offsets at this point in time, but advice has been sought, including from the Climate Advisory Council, as to what role offsets should or should not play with any future considerations. I think it is fair to say that, as part of that discussion, there has been a clear message put forward that offsets should not be seen as a way to excuse not taking action where action is able to be taken. I think it is also fair to say that, when looking at offsets, should it ever be decided to use offsets, they would have to be of a high integrity.

THE CHAIR: I have a couple of quick clarifications on that offsets question. Are there offsets used in achieving our energy objectives currently?

MR RATTENBURY: Different type of offsets.

Ms Orr: Yes.

THE CHAIR: Okay; so it is a different category of offsets. So there is no use of offsets currently in—

Ms Orr: Mr Cocks, I think as we have already touched on, the offsets I am referring to are the ones that you purchase from a market—so you purchase a particular offset—as opposed to looking at how you might offset various activities within broader parts, but you are not purchasing an offset to use, because you are undertaking an action that requires an abatement that you are not able to do.

THE CHAIR: Okay. There was a reference to the Big Canberra Battery and the valuation of that project and that that would now be with Infrastructure Canberra. Is that correct?

Ms Wright: Yes. The Big Canberra Battery, as a large-scale project, was actually made up of three streams. What is the actual big battery—the 250 megawatt battery being built by EQ Energy—is being delivered by Infrastructure Canberra. There are some smaller streams of work for community and behind-the-meter batteries that we are also delivering as part of that large project.

THE CHAIR: My question is about the evaluation approach to this project. We keep getting told that those arms of government doing the administration and implementing infrastructure are only interested in that and that any questions about policy should be to the policy arms of government. Are you doing any sort of evaluation around the

policy that surrounds the Big Canberra Battery to see whether it is succeeding or not, or whether there are any issues around timing—any sort of policy evaluation?

Ms Wright: For the initiation of that project and getting that set up and evaluating and procuring the right product—all that kind of thing—there was definitely policy involvement in that decision. As time goes on, we are involved as part of project control groups that are able to provide input into Infrastructure Canberra.

THE CHAIR: But no actual policy evaluation activities? Just check-ins and controls?

Ms Orr: Mr Cocks, what do you mean by “policy evaluation”?

THE CHAIR: Any program evaluation would usually consider the policy element of exactly what the government was doing and whether it was being effective in achieving its outcomes.

Ms Orr: Okay; so you are talking to whether it is achieving the policy objectives that were intended as part of the project?

THE CHAIR: That would be a policy evaluation.

Ms Wright: I might just invite Ms Sendaba.

Ms Sendaba: Obviously, the Big Canberra Battery is still under construction, and there is still work to go on that. From a policy perspective, as far as energy policy is concerned, we are very interested in that project and how it performs in due course. The team that I support looks after battery policy and is very interested in how that goes. We will be looking at the outcomes of that project in due course to not only consider cost effectiveness but also look at things that are more directly related to energy policy and energy grid management for the territory—how that may impact decisions around how the grid is expanded and where we can use batteries to support further electrification from a technical perspective.

THE CHAIR: Will there be a formal evaluation in place?

Ms Sendaba: I am not aware of the exact timing of that. I would expect—

THE CHAIR: Or planning for one?

Ms Sendaba: Yes, I imagine in due course once the project has been completed and up and running.

THE CHAIR: Usually you would establish some key measurables on the policy front as well as the infrastructure delivery ahead of rolling out something like this. Have you done that yet—established what you would measure in an evaluation?

Ms Sendaba: I would say that then falls back to Infrastructure Canberra.

MS CLAY: Minister, did you say earlier that you had no policy on offsets? I thought that in our climate change strategy that we have now we had committed to achieving

our net zero targets and our emission reduction targets without purchasing offsets.

Ms Orr: Ms Clay, I am sorry if my language has been a little bit loose. I guess we have no policies in the sense of whether we use them or not. But I take your point that there is a policy there saying we do not use them.

MS CLAY: So we are still committed to not using them?

Ms Orr: The policy has not changed.

MR RATTENBURY: I want to ask some questions around the crossover between environment and health. Specifically, I want to ask Dr Hunter as the Chair of the Climate Change Council what impacts climate change is having or is likely to have on the cost profile of our healthcare system?

Dr Hunter: I think I should acknowledge the work that I do as a healthcare practitioner in the ACT. I am a cardiologist and physician, but I am here in my capacity as the recent incoming Chair of the ACT Climate Change Council.

Thank you very much for the question, Mr Rattenbury. It is a really interesting question to put to this conversation around the way in which we use resources. The environment is foundational to our health and wellbeing. It is becoming increasingly obvious in the healthcare system and in the health of our population that environmental variables will influence our health now and the health of subsequent generations. A tremendous justification for investing in climate change mitigation and adaptation is to protect and preserve human health and wellbeing. It is also a remarkable opportunity to invest in the environment. Caring for both people and place translates to lives that are dignified and healthy.

I do not know if it is appropriate for me to come back and comment just a little bit on things like degasification. But, in the domestic in-home environment, particularly for those with less economic privilege, where we have got the opportunity to take gas out of the home environment of people who cannot otherwise afford it, we actually can improve their health and wellbeing. Isn't that a remarkable win-win? We are reducing the carbon emissions in the ACT and we are improving the health and wellbeing of a vulnerable population.

We find these little intersections across health and environment all over the place when we look for them. It is one of the opportunities that I think we have in this jurisdiction where people are passionately engaged in both of these spheres. How can we make our healthcare system better and how can we look after the place?

MR RATTENBURY: Thank you. In terms of climate change scenarios, can you perhaps give the committee some insight into some of the potential risks under future scenarios for the ACT and how that relates to the health system?

Dr Hunter: I often reflect on my journey in terms of the understanding of health impacts of the changing climate. If the members here reflect on how they saw climate change even 10 years ago, I think our experience was different at that point and our understanding was different at that point, although words like "1.5 to 2.0 degrees" were

commonly used in our discussions around the need to act on climate change. We have known this for decades.

Yet the last five to 10 years have really given us a textbook example of the reasons why climate action is important, both in mitigation and in adaptation. Particularly here in the ACT, I think the resonance around things like catastrophic bushfires and the bushfire smoke experience we had across the region for many months at the end of 2019-20 gave us a little bit of a taste of what the future might look like.

I have commented regularly about the need to use both the science of climate change, understanding 2.5 or 2.0 or 1.5 or whatever the average target is, but also inviting into this space an explicit acknowledgement of the need for imagination and really beginning to think about the sorts of things that have not happened before and that might happen. I think in the ACT region if we are planning for two degrees, 2.5 degrees and our science, we need to reflect on the science of climate change but it is the changing climate that needs our attention.

Again, here in Canberra, just in the last five or six years, we have had heatwaves that have been unprecedented. In January 2019, we had a period of time with temperatures over 40 degrees during the day which we had not seen at any point in time in the decades earlier. We have had air pollution as a challenge across all of our systems—our transportation system, our working system, our economic system, our healthcare system and our academic system.

So many of the integral parts of the way that we live here in this place were impacted by the bushfire experience of Black Summer. We have had the hailstorm that ended that summer experience. Many people in this room will remember that extraordinary experience of: what else could possibly go wrong? And there it is: you have shredded trees and large parts of the infrastructure at places like the Australian National University impacted.

The imagination we need for the future and the way in which we plan for the city of the future really needs to invite that imagination—hailstorms, increasing temperatures of extreme. That key phrase of “the increase in extreme weather events, the intensity, severity and frequency”, should be foremost in the way that we plan for the city of our future.

I throw around numbers. I am not a climate scientist; I am a cardiologist. I think our city of the future needs to plan from minus 15, very cold winters, through to 50 or 55 degrees. These are built environment challenges we have not seen before and these really ask us to think about where we work, how we work, how we look after each other and the way in which we allocate our resources. It is a challenge around evaluation as well, because these things may not happen, and yet we need to build for the possibility of risks which we do not understand, because we have not seen them in the past.

It is a complex area, but it is also one with tremendous opportunities, coming back into those intersections between the way we can invest in climate action, mitigation and adaptation in a way that improves the health and wellbeing of our local population, the place that we live, this extraordinary city that we all love, and the people who are here.

MR RATTENBURY: Thank you very much. I also want to ask about air quality. Somebody else is probably responsible for this. Has the air quality assessment undertaken by AECOM and the regulatory impact statement to inform a phase-out plan for wood heaters been completed?

Mr Burkevics: I can answer that one if the minister is comfortable.

Ms Orr: Yes, very comfortable.

Mr Burkevics: Thanks, Mr Rattenbury. I think there are two points on that one. As you may be aware, the work being undertaken by government, by AECOM, will help inform a regulatory impact assessment. The work of AECOM has been completed, and that has been of great use. We are still in the process of briefing the minister on the outcomes of that and then working with Treasury colleagues to frame up next steps for that one.

Separately, I do note that I am just querying when colleagues in the Environment Protection Authority propose to—I could not find it online—make available the ACT's air quality report from 2024. I think the EPA's report is the primary document that should be used for reference about the ACT's overall quality, but the AECOM report, which probably takes a longer-term and more strategic view of factoring in for the regulatory impact assessment, is complete.

THE CHAIR: Just a quick clarification: so Minister Orr is the minister you are briefing?

Mr Burkevics: Minister Orr; correct.

THE CHAIR: Thank you.

MR RATTENBURY: I have not seen any ads this year for the Burn Right Tonight or the Burn Better campaigns, which are designed to help avoid people using their wood heaters on those sorts of nights when we should not. Have I just missed them, or is there no campaign this year?

Mr Burkevics: No, there is indeed a campaign. I will ask the Executive Branch Manager for CED Comms to assist. Thanks, Alex.

Ms Magee: Thanks, Mr Rattenbury, for your question. We did hold another campaign again this year. We did it similar to 2024, when we did two phases. The first phase really concentrated on making sure people are not chopping down the wood in our reserves; that started around April. Then we moved into our traditional Burn Better campaign, which we—

MR RATTENBURY: I do not need timelines. If you can assure me it is happening, I am happy with the answer.

Ms Magee: Okay; yes, we did it. We also did some really great work with our colleagues in Access Canberra, where we looked at complaints, and areas of complaints, and matched up their data and looked at some geographical targeting of our campaigns, particularly in Belconnen and Tuggeranong.

MR RATTENBURY: Terrific. Thank you; that is very good. I want to ask about what policies are being developed for the phase-out plan. We have a goal to phase out the use of wood in the city by 2045. What work is being undertaken to start that?

Mr Burkevics: It is long and complex, Mr Rattenbury. The air quality assessment work is complete, so that will inform the regulatory impact assessment. I do want to highlight that, whilst we embark on developing a plan, by “plan” I think it is important to note it is likely to be more of an internal plan; I do not think there have been any discussions about a public release plan. It is, essentially, a way to move forward. I do highlight the work of the ACT in advocating nationally for bringing in the national standards for wood heaters, and that was led by the ACT. I credit colleagues in the City and Environment Directorate for that national work. That is really, really pleasing.

Of course, we are continuing legislative reform under the previous government to prohibit the installation of second-hand wood heaters as well. So whilst there is work underway to inform government policy decision-making about a phase-out, there is considerable ongoing work to minimise the harmful effects of wood heaters in the ACT. Several things Ms Magee has mentioned, and there is other policy work ongoing.

MR RATTENBURY: I am concerned about the aggressive marketing we are seeing of new wood heaters to be installed in the ACT, and this is obviously going to make the phase-out much harder. Are you considering a prohibition on new installations?

Mr Burkevics: Starting with the question that you have asked, Mr Rattenbury, the ACT is already subject to restrictions on the installation of new wood heaters, so that is existing government policy. In terms of phase-out, yes, it is a long-term policy issue there.

MR RATTENBURY: Thank you.

MISS NUTTALL: You mentioned that the AECOM report has been completed. Is that something you will be able to table?

Mr Burkevics: That will be a decision for the minister. At the moment, we have not briefed minister on that report, because we want to ensure that the advice on that report does link well to proposed next steps on how it would inform a regulatory impact assessment process. It is a decision for the minister. My personal view is that it probably would be a little bit premature, because we want to make sure that it is all lined up, and it is obviously subject to an ongoing government decision.

MISS NUTTALL: Thank you. To confirm: when you talked about phasing out wood heaters, will there be a public plan to reach a public target for the phasing out of wood heaters? I know you mentioned internal work.

Mr Burkevics: Again, it is inappropriate for me to speculate on any future government decisions and policy on the matter.

MISS NUTTALL: I am wondering if the minister might be able to talk to me?

Ms Orr: It is not a decision for me. I am still waiting on advice from the directorate as to the next steps.

MISS NUTTALL: We only have bans on installations in a handful of suburbs. I know you mentioned Belconnen and Tuggeranong as hot spots, but we know that wood heater smoke is an issue throughout. What about the rest of the city?

Mr Burkevics: I think that is part of the work that is ongoing as part of this process: to look at a strategic phase-out, as well as other options to potentially prohibit the installation of new wood heaters. There is some good information in the air quality assessment. I do note that the 2024 air quality assessment does rate Canberra's air quality as, overall, quite good, with just a number of minor conflicts with the air quality standards, but, overall, the report does find that Canberra's air quality is good. Absolutely I think the air quality assessment that we have got before us is a very, very thorough document and will be very useful in helping inform all government policies on air quality and wood heater matters.

MISS NUTTALL: Is that document, and the evidence you get, predicated on the three sensors that you have across Canberra?

Mr Burkevics: Could you say that question again please?

MISS NUTTALL: Is the evidence that you are drawing on in the work that you just mentioned predicated solely on the air quality monitoring stations at the three points across Canberra?

Mr Burkevics: My understanding is it would be. Those three monitoring stations are the primary source of information to help inform air quality matters. I understand it is.

MISS NUTTALL: My understanding is that not all three of those sensors are compliant with the feedback data that is nationally applicable. How many of the stations do that at present?

Mr Burkevics: That being a matter for colleagues in ACT Health, I would have to refer questions about the individual air quality stations to colleagues in Health. To add to my previous question, though, in terms of prohibitions on new installations, the entire of the Molonglo Valley, except for Wright, does not allow for new installations.

MISS NUTTALL: Thank you.

MR EMERSON: Dr Hunter, you spoke to the cross-portfolio impacts of environmental issues. Jurisdictions like Victoria have introduced an early intervention investment framework, where budget proposals require consideration of cost savings not just in the portfolio in which they are submitted but in other portfolio areas. Would you support a similar concept in the ACT?

Dr Hunter: It is a really interesting question, Mr Emerson. It is a framework that appeals to me as an individual, and I am speaking simply from my own perspective. I am interested in people and their health and wellbeing, and I think explicitly thinking about how we care for people and place with an intergenerational lens is a valuable

framework that we can take across any question in public policy to give us a deep answer.

MR EMERSON: Thank you.

MS CARRICK: I am interested in how the environment side of the directorate liaises with the planning side of the directorate to ensure sustainability in all the new residential towers we have got. Do you talk to them about standards for glazing, solar panels, EV charging, the window trims—so there is no air movement through the window trims—insulation, and the whole range of sustainability things with the towers?

Mr Engele: Thanks, Ms Carrick. I guess there are a number of elements to that. In terms of the DA, it would definitely go on to referral, and that is the opportunity for the Conservator to provide comment as it relates to nature conservation matters. In terms of the actual built form itself and the healthy living of those buildings, they are all subject to national building standards, so that dictates the use of the glazing requirements and the orientation, which is a very significant part of a DA. All of that is considered as part of the DA component. As an example, large multistorey apartments are only allowed a small percentage to be facing south with no natural light, so the majority of the units would have to have access to a certain amount of sun for a certain amount of time for the planning authority to consider that to be compliant. All of those considerations have gone in at a design level, and then, once you get into the building construction, the building requirements kick in about the use of certain products in terms of energy performance and efficiency.

MS CARRICK: Why does the issue keep coming up, if it is all covered in the building code? They do not have EV charging in them. They do not have solar panels. There is a range of things that I do not think the building code requires.

Mr Engele: The challenges that we have had in terms of existing buildings is where we are seeing a lot of issues in terms of retrofitting them. As an example, with EV chargers the challenges are that the electrical specifications in the building are not up to the level of demand that those EV chargers put in. What we are seeing are these really hard-to-abate buildings. In a way to try and address that, we do have a few pilot projects.

MS CARRICK: What about new buildings, though? Because they are still going in without solar, without EV charging—

Mr Engele: For new multistorey buildings with solar, that is generally a commercial decision in terms of how to set it up. In terms of EV charging there are some—going back to the building standards codes that are coming out—that do have, I believe, requirements in relation to the ability to have EV chargers. I am not sure if you can add anything to that, Ms Wright?

Ms Wright: Yes, I will just confirm what Mr Engele is saying. The new kind of complex buildings have a requirement to be EV-ready, which means they might not have the infrastructure installed and ready. A lot of the time the retrofitting is such a costly exercise that having that kind of backbone infrastructure ready to go means that, when individuals want to make that decision to install charging equipment, it is a much easier exercise.

MS CARRICK: Is there any analysis on the residential towers and how they stack up as far as their footprint and how environmentally sustainable they are?

Mr Engele: I cannot recall a specific review done by the ACT government on that question, no.

MS CARRICK: Will the government look at the sustainability and environmental footprint? I thought we were building all these things because people say that they are more environmentally friendly than a detached house, but if there is no analysis, how do we know?

Ms Orr: Ms Carrick, I think it is fair to say Mr Engele's response went to ACT government reviews. If you are talking more broadly about whether these matters have been considered, there is a huge body of evidence through academia and a range of other areas that would go to this question.

MS CARRICK: Okay, thank you.

THE CHAIR: I will let everyone know that, given the timing and the amount of interest in this session, once we reach visiting members, I am going to limit the time for each line of questioning to about five minutes so that we can try and get to everyone. Ms Tough?

MS TOUGH: Minister, when do you expect the next detailed reporting against the ACT emissions reduction targets to be available, and what is your current expectation about what the reporting will show?

Ms Orr: Ms Wright, did you want to start, and I will add if I feel the need?

Ms Wright: Ms Tough, can I clarify that you are talking about territory-wide emissions?

Ms Orr: The greenhouse gas emissions, yes.

Ms Wright: Greenhouse gas emissions targets for 2025?

MS TOUGH: Yes.

Ms Wright: For that target we are collecting the data, and we should be in a position to report on that later this calendar year. Until we have the final figures, we cannot really put the figure out there.

MS TOUGH: Given that ground transport emissions were about 65½ per cent of emissions in the 2023-24 ACT greenhouse gas inventory, where do you think the focus needs to be to reduce transport emissions in particular going forward?

Ms Orr: I will start on this, and Ms Wright is welcome to add. Just taking a step back in your question and looking at the inventory, we will get the reporting that will come in and we look at it in our usual timeframes. I think what is really important, and

certainly what I have become quite cognisant of since taking on this portfolio and in the briefing that has come to me, is that while Canberra is seen to be a very strong performer on this front, and quite often leading the way in the work we have been doing, we cannot rest on our laurels.

It is not necessarily easy, or a given, that we will be able to reduce our emissions just by default. There is quite a bit of work that needs to be done. Where we are up to on that journey is that, in some respects, we have done the low-hanging fruit, which is almost a bit of an absurdity to say, given that the low-hanging fruit is quite complex and difficult. But we really are down to a lot of the more difficult things.

I think this goes a little bit to transport emissions, because we are not just looking at swapping like for like, but we are asking people to change their behaviour. We are asking people to do things that they have not previously done before in looking at how we can start to reduce our emissions. It is not a simple “switch one in for out” proposition. It is quite a bit more. And I think it is linked into the Climate Change Strategy that we were talking about earlier through Mr Rattenbury’s line of questioning and how we start to look at what that next set of challenges is. Given everything that we have achieved to date, what is the next set of challenges? How do we best approach those, knowing that some of the work that we are doing here is unprecedented in some respects? We can take the most informed view we can take—the certainty might not necessarily be 100 per cent, or 99.9 per cent, if we are talking about science—and keep working towards actually reducing those emissions because we need to. The climate is changing. We cannot continue to emit and see those changes, because the impacts will just get increasingly more impactful for a whole range of things—including health, as Dr Hunter so eloquently described—but also for extreme weather events and everything else.

I think these are complex questions that we need to take the time to look at in firming up things like the next strategy, but they are informed as to where we are on tracking our emissions, and knowing that, again, it is never taken for granted that we are going to hit those targets; it is the work we do to hit them. If we are not doing the work, if we are not looking at the policies and programs that we have in place and if we are not contextualising those within the current challenges—if it is just a set-and-forget—it is quite possible we will not hit them. The message I am trying to give is that it is very timely, and we do very much need to look at where we are going next. That might not look like what we have done previously, but, hopefully, it will look like something that gets us to where we need to go. Do I pass, Ms Wright?

Ms Wright: Yes, all good!

THE CHAIR: Minister, you just said that it is very important that you take the time. The government has been in place for a pretty long time at this stage. It sounds like there is some sort of reset going on. Are you starting again on things or—

Ms Orr: Mr Cocks, that was in the context of me referring to Mr Rattenbury’s line of questioning where we spoke about putting out the new Climate Change Strategy and having conversations and not rushing through those. I will point you to the other parts of my answer, where I commented that the challenge of climate change is evolving and will continue to evolve, and we will continue to need to look at that.

MS CLAY: Minister, I would love to chat about the funding for the dragons. We have lodged a number of questions, and they have come back with conflicting answers. The last one actually said, “This response might be considered inconsistent with the information outlined in the last response.” We are still confused. We had an announcement of \$4.5 million, and the budget papers seem to allocate funding of \$4.03 million. Can you tell me how much funding is allocated for the dragons?

Ms Orr: Ms Clay, we can. I will get Dr Brawata to run you through that, acknowledging that, yes, there has been a little bit of confusion in the differing answers; we have come out and said, “Yes, we can see that.” Part of this is that it was an early budget announcement, for a range of reasons, and continued to go through the budgetary process and to be refined as we worked through the budgetary process.

The other part, too, is I think there was a little bit of confusion put in from the original question, which was talking about new money. I am not going to get into a discussion about what is new and what is not new. We can talk about what money has been put there and people can take away their view as to what is new and what is not new. I will get Dr Brawata to run through what I have just—

Dr Brawata: Sorry, I might throw to Mr Burkevics first.

Ms Orr: I will get Bren to do it, in fact.

Mr Burkevics: And noting it is an accounting matter, Ms Clay, and there are some intricacies to this one, I think it is appropriate the Chief Financial Officer provides—

Ms Orr: I am going to get the Chief Financial Officer to answer the question.

MS CLAY: Okay. We will also have some policy questions about the matter. Should I run with those?

THE CHAIR: That seems reasonable.

Ms Orr: Sure, if you would like to.

MS CLAY: Excellent; we will circle back to the money. Was there any consideration that a local breeding program might have been able to do this? When we find out how much went to the Melbourne Zoo for the breeding—was there any consideration of local breeding facilities?

Ms Orr: As to what is appropriate for a local breeding program and what is appropriate for zoos, the advice that was put to me—and Dr Brawata might want to go into more information on this—was that Melbourne Zoo is an expert in this area and has knowledge and capability that we would not have in a program if we did it ourselves; therefore, they were best placed to undertake the component that they are undertaking. I will let Dr Brawata—

MS CLAY: I think the rest of the questions are financial. We would like to know how much funding is there for dragons in this budget.

Ms Tetley: I have read and agree with the privilege statement. With the funding for the earless dragons, there has been committed \$5 million in total, but some of it is offset. There is approximately \$1 million of funding that was previous funding that was from an earless dragon initiative from the previous year, so we have used some of that funding to offset this year's funding. There were also some existing base resources that were used as an offset. So, whilst there is \$5 million being put forward for the dragons, only \$4 million was given as new funding this year.

MS CLAY: Okay. Can we get on notice the detailed breakdown of what the funding is for and where the bits came from? Is that possible to provide on notice?

Ms Tetley: I can tell you that right now, if you like.

MS CLAY: That would be great—go ahead.

Ms Tetley: We have \$2.7 million over four years to continue the five FTE positions. That is partially offset through a previous budget initiative, and some of it has been offset by commonwealth funding, and there is a little bit more of an offset against existing resources.

There is \$1.998 million over four years to establish the colony at Melbourne Zoo. There is \$145,000 over four years to support the colony at Tidbinbilla. There is \$96,000 for 2025-26 only to continue field support and monitoring activities, and that is fully offset from the commonwealth.

MS CLAY: Can you take on notice the breakdown, including the commonwealth funding elements? I do not need that detail right now. Thank you.

Ms Tetley: Yes, no problem.

MS CLAY: I did not hear any funding in there about habitat restoration. Is that part of the funding?

THE CHAIR: And then we will have to wind up for lunch.

MS CLAY: Okay; I can probably lodge that on notice. Minister, you said there were a number of considerations as to why you needed to make this as a pre-budget announcement. That has clearly caused some confusion about what the numbers are, noting that it has now taken me, I think, four statements to get what the figures are. What were those considerations in making a pre-budget announcement rather than a regular budget announcement?

Ms Orr: As I said, there was a range. Partly the very prominent public discussion that was going on, and, also, the commonwealth had written to me asking to make the—I am going to have to try to remember the full name of it because it is quite long—

Mr Burkevics: National recovery.

Ms Orr: The national recovery plan for the four species of dragons, including ours.

While there were no financial commitments attached to making that plan, I was certainly of the view that it asked us to undertake actions, and we would be best placed to have some certainty around what we would be in position to do before signing off on it.

MS CLAY: Has this \$5 million funding commitment got a plan behind it of where you will release the dragons should the breeding program be successful?

Dr Brawata: Thank you for your question, Ms Clay. Yes, we do have a plan. The ACT has recently released a ten-year action plan for the Canberra grassland earless dragon. Within that we identify areas for priority releases. The sites are quite sensitive, so we do not announce them publicly, but they are within the Jerrabomberra and Majura valleys.

We do recognise that we have had great contributions by both the New South Wales government and commonwealth Department of Defence of animals into the captive breeding colony. As part of that, we have committed to restoring and returning some of those animals to those sites.

MS CLAY: How might somebody look at those—

THE CHAIR: Ms Clay, we are going to have to keep moving. Ms Castley, we are up to you.

MS CASTLEY: Fantastic, thank you. I would like to ask about government gas assets. For some years now the government has been replacing its gas assets with electric alternatives. Could you provide us with a list of projects that have been undertaken to date, the total value of the projects that have been undertaken each financial year, and the future work program?

Ms Orr: Mr Engele is really keen.

Mr Engele: I was just going to say that this is a responsibility of Infrastructure Canberra to deliver that program.

MS CASTLEY: Okay. All right, can I try another angle?

THE CHAIR: Yes.

MS CASTLEY: I feel you will say the same thing. I have sought financial information with regard to the Big Canberra Battery on several occasions as to why the 15-year flow of public money to the counterparty is confidential and when this information will be published.

Mr Engele: I do recall a question on this a number of years ago. There is a commercial agreement between Eku Energy and the ACT. It has got a revenue share component in it. Normal practice with some procurements is to have redacted texts where there are areas that are commercially sensitive. That happens in a number of procurements. As part of that, Eku Energy put to the ACT government that certain elements would be commercially sensitive and would essentially impact their ability to negotiate other

agreements—similar agreements. So the delegate made a decision back then for that section of the contract to be redacted.

MS CASTLEY: Why are the territory payments to the counterparty commercial-in-confidence?

Mr Engle: It is the revenue share component of that. Essentially, it is the commercial terms of the arrangement, which includes an availability payment by the territory to Eku Energy, and there is also funding that comes back to the territory depending on the profitability of that battery system.

MS CASTLEY: It seems generous. Are there any other projects in the portfolio which include secret payment flows for this period of time—this decade or more?

Mr Engle: I would not refer to them as secret payment flows. This is a very large commercial contract. There would be other contracts where there is redacted text across them. In terms of the other streams of the Big Canberra Battery project, I am not sure. They tend to be more grant streams rather than revenue-generating projects. So I do not believe that they include redacted text on expenditure, but—

MS CASTLEY: Just to be clear, I am not asking about the revenue-sharing aspect. Those are the payments of the territory. I want to understand the payments by the territory.

Mr Engle: I would have to take on notice how that will be accounted for once the project is up and running. I will take that on notice, because I do not want to make a commitment—and it is another minister.

THE CHAIR: Can I just confirm: are you asking for information on those payments?

MS CASTLEY: Yes.

THE CHAIR: And you have taken that on notice?

Mr Engle: I will take that on notice.

MS CASTLEY: Also, are you able to talk about the benefit-cost ratio for the project?

Mr Engle: I would have to take on notice the analysis that went into that business case and whether that is available for release.

MS CASTLEY: Okay; thank you. I understand it was a \$100 million commitment at the 2020 election and then became a \$400 million project to build and operate the battery. Is that right?

Mr Engle: Once again, I would premise this answer by saying that this is, I think, a Chief Minister project. The history is that, originally, the intention was to provide a single grant to an operator to set up, which is what a number of other jurisdictions had done at the time—New South Wales, in particular, and Victoria—as part of encouraging big battery systems to their jurisdictions.

In the ACT, we budgeted that initially, but, then, after doing some analysis, came up with a new model of engaging, which was a revenue-share model. That came in at a much lower cost to government and is expected to generate a financial return for government. As a result, the expenditure by government is not the \$100 million. That is why that initial capital provision was retired in the budget. The \$400 million is referencing the total estimated construction value of the battery system, which will be borne by Eku Energy, the proponent.

MS CASTLEY: As part of the deal, the ACT government would receive a fifty-fifty share of the profits—I think that is what we have been talking about—and then these payments would come in for 15 years. Is it not known if the government is paying out more or less than it is receiving? Do we have the figures around that?

Mr Engele: These battery systems operate on the NEM and they are subject to essentially the commercial trading on the energy market. We have done modelling. As part of that, the business case included estimates. We used expert input from specialist advisers to do that. But it is a commercial question, and it does come at risk.

MS CASTLEY: Thanks.

MISS NUTTALL: I am keen to ask about private stewardship payments. I know a lot of our endangered species and ecosystems exist on rural lands that the farmers are managing. The biodiversity network proposed by the Conservation Council proposes that there be some sort of legal recognition of these areas for their conservation status. We know that farmers put a lot of time and effort into managing those lands. I understand that you looked into private stewardship payments. Could you talk me through where that work is up to?

Ms Orr: When you say “looked into”, I think this started in the last term of government—and Mr Burkevics can talk through where that is up to. I think it is fair to say that there are some priorities we are progressing in the immediate term, and that this is one that is perhaps next off the rank. But Mr Burkevics can talk you through in far more detail about what happened before I got here.

Mr Burkevics: Thanks, Minister, and thanks, Miss Nuttall. Certainly under the previous federal government, there were a lot of discussions at the national level, as part of the Environmental Reform Agenda, around the benefits, importance and future needs of stewardship payments. I think there is a national recognition and acceptance that there is a lot of work to do to restore the environment and that, in many cases, it is going to be well beyond the capacity of governments to achieve that work.

Relying on investment from businesses, government and individuals requires a lot of thinking. There were some discussions and some early work done here in the ACT that identified that stewardship payments may be a policy option that government may want to consider at some time—one option of many. But, as the minister has indicated, it is very, very early work. There are considerable policy implications and identifying the areas. So that work is still very, very premature, and I think we want to get a sense of the sort of focus of the federal government. We do note that legislation has been passed, the Nature Repair Market. Getting a better understanding of how that works and its

application to the ACT will be important before we launch into specific investigations or consideration of stewardship payments, despite the enthusiasm for them.

MISS NUTTALL: Please correct me if I am wrong, but could you confirm whether the ACT government is deprioritising the exploration of private stewardship payments?

Mr Burkevics: I do not think I would make any remark about a priority or de-prioritisation. It is a policy option that, as far as I am aware, has not been fully considered by the government. I am sure, as we move forward and continue to engage with the commonwealth government, we will get a better understanding of the national approach to this issue and look to harmonise where we can. But I think it is a really complex policy issue for Australia moving forward.

MISS NUTTALL: In the interim, if you have really good quality habitat on the land of rural landholders and they are not necessarily supported to look after that, based on other ACT agricultural policy settings, they may have to make difficult decisions. What are we doing to guarantee that in the meantime we are not actually seeing critical loss of habitat and habitat connectivity?

Mr Burkevics: I credit the ACT's rural community for their interest in protecting, conserving and enhancing the ACT environment. They are really committed, and I call them out for that because they have a lot of commitments they have to achieve. One of the primary methods that we have of protecting environmental values on rural lands is, of course, through the ACT's planning laws and associated frameworks—the Nature Conservation Act.

As Conservator, I am responsible for entering into, or for agreeing to, a land management agreement with a rural lessee. As part of the development of land management agreements, ecological assessments are undertaken where values are identified and strategies developed on how to protect those. Of course, the ACT's rural community is encouraged and invited to apply for the ACT's annual Environmental Grant Program, with around \$300,000 available for that program. So there are a range of measures already that the ACT's rural community have available to them to seek government assistance for protecting important values.

MISS NUTTALL: There is a tender for biodiversity financing mechanisms for the ACT from last year on the contracts register. Can you confirm whether that was an exploration of private stewardship payments? Is it something that you would be able to table?

Mr Burkevics: I will take that on notice.

MISS NUTTALL: Thank you.

MR EMERSON: I have a question about government interaction with environmental volunteers and how that works. One of the priorities listed in the 2025-26 priorities for the territory is to partner with community in the conservation of nature. Another item references the Adopt a Park grants program and supporting our army of urban space volunteers through that program. How exactly do rangers work with environmental volunteers to ensure, one, that their efforts are kind of collaborative but also that they

are in some way monitored across the ACT?

Mr Burkevics: Thanks, Mr Emerson, for your recognition of the importance of a good, strong and effective connection between government and volunteers. Noting I am sensing time pressures here, I will get to the point rather quickly. Obviously, we have strategic engagement. Our primary method for engaging with our volunteers at a strategic level is through the Biodiversity Conservation Forum which we are looking to evolve to become a new body with greater decision-making powers on behalf of the community.

Of course, on a day-to-day basis, there is the Park Care program that is managed by the Parks and Conservation Service, and there is strong engagement at that level; and day-to-day engagement between our Natural Resource Management, NRM, teams and Landcare and the catchment groups—focusing on environmental initiatives on the ground. I and all of my colleagues that lead the group like to make ourselves personally available to engage with communities. One of our new initiatives—and it will be the second one—is the Environment Conference Saturday week, with a full day of sharing information.

I think to get to your point around next steps for engagement, I am using the words that “all roads need to lead to the Nature Conservation Strategy”. So all the work being undertaken by our environmental groups needs to track towards the Nature Conservation Strategy. We are supporting the government and the minister at the moment to refresh that. That body of work has progressed really well, with considerable engagement with our volunteers—and I thank them for their time. I am looking forward to presenting that through the minister for government consideration in the second half of the year.

MR EMERSON: Well done. Local stewardship of our local green spaces has been raised as a priority. When there is that collaboration happening, how do we then prevent development on land that is not part of existing reserve?

Mr Burkevics: I think it is important to default to the ACT’s planning laws and frameworks. Development is a matter for the Territory Planning Authority. Of course, there are referral entities. As the D-G mentioned earlier, the Conservator is one of those. Of course, any DA that will engage environmental matters is referred to the Conservator for comment, and for bigger developments there may be an ESO or EIS requirement. A big one that I think has been a really great outcome of late has been the need to construct fire trails in block 403, Bluetts Block. That has required significant face-to-face engagement with the Friends of Bluetts Block, through the Conservator’s office with the Office of Nature Conservation and the Parks and Conservation Service, to land a position where an ESO has been issued for the construction of that.

Another good example is some work that we are progressing, despite a variety of views. A planning process is being stuck to the letter around Ainslie Volcanics, working closely with the Friends of Ainslie Volcanics Grasslands at the moment to do a deep-dive ecological assessment of the environmental values there and really prioritising what needs to be protected and enhanced. Where perhaps areas are just too infested with lovegrass or too degraded, there might be other opportunities for the community and government to consider.

MR EMERSON: When a matter is referred to you during that planning process, do you have in front of you a map or some way of saying, “Actually, I know that in that area there has been active conservation efforts which have been led by volunteers”—I have been asking this on the volunteer front; so, hopefully, the minister will forgive my repetition—but also by government employees, to be able to say, “No, we will not do something there,” or is that kind of completely separate and you just make your assessment on the environmental value at that given time?

Mr Burkevics: It is a very, very rigorous process. Of course, the Conservator is supported by a wealth of very experienced and qualified people. The Office of the Conservator and the Conservator Liaison is tasked with coordinating input into development. All of those types of development applications are circulated widely with environmental colleagues, and that is beyond the referrals that the Territory Planning Authority do. But, of course, the Parks and Conservation Service, Office of Nature Conservation and other areas within the group that I lead all have a role in providing the best advice to me in my capacity as Conservator so that I can provide high-quality, informed advice to the Territory Planning Authority.

MR EMERSON: Is that then kind of a point-in-time assessment of the environmental value of that location? The point I am getting at is there might be ongoing work, and I am wondering whether that gets fed into that process. It is hard to fit everything in. I am not sure—

THE CHAIR: We will have to make that the last.

MR EMERSON: That is okay.

Mr Burkevics: Yes, as best as we can. One of the challenges of the environment is that it is a dynamic living organism and it changes. The work of the individual volunteer groups may or may not be communicated well and known to me. So I think it just really highlights that importance of strong connections across the environmental community that decision-makers have all information available to them.

MR EMERSON: Thank you.

MS CARRICK: The tree canopy target is 30 per cent. The tree canopy coverage in the missing middle for RZ1 and RZ2 is 20 per cent, and I would suggest that town centres and the group centres is even less. As we densify, what are your concerns about meeting the 30 per cent tree canopy target?

Mr Burkevics: Thanks, Ms Carrick. I might just pull that answer apart a little, if I may. I think it is important to note that the question engages matters for the Territory Planning Authority as well as Minister for City and Government Services, noting the Urban Forest Act is the responsibility for that minister. What I am aware of is the Urban Forest Act is the law. So future development proposals will be considered against the law and, as mentioned, against those territory planning frameworks and laws. I am very confident that, as part of those well-established processes, the law will be considered in terms of moving forward. But it is not appropriate that I comment on specific planning matters and trees. That is a matter for the Territory Planning Authority.

MS CARRICK: Thank you.

THE CHAIR: On behalf of the committee, I thank you for your attendance today. If you have taken any questions on notice, please provide your answers to the committee secretary within five business days of receiving the uncorrected proof *Hansard*.

The committee suspended from 12.24 pm to 1.15 pm

Appearances:

Steel, Mr Chris, Treasurer, Minister for Planning and Sustainable Development,
Minister for Heritage and Minister for Transport

City and Environment Directorate

Peffer, Mr Dave, Director-General

Engele, Mr Sam, Deputy Director-General

Green, Mr Ben, Executive Group Manager, Planning and Urban Policy

Cilliers, Mr George, Executive Group Manager, Statutory Planning

Akhter, Ms Sanzida, Executive Group Manager, Development and Implementation

Bennett, Mr James, Executive Branch Manager, Building, Design and Projects,
Planning and Urban Policy

THE ACTING CHAIR (Mr Rattenbury): Good afternoon and welcome to this afternoon's session with the Minister for Planning and Suburban Development. We welcome Mr Chris Steel MLA and we also welcome the officials who are in attendance.

Please note that, as witnesses, you are protected by parliamentary privilege and bound by its obligations. You must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly.

The Chair has had to step out briefly; so I will be chairing this session for the interim. We are not inviting opening statements, so we will now proceed to questions.

MS CASTLEY: Minister, in the 2025-26 budget, there is an allocation of \$2.2 million in funding to undertake planning and technical studies to support the supply of new housing and community facilities. Can you tell me what these technical studies will be analysing and what the government aims to understand by conducting them?

Mr Steel: Thank you. I am happy to hand over to directorate officials to talk through those. But, generally speaking, before land is released—or, indeed, to inform planning changes, changes to the Territory Plan, major plan amendments and so forth—due diligence is undertaken. whether that be environmental studies, a range of other community needs analysis and other studies that help to inform those decisions.

Mr Engele: I might get Ms Akhter to talk about the different studies we are doing.

Ms Akhter: As the minister has outlined, we undertake a lot of technical studies in the range of the names the minister has mentioned. More specifically, as part of the budget funding, we would look at technical and planning studies which would be required to prepare us for the future major plan amendment to support the implementation of the district strategies intention for the town centres. For example, in Belconnen town centre and surrounds we are already looking at studies for cultural heritage assessment, preliminary tree assessment and preliminary infrastructure requirements. We would be looking at undertaking traffic and movement assessments for the town centre and surrounds and a targeted species assessment in that area. We would also be looking at market and demographic analysis and geotechnical and contamination studies.

A number of the studies that we have already completed include some of the site

investigation, ecological values and habitat mapping, overflow, overland flow and flood and drainage studies and bushfire opportunities and constraint assessments. These are just examples.

MS CASTLEY: Sure. With this funding, the \$2.2 million, how many studies will the government undertake?

Ms Akhter: I cannot give you a specific number, Ms Castley, because planning and technical studies are often iterative and they evolve. Often when we do one study it is often found that further studies are required. So our numbers keep changing depending on the finding of a particular study.

MS CASTLEY: So you will just be capped at that \$2.2 million? You will do a number of studies and then you will run out of money and no more studies?

Ms Akhter: We try to undertake the studies to inform the planning outcome. Depending on where we are at in that financial year, if we need to undertake further studies, we will obviously come back to the government with an additional funding request.

Mr Green: I would just add that, as with most processes to obtain money through the budget, we need to be very clear on what we are seeking to achieve with that. A lot of what we are seeking to achieve has been outlined in the minister's statement on planning priorities. The technical studies and the planning work that Ms Akhter has referred to primarily relate to more shops and more housing along the Rapid transit corridors—for example, in the Southern Gateway. So there will be planning work and those technical studies in those. As we develop our business cases to support government decision-making, that is where our anticipated expenditure is. So it is not necessarily a tap-on tap-off element; it is really about understanding what those studies are likely to be to deliver on those priorities and frame it in that way.

MS CASTLEY: How do we get to \$2.2 million?

Mr Green: As Ms Akhter has outlined, the planning and technical studies is the main component. There are elements that go specifically to things such as the Belconnen town centre—

MS CASTLEY: I understand that, but who decided that \$2.2 million was enough for you guys to do what it is that you need to do?

Mr Green: That is a budget cabinet decision.

MS CASTLEY: So based on what the report would cost?

Mr Engele: There is a sort of estimate of what those likely studies would be, based on previous procurements. Like any budget, it is always an estimate as to what we think it is going to cost. Sometimes when we go to procurement, there are more complex environmental considerations. We are managing within our budget, but there is some flex, I guess, in the projects that we will be undertaking.

MS CASTLEY: Just so I understand what this bucket of money is for: it is very specific

to Canberra areas and we have not seen other university studies looking at what it is that you are seeking to understand?

Mr Engele: This is this year's set of studies that have been identified.

MS CASTLEY: Thank you.

MS CLAY: Was there a consultation report on this work that was meant to be tabled last year?

Mr Steel: I do not think so. This is delivering on the next stages of planning reform and the government's election commitments around planning.

MS CLAY: Fine.

MS CLAY: Minister, I would love an update on where we are up to with the Thoroughbred Park development. We had a bit of a chat with another minister about this, but I believe it is in your area. The Racing Club submitted an application to vary the Territory Plan for Thoroughbred Park and, according to the documents we got under the FOI, they were "planning on briefing the incoming minister," and, "once we have briefed, we will set up a time to progress". Can you tell us where this is up to?

Mr Steel: With the Territory Planning Authority. So I will hand over to Mr Green.

Mr Green: I think that is accurate, Ms Clay. Whilst we have a statutory timeframe with respect to determining major plan amendments that are initiated by proponents, we took the view, given that the three major parties took different platforms to the election, that we would not make a decision in relation to that.

Our planning work has identified that there are other matters that the government need to consider with respect to infrastructure, whether that is a social infrastructure need that might be derived and arising out of the proposal by Thoroughbred Park and/or physical infrastructure. We are still working through that, but I would anticipate that we would be in a position to be communicating with the proponent in the not-too-distant future around an outcome with respect to that.

MS CLAY: So the Chief Planner has not yet made a decision to progress the—

Mr Green: The Territory Planning Authority. No.

MS CLAY: So that is currently still in limbo, awaiting a decision?

Mr Green: At this point in time, yes.

MS CLAY: Last term we had a steering committee established. Is that steering committee still in existence?

Mr Green: That steering committee was established through economic development. To the best of my knowledge, that steering committee is no longer.

MS CLAY: Is there any other government committee that is looking at this issue?

Mr Green: With respect to Thoroughbred Park's major plan amendment?

MS CLAY: Yes, and with respect to any potential redevelopment of Thoroughbred Park?

Mr Green: There are no other committees involved in looking at that.

MS CLAY: Okay.

Mr Steel: Just to be clear about what stage this is up to, I would not describe it as being in limbo. The Territory Planning Authority—I do not want to speak for them, but they can correct me if I am wrong—have not yet made a decision as to whether to accept the major plan amendment application. That is the consideration that they are undertaking at the moment.

MS CLAY: Is there a timeline for how long these decisions usually take?

Mr Green: There is a statutory timeframe under the act. I am sure that someone will correct me if I am incorrect on this, but I think it is usually three months that we are required to make a decision within.

MS CLAY: When did that three-month timeframe start from, on this particular one?

Mr Green: From the date of application. I can take on notice the exact dates and provide that to you.

MS CLAY: That would be excellent. I understand there was an application made a couple of years ago. So I do not know if there have been multiple applications. It would be good to get on notice what the current application is, what the starting was and the statutory timeframes that are attached to that.

Mr Green: I have just been advised that three months is correct. There have not been any former applications, other than the former one that has been put to us under the new planning system.

MS CLAY: Excellent.

Mr Green: I will probably be able to answer that next question at the end of this session today.

MS CLAY: That is great. Minister, I am not sure how we will get on this next question, but I am going to have a crack at it. We had a chat with the minister for gaming harm reform. I believe that is her title, and I apologise if I have got her title wrong. She spoke a lot about diversification of the horse racing industry funding and how that was relevant to other decisions being made and she spoke about this matter. It is increasingly clear that it is difficult to get a steer from government on what is going on with this site until we know what is going on with this development. Are you inputting into that decision-making? Are you across the diversification of this funding and how this

relates?

Mr Steel: As the former minister responsible for racing. I have quite a bit of knowledge about the workings of the MOU. I think that line of questioning you were asking her was around a future MOU, if I recall. It would certainly be too early to say what the government's position might be on a future MOU, but we certainly recognise that the proposal from the Racing Club is designed to diversify their revenues streams.

How quickly that might occur really depends on how quickly the process goes through with the major plan amendment if it is accepted and supported by the Assembly—there is obviously a statutory process that needs to be followed—and then how quickly they move into the next stages of planning in terms of subdivision development, if it was approved by the Assembly, and how quickly they then work with a development partner, whoever that may be, to develop stages of the project.

MS CLAY: Sure. So to recap: we have a major plan amendment that is awaiting decision with a three-month statutory period and then that would run—

Mr Steel: For acceptance of the MPA, I think is the key.

MS CLAY: For acceptance of the MPA.

Mr Green: That is correct.

MS CLAY: Perhaps on notice, Mr Green, can you come back with the timeline of the next steps and where the public consultation would be in that?

Mr Green: I am happy to provide maybe a link that outlines what that process looks like. That is on the assumption of a particular pathway.

MS CLAY: Yes.

Mr Green: Really, there are three pathways when it comes to major planning. This one is authority initiated, one is minister directed and the third is a proponent initiated. There are provisions within the act if, for example, a proponent-initiated application is not accepted but the authority goes away to do something relevant to that site or, indeed, if the minister directs. So there are different processes. So I am happy to provide it generally, given that I have a short timeframe to turn this around for this question, but not specific to Thoroughbred Park at this time.

MS CLAY: That would be fantastic. Minister, it is difficult to get information on this because the responsibility is distributed amongst different people. Can you explain to me who in government is sort of taking charge of the decision about whether that MOU funding would continue?

Mr Steel: The MOU is the responsibility of the minister responsible for gaming and racing.

MS CLAY: Okay.

Mr Steel: But, obviously, it would be a decision of cabinet when it comes up. But it has obviously got some years to run at this stage. The planning work is the responsibility of the Territory Planning Authority, initially, though the decision on an MPA would come to myself as planning minister and also would go to the Assembly.

It is important to note that, as part of the MPA process, the Legislative Assembly committee may determine to undertake an inquiry into any draft major plan amendment that is proposed. I think they have six months under the Planning Act in which to undertake an inquiry, but they may choose to have a shorter period of time. That would change the length of the timeframe in which an MPA might be considered.

MS CLAY: Thank you.

MS CARRICK: My question is about outcomes and how you determine what is a good outcome and what is not a good outcome. For example, building heights around the core of town centres and the city, the city walk, is 15 metres. It is about the building height that we have got there now. In Belco, Emu Bank and Margaret Timpson Park have relatively low heights and the towers are set back from the public spaces. Hibberson Street and Anketell Street both have low building heights for the main strips through there. But Woden, around the town square, the core of Woden, is 28 storeys and there is serious overshadowing and wind tunnelling. What is a good outcome around a public space in the core of a town centre? Is it high building heights with overshadowing and wind tunnelling or is it low building heights to let the sun in?

Mr Steel: I will hand over to the Chief Planner. But I would point out—and I think I have said it in a like committee before—that, of course, building heights are only one part of what the Territory Planning Authority would consider under the Territory Plan. Solar access is a relevant consideration, absolutely. The Chief Planner might be able to provide some more information about how they would assess these sorts of proposals in town centres.

Mr Cilliers: Thank you for the question, Ms Carrick. An outcome for a development application is probably a step further from the initial consideration. So I think I need to take you back to section 186 of the Planning Act. That talks about consideration. So the outcome is only part of those considerations. Those considerations include things like the desired outcomes in the Territory Plan. That is a cross reference to the Territory Plan. But it also calls up design guidance in our design guides and then a range of other matters—things like the probable impacts and the probable environmental impacts all relate to an outcome. Another matter to consider under 186 is the interaction of proposed development of an adjacent development. So it is not a matter of simply saying, “This is a good outcome.” It is the sum of consideration of the stated outcomes in the Territory Plan, which might give certain weight to certain outcomes in terms of the district policy.

MS CARRICK: Maybe I will just cut to the chase and say: why is the zoning different around these core areas? Why have most of them got low zoning around their public spaces, in the core of their urban areas; whereas, Woden has higher building heights? Why wasn't it fixed in the Territory Plan when we moved from the old Territory Plan to the new one—it was just a cut and paste from the old one to the new one—when we have been raising these issues for years?

You might talk about the outcomes, but W2 has gone in, which is right on the north-west of the town square and overshadows it in the afternoons. We have Grand Central that overshadows the CIT and the boulevard. It is miserable in the cold on the southside of those buildings. So why wasn't the zoning fixed to save what is left when we moved from one Territory Plan to the next?

Mr Steel: Sorry; I think what you are referring to is: why weren't the building heights changed in the Territory Plan? There is a difference between that and the outcomes-based planning system more broadly and the assessment of outcomes by the statutory planning team in the Territory Planning Authority.

MS CARRICK: The zoning is one factor that leads to the outcome. So why don't we have more consistent zoning that leads to the outcomes that we want?

Mr Steel: I think "zoning" is also a broader term as well.

MS CARRICK: But I am talking about the building height zone.

Mr Steel: Building height zone in only one very specific part of the zone and the territory planning. The zone is much broader than just being about height. It is about land uses within the zone and a whole range of other things. But I think you are talking about height. Am I correct?

MS CARRICK: I am talking about protecting our public spaces to get good outcomes in our public spaces and having sunshine and reducing the wind shear. To date, regardless of what the planning system is, tall buildings are being built right on the perimeter of the town square and our public spaces and are causing problems for the community's enjoyment of these public spaces. I am wondering why Woden is being treated differently to the other areas and why it has not been fixed.

Mr Steel: So your question is about height, but I would firstly note a couple of things. Firstly, some of the developments that I think you mentioned were probably made under the old system, so they were not considered under the new outcomes-based system. The National Capital Design Review Panel is also in place, which now provides design guidance on all projects that are over five stories. So they are now playing an active role, often prior to the development application stage, in providing advice to proponents about how we can achieve the best outcome, which would look at a range of different outcomes. George can talk about this in a second.

The other point that I would make in response to your question is, in relation to the territory plan and the transition between the old system and the new one, not everything changed to every single thing in the territory plan between the old system and the new system. We did not review every single area of the territory plan at the same time. So that is why we are still making further changes to the territory plan. It is a document that does need to be updated over time, based on various planning reforms. We are doing that with the missing middle, for example at the moment, post the new territory plan being in place. I will hand over to George to address some of the more specific areas for the—

MS CARRICK: Can I just give another example? The Woden Centre is right between two public spaces, the town square and the new West Plaza that has been created from the CIT. It sits right in the centre of these two public spaces. It is for sale. It is zoned for 28 stories. If a developer buys that and goes up—it is not 28 stories, it is eight stories, 10 stories, anything. At the moment you are protected. You get some protection from the wind because it goes over the buildings. But once you go up, any amount, it hits the building and it causes the wind shear, and of course the overshadowing. So it would be disastrous for that building to go any higher than what it is. How do you stop it from—it is like the pool. It is in private sector hands. How do you stop them from putting in a DA and that goes up?

Mr Steel: I appreciate you have a view that you do not want to see height in the town centre. I think the government has clearly had a different view to you on that issue because we wanted to see the revitalisation of the town centre and we wanted to make sure there was certainty around the territory plan requirements to actually help facilitate private renewal of what were derelict and empty buildings across the town centre—

MS CARRICK: Why do you not do it around Garema Place then? You want to revitalise that.

Mr Steel: —and over the last five years, we have seen that. We have seen the renewal of the town centre with private investment and public investment. The public investment has actually been a catalyst for drawing in some of that private investment to see things like Alexander and Albemarle adaptively reused, to see—

MS CARRICK: That is fine. So the Alexander and Albemarle are not on the perimeter of the town centre—

Mr Steel: —to see the derelict post office rebuilt as a residential tower that provides homes for people right in the core of the town centre, close to services, providing more activity in the town centre as well. George can talk a bit more about how those proposals will be assessed under the new system—

MS CARRICK: Well, what is the policy? Because in—

Mr Steel: Well, it is a new system. It is a new system. The applications will be made under the new system and they will be assessed according to the outcomes-based planning framework that we have put in place, but that has only been in place for a short period of time—

MS CARRICK: In 2017, I know it is previous—it is under the old system.

Mr Steel: It is, yes.

MS CARRICK: I asked the Chief Minister, “Are you going to activate Garema Place by putting tall towers around the perimeter of Garema Place?” He said, “No, you would not do that. We have our towers further out, around, and you keep sun in—”

Mr Steel: Do you have a question?

MS CARRICK: I am just saying there is a different policy. The policies are not consistent. Why do you not have the same policy for Woden that you have for other areas?

Mr Steel: I think you know quite well, Ms Carrick—

MS CARRICK: Well I do know! That is why I have been asking for 10 years! I still do not know why it is treated differently.

Mr Steel: Well, it is clear. Under the National Capital Plan, there are certain requirements in relation to the city. There are rules, like RL617 in place that cap building height in the city, and approach roads—

MS CARRICK: Is that a good outcome?

Mr Steel: —and there is an NCA planning jurisdiction over that particular part of the city. That is the reason there are differences. There would also be locational differences under the district strategies in the territory plan policies as well. Mr Cilliers can provide some further information about how proposals will be assessed under the new system in the town centre.

Mr Cilliers: I just want to start where I left off. So outcomes are determined by the territory plan or established by the territory plan, but it is important not to separate that from the other considerations in the act. So section 186, sets out all those considerations for the Territory Planning Authority.

To get to your question, I do not believe zoning in itself is the solution, rather it is actually the consideration of all of those collective outcomes. With the new planning system, a critical consideration that came in that was not in the old system is 186G, the interaction of proposed development with any other joining or adjacent development. So this is now a legal consideration for the Territory Planning Authority. We are obliged to think and consider what the impact and the effect is on the surrounding area. This is in addition to what was carried over, the probable impacts.

In addition to that we have design guides that provide a whole plethora of additional considerations and matters that we can consider, in terms of establishing what is an appropriate building height. It is not just about building heights, it is about building orientation, it is about how the building operates and functions in its microenvironment and its microclimate, and it is also about other things that you do not see, that are not obvious, things like a core basement and how that functions and operates.

MS CARRICK: Is it fair for a developer to pay a premium for a site that is zoned for 28 stories, if they cannot develop to 28 stories? How does the developer know what the rules will be? What the outcome will be?

Mr Steel: Well, because it is in the territory plan. That is why—

MS CARRICK: That creates uncertainty, so the developer should be very wary about buying that site.

Mr Steel: It is not just height. It is also in the lease as well, of course. They are paying for the value of the lease. The broader requirements in the territory plan and the zones shows them what they can potentially do on the site. There may be an option open to them, and they will have to make that—

MS CARRICK: Very uncertain for a developer. Developer beware.

Mr Steel: It is up to them about whether they want to purchase a block—

MS CARRICK: Take the risk or not—

Mr Steel: That is a commercial decision for them to make—

MS CARRICK: about whether they can build to what the zoning says.

THE CHAIR: Minister, you mentioned the Alexander and Albemarle developments as being an example where the government had generated the change that led to that adaptive reuse, but that site sat essentially derelict for an extraordinary period of time, during which the developers were explaining that the lease variation charge had a direct impact on the feasibility of that project. What is it that you believe the government did that changed that equation?

Mr Steel: A range of different things. The planning that we put into the town centre through the master plan. We did make changes to the LVC arrangements to enable LVC deferral. The master plan set out some of the future planning for the town centre now, around 10 years ago, or just over 10 years ago, and that has now obviously been replaced with the new district strategy for the Woden Valley. The government has made substantial investments, and continues to, in the Woden town centre. Planning for the future stages of light rail in particular is one that we know has certainly supported more people being interested in living in the town centre in residential accommodation.

I would say the major focus of the master plan was around mixed-use development and that is what we have seen in Alexander and Albemarle and a range of different developments. It is no longer just a place for public service buildings around a large shopping centre retail mall. It is now a place for people to live. It is now a place for people to study as well, and a place for community. So those are the major changes that were really pushed through the master plan. I appreciate you were not in the Assembly at the time that—

THE CHAIR: No, I was sitting in an office overlooking the buildings—

Mr Steel: Yes, I was very involved in my first term in the Assembly in hosting a round table with many of the stakeholders in the Woden town centre where we were talking about the planning settings. One of the key points that I made, which I made to Ms Carrick before, and what we heard from the sector, is that they wanted certainty around some of the planning requirements in the town centre—

MS CARRICK: There is no certainty now.

Mr Steel: —that would give them the certainty to be able to invest in the renewal of

aging buildings, and that is exactly what we have seen since then. There have not been major changes to things like, for example, height limits and the like, which has given them certainty to be able to invest in the centre.

THE CHAIR: So did the developers there indicate to you that it was because of the changes that you had made? The reason I ask is that that decision seemed to be fairly strongly divorced in time from a lot of the changes that you are talking about.

Mr Steel: Let us be clear, the decision was—

THE CHAIR: I am not sure it can be directly attributed to decisions of government.

Mr Steel: Well the decision of the commonwealth government to move their workers out of the town centre and out of that building, led to—

THE CHAIR: Well that was a 2010 decision.

Mr Steel: —led to it being vacant, and then it becoming derelict over time. So, we have done a lot of work in the town centre through the old master plan, through the work that we have been doing through the district strategy and then through public investment, which has acted as an anchor and catalyst for private sector investment in residential in the town centre. As well as making other changes, like the LVC that I mentioned, which has helped to better align the cashflow needs of these projects.

MS CARRICK: Just one very last thing on this. Why, with the new West Plaza, did you not put any power bollards in there for markets and events? There are some little ones in the—

Mr Steel: That is a question for Infrastructure Canberra. I think they are coming in next week, on Monday. So you will be able to ask them then.

MS CARRICK: That is a planning thing.

Mr Steel: Yes, well not everything is about town planning. It has a very specific definition—

MS CARRICK: Well, you know, it underpins a lot of stuff, and if you do not put power in—

Mr Steel: I am not planning for every single thing across government. There is a division of responsibilities there—

MS CARRICK: No, it is pretty fundamental, power.

MS TOUGH: Minister, last week on Community Day, we heard a bit from industry groups, from Better Canberra, from a few different people, who have raised concerns about the residential construction activity in the ACT and the government's ability to deliver its commitment to enable 30,000 homes by 2030. Can you comment on what the government is doing to reach this target?

Mr Steel: Yes. The budget has set out a significant investment of \$145 million in housing initiatives and also, through the Housing Supply and Land Release Program, we have outlined land release that will support just under 26,000 new homes. So they are the significant measures that we are taking.

We have seen, over time, quite a number of approvals that have gone through in the past that have not yet started construction. So, as we see inflation coming down and interest rates coming down further, we expect commencements to pick up over time. We have just seen the June quarter building approvals, the Australia ABS release. There has been a 149.4 per cent increase in dwellings approved through the year, and we expect to see a good level of approvals going through as interest rates continue to come down and inflation remains low.

Pegasus certainly noted in their response to the budget that they seem to agree with the proposition that enabling 30,000 homes is achievable, based on some of the historic trends. We will certainly be continuing to work through each budget and each Housing Supply and Land Release Program to make sure we can reach that target.

Planning reforms are an important part of that as well. So the missing middle reforms that have been out for consultation will help to contribute. Then there are further stages of planning reform supporting transport-oriented development in particular, and also more housing in and around shopping centres, which will also contribute to that task amongst other planning reforms.

MS TOUGH: You mentioned DA approvals. Would you know what the proportion of DA approvals that are approved with conditions opposed to just approved are, and what that actually means in practice for developers and building?

Mr Steel: The Chief Planner might be able to talk to that, but in terms of general approvals, according to statutory timeframes, 87 per cent went through the statutory timeframe in June—sorry, 81 per cent, my apologies. It was 87 per cent the month prior, in May.

Mr Cilliers: Apologies, can you repeat the question?

MS TOUGH: Yes. It is all right. I was just wondering what the proportion of DA approvals that are approved with conditions are, as compared to just approved, and then what that means in practical terms when development actually starts?

Mr Cilliers: Most, or I would say all, development applications are approved with conditions of some sort. I think the category you might be referring to are those DAs that are exempt from full assessments. We call them exemption declarations. They are approved within a much shorter timeframe. I think the expected timeframe is 10 days for those, but we approve them in roughly four days. In terms of meeting those timeframes, we have achieved roughly a 74 per cent average over the past financial year.

I am talking about DAs now, which tend to fluctuate around things like December and January when we cannot control those timeframes for notification, when timeframes for notification are extended. It fluctuates between 87 per cent, for example, in May,

down to around the lowest, which was 49 per cent in December, for obvious reasons, but overall a good result. We have around 74 per cent approved within the time. In terms of the numbers of DAs, in the past financial year we have received 769 applications and we have determined 741.

MS TOUGH: Is that residential or every category?

Mr Cilliers: That is all DAs.

MS TOUGH: Yes.

Mr Cilliers: I will get to the other DAs. There are a number of what we call minor or exempt declaration DAs. Of those, we received 791 and we determined 760. The average processing times for those were 4.6 days. So it is a quick turnaround. It is a minor DA. It is a small application and it is basically just a plan-based assessment. They are for single residential DAs that are within the building envelope, within the required setbacks and those sorts of things we can deal with fairly quickly. Just something interesting out of that: the generated construction work or estimated value of building works that were generated through that was \$2.1 billion, which we approved, through the DA process.

MS TOUGH: Thank you.

Mr Cilliers: I can give you a few additional things here as well. On top of that we have considered another 259 applications to satisfy conditions, which we call planning endorsements. We have also received 48 significant DAs so far, and significant DAs determined were 18. They are sub-division design applications, those were—

MS TOUGH: The bigger ones.

Mr Cilliers: —the bigger ones. They tend to take longer, but they do have a different statutory timeframe to them.

MS CASTLEY: Can you talk to me a little bit more about the significant applications and what that timeframe is for approval?

Mr Cilliers: Significant applications are applications that are actually defined in the legislation. They are applications that include proposals that require consultation with the National Capital Design Review Panel. So those big-end developments that require greater scrutiny and also proposals that require an environmental impact assessment and sub-division design applications. Those are the three broad categories.

The vast majority of DAs are standard development applications or non-significant ones. Some examples of significant development applications that I can think of are 220 Northbourne Avenue and the approval we gave in Lathlain Street in Belconnen. Then of course, there are plenty of sub-division design applications that we do for future sub-divisions. The timeframes for standard DAs are 30 to 45 working days. So, 30 working days if you do not receive a public representation and 45 working days if you do receive a public representation. The timeframe for significant DAs is 60 working days.

MS CASTLEY: How do we track on those at the moment? How often do all of those meet those timeframes?

Mr Cilliers: So for our standard DAs, we have met—the actual year-to-date result is 73 per cent of them are on time. For significant development applications, 128 days is the median that we achieved, so roughly 90 per cent we did on time. They are a very small proportion, as I said. We only determined 18 out of 700 DAs, but they require that greater scrutiny.

MS CASTLEY: Yes. Has the number of applications lodged decreased in the last year or so?

Mr Cilliers: It has fluctuated. There is a slight decrease in the total number of DAs. So we received 769. I do not have the previous financial years statistics in front of me, but it is slightly lower—

MS CASTLEY: Could you take that on notice? Is that—

THE CHAIR: Sorry, just to be clear, that was taken on notice?

Mr Cilliers: Pardon?

THE CHAIR: Was that taken on notice, sorry?

MS CASTLEY: The previous year.

Mr Cilliers: For the previous year.

MS CASTLEY: Thank you. I understand, talking to industry stakeholders, that a significant cause for delay in development applications is non-government entities being involved in that whole process, with regard to referrals. The Territory Planning Authority's fact sheet on entity referral and development applications outlines that entity advice received after the 20-working day timeframe carries less weight in the application assessment. How does this get measured? How does the weight of that late advice get measured and what is the weight that it carries?

Mr Cilliers: The previous legislation had the ability where you could disregard the advice totally. So in the weight we apply to late advice we will consider what the advice is for. It depends on what entity it is and what the advice is. For example, if you receive advice on a sub-division design application from Icon and it is late, and it is around something like headworks or major infrastructure, obviously we will not just disregard that advice. If it is minor advice, for example, on the same application around a tie to an individual block, we might say well that could be dealt with after the approval. We do not need to apply a line to that. That is just an example, so it depends on what it is and what it is for.

MS CASTLEY: Do you track what the average timeframe is for the return of an entity advice at each stage of the process? Do you track whether one particular entity is slower at getting that advice back? Do you have those figures?

Mr Cilliers: We do not maintain data on that specifically. We have a very good understanding of which entities are consistent in providing late advice. But, because we consult so many entities and we have so many applications, keeping that sort of specific data is probably not worthwhile in terms of returns. But we do track individual applications to establish how entities are performing on specific developments. Particularly on the significant developments, we try to have a bit of a flowchart to understand what the timeframes and milestones are.

MS CASTLEY: Just so I am understanding: you do not really track whether one particular entity might always be late with their advice? You do not track that; you would track if one application is having significant shift?

Mr Cilliers: We can obtain that data. We know that because you can see it through the frequency of what you see. But I do not have a spreadsheet or something like that to show.

MS CASTLEY: No; I am just wondering whether the government measures that. We are hearing from the industry that it is a constant source of concern. I am wondering if you know whether it is one or two particular external groups that is always the hold-up always? Is that a resourcing issue? Do those people who going through this process have the ability to pick up the phone and go, “This advice is just a one-liner; can I quickly give you that or provide that” and get a response back? I think that is part of the frustration with the industry. Mr Pfeffer, do you—

Mr Pfeffer: I might be able to add something. One of the benefits in bringing the new directorate together is to bring a lot of these referral entities under the one umbrella—not all but certainly many that existed across different government directorates previously. We are going through a bit of a process at the moment to map not just the referral process but also the end-to-end decision-making that is required for many dwellings, commercial property or whatever it might be to be delivered. As part of that exercise we will start to look at the data.

For us, our focus needs to be on getting our own house in order and making sure that things are working well right across the directorate. We have many people who input into the decisions that are taken. But, certainly as part of that, we will be looking to partners in utilities—which I suspect is what you are talking about, Ms Castley—and figuring out how we can best work with them, either in a proactive sense or as part of that referral process and, if we are trying to bring some productivity improvements here, in terms of timeliness, to benefit industry but also to benefit citizens and the community more generally that we do that in a consolidated way with everyone who has a role to play as part of the system.

MS CASTLEY: There are so many people trying to help build homes, which is going to go to the government’s commitment, and yet it seems that there is a bit of a blocker across this. So I am looking forward to hearing how that is going and would love a commitment that possibly people going through the process could have a phone number to call someone to follow up where their application is at. That is just a comment. I will leave it there.

Mr Cilliers: We have a gateway team people can call and a DA coordinator people can call. We try to improve that service as well. I think what you might be referring to is sometimes calling an entity. That might be an issue sometimes.

MS CASTLEY: Maybe; and getting the application put at the bottom of the list.

Mr Cilliers: We are trying to establish those relationships with those entities. I might just add one last thing around entity advice and the weight that we provide to it. Most of the time, entities keep to their remit, but occasionally we might get an entity provide advice that is not really within the context. So something we need to consider is whether the entity is actually providing advice that relates to their core function and what we need to consider. For external entities, that is a slightly more difficult task, because they—

MS CASTLEY: They are blocking houses being built. I think it is worth the question to the entities. Is that not something the government is able to do?

Mr Steel: Sorry; I just want to be clear in response to that comment that there is a good reason why we seek entity advice through the statutory planning process to make sure that water assets and electricity assets are protected, and there is a whole range of environmental advice that is provided by the Conservator that needs to be considered for decision-making. There are very good reasons why referral agencies need to be part of the development application process—

MS CASTLEY: I am not disputing that, Minister.

Mr Steel: And their advice is critical, actually—

MS CASTLEY: I am not disputing that, Minister.

Mr Steel: and often determinative in making a decision. So, yes, we do need to continue to work with referral entities. That is actually a part of the ACT government's construction productivity agenda for the ACT where—

THE CHAIR: Minister, in the interests of time, if we can keep it to the individual item—

Mr Steel: Sure; it is directly part of the portfolio. So we are working on that. We have already brought together those referral entities to meet directly with industry to start talking about some of those points of friction in both the building and the planning system. For example, we had Icon Water attending the PACICERG, which is the meeting of construction industry stakeholders, where they provided feedback on some of their requirements to industry and industry provided feedback to them as well. So we are working on some of those.

A lot of them are not regulatory, directing changes to regulation that has been proposed by industry, but it may be around processes, ways of working and those sorts of things. We are working through that. The government is currently considering the construction industry's proposals and has not yet made a decision on exactly which ones we will agree to.

MS CASTLEY: Thanks.

MS CLAY: I have similar questions—and Ms Castley did an excellent job of covering them off. Thank you very much for that. On page 148 of the budget—and Ms Castley was asking about this too—we have median processing times for significant DAs. The target was 60 days and the estimated outcome was 128 days—more than double the target—and there is no target at all for next year. Why were we more than double the target and why did we not set a target time for next year?

Mr Cilliers: You are given processing time for significant developments.

MS CLAY: And we were more than double the target.

Mr Cilliers: Correct, yes. Again, it is a very small proportion. I think it was about 18 out of all our applications. It is—

THE CHAIR: In the interest of timing I am going to jump in—

MS CLAY: Why is there no target for next year? What is the target for next year?

Mr Cilliers: The target will always be the 60 days, the statutory timeframe.

MS CLAY: So the target for next year is also 60 days?

Mr Cilliers: That is what we would hope to achieve.

MS CLAY: Sure.

Mr Cilliers: Why that is so much longer is because those applications are far more complex. They require far more scrutiny. They are those sub-division design applications, for example, and they are those that go to the NCDRP, for example. The NCDRP is not part of the DA; it is prior to lodgement, but it adds to the complexity of consideration. They are the DAs that we really want to make sure that we get right, because that is where I think we can influence the best in terms of outcomes.

MS CLAY: I think it is fantastic that we have a system that is rigorous. I suppose the concern I am noting is that we have a statutory timeframe, which was obviously well considered when it was set, of 60 days. We have a system that this year delivered more than double that time, and I do not know if there is anything that is changing so that we will not deliver more than double the statutory timeframe next year.

Mr Cilliers: Part of the first year post the introduction of our new system is also a learning experience for us. As we develop—and I can actually see this—the timeframes do get shorter. But I cannot—

MS CLAY: Okay; bedding down the new system.

Mr Cilliers: But we do not put a statutory timeframe in front of a good outcome and trying to do our best in terms of the assessment.

MS CLAY: And nor should you. Mr Cilliers, I am prepared to accept bedding down a new system, and I am hoping that in a year's time we have a better set of figures.

Mr Steel: Just to answer your other question, page 45 of the CED budget statement, there is that 60-day application processing time as the target. I understand it may be because of the machinery of government changes that it is reported in a slightly different area. So there was not a target for next year because it was a discontinuing part of the directorate—

MS CLAY: That is great. We were talking about the housing targets. We have in the budget papers a commitment of 30,000 new homes by 2030. Can you tell me what number of dwellings Canberra had before that commitment started, so that we know how we are tracking? What was the number of dwellings in Canberra before that target?

Mr Steel: I think the Chief Minister actually went to this in his statement. I think it is probably best that we take it on notice, but I understand that it was around 200,000 and we are looking to build another 30,000. But we will come back.

MS CLAY: Sure. Under the National Housing Accord, the government is delivering 21,000 new homes by 2028-29—yes?

Mr Steel: Yes.

MS CLAY: There are nods all round. This is excellent. How many new homes have we delivered since the 30,000 target was set?

Mr Steel: I refer members to the ABS stats that track this. In the June quarter building approvals Australia ABS release there is some detail there about the raw numbers of homes and it also has a breakdown by different type of home as well.

MS CLAY: Yes; and what is that number?

Mr Steel: Ms Akhter has some more detail.

Ms Akhter: On average, 153 new homes were needed to be built in the ACT every quarter to meet the National Housing Accord target, which would be around 21,057 new homes. In the first three quarters since the Housing Accord commenced, the ACT has delivered 3,129 dwellings, but the target was 3,159. So in the three quarters, the ACT is only 30 houses less than the target. If we compare against rest of the country, the ACT is actually performing best compared to any other jurisdictions, who are way out of the target—some of them by 42.4 per cent.

MS CLAY: That was a reassuring set of figures.

Mr Cilliers, you told us how many DAs were in the system at the moment. Can you tell us what the yield is from those DAs, approximately, because the number of DAs does not necessarily relate to the number of dwellings.

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

MS CLAY: Thank you.

THE CHAIR: I want to very quickly round this one up with a question that I think is quite important in terms of DA numbers and dwelling approvals. Minister, earlier you were commenting on the Pegasus report comment that 30,000 new homes by 2030 is achievable based on recent history. Of course, Pegasus also pointed out or highlighted what looks like quite a precipitous drop in approvals in the last few years, which brings the ACT below that critical 5,000 new dwelling factor, and that those numbers do not include issues like knock-down rebuilds and so forth. What gives you confidence that we are going to manage to get up above the critical 5,000 dwellings per year mark?

Mr Steel: The fact that we are already meeting the national housing target—or are very close to—and we have not even implemented the planning reforms that we have committed to, because they are still going through the statutory process and consultation. So missing middle reforms have not yet been implemented. If we accept what has happened in other cities around the world that have done this, Auckland being one of those, we will see a significant increase in approvals and commencements. We do not know exactly how much, but we think it will be a reasonable number. We think the transit-oriented development work that we are doing around shopping centres, which has not yet been made, will support it, plus the work that is going on with the land release program to identify more land release than we ever had before—with blocks for 26,000 homes being released—will certainly put us in good stead.

The budget also notes and provides some commentary on what Treasury thinks may occur in the future in terms of dwelling commencements, noting that monetary policy is becoming more favourable and that will certainly impact on both demand but also in the financing of new projects and those projects that have already been approved getting underway and getting into construction. A lower interest rate environment will certainly be a factor. One of the reasons that we think that commencements have not has been as high as they have been in the past is because we have had a higher interest rate environment. That is changing. So there is room for optimism, I think, and the budget papers certainly reflect that in the commentary.

THE CHAIR: Again, the Pegasus report highlights the risk of labour shortages. Another part of that equation, of course, are the businesses themselves. We have seen a lot of insolvencies in the construction industry, particularly over the past 12 to 18 months.

Mr Steel: That is why the government is investing in skills and incentives with 90 per cent subsidies for apprentices in the construction industry. That will basically remove a significant part of the costs for businesses in taking on apprentices, which is part of that labour force constraint that, yes, has an impact on supply. So we have addressed that in the budget. We are attacking the housing supply issue from all angles, and certainly skills is part of that as well.

THE CHAIR: Just coming back to the actual question, have you factored into your modelling of how you are going to achieve 5,000 dwellings per year the current market impact of those insolvencies over recent years?

Mr Steel: Not specifically the insolvencies, but the market capacity is certainly something that we have noted in housing supply and land release programs as being a constraint on the delivery of new homes. But we have, I think, seen more favourable conditions for the construction sector as of late. Obviously, a lot of those issues had to do with cost escalation in the construction sector, particularly for building materials. One of the major factors as to why house prices have gone up in the construction of new dwellings is because of that cost escalation. Obviously, inflation is coming down, and for some of those materials there has been a drop in cost and, in some, that cost is moderating. So there is greater certainty for builders and construction firms when they are setting prices under fixed contracts and the like.

THE CHAIR: I think you said that you see more optimism in the building industry or that things are more positive in the construction industry. Is that right?

Mr Steel: Absolutely; the monetary policy environment is looking much more positive for the industry, and I think we will certainly see a gear-up in activity.

MR RATTENBURY: Ms Akhter, do those approval numbers that you gave us a little earlier include knockdown rebuilds and renovations?

Ms Akhter: Yes. We used the change in numbers to get the net. That is built in within the modelling that we use. Of course, these numbers are derived from the ABS statistics.

MR RATTENBURY: Thank you. A knockdown rebuild is just replacing the dwelling and so there is no increase in housing stock?

Ms Akhter: I can actually provide the answer to that housing stock question. As at the March quarter 2025, we had residential dwelling stock of 202,600 dwellings, which is an increase of 1,400 dwellings from the December quarter and 4,700 more dwellings compared to the March quarter in 2024. In calculating all of these numbers, we take the change to make sure that we are deducting the demolition knockdown.

MR RATTENBURY: I see.

MS CLAY: Can I clarify something? I have the numbers you gave us before. You said that we had 3,129 dwellings.

Ms Akhter: That is the Housing Accord numbers. I just gave the total of housing stock in ACT.

MS CLAY: Yes. What is that equivalent number without knockdown rebuilds and without housing renos—just new dwellings?

Ms Akhter: That is the new dwellings.

MS CLAY: Could you just say it for me?

Ms Akhter: We have delivered 3,129 new homes in the ACT in the last three quarters since the accord commenced.

MS CLAY: New dwellings?

Ms Akhter: Yes.

MS CLAY: Not knockdown rebuilds?

Ms Akhter: In calculating the new dwellings we subtract the knockdown rebuilds to get the net number. Sorry, I—

MS CLAY: I am so sorry; I am not trying to be difficult, but we have the National Housing Accord, and the target to meet that was 3,159 additional dwellings that do not already exist in Canberra.

Ms Akhter: That is right.

MS CLAY: Is that 3,129 figure additional dwellings that do not—

Ms Akhter: Yes.

MS CLAY: In addition? That is net new—

Ms Akhter: That is right; new homes.

MS CLAY: Thank you.

Mr Engle: Just to clarify, we get all the building data and then we have to net out those knockdown rebuilds. When we say “remove”, we are removing it because we get a big dataset.

MS CLAY: Thank you.

THE CHAIR: I need to clarify: when you say “you have delivered”, you were talking about the housing stock “has increased by”?

Ms Akhter: In the ACT. The housing stock has increased by—I am giving you the numbers again because of the questions. One is just focusing on the Housing Accord and the other one is the ACT specific total housing stock. As at the March quarter, the ACT had a residential dwelling stock of 202,600 dwellings. This is an increase of 1,400 dwellings from the December quarter and 4,700 more dwellings compared to the last March quarter.

MS CASTLEY: Does that include public housing?

Ms Akhter: That would include all housing.

MS CASTLEY: I would like to ask about adaptive reuse and the government’s position as a means to increase housing stock in the ACT. The Sustainable Buildings Pathway advocates for adaptive reuse, and the government has raised that there is potential opportunity in the consultation for the draft ACT Circular Economy Strategy. On that topic, what is the average occupancy rate of all ACT government buildings?

Ms Akhter: It is 2.5 per cent.

MS CASTLEY: 2.5?

Ms Akhter: That is right.

MS CASTLEY: Great. Where the occupancy rate for the ACT government buildings is low or the building is entirely unoccupied, would the government explore adaptive reuse as a means to convert the building into housing?

Mr Engle: I just want to clarify the 2.5. I think you were talking about the rental vacancy rate across the entire territory. Is that right?

MS CASTLEY: The vacancy rate.

THE CHAIR: Ms Castley, was the question on the occupancy rate?

MS CASTLEY: The question was about the opportunity to change—

Mr Engle: Commercial buildings into government-owned—

MS CASTLEY: Commercial, yes; that is right.

Ms Akhter: Sorry; I understood that as the occupancy rate.

THE CHAIR: I think the first question was about the occupancy rate rather than the vacancy rate.

MS CASTLEY: Yes, the vacancy of government buildings.

Mr Engle: We will take that on notice.

MS CASTLEY: Thank you. Is the government currently considering adaptive reuse for any of their buildings? Could you give us some information about that?

Mr Steel: It is a question for Infrastructure Canberra, who are responsible for Places and Spaces, which is the old Property `Group—not to say that other parts of ACT government do not also manage property, but they manage a significant share of it. So they can certainly talk to what those opportunities may be in the ACT government.

MS CASTLEY: Infrastructure Canberra?

Mr Steel: Yes. It may be that the Planning Authority needs to consider development application proposals relating to government property, but government property is the responsibility of Infrastructure Canberra.

MS CASTLEY: Thanks.

MS CLAY: Minister, I would like to know where the western edge investigation is up

to?

Mr Steel: I will hand over to Mr Green.

Mr Green: Thank you, Ms Clay, for that question. As you may well be aware, the Territory Planning Authority at the last budget received some funding to undertake investigations and continue investigations that have been ongoing for several years into the western edge investigation area. Over the last 12 months we have been in the process of completing several studies. The majority of those studies I would classify as more ecological studies. They are focused on particular species habitat. I am happy to dive into the detail, but just broadly—

MS CLAY: Just status will do; thank you.

Mr Green: Broadly, we have undertaken those studies. We have also looked to do some infrastructure and transport capability assessment studies to understand if there are likely to be any urban opportunities, particularly in the Kambah and Bolga Creek area of western edge. Those studies are underway. The studies have only recently all been completed. We are considering those and, once they are considered, we will place them on our website.

MS CLAY: Is the 2023 investigation finished?

Mr Green: I think, to be fair, with the size of the western edge investigation area, it is not a start and completion; we are not really framing it in that way. There are several studies that we need to undertake. There are preliminary scanning studies, and we will need to go to government about the next steps and about whether there are more detailed studies that need to be undertaken.

MS CLAY: Mr Green, can you take on notice to give me the name of the studies and where each one is up to, because there are a few particular studies that we are interested in knowing where they are up to, whether they are finished and whether they are released?

Mr Green: Yes, I can take that on notice.

MS CLAY: I reckon on notice would probably be better.

Mr Steel: I think it is important to note the government has not made a decision to develop any areas of the western edge for uses other than their current uses at this particular point in time. So these studies are there to look at the environmental values of the western edge, in particular, which may end up informing future decisions around further protections for some of those areas' environmental value in the future. The position that we took to the election was not to rule out any further studies in order to actually understand the environmental values of the area so that they could be protected.

MS CLAY: Have any areas been ruled out for development in that investigation area?

Mr Steel: No; we are still undertaking the studies, which will then help inform future decisions.

MS CLAY: How will this western edge investigation interact with our plan to set city limits?

Mr Steel: It will absolutely directly inform that decision and consideration—not just on the western edge but also the work that is being undertaken as part of the Eastern Broadacre Strategic Assessment, which has similarly looked at the environmental values of that entire corridor, to look at what areas may need to be protected. That may also inform a future consider of urban growth boundary type decisions.

MS CLAY: That is great. Can you commit that the western edge will be outside the boundary for the city limits area?

Mr Steel: No; part of the consideration is where those values are and what needs to be protected and to what degree. But, certainly, we are also thinking, under Minister Orr's work—and I will be talking closely with her at an early stage—what role the landscape plan for the ACT might play, through strategic spatial planning, in identifying and proactively protecting areas of value, both in urban and non-urban areas.

MS CASTLEY: I would like to talk about car parking in the missing middle reform that you have talked about. The reforms reduce the minimum car parking rates for RZ1 and RZ2 blocks by lowering the number of car parks for dwellings with more than a single bedroom and removing the requirement for a visitor car park. What technical studies did the government undertake to inform the proposed changes to minimum car parking rates?

Mr Steel: I invite Mr Bennett to talk about minimum car parking.

Mr Bennett: I have read and acknowledge the privilege statement. Regarding the process that we undertook to develop the different technical requirements for missing middle reforms, we engaged Urbis, who are planning and technical consultants, to help us develop a draft Missing Middle Housing Design Guide. The Missing Middle Housing Design Guide has been part of the design-led process to inform the changes to the Territory Plan. Through that process, the consultants looked at a range of best practice and good practice design guides around the country and also ACT-specific guidance around parking. We then developed the design guide. The design guide has a set of principles about what minimum parking rates could look like. We then flowed that work in the design guide into the Territory Plan and into the technical specifications that support the provisions in the Territory Plan, and that led to the proposal that we put forward.

MS CASTLEY: Have you modelled the impact that the proposed changes would have on street parking and congestion?

Mr Bennett: One of the things is that, by moving to the new outcomes focused Territory Plan, parking requirements are now included in the technical specifications for the missing middle. That is a reference point and a guidance point for the type of parking that could be delivered. In terms of the parking that is actually delivered through a development application, that is very much a market-driven decision that is undertaken by builders and developers. The reforms put forward a particular number.

What is actually delivered in proposals is currently higher than that, because market preferences suggest that people want a dwelling with more car parking than the minimum requirements.

The impact of that is different across every street. What we have said during discussion on the reforms is that the impact of parking on each particular street will be assessed during the development application phase. People will be required to consider the particular site's context—existing street parking, the ability to park on the street or whether parking needs to be provided within the development. It is a case-by-case consideration during the development application process for each particular redevelopment opportunity.

MS CASTLEY: If a developer builds a multi-storey apartment block and just works within the missing middle framework—if they have not sold all of the units yet and they build it in accordance with the framework—and then, all of a sudden, there is overflow of parking on the street and in the streets that surround it, what does your modelling say about that? I know it is up to Canberrans to say, “Hang on, we want more parking for this building,” but the developer does not have to do that, because the missing middle framework says they do not have to. If any of you live in an apartment block, I would like to hear your thoughts and what your experience has been with this.

Mr Bennett: The developer may need to provide more car parking in their development if the particular site is in a location where street parking is already at capacity. The Territory Plan requires appropriate parking to be provided. The exact number is considered through the development application process. The developer would need to submit parking assessments and parking studies to support their application and to support the number of car parks that they are looking to provide in a development. That might be a different number, depending on the site—the particular location it is within, the existing street network and the capacity of the street. A development in a suburb that is already at maximum capacity for street parking might need to provide more on-site parking, as opposed to a development of the same scale in another suburb where there is more capacity to park on the street. That will be assessed during the DA phase and will be informed by technical studies that the proponent would be required to submit.

MS CASTLEY: We have an instance in Harrison where there are many blocks of units and people park on the street, and now fire trucks cannot fit down the street. How are we going to stop that happening?

Mr Bennett: That is something we are engaging closely on with our former colleagues in Transport Canberra and City Services who are now our current colleagues in the new City and Environment Directorate. We are working closely with them on the final make-up of the reforms and how we will manage those sorts of street impacts. It is not just about fire trucks, for example; it is also about the collection of waste and access down those streets. There is a range of measures that our traffic management and roads teams can implement across the city if required, for things like collecting waste and access down streets. It is a—

MS CASTLEY: And lifesaving fire trucks?

Mr Bennett: Yes. A key consideration is to make sure that streets are wide enough and that parking arrangements on streets allow people and services to have access down those streets.

MS CASTLEY: So we are moving to a phase where street congestion is on the cards.

Mr Steel: The reality of the reforms is that we are not going to see every single block developed overnight with these reforms. It is going to take place over a very long period of time. We are going to see a substantial amount of development occurring in particular regions of Canberra, particularly in existing suburbs in Tuggeranong, the Woden Valley, Weston Creek and Belconnen. I acknowledge Harrison is a bit different to that, but, in the existing more established suburbs, the roads are actually quite wide and there is capacity to have more on-street parking. The capacity on a street would be part of consideration by the Territory Planning Authority in assessing a development application for a missing middle project. When we see one missing middle housing development built on a street and then another is proposed on the same street, the development application would be assessed based on the context of the street, where there is already a missing middle development that might be starting to impact on street parking capacity.

It is important to note that there is a trade-off—a balance that we are trying to strike through these reforms. If you require more off-street parking on a private block, you get less home and you get less tree canopy cover. We are trying to get the outcome of building more homes in the territory, and we are also trying to make sure that we are meeting our canopy cover target of 30 per cent over the whole territory. Twenty per cent will be provided in missing middle developments and 10 per cent will be provided through public nature strips, public parks around the territory and nature reserves within the urban footprint. We try to strike a balance in providing minimum parking requirements—not maximum parking requirements but minimum parking requirements—which provide the flexibility for a developer to meet market preferences and be able to supply a minimum level of off-street parking, but also potentially some more on-street parking where there is capacity.

Where we have seen some missing middle development already occurring in very small parts of the city—it is basically banned on most blocks in Canberra—such as in the Inner North, we have seen Transport Canberra and City Services, under the previous name of the directorate, responding to that through place based approaches, where there are more medium density or even higher density developments occurring. On some occasions for example, they have had to respond by ensuring that there is only parking on one side of the street, making sure that there is at least room on the other side of the street for waste collection and so forth to take place. Sometimes that is at particular times of the day or particular times of the week. In particular locations around Canberra, a different approach will need to be taken. That will be part of the assessment process, but also, post completion of projects and as we see more housing being built to support more people having shelter, the new City and Environment Directorate will need to consider what the appropriate parking settings are on certain streets in Canberra.

Mr Green: Ms Castley, the other thing I would add is that, particularly in newer suburbs in Gungahlin, like Harrison, and suburbs in Molonglo, zoning is quite different to other suburbs. For example, a lot of Harrison is zoned RZ3, and that is why we see

those particular developments along Flemington Road and streets back from there. In comparison, similar road structures in some of the older suburbs do not have RZ3 zoning; they have RZ1 zoning. The likelihood of it being taken up in some of the newer suburbs is probably less. That goes to the point the minister was making around Tuggeranong, Belconnen and Woden suburbs in particular.

MS CASTLEY: It is too late for Gungahlin. Thanks.

MS CARRICK: In missing middle housing, there is no requirement for visitor parking. What about carers who need to see people? If the streets are full, how do carers get in to care for people?

Mr Bennett: That also goes to the particular type of housing it is. Particular categories of housing are for high care or higher needs, and those are the sorts of developments that would be required to provide visitor car parking on the sites. In terms of standard residential blocks, that is something that will need to be considered, as we have just discussed.

MS CARRICK: People age. I was also wondering about street parking. As you go into suburbs, there are fewer paths. There are paths on the arterial roads through the suburbs, but, as you get into the smaller streets, there are no paths. They are full of street parking. I have noticed this already. There is more and more street parking and there are no paths, so people walk down the middle of road between parked cars. It does not seem like a very good outcome. I do not know what the question is, but people walk down the middle of roads, with cars on either side. Are we going to get paths? There are a lot of streets like that. There are a lot of paths to put in.

Mr Steel: Yes, there are a lot of streets in Canberra that were not built with paths. Most of the minor collector and major collector roads would have a footpath. There are also distance requirements. Most blocks in Canberra have a fairly large setback provided, which may provide room for people to walk, depending on the site.

MS CARRICK: You could walk down a road. Nothing is straight and flat in order to walk down the sides of the streets. They are all—

Mr Steel: But those streets do not have paths as it is, so it may be difficult for people to traverse at the moment.

MS CARRICK: Traditionally, they have not been full of cars. I can see that more and more streets are getting full of cars as duplexes go in—as density goes in. People park on the streets.

Mr Steel: I will take that as a comment. At the moment, we are consulting with the community on the draft major plan amendment. Consideration will be given by the Territory Planning Authority in relation to the feedback that has been provided, ahead of the draft being finalised and then being sent to an Assembly committee. There is a range of feedback. Parking has come up, but a range of feedback will need to be considered as well.

MS CARRICK: On Melrose Drive, people now park on the footpath—a main arterial

footpath. It blows my mind. I drive past every day and it is full of cars. I have sent in to Fix My Street: “Can you put in signs to say that it is a main path?” They still park there.

Mr Steel: That is clearly not on. People should not be parking on the footpath.

MS CASTLEY: But they will because they have nowhere else to park.

MS CARRICK: It blows my brains. Nobody does anything about it, even though we raise it and raise it. Nothing happens.

Mr Steel: I do not know whether that is true. That is a matter for Access Canberra.

MS CARRICK: This is my last question on parking. You say minimum car parking has gone for a single bedroom dwelling. There is one car park per dwelling. What happens if a DA goes in with only half of that car parking or less than one car park per dwelling? Would you say that is not a good outcome? I know of one instance where a DA has gone in with car parks for only half the number of people, which means street parking and overflow to the shops, which are already packed. How could that go in in the first place?

Mr Steel: I am not assessing them. James might be able to talk about what the requirement means, and then George can talk to you about how we might respond to it, noting that it is a hypothetical.

MS CARRICK: It is a hypothetical, but maybe you know where I mean.

Mr Bennett: I will hand it straight to Mr Cilliers.

Mr Cilliers: Something important that we are missing here is the difference between a parking requirement and parking demand. We deal with assessing applications and traffic impact daily. There is clear discernment between a parking requirement and actual demand, or what it models out to be when you go out to a site—parking behaviour and those sorts of things. When we assess a DA for parking, we do not only look at the parking requirement. That is why parking requirements are currently in the technical specifications. We look at the actual demand. For more significant developments, we ask the developers to engage a traffic engineer to help us understand that. We also look at proximity factors—things like how close they are to arterial roads, access points, public transport and those sorts of things. Traffic measures might be required: sign posts, line marking and no-parking zones. But traffic calming devices might also be required as part of that.

It is possible that we could get to the point where we potentially need a requirement, but we could still say that it might not be a good outcome and ask them to do a bit better. We try to deal with it through things like traffic measures and things we can control—line marking or conditions. That actually comes from TCCS.

MS CARRICK: Say there are 100 dwellings and the developer provides 50 car parks. Not every dwelling gets a car park. Would that be a good outcome?

Mr Cilliers: That is a hypothetical situation.

MS CARRICK: I know of a development. I changed the numbers, but—

Mr Cilliers: It is a case-by-case scenario. It depends on things like proximity to public transport. For a major development, it could even be about things like ride-share, trip-sharing and those sorts of things, or the availability of hire cars and those sorts of things.

MS CASTLEY: How is a developer possibly going to know that?

Mr Cilliers: That is why we undertake an assessment for a significant development. You would engage a traffic engineer who would model those sorts of things.

MS CARRICK: A developer is going to push the boundaries as far as they can on every single aspect because it might get through if they can make the case. It is a slippery slope.

Mr Cilliers: Whether it is appropriate is a consideration for the TPA, not the developer.

Mr Green: We have spoken a lot about the metric element to this, and George has just spoken about the demand element. I can read the actual wording in the draft assessment outcome. It says:

Vehicle and bicycle parking sufficiently caters for the development while minimising visual impacts from the street or public space. This includes consideration of parking dimensions, the number of spaces provided.

If we continue to focus on that metric and ignore the broader outcome that we are trying to seek, we run into the danger of talking about numbers. What we are looking at, where a future proponent would want to lodge a DA, assuming this becomes part of the Territory Plan, is a much broader consideration than just bedroom numbers and car park numbers.

MS CARRICK: The developer will make a case. I hope you guys look after the community, because we are not able to have a voice in this. The developer will be very articulate about pushing the boundaries and the community will potentially miss out.

Mr Steel: I do not quite agree with that statement—sorry—because—

MS CARRICK: There is overflow into the shops—

Mr Steel: There is no question. There is a notification process and the community gets to have a say as part of that.

MS CARRICK: Yes, but there is no consultation in that; there is dialogue.

Mr Steel: There is a—

MS CARRICK: No—it is a one-way street.

THE CHAIR: I have a couple of questions that I want to dive into on parking. I heard

you say that there is the parking requirement versus demand and behaviour, and that developers engage a traffic engineer. Is that correct?

Mr Cilliers: Typically, a significant development application would be accompanied with a traffic impact assessment. That is prepared by a traffic engineer. We will then review that. We quite often ask for clarification to understand that—

THE CHAIR: Do you have your own traffic engineers who would review that?

Mr Cilliers: We have traffic engineers that are engaged by our referral entities.

THE CHAIR: By your referral entities?

Mr Cilliers: The TCCS has a number of traffic engineers. We also have people with traffic qualifications. I have some qualifications in that. So we can review those aspects.

THE CHAIR: Thank you. We are talking about looking at things DA by DA. I hear about a big concern, and I can see it in Woden. Some of us spend a fair bit of time there. When you have multiple development applications over a period of time in a given area, is there any possibility that a DA this year assumes that they can utilise 50 per cent of the available on-street parking and a DA in two years assumes the same thing, and then a DA in five years also assumes that they can use the same 50 per cent of on-street parking? You are looking at it DA by DA, or is there something that brings together the overall capacity for an area?

Mr Cilliers: There certainly is. I earlier mentioned section 186 of the Planning Act. That now has the additional provision that requires us to assess the interaction of any adjoining or adjacent development proposals. That was not part of the previous system. Previously, a developer might have argued looking at a development in isolation, even though we did not accept that. Now we have the legislative framework and can point a developer and his traffic engineer to that and ask for a full traffic analysis of the surrounds or catchment. That is also considered by entities and the TCCS support that we have. We certainly depict what is happening in the surrounds now. It was so important that we decided to put that into the legislation as a statutory consideration.

THE CHAIR: How would a developer get access to the assumptions that have been factored into the traffic plan for a previous development?

Mr Cilliers: Traffic modelling and traffic impact assessments are available as accessible information. You would assume a developer would access that information. Sometimes—

THE CHAIR: But the burden is still on the developer to look at what all the previous development applications have assumed.

Mr Cilliers: Also, some modelling is kept by TCCS engineers. The traffic engineer group is a fairly small and close community. They will talk to each other and understand who has done some modelling and some general studies in areas. If they cannot, they can always approach us and we can provide that documentation.

THE CHAIR: I could talk for hours about traffic problems around the place. Instead, I will pass to Mr Rattenbury.

MR RATTENBURY: Thanks. I want to ask about the proposed major plan amendment for the Ainslie Football and Social Club. If this were passed through the Assembly, it would allow for the development of housing and a new club. I am wondering whether you have had any discussions with the football club about whether they intend to reduce their reliance on poker machine revenue. A lot of constituents have certainly raised with me whether, as a condition to any development approval or new crown lease, the number of poker machines will be reduced at the site. Is that something the planning agency is considering as part of that process?

Mr Steel: I will hand over to the Territory Planning Authority to provide an explanation of where this particular proponent-initiated major plan amendment is up to. The draft was referred to the Assembly's planning committee. They decided not to undertake an inquiry into that particular major plan amendment. It is currently with the Territory Planning Authority. They will provide me with advice. After the final Territory Plan amendment, there will be a decision. I have not yet received it, so I have not yet even started considering that matter, based on the final advice of the Territory Planning Authority. I would imagine that the Chief Planner and Mr Green might have some further comments to make. There are certainly requirements in the Planning Act that would go to the criteria around decision-making on that major plan amendment. I would have to have regard to those matters in the Planning Act in making a decision. Straying outside of those might be challenging or might open the ability for challenge. I would certainly need to give careful consideration to the requirements under the Planning Act in making a decision. I would also consider what the risks were of requiring certain conditions that may not be in alignment with the Planning Act provisions.

Mr Green: I know there is reference to a reduction in poker machine revenue in the district strategies in particular. I will take on notice the extent to which my team considered that as part of the MPA application.

MR RATTENBURY: Okay.

Mr Green: I am also conscious of the decision-making process that we are in at the moment.

MR RATTENBURY: Of course. I am trying to ask more on a policy level, I suppose, than on the specifics of the decision. What I hear from community feedback is that people are open to the redevelopment, but they want to ensure that we do not end up with the status quo. They are looking for other avenues for that change.

Mr Green: We had better take that on notice.

MS CARRICK: It is government policy.

MR RATTENBURY: Yes. Thanks, Chair.

MS CARRICK: My question is about concessional leases. It is about community land. The more concessional leases are deconcessionalised the more we lose community

space in our districts. What is your policy to ensure that we have enough community places in our districts as concessional leases are deconcessionalised?

Mr Steel: Applications can be made to me as planning minister and the Territory Planning Authority around the status of a lease, including its concessional status. I may wish to consider whether it is in the public interest for the Territory Planning Authority to consider deconcessionalisation in a development application. That is often done on a case-by-case basis. It may have regard to what is in the public interest, which is generally a broad test. It may include some of the issues that you have mentioned.

Generally speaking, we have been looking at identifying more land for community purposes. An expression of interest process has been going on for the release of six blocks of land, and we are looking, through the land release program, at releasing even more community facility zoned blocks in Canberra. Certainly, we would not rule out potentially rezoning blocks for community facilities that are currently not community facility zoned, to potentially provide more of those blocks in the future for community groups to undertake a range of activities consistent with that land-use zone. That is the approach that we have taken. The Housing Supply and Land Release Program identifies what those blocks are for the 2025-26 financial year. A two-step process is outlined in the Planning Act and regulations around how we release those blocks.

MS CARRICK: I can see how you can lease community land in areas. In the older areas, there is less land available. As those cultural groups deconcessionalise or new cultural groups come in, how do they get access to meeting places?

Mr Steel: When I am approached by groups from time to time that are looking for land for community facilities and have an interest in engaging in the processes of government to potentially obtain community facility zoned land, I encourage them to, in the first instance, to talk to existing lessees that own underutilised community facility zoned blocks that they may wish to purchase. There are some around. We drive past them in various neighbourhoods, where only part of the block is being used by an organisation but they may have a lease over the entire block. They may be able to partner with other groups to better utilise that land.

A process is set out under the act for blocks where the government has identified surplus community facility zoned land that we want to release. We go through a two-stage process, with an expression of interest process at the start. It is a merits based approach. Organisations come forward to government, effectively as part of a tender process, to outline their case as to why they should be the preferred tenderer for a particular block of land. We can provide an update on six blocks, if you like, if you have time. I do not know whether you have some information.

MS CARRICK: No. That is all right. I do not want to chew up time.

Mr Steel: A lot of them are in existing suburbs. There tends to be more surplus land zoned for community facilities in existing established suburbs rather than in new areas. We tend to have a scarcity of those blocks in new areas. They are—

MS CARRICK: That is because of your planning. But—

Mr Steel: It is also because that is where we have the largest multicultural communities in Canberra. There is a large number of—

MS CARRICK: Well, free up more community land.

Mr Steel: There is a large number of multicultural groups that want to see blocks there. That is the part of the planning that we are doing for the Molonglo town centre. We are looking at identifying a community facility block there, and in future suburbs like Bandler and Sulman as well, to make sure that there is community facility zoned land there that can contribute to a range of uses under that—

MS CARRICK: Shouldn't there be more than one in Molonglo, given that in Woden we have the Hellenic Club and the—

Mr Steel: There are, and there are plans for more.

MS CARRICK: In the town centre there should be more.

Mr Steel: It is important to note that the zone includes a range of land uses. It includes residential aged care, schooling, places of religious worship, community activity centres, community centres, associated religious use—all of those sorts of land uses. They are in demand because they have a range of uses. We are looking at how we can release more blocks right around the territory.

MS CARRICK: Will you not sell off any more land in Woden until we have identified where the community facilities will be, to keep our options open? We are starting to narrow the—

Mr Steel: There is further work happening in relation to that—and I am sure Minister Stephen-Smith can talk to this as finance minister—around work on the new Woden Community Centre. It is important to note that the other land use zones may permit community facilities as well—commercial zones, for example. You can build a community centre in a commercial zone, for example. That was actually the proposal for the Woden Community Centre.

MS CARRICK: In Woden, you built the CIT, and that was really good. Thank you for that, because it is great, but we got it because you had to move it out of Reid, because you wanted the University of New South Wales there. But we will take it. It is great. I forgot where I was going with that one. Never mind. Move on.

MR RATTENBURY: We need more facilities in Woden.

MS CARRICK: We need more facilities in Woden. When are we going to plan that? I know another other one I was going to ask you. When are we going to have the sod turned on the Molonglo town centre?

Mr Steel: That is a question for the Suburban Land Agency, who are currently working on the subdivision design for the Molonglo town centre. Of course, it is outlined in the Housing Supply and Land Release Program, and further information was provided there just prior to the budget. But there is work being undertaken. The Southern Gateway

Planning Design Framework will be looking at community facilities as well as a range of other aspects as part of land use planning associated with the light rail stage 2 extension but also in the town centre itself and right down to Mawson, Torrens and Farrer.

MS CARRICK: Thank you. Are we allowed to have—so I have missed CIT, I know where I was going—publicly funded community facilities, or do we have to have the private sector provide ours?

Mr Steel: No. There are a range of delivery models, and I think the Chief touched on those earlier in estimates but certainly there is public funding there for a new Woden Community Centre. There is a range of models. We have built community centres ourselves. We are building one in Gungahlin at the moment that I turned the sod on not all that long ago.

There is work that has been done in the past, and I think the Chief is referencing the Griffin Centre, where there are models where developers can make a contribution by building community assets that are then handed back to the government. So they become a government asset, but they are built by a developer and then the government manages them and licences them out to community groups. There are other models, Denman Village Community Centre being another one, where a developer has built the community centre and then manages the community centre and the tenancies there.

MS CARRICK: How are we going to keep the Phillip pool open? It is a commercial tenancy and a mixed-use development. It has to stay open the hours of a government swimming pool, so it has to have lifeguards. How are you going to make sure that it makes a profit and is open into the future?

Mr Steel: Probably a question for Access Canberra, who are partly involved in the regulatory work. I do not know whether you want to comment, George?

Mr Cilliers: I can possibly comment on that. Your question is specifically to Phillip pool?

MS CARRICK: Yes. How you are going to make sure the private sector makes a profit and the pool stays open, given Big Splash and given Phillip. We have seen failures with this policy before.

Mr Cilliers: The Crown lease and the territory plan are the key mechanisms to ensure that a pool is made available to the public.

MS CARRICK: If it is open.

Mr Cilliers: The existing Crown lease for the pool or for the site requires the premise to be used for the purpose of a public swimming, and there is currently an additional provision in the lease that requires the lessee to ensure that a pool is open to the public during the hours and dates agreed with the territory.

MS CARRICK: What if there is no lessee, though? What if nobody takes up the lease because they do not see that it is financially viable?

Mr Cilliers: But there will be—there is currently a Crown lessee in there.

MS CARRICK: I mean, the new one, when Geocon builds its building and we have a commercial tenancy in the bottom of a mixed-use building, what happens if no-one takes the lease?

Mr Cilliers: I think there will be—

MS CARRICK: Or they want to get out of the lease because they are not making a profit?

Mr Green: The obligation still remains. The fact is, if there is an owner or not, the Crown lease will still require a publicly accessible swimming pool.

MS CARRICK: So we will end up in a Big Splash situation?

Mr Green: I mean that is speculative but the mechanisms within the law—

MS CARRICK: Potential.

Mr Green: The mechanisms within the law are there, and where there is non-compliance there are mechanisms to bring them back into compliance.

MS CARRICK: Well, I think that there is a lot of risks in this, and we are putting ourselves in a very vulnerable situation here. Why is it that—we are talking about private facilities—the Southern Cross Club Basketball Stadium has a leak and is still leaking. Why can the government not help out? There is not one indoor sports stadium in Canberra South that is funded by the public, that is a public facility. Why can the south of Canberra not have a public indoor sports stadium?

Mr Steel: I think the Chief Minister has already made some comments on it so I refer you back to his comments earlier in estimates on that.

MS CARRICK: I cannot remember what he said.

Mr Steel: It will be in the transcript, I am sure.

MS CARRICK: Can you remember what he said?

MS CLAY: You will like my question, Fiona, do not worry. The 2025-26 land release program identified a range of community facility sites in Weston Creek and Tuggeranong that are for sale. I believe Ms Carrick has asked about similar things. Have you worked out what those sites that have been identified as for sale and for land release—do you know what those sites are to be used for? You do not need to run through the details, but have you done that work?

Mr Steel: I will hand over to the team. I think there is still some further consideration that will be given as to the exact land uses, but they are community facility zoned so the intention is to release them for that purpose. It is just a question of whether there is

anything more specific that will be attached to the release under the EOI.

Referencing the previous EOI that went out, Ms Akhter can provide some information there, but there were some specific land uses attached to the release and as part of the expression of interest. Often that was attached to wanting to provide a community activity centre. I think that was the specific land use that was attached to the block in Kambah located near the Kambah District Park. So that was a specific use that was identified but I do not think there was a preferred tenderer found for that particular block as part of the process. You might also have some other information about the other block?

So yes, it can be more specific if the government is trying to achieve a particular set of land uses in the area but the whole idea of the process is to test whether the community groups are actually interested in doing something. We find out as part of that process whether they are for that particular land use or whether it is something slightly different. It has been quite a—to be honest, this has been the first time I think we have done this, or one of the few times that we have done it since the new two-stage process came through, so it has been a learning experience in terms of some success but we did not have success with all of the blocks. We will actually have to go out again on some of those blocks but perhaps with a broader range of land uses to try and attract a bit more interest in those from the community.

MS CLAY: Do you do a process of community consultation to identify what those land uses are before you do it? Before you go to market, do you consult the community to say what are the uses these community sites should be put to?

Mr Steel: There has been some community needs assessment work that has been done by the City and Environment Directorate.

Mr Green: Certainly. Some of the last budgeted provisions and funding were to look at a territory wide—I call it social infrastructure assessment—to understand need and look at how we benchmark. We are in the process of taking some of that data. It has only recently been completed, along with another study which was the floor space data.

I think what we are finding, when we talk about community facilities and community facility zoning, as the minister highlighted earlier, there is a lot of uses under there, things like gymnasiums, indoor sporting recreation, early childhood care and the like. So just as an example there are 39 gyms in the Woden town centre and Phillip trade area alone. So in terms of that being an indoor recreation and community facility, that is what the data is showing us at the moment of what exists, and we need to look and test that at a qualitative state, not just a quantitative state, around what need looks like. That said, and I will pass over to Ms Akhter, with the process for the community sites I do not think we specify it has to be specific, we want to understand from community what they see their immediate need is.

MS CLAY: So this is an assessment of community need that you do with community input through Your Say or something, is that right?

Mr Green: The work that we have done to date is really about the data collection exercise and is quantitative. The next phase, and the more targeted, will be around the

qualitative and we will engage in—

MS CLAY: So now you take that information and give it to the community and find out what the community needs?

Ms Akhter: It is informed by a number of approaches. Some of the ones Mr Green has outlined. Also when we are developing the housing land release program we undertake a number of due diligence and detailed investigations which also guide the uses. As the minister mentioned, this particular EOI or process for community facility zoned land is a learning exercise for us. Based on the lessons learned, we are going to undertake for the 2025-26 financial year releases to have an information session with the community.

However, in the last lot of land that we have released through that process, we identified a community activity centre for Kambah. For Gowrie, which was another block, we had a place of worship, a community activity centre and residential care accommodation as uses. We also had for Chisholm a place of worship, a community activity centre, an indoor recreation facility and an outdoor recreation facility as possible uses. For Evatt we had similar uses and for Gungahlin we had religious and associated uses and a community activity centre.

So it is a broad range of uses, but we are also open to listening to community feedback if they have different views in mind and how we can work together. So that is something that we will take away as lessons learned for the next one onwards, when we undertake an information session with the community organisations ahead of the release.

MS CLAY: I think you might be talking about the old blocks. Is this information session going to assess the community needs now and going forward? Are we assessing the community needs now?

Ms Akhter: So community needs into the future is a process that we undertake as part of some of the planning studies. Then, as I mentioned, for the Indicative Land Release Program development, we also maintain a register of blocks where we are continually looking at potential uses and if those can be included into the program or not. So there is a due diligence there that guides the uses, and what I am saying is through these community facility zoned land allocation process, the new process the minister has outlined that we have been undertaking, we are testing some of these uses with the community.

As the minister mentioned, with the 2024-25 ones we have learned that perhaps we could increase the range of uses going forward, so that is what we will be doing during 2025-26. Basically what I am trying to say is it is a combination of approaches. We do have some ideas into the future but we also would like to talk to the community about their ideas about the uses they would like to see.

Mr Steel: Until you put the block out as part of the tender, you do not know who is going to come forward, who actually wants to do it, and it is a fair—this is part of the process. It is far fairer than the old one. Do you remember what the old process was? It was first cab off the rank. It was a long list of organisations and it went to the next one on the list. That was not a good or efficient allocation of land, and it was not fair.

This process really is about more of a merits-based approach, and while there will be—I think we have learnt the lesson and we will do community information sessions to be able to talk about the specific blocks and gather interest and understanding of what the blocks are and the opportunities. Ultimately, that still needs to be tested and you will get community coming forward—noting that these are the blocks where the government is not necessarily proposing our own government community built community facilities.

We have our own program of work happening there around new community centres and upgrades to existing services and centres and all that sort of thing. These are the ones where the government and other agencies, health and others, have not identified that they need these blocks to deliver a health facility or something else. They are surplus blocks where we are opening them up to the community to see if there is an organisation that is interested in potentially purchasing it for their uses and potential broader community uses as well, which is part of the consideration that is given under the EOI as to how the community facilities will be used.

THE CHAIR: I always get a bit concerned when the word “need” is used rather than “demand” for community interest because a lot of needs analysis processes ends up being the government saying, “Community, this is what you need.” How much of this is an academic exercise and how much is trying to find out what people actually want for their suburb and their community?

Mr Green: I think reflecting on the comments that I made around our first part of the process; it is really to understand the data. What is in the community? What is in government hands? What is in private sector hands? What is being delivered in a commercial multi-storey building that is actually a community function?

The other point that I made is that once we understand that data across a variety of different settings, whether that is floor space or other well-regarded and informed industry benchmarks—when it comes to planning social infrastructure, benchmarks are used in planning all of the time—it is then about testing that. What might be reasonable and “need” in one community is not actually what is needed, going to your point, and that is why the qualitative assessment of that needs to occur.

There are plenty of discussions that are had through the community in varying different forums. There has been a significant discussion in the planning reform over the last three years. There have been recent discussions with the Molonglo community in particular around social and infrastructure needs there. So it is picking up all of this information and where there are gaps, and where we need to improve that understanding, and there is priority to go there and look at it, then we will do that. I think that the key point is we were funded in the last budget to really improve what that data-holding looks like. We have still not finalised that social infrastructure assessment. We have a lot of data that is coming through that we can start working through, but that is really in the first—

THE CHAIR: Would you be able to provide, maybe on notice, what data you consider in the needs assessment process?

Mr Green: Yes, we can certainly talk to the categories of information and data.

THE CHAIR: That is wonderful, thank you. Back to Ms Carrick's questions about the Phillip pool because it raises an important question around how the government enforces lease conditions. How do you deal with a situation where a facility like the Phillip pool could end up in the hands of a body corporate? If we end up with a public swimming pool at the bottom of a commercially-built apartment tower, potentially you end up with a scenario where every person in that building owns part of that asset. How would that be dealt with under the systems that you have?

Mr Green: If it is part of the DA there is actually consideration of the ownership structure of the pool as well. George will talk about this.

Mr Cilliers: It depends on the body corporate and the units planning structure in this case and it could be that you file some protections in terms of the particular facility. Essentially, it gets down to what Mr Green said, it does not remove the obligation, so the obligation stays.

THE CHAIR: It stays with someone. I am trying to work out does it get split up between every apartment owner in that building or—

Mr Cilliers: No.

THE CHAIR: There are protections built into the system already for that?

Mr Cilliers: So it depends on how your body corporate is structured in terms of the unitholders. A unitholder for that facility will be obviously independent from other unitholders in the body corporate, but in the end it stays with the body corporate. The obligation stays and it is a compliance issue to comply with the lease requirements.

THE CHAIR: It sounds like it might be a bit more complicated than if it is just a stand-alone facility.

Mr Green: I would not characterise it as that and I will use a different example. If you are a multi-unit development that has a restaurant on the ground floor, the owner of unit 402 is not responsible, because that does not form part of their unit subsidiary. There are common property elements that all owners in the body corporate will be responsible for, but we would expect that the commercial element, so the swimming pool commercial units, for want of a better term, would be the responsibility of the lessee, as a restaurant in a multi-unit development would.

MS CARRICK: A lot of restaurants fail. So what happens?

Mr Green: Again, there are provisions in the Planning Act with respect to enforcement and control activities that I know Mr Lhuede spoke about broadly yesterday with respect to Richardson shops. If they were not meeting their lease requirements, there is an ability to issue a control activity order.

THE CHAIR: Just remind me, exactly who is responsible for enforcing lease requirements?

Mr Green: So administratively, it is Access Canberra but it is a delegation of the Chair of the Territory Planning Authority.

THE CHAIR: One of the problems we ran into with the current Phillip pool was that there seemed to be an unwillingness to enforce lease requirements over an extended period of time which led to that asset being deemed difficult, I guess, to maintain and retain. Is there a risk that having the same scenario within a body corporate situation would be the case and would there be a potential reluctance for government to enforce that complicated scenario?

Mr Peffer: Just to comment that these are very hard questions to answer; those sort of hypothetical scenarios that could occur in the future and how government may respond to that, or how regulators would.

THE CHAIR: I will accept that that one is reasonably hypothetical. The other concern that has been raised in relation to this development is that a developer of apartment buildings may well choose to use technologies more appropriate for residential building swimming pools when they are constructing a swimming pool than a full public swimming pool. What protections are available to ensure that whatever is delivered under the lease requirement is a commercial grade facility rather than something designed for essentially the residents of the tower to use?

Mr Cilliers: That will primarily be a consideration outside of the actual DA process, in terms of the construction of that facility and whether it meets that particular classification of that pool in terms of the building requirements.

Mr Green: I think fundamentally the requirement is for a public pool, not a residential tower pool. The other thing, and just going back to one of your former questions, Mr Cocks, around the body corporate, under the Unit Titles (Management) Act, a body corporate cannot operate a business. So there must be a commercial business or some other entity that will be the lessee of that pool site. So it will not be, and cannot be, run or owned by the body corporate.

MR RATTENBURY: I am interested in the release of this community facilities land, Minister. I think you said earlier, and correct me if I am misrepresenting you, that there had been an unsuccessful tender go for one of the sites. I think you said in Kambah?

Mr Steel: Yes, we can provide an update if there is time on each one.

MR RATTENBURY: I am not so worried about that. I am interested in, are there—

Mr Steel: How about I take it on notice, just to get it out in the public domain, where each of the sites is up to?

THE CHAIR: That would be handy but your question, Mr Rattenbury.

MR RATTENBURY: My particular question is, are there revenue targets on these sites because you spoke about tendering for a community centre. That is clearly not a very profitable operation. Traditionally government would have built these community centres. You are now inviting others to do it. So are there revenue expectations or how

is it working to ensure that you actually get those facilities that you are aspiring to?

Mr Steel: That is part of the assessment of the proposals. Certainly, as you acknowledge, because the land has been valued as community facility zoned and it may have only certain land uses attached to it, the value is generally lower. Each block will be different in terms of its size and encumbrances and so forth which would potentially affect value. Part of the consideration under the process is that those organisations that come forward need to be also assessed in terms of their financial capacity to be able to build on it. The last thing we want is to release land to an organisation that sits on it for the next 20 years, or takes 30 years to develop it, because they do not have the financial or other means to build.

So that is part of the consideration that is given, noting that these are the blocks where the government is not building and not necessarily wanting to build a community facility because we have our own projects under way on other blocks. This is surplus land we are putting out to community organisations that wish to build a community facility.

MR RATTENBURY: I thought earlier you said you were specifically looking for a community recreation centre or something like that.

Mr Steel: Each block will have a different context and for some blocks some uses may be more suitable than others. I understand the consideration, for that particular block at Kambah District Park, was that the best, most appropriate use for that site was some form of community activity, rather than another type of land use. So that is why initially that had been tested through the EOI process but I do not think there was a successful tenderer found for that particular block. So there will need to be some consideration about what happens on that block into the future, whether there is an expanded list of land uses that we may wish to consider or whether we keep it and not release it. I do not know whether you want to add anything on that?

MS CARRICK: Do they have to buy the land? Was that a barrier, the land purchase price?

Mr Steel: That is part of the consideration, but it is a lower land value because it has restricted use.

MR RATTENBURY: My recollection though, is that there is a requirement somewhere in the planning legislation that the government must sell at market price. Is that legislative requirement proving to be a barrier?

Mr Steel: Certainly, the financial cost of buying the land is one barrier, but there is also the cost of building the building on it, so improving the land. That has to be considered as well. So there has to be an actual proposal for the site. It cannot just be sort of purchasing a block of land with no intention to use it. Yes, there is a cost but it is a lower cost than what you have for a residential zoned property or a commercial zoned property. A lot of these organisations do have the financial capacity to build something, so that has to be considered as part of the process, but it is only one consideration. There are a range of other considerations that are made as part of the process.

MR RATTENBURY: No, I appreciate your offer to—

Mr Steel: And it is an arm's length process.

MR RATTENBURY: No, I understand that. I appreciate your offer to provide the details on notice. When you do, could you perhaps include what the asking price is for those blocks?

Mr Steel: I think that is to be determined at the later stage. Is that right?

Ms Akhter: Yes. We do not have—we actually do not use that. We ask for their financial viability as part of the process, and of course, towards the second stage when they are successful—part of the first stage is where they express their interest, and they are successful and then they move to the second stage where we take them through the tender process, and at that stage we undertake the valuation and that determines the price.

THE CHAIR: The committee will now suspend proceedings for a break.

Short suspension.

Appearances:

Steel, Mr Chris, Treasurer, Minister for Planning and Sustainable Development,
Minister for Heritage and Minister for Transport

City and Environment Directorate

Green, Mr Ben, Executive Group Manager, Planning and Urban Policy

Cilliers, Mr George, Executive Group Manager, Statutory Planning

Akhter, Ms Sanzida, Executive Group Manager, Development and Implementation

Bennett, Mr James, Executive Branch Manager, Building, Design and Projects,
Planning and Urban Policy

THE CHAIR: We welcome back Mr Chris Steel MLA, Minister for Planning and Suburban Development. We also welcome back the officials in attendance. We will proceed to questions. I believe, Ms Tough, we are up to you.

MS TOUGH: Thank you, Chair. Minister, has there been any progress on the granting of future leases to the Majura farmers?

Mr Steel: I will hand over to Mr Green, to provide an update.

Mr Green: Yes, certainly. The Majura split-block—Ms Tough, was that the release?

MS TOUGH: Yes.

Mr Green: The directorate has worked really closely with all the Majura split-block farmers over the last, probably, 18 months. I am pleased to say that we have managed to get 25-year leases granted to each one of those farmers, so they now have that certainty going forward.

MS TOUGH: Wonderful. Is there any broader work being done with rural lease holders in other parts of the territory going forward, based on this? Is that something that might be explored in the future?

Mr Green: Not at this stage. A lot of our work, particularly around rural land, is focused on the Eastern Broadacre strategic assessment, which is about next opportunities around commercial industrial land use. But with rural lease holders more broadly, in lease terms, there is no work at this stage.

MS TOUGH: No worries. Thank you.

Mr Steel: It may be that lease holders wish to do more than what is permitted under their lease.

MS TOUGH: Yes.

Mr Steel: That is a conversation that can be had with the Territory Planning Authority, about whether they want to vary their lease to do more things, and there is a process that has been set out for them to be able to do that.

MS TOUGH: Thank you.

THE CHAIR: Ms Castley.

MS CASTLEY: I would like to talk about the Ginninderra CSIRO site. The *Canberra Times* reported that the federal government approved the land sale in February of this year, but a final agreement has not been reached. Is that right?

Mr Steel: That is a matter that is commercial-in-confidence at the moment. It is a matter for the Suburban Land Agency.

MS CASTLEY: So everything about the CSIRO site is off the table? Can I try another tack, Chair?

THE CHAIR: Minister, you have made a claim of confidentiality; parliamentary privilege overrides this claim.

Mr Steel: I am not making the claim. I am noting that there are commercial sensitivities and that that is a matter to discuss with the Suburban Land Agency and the responsible minister.

THE CHAIR: Okay.

MS CASTLEY: The block sizes, how many houses it can hold, and that sort of stuff is not for this session?

Mr Steel: If there is a proposal in the future about development on that site and if it is transferred to the territory—the section 28 of the self-government provisions—then that would be considered by the Territory Planning Authority as a subdivision design application. That has not yet occurred because it is at a much earlier stage, so these are matters that are outside of my direct responsibility as planning minister at this present time.

MS CASTLEY: Can I try a different topic? Is that stretching the friendship!

MR RATTENBURY: No, give it a go; it is Friday afternoon!

THE CHAIR: There seems to be some agreement.

MS CASTLEY: Thanks, Mr Rattenbury.

I understand the New South Wales government is looking at different ways to streamline development approvals—I think this came up earlier in the week—exempting certain building types from development applications. A *Canberra Times* article released last week, Wednesday 23 July, outlined that the government was monitoring the New South Wales proposal closely. Has the government consulted with New South Wales counterparts about the proposal, and how are you monitoring the status?

Mr Steel: Officials may be able to comment on their discussions—whether they have

had any discussions. I am due to catch up with my planning counterpart, Minister Scully, over the next couple of weeks to chat about what the thinking is around that proposal. The government in the ACT, under the Planning Act and regulations, already has an exempt development pathway that is provided for the development of single detached dwellings, but it is not available for much other than that, under the act and regulations.

Obviously, the New South Wales government is considering a potential pathway that would be quite wide. They are talking not just about low-rise housing but, potentially, higher, medium density homes as well to provide a more streamlined pathway for development that would be what they call “complying development”—a complying development pathway. I will hand over to Mr Bennett to provide some further information.

Mr Bennett: Could I ask, please, for the first part of the question again?

MS CASTLEY: It was about the minister making comments in the paper about monitoring the New South Wales proposal with regard to streamlining development approvals in New South Wales and if the ACT government are considering or looking at that.

Mr Bennett: Thank you. We have met with our colleagues in the New South Wales government and discussed a range of things in relation to their planning reform program. They have similar reform proposals on the table in relation to low-rise housing. We have talked to them about a couple of things, one of them being the development of the pattern book. The New South Wales government recently released a pattern book for low-rise housing, so we have been engaging with them on the aspects of that pattern book. One of the opportunities that we might have here in the ACT is to look at an exempt development pathway that relates to compliant development that could be designed through a pattern book. That is one opportunity that we are looking at.

The Government Architects Network of Australia, with all of the government architects from the different jurisdictions, also has a housing working group, where our directorate officials and our government architects participate in those conversations. We have also been having conversations with the design policy areas and government architects around the country about the different avenues that they are taking in relation to exempt development, pattern book development and supporting compliant development through the approvals pathway.

Those conversations have been helpful. We are hearing about some of the issues that they have had and some of the opportunities they have explored. We are really looking to set up the next phase of work for us, after we resolve the missing middle housing reforms and where we land on those policies, and to then look at those supporting processes to get compliant, lower impact development through the system quickly so that it can move to the construction phase as soon as possible.

MS CASTLEY: Okay. Could you describe the outcomes that the government would need to see out of New South Wales before it adopted some of these things?

Mr Steel: It is a new proposal—

MS CASTLEY: Yes, okay.

Mr Steel: It is understanding, “What is the scope of the proposal that they are making?”—

MS CASTLEY: Sure.

Mr Steel: It is getting an understanding about how they are managing some of the risks as well. Part of these missing middle housing reforms that are on the table is that, when they will be a development, they will require development applications. At this stage, we are not planning on changing that. We will look at what New South Wales is doing and work out whether that is an appropriate pathway to take in the future, but it is not being proposed as part of the current major plan amendments that we are making, and there are no changes to the regulation at this point in time that are proposed. We are just trying to get a sense of what it is that they are trying to do.

As I said, there has been a lot of work happening by every state and territory to try and deliver the housing targets but also to undertake actions against each of the measures in the National Planning Reform Blueprint to streamline pathways for the construction of new homes. This is one of the areas that I think is worth looking at, but we also need to be aware about what some of the risks are, particularly. We want to make sure that we have got a new outcomes-based, design focused planning system.

We want to make sure we get really good design outcomes. We have presented a draft *Missing Middle Housing Design Guide* for consultation. Part of the development application process is responding to the design guide.

We want to have a fulsome consideration about what the risks are if you do not have a development application process. At the moment, single detached homes are not needing a development application at all, unless they are not meeting the requirements of that pathway, so there is a question over whether dual occupancies or tri occupancies could potentially benefit from that sort of pathway. New South Wales has started proposing something much wider, so we need to consider what it is that they are doing.

The idea of the pattern book, though, is not only to achieve a good design outcome, but to have a much more streamlined pathway; having pre-approved, government approved designs that meet the design requirements, for example, of a design guide so that we are really sure they are going to be a good outcome, and then providing them with the streamlined pathway. That is a lower risk pathway that we have already committed to do, and New South Wales has already done. But they are going a step further now, beyond that pattern book, to a broader suite of development.

MS CASTLEY: What about further afield and Auckland Council? I think you mentioned Auckland earlier.

Mr Steel: Yes.

MS CASTLEY: They have got a different approach as well. Are we looking further afield to get an understanding of other ways that we make reform?

Mr Steel: Some of these ideas have come through already as part of the Construction Productivity Agenda work, so that is something that we will also consider as part of that consulting with the construction industry about streamlining pathways and removing barriers.

MS CASTLEY: Yes.

Mr Steel: But we want to make sure that we are not losing build quality through that process and, also, design quality. There is a real balance that we need to strike, and we are considering those proposals with that framing context.

MS CASTLEY: Thank you.

THE CHAIR: Ms Carrick.

MS CARRICK: I support densification and streamlining housing, and pattern books sound like a good idea to me to get it all through, but I would like to know, when the other jurisdictions are doing it, what checks and balances they have in place. Are they cutting out consultation? And I mean consultation where there is dialogue, not just like a one-way stream. Are they cutting out appeal rights? If we cut out consultation and appeal rights, plus have no DA—there has got to be some checks and balances in the systems. While most things might be fine, and the pattern book might increase the number that are fine to go through, there are always the odd ones that are a problem, and people have to have a right somewhere.

Mr Steel: That is part of understanding what their proposal is that they are making and how they have considered those issues.

THE CHAIR: Ms Clay, I think we are up to your substantive.

MS CLAY: Minister, we had the new system commence in September 2023, I think it was, and the evaluation framework said that it should be looked at in the first two years. I am wondering: has the evaluation of the new system started?

Mr Green: Thanks for the question, Ms Clay. That framework had a pretty heavy focus on the administrative processes in particular and not necessarily the outcome focuses, in the early phases of that. We are doing work now—George and his team are doing work. But more broadly, as Mr Peffer mentioned earlier, now that the directorate has come together, there is a much larger opportunity for us to consider processing and looking at that from end to end completely across the directorate.

At the moment we are working through that process of mapping everything, identifying where those bottlenecks occur and looking at having a critical path. Ultimately, the outcome that we want to see, particularly in the housing space, is dwellings on the ground quicker. And if there are processes that we are responsible for collectively, in CED, we want to make some improvements there. I think one of the challenges that we have had, and this goes to entity referrals as well, is that we all are very clear on our lane—and we have statutory office responsibilities as well that we must consider and not interfere in their consideration and decision-making process—but we do need to

look at opportunities, and that is where our focus has been.

I do not know whether Mr Cilliers wants to add further about some of the earlier work, beyond just the most recent piece of what we are working on?

MS CLAY: Probably more about the status of the evaluation would be helpful, thank you.

Mr Cilliers: The framework was established and is used by the directorate. It is available on our website. The framework has been available since July last year, on our website. It is implemented over five years, from July 2024 to June 2029. The early focus is really on setting the baseline, and then the early planning for our evaluation includes, in years 1 and 2, to assess the planning system usability, accessibility, time limits and certainty; that is the first two-year focus. Then we move onto better delivering the outcomes we need. Of course, feedback is always welcome.

As a subsidiary project to this, we also have a register. We started maintaining a register of decisions and precedents. What we are trying to do is what we call—I just want to get to the term—essential design elements and defining those essential design elements. The act now allows us to identify those in our NoD and to keep a register of those to have a library of good examples for what represents good outcomes under different circumstances.

Mr Green: So—

MS CLAY: All that is—go ahead, Mr Green.

Mr Green: Going to the substance of your question, we are about to commence a procurement process to look at the initial process evaluation in accordance with the framework, so that will have some focus on usability, accessibility, timeliness and transparency. That is work that was already underway prior to the directorate coming together, so we need to really think about whether we continue going down that path or whether we use the processes we are already working through to achieve the outcomes.

The other part of the work we are doing and will work through is a proponent survey. We really want to understand that baseline. There was one that was delivered in April-May 2024. We now want to update that information as well.

MS CLAY: I think I have heard that there is some internal evaluation going on, such as the decision framework and that you are about to start an external procurement for an external evaluation. Have I got that—

Mr Green: That is correct.

MS CLAY: Excellent.

Mr Green: That is where our thinking is, and we just need to—

MS CLAY: That is good.

Mr Green: Now that we have come together as a directorate, we need to take stock of that.

MS CLAY: That is fine. Will that externally procured evaluation be undertaken in accordance with the framework that was originally set out, or are you saying that you might now procure a different kind of evaluation?

Mr Green: I think it was very focused on the DA process and not the end-to-end planning process that intersects in the DA process, if that makes sense.

MS CLAY: It does. So it will be broader than the original?

Mr Green: We need to consider that. That is work we need to do now to better understand whether that is the opportunity we want to take up or not.

MS CLAY: Is there a timeline on when the external evaluation might be conducted, when it might be completed and when it might report?

Mr Cilliers: Not until June 2029—

Mr Green: Yes—

Mr Cilliers: A five-year term.

Mr Green: I think we had committed to reporting through the annual report against the framework, but we have not committed to the external elements of that, in my recollection.

MS CLAY: You would need to though. If you are procuring something, you will, presumably, need to tell your contractors what their outputs are and when they will deliver them.

Mr Green: Absolutely; that if we go down that pathway, though.

MS CLAY: If you do an external procurement?

Mr Green: That's right. We have come together as a directorate; we need to consider whether it is in interests to spend money to look at this part of the process or something different. The work that we are doing now, internally, may well inform a better approach to that.

MS CLAY: Excellent. Thank you. Sorry I did not get that. So you may not do the external evaluation in accordance with the framework under the procurement? You are actually going through a decision-making process at the moment to decide whether you can do that work better internally only.

Mr Green: Correct.

MS CLAY: Thank you. Sorry, I only just arrived.

Mr Green: That is okay. It is Friday afternoon, and I probably did not explain it well enough.

MS CLAY: That is fine. Can I check if you are publishing the results of this internal evaluation that you have done?

Mr Green: In terms of the way that we are going about the evaluation, it is part of broader cultural reform and looking at process. Whether there is an outcome report, necessarily, I do not know if that will be the outcome. Where we want to focus our attention is on getting some improvement in the system. We have had enough reports, in my view. We have got the report from the machinery of government changes which talks to this being an issue. I think our job now is to get on with it.

Mr Steel: The Edwards review looked at some of these issues as well.

MS CLAY: Sorry, I did not hear you.

Mr Steel: The Caroline Edwards review looked at these issues and made some specific recommendations, which are part of what is now informing our future consideration of a changed approach.

Mr Engele: And, to expand on that, some of the work may result in the future organisational structure of CED; so, really, it is to inform whether we have a structural solution in relation to coordination referral entities and some of the processes, or whether there is a technology solution or a combination, cultural solution. It is about understanding what the processes are. How does it work in practice? Where are the opportunities? That will then give us a sense about how we incorporate that into it as part of the design for the new organisation.

MS CLAY: Okay. And in this process are you getting community input? We originally had a framework, and we knew what the evaluation framework was. It sounds like that has changed. We originally were going to have an external review; that is now not being published. I am just trying to get my head around how the community—

Mr Steel: Sorry; a decision has not been made yet on that. This is part of it. We have not made a decision yet; that is the answer to your question. We have got to consider these issues, and then a decision will be made and then we might be able to update you at a future time around where the government is heading in relation to the evaluation. One of the particular recommendations was around this idea of having a development solutions unit within the corporate structure of CED that might bring together some of the referral agencies that had previously sat outside of the planning directorate but have now been brought together under machinery of government changes. There is some consideration; we have got a new director-general who will need to consider how that idea and recommendation might be responded to. We are also listening to construction sector feedback, as part of the productivity agenda work, around some of those issues that we might be able to respond to. But that is not to say that in relation to the outcomes-based planning system there would not be an evaluation; there will be, but government is just considering the scope of that work at the moment.

Mr Engele: And, to clarify, as well: that work as part of the evaluation framework is

not doing a whole review; it is about setting the baseline which we would then compare against over the course of the five years. The evaluation plan in the early days is understanding where we are at the moment and then monitoring and seeing if we see improvement over time. That first possible procurement was about setting the baseline.

MS CLAY: Where does the community input into the evaluation? Because all this stuff that is happening may not be external, where does the community input and where does the property, planning and architecture sector input? How does that work?

Mr Steel: As I mentioned, there is work happening through PACICERG, which is the construction industry engagement mechanism, and that work that we are doing on the Construction Productivity Agenda. We also have the Environment Planning Forum, and they have been briefed quite consistently on the evaluation framework and what is occurring there. That has a number of community stakeholders—community councils and other bodies—that have an interest in the planning system and outcomes.

MS CLAY: So only stakeholder consultation; there will not be general community input?

Mr Steel: I certainly would not rule it out, but there is consideration being given at the moment around the future look of the evaluation.

MS CLAY: That is quite different from what was originally set out in the evaluation framework. I am not going to say if it is better or worse; it is just different. There was an evaluation framework set out for this new system, and it sounds like we are doing something quite different now. Is that a change of policy?

Mr Steel: No; it sounds like we have not made a decision yet and government is still considering the machinery of government changes, and we will update the Assembly at an appropriate time.

THE CHAIR: Can I just jump in? Just to clarify for my understanding: so it is not just whether the evaluation is conducted internally or externally; it is the entire scope of the evaluation that is being reconsidered.

Mr Steel: What Mr Green was talking about is not just looking at the DA pathway but also looking at the total end-to-end system, bringing in those issues that we were talking about earlier in this hearing around referral entities and issues that have been raised by the construction sector that have also been addressed in a review by Caroline Edwards into the former EPSDD and TCCS directorates.

THE CHAIR: Yes; I just wanted to confirm my understanding.

MS CLAY: We had a commitment to a review under the evaluation framework and there were set things in that. The commitment was that it would be conducted within the first two years, which is not going to happen. When the government has made its decision about how it will evaluate this, at what point will the government come back to the Assembly and table the new evaluation framework? I am just trying to work it out. Everybody is operating on a certain basis at the moment.

Mr Steel: It is within the framework.

Mr Engele: It is within the evaluation framework. The commitment in relation to the framework that was released was it had a series of setting baselines in the early times. The challenge is we cannot tell about those built form outcomes as a number of them will take years to go through the system. Even DAs that have been approved now under the new system would be in the construction phase. So we know that we are going to start seeing those later on. The initial phases of work are about understanding the baseline and looking at the processes and the accessibility, essentially, of the system.

MS CLAY: Will those baselines and that work be published?

Mr Engele: I believe the intention was to keep those updated as part of the evaluation program.

MS CLAY: Do we have a timeline on the publication of that? Is that the 2029?

Mr Engele: The point that was made before is that we had a baseline and, as we are looking at these broader process changes across the directorate, we are considering whether do we need to settle those first before we then do the baseline analysis?

THE CHAIR: Have you considered the risks of potentially moving away from a more independent evaluation towards an internal approach?

Mr Steel: Those will be considered.

THE CHAIR: So you are looking at it and you acknowledge that there is a difference in terms of at least perceived independence when the government undertakes something internally versus externally?

Mr Steel: Sure, and we do not have an ideological view against undertaking work in the public service either and that good work can be done by public servants in evaluating programs.

THE CHAIR: That is good to hear. I have done plenty of it myself.

Mr Steel: They are matters that we will consider as part of the review of this given the machinery of government changes that have been made.

A

MS CLAY: So, just to be absolutely clear, the government is about to set the baselines now. We do not already have the baseline data. This process will set the baseline data for the system that is already been operating for two years.

Mr Green: There is a baseline data in existence. The consideration for us now is: are we capturing enough, given the directorate, the machinery of government changes and the recommendations in the Edwards review and do we just continue along this pathway with an existing framework that does not seek to capture more and miss the opportunities to broaden it out, when we are actually talking about delivering outcomes?

MS CLAY: Is that baseline data that is already in existence public?

Mr Green: I will take that on notice.

MS CLAY: Thank you.

THE CHAIR: If it is not, can I ask that you provide it on notice?

Mr Green: I will take that on notice.

MS CARRICK: Is the Caroline Edwards review public?

Mr Steel: Yes.

MS CASTLEY: I would like to talk about the community engagement with regard to the missing middle. On 22 July you put out a release that said Canberrans are supportive of the missing middle housing reforms—and I want a bit better of an understanding. The media release said that 72 per cent of the participants in the pop-up consultation were supportive of the reforms. Were the participants able to outline which parts of the reforms they were supportive and unsupportive of?

Mr Bennett: I am happy to take that question. That particular statistic comes from the interaction of our staff within the City Environment Directorate when we went out to the pop-up sessions. We completed survey response forms after talking with constituents. We asked them a series of questions and we recorded those answers based on those conversations. So, while there is a particular statistic about support, there were also further qualitative responses provided by those people that we have also recorded and will be releasing in the consultation report that we publish as part of the Territory Plan major plan amendment process.

MS CASTLEY: When will that be?

Mr Bennett: That will be in the coming months after we have closed the consultation for written submissions, which is happening on 5 August. The Territory Planning Authority then needs to consider the submissions that we have received and provide a consultation report to the minister under the Planning Act statutory process. Once it is given to the minister, then it is required to be made public at the time that it is given to the Assembly committee for a decision on whether they will conduct an inquiry into the major plan amendment.

MS CASTLEY: How many people attended the pop-up consultation events?

Mr Bennett: We have had a range of events that we have offered, and I will go through those and talk to some of those data. In terms of the consultation, our major consultation was hosted on the ACT government's YourSay page. That is where we hosted all of the consultation material and had the ability for people to provide a survey. There was a quick comment function, there was a poll function and also an ability to provide a written submission.

As of 29 July, we had 15,638 individual unique people who had come to that website.

As of that date, we had received 396 survey responses and we have currently received, I think, 22 written submissions. With consultation closing after this weekend, we expect that we will receive quite a few more written submissions over this weekend. In terms of the engagement sessions that we have held, we had 544 people attend the different community pop-up sessions that we held across the city.

MS CASTLEY: Do you have a sense of what has been the most significant concerns to date? Have you started collating that information?

Mr Bennett: Yes. We can talk to key themes, and I think we touched on some of that a little bit before. In terms of the trends in the feedback that we have heard, on the whole, from the people that we have talked to and the submissions that we have received to date, people are very supportive of more housing choice, more housing supply, more affordable housing and housing that is liveable. So a very strong bit of feedback has been that people support greater housing supply and greater housing choice in terms of the missing middle housing typologies that we have put out there.

As we touched on earlier, people have been keen to understand what this infill development looks like within our existing suburbs. Issues like parking, waste collection, tree canopy and how the landscape character of suburbs will be maintained have been key areas of feedback. People have also talked about the need to ensure higher design standards, quality buildings and flexible building typologies and floor plans that cater to an aging population so that people have housing that is appropriate for all different age groups.

MS CASTLEY: Have there been any surprises where you need to make any major changes or it is as expected?

Mr Bennett: I think we have been pleasantly surprised at the positive community support for the proposals that we have put out there. There are particular proposals that we put out about residential subdivisions. That has been a key change from the current Territory Plan where we have a restriction on being able to subdivide residential blocks. That is something that has been very well received by the community and especially those owners of larger blocks in existing suburbs who are at an age where their kids have moved out from home and they are now sitting on a larger block with a larger house and are looking to either downsize or potentially subdivide their block and have a smaller block of land to take care of, whilst providing that housing opportunity to someone else. That is a particular aspect where we are looking to do a bit of further work to make sure that we have that subdivision setting right.

Mr Steel: There is a requirement under the proposal that a house must be built before a subdivision can be considered. The idea of that was to achieve the housing outcome, to make sure that there was actually a house built. But the feedback from the community, certainly in the town halls that I have been attending, though I have not been to every single pop-up, has been around whether the government could consider the opportunity of allowing subdivision where a house has not been built—so sort of an empty block that could be developed. That is something that we will need to have a think about. There are some risks associated with that.

Mr Bennett: The biggest bit of feedback on that proposal is that the existing

homeowner does not want to take on the financial risk of building a new property and then needing to sell it into the market and also the future purchaser needing to purchase a property that is already built, as opposed to buying a block of land and choosing what home would suit their own needs. That has been a key area of feedback and discussion.

One of the other really key bits of feedback and quite strong feedback is unit title arrangements and people's desire to not be in these small unit title arrangements for smaller dual occ and tri occ developments and looking at those opportunities and, as we have touched on before, just trying to resolve some of the particular specifications around the setback requirements building envelope requirements and just making sure that we have got those in the right place and that we are supporting flexibility in housing design. A really key response from the architecture and design community has been to have flexible provisions that allow for good design but also making sure that those provisions allow for a reasonable level of impact in the urban environment, so that we are not allowing unreasonable impacts on neighbours and on the streetscape as well.

MS CASTLEY: Great. Thank you.

MS CARRICK: Talking about the missing middle, I hear people say that it is so people can live where they want to live. Where is that missing middle? If people can live where they want to live, is that the inner areas? Is that part of the middle?

Mr Steel: No, I think it refers to the fact that these homes will be built on 70 per cent of residential blocks in Canberra where they have not been permitted before. That opens up the opportunity for people to buy perhaps a more affordable home in the area that they grew up in, for example, that may have been unaffordable but for these reforms and these types of houses being permitted.

The idea of this is, amongst other things, to provide potentially more affordable options within existing communities where house prices are quite high. That will provide an opportunity for perhaps younger people or younger families to be able to live in a community that is a bit closer to perhaps where they grew up or closer to the services and schools that they want to access. Because it will be so widespread, there will be an opportunity for more homes everywhere, and people will be able to make that choice. I know some people are diehard northsiders and some people are diehard southsiders.

MS CARRICK: I will never live on the north side.

Mr Steel: I am a diehard southsider, by the way. I lived on the north side for a short period of my life, and I will never go back. The greenfields developments are only happening in certain areas of the city, and this will open up the opportunity of living in other parts of the city, in existing established areas, where it may not have been possible for them to get a rung on the housing ladder.

MS CARRICK: In the existing inner areas, like the inner south, is it really going to be affordable there? I mean, affordable is affordable. If you have a couple of million for a townhouse, which is what they go for—

Mr Steel: It is a good question; it has come up at the forums as well. There is an answer, and the answer is around filtering. With these opportunities being opened up, you might

see a family who lives in Woden, who is aging, move into the inner south in what could be quite an expensive townhouse development in the inner south. But they have freed up a home for perhaps a younger family to move into in Woden. That family has perhaps moved from an apartment in a town centre and they have freed up an apartment that is on a much lower end of the affordability scale for another, perhaps an individual or a small family or couple. So you will start to see that filtering effect across the housing stock, and that is a real benefit.

But I think there is an unfortunate myth out there that this is only going to result in really expensive townhouses in the inner south. Actually, what we have found in the work that CED has been doing is that the greatest return on investment, partially because the land value is lower, will occur in some of the established areas like Tuggeranong, Belconnen, Woden and Weston Creek, not necessarily just the inner north or inner south where the land values are quite high and therefore the LVC is also a bit higher in those areas. So the taxes are a little bit higher in those areas.

We actually think we will see a good distribution of some of this housing. But what we have also been noting is that we expect that the response from the market—from developers and builders, including mum and dad builders and that sort of thing—will typically be to build these missing little homes close to amenity, close to services, where people want to live and where people would want to purchase a home. So we are trying to respond to that in some of the technical requirements as well.

MS CARRICK: You mentioned side and rear setbacks can be as low as zero metres. It has zero to six metres. How will you ensure solar access and privacy requirements for neighbours and ensure that they do not suffer material detriment if you have the setbacks so small?

Mr Steel: I am happy to hand over to James, but that has been considered in quite a lot of detail in the design guide.

Mr Bennett: I have brought a prop in, which is our snapshot that has all of our missing middle housing reforms. What we were very keen to do in putting the material onto the government's YourSay page was to talk about what the current Territory Plan provision is, what the proposed Territory Plan provision is and what the reason for that change is.

In relation to side setbacks—and I think the minister alluded to this earlier—in trying to provide more housing supply into our existing suburbs, there is a balance that we need to strike here and we need to make sure that we have the most efficient use of that land. That means providing additional housing supply but also making sure that we are not having unreasonable impacts on neighbours. A couple of the really key provisions that are not changing include that we are not changing the overall site coverage that you can have on a particular block. That is currently 45 per cent of the block for multi-unit housing. It will stay at 45 per cent. So the total size of the built form outcome will stay the same. That means that that built form, where it maybe currently provides one dwelling, may be able to provide three or four smaller dwellings on there.

In relation to the side setbacks in the building envelopes, while there are some proposals to amend some of the technical specifications, which have been modified to enable increased building area, the solar access and the privacy requirements for neighbours

continue to apply as they do in the current system. So there are changes for the redeveloped block and what they can do, but the solar access protections and the privacy requirements of that impact on neighbouring blocks remains the same and is a critical part of the success.

MS CARRICK: Sometimes things slip through, and that is where we need some protections for the neighbours. Anyway, I will leave it there.

MS CASTLEY: Is there a prediction of how many houses the missing middle reform will produce for the ACT?

Mr Steel: No. We had that discussion earlier around how we do not know how the market will respond exactly to what is being proposed. We will find out once the reforms are introduced. There have been some examples overseas but they have slightly different policy settings—Auckland being just one of those. New South Wales has their low- and mid-rise housing reforms. They have only relatively recently been introduced, but are different to ours.

You could do sort of sensitivity analysis around what would happen if it were one per cent, what would happen if it were five per cent and what would happen if it were 10 per cent, but that would just be picking a number. The point that we have been making is that we expect this to be very much salt and pepper across the community. We are not going to see every block redeveloped overnight. It is up to the lessee what they want to do with their own block and whether they want to take up this opportunity or sell it to someone who wants to take up the opportunity. That will be largely driven by the market and their ability to invest and secure finance to be able to invest in this type of stock.

We do think that there is a bit of work that the construction sector themselves will need to do just to develop the builders who work on this type of housing. There are some around already that just do this type of work. This is potentially an opportunity for the so-called cottage industry to potentially move away from just doing detached dwellings to some of the different classes of development and more into the dual occupancy and tri-occupancy space. We may also see some of the larger developers coming down and doing more of the sort of lower-density type development as well and becoming a little bit more sophisticated around that, and new operators springing up altogether that want to just work on this type of building.

Mr Engele: Just in addition to what the minister said, I guess one area is where we see the housing market is quite lumpy in relation to supply shocks, you have interest rates come down and you have a large increase in demand for new housing and housing stock. We saw over COVID that that sort of shock meant that people wanted to live in houses with fewer other people. A lot of the reforms are actually about creating a more responsive housing system that can respond to those changes over time so that, when we see the economics are in favour of greater development, the existing housing stock is not a limitation on that and we are not solely reliant on greenfield development. That is sort of part of the objectives around this as well.

Mr Steel: The key commitment we have made is to enable 30,000 new homes by 2030. What we are doing through this reform is enabling the market to respond and build

more homes, more missing middle homes, that were not permitted previously. So what we will be doing through the planning reforms is enablement. But, ultimately, it is up to the market to deliver those. Having said that, the government may build some of these homes as well through direct investment in new public housing and working with community housing partners as well on these sites and the sites that government owns.

MS CASTLEY: Thanks.

THE CHAIR: I have a couple of supplementaries. Minister, the filtering effect that you were talking about sounds almost analogous to a trickle-down economics type argument. Are you going to have a way to evaluate whether this scenario of people moving in and freeing up one property that frees up another property somewhere else actually occurs?

Mr Steel: I am not sure whether we would be able to track through the transfers and the Land Titles Office. But I think there have been relatively robust analyses of this type of behaviour internationally. Having said that, I also made comments about the fact that we do expect to see affordable missing middle homes built around Canberra as well. So it is not just going to be the expensive townhouse in the inner south; there will be, I am sure, affordable examples in other parts of Canberra, partially because there are good conditions for it in terms of return on investment, lower land values and taxes in established suburbs on the southside and indeed in the northside—in suburbs in Belconnen, for example. That will be able to be tracked, because we will see the development applications coming through and be able to assess where development is occurring across the city and whether they are utilising these new missing middle housing reforms.

Mr Green: Going to specifics of household make-up and getting that data is really challenging.

THE CHAIR: I would have thought.

Mr Green: That is really only collected through census data. You can look at it from a series of assumptions that you apply to some of these things. But, ultimately, we know that families of four or five may well be living in a two-bedroom home or a three-bedroom home, and so it will be difficult without making some broader assumptions.

Mr Steel: But there is a bit of literature on this topic that is available.

Mr Green: Yes, absolutely.

THE CHAIR: The other comment that you have just made is that the commitment around 30,000 homes is about enabling 30,000 homes. Does that mean that the government is not committed to actually having that many homes delivered?

Mr Steel: Certainly that is our hope—that the commitment was enabling—that is enabling through planning, enabling through planning reforms, enabling through land release and enabling through direct investment in projects like new public housing, community housing projects, social housing projects, build-to-rent and all of that sort of stuff.

THE CHAIR: How do you measure what is enabled versus what is delivered?

Mr Steel: We are reporting on that on a regular basis and through annual reports and through the Housing Supply and Land Release Program. We set out 26,000 blocks for 26,000 homes in the Housing Supply and Land Release Program just ahead of the budget. We will continue to update that and show progress towards the 30,000.

THE CHAIR: So, if a block is made available, that is counted as a home enabled versus whether there is ever actually a house on that?

Mr Steel: We are tracking both. The figures that Ms Akhter provided were the actuals. So we will be tracking it at a range of different ways. We are working on exactly what metrics we are going to use to track this over the five years. We would have to report to the commonwealth on the National Housing Targets as well. So we are supplying that information through. So it will be very transparent to see where we are at. But we are also being very clear—it is in all the documentation—that there are market capacity constraints, interest rates and, of course, labour force constraints that may also impact on the market. We will be tackling this from all sides to reach the target.

THE CHAIR: Okay; thank you.

MS CLAY: Minimum requirements for private open space have been reduced. Can you explain why?

Mr Bennett: Yes. What we have done with the minimum private open space requirements is, again, we are having this balance of what we can provide on a block. We have been looking at what some of the trade-offs are there. What we have done is reduce the overall dimensions but make the quality of that private open space enhanced. So, rather than having, for example, an area of open space down the side of the block that is an unused path, we have made the usable courtyard area have a larger requirement. We have sought to prioritise a greater provision of high-quality private open space rather than prioritising the overall percentage of private open space on the block.

MS CLAY: And when you say high-quality, you mean with the tree canopy?

Mr Bennett: I mean like a usable courtyard space as opposed to the dead side of the house where you do not spend much time on a pathway area, for example.

MS CLAY: Thank you.

MR RATTENBURY: I have some questions around the Tuggeranong skatepark redevelopment. I am pretty sure that is not in this section, but I just want to check that you guys do not have an involvement and I miss out.

Mr Steel: It is probably in two parts. So sport and rec—sorry, CE and sport with Minister Berry in Minister Berry's session. But then there is also, I understand, a live application for heritage registration as well. Heritage is coming in next week on Monday, I believe.

MR RATTENBURY: Those were my expectations. I just wanted to double-check. So thank you. Then let me ask about build-to-rent. The budget offers \$12.5 million to support more build-to-rent projects. I am interested in this part of the government's analysis of the success of build-to-rent projects thus far and whether they are meeting the expectations from a planning system point of view that are held for those projects.

Mr Steel: Are you able to comment on that?

Mr Engle: The Housing Coordinator-General does build-to-rent out of Treasury. So, sorry; that more sits in Treasury.

MR RATTENBURY: No; that is okay. I also pondered that but, again, I was checking. I was interested in the role you were playing in these types of projects.

Mr Engle: We are working with Treasury closely. There is coordination on that and looking at opportunities in the town centres where there have been kind of reproaches in relation to proposals coming forward about Build-to-Rent possibilities. So some of them will interact with the planning system as it relates to direct sale applications. We look at it from that perspective, but the policy work is being handled by Treasury.

MR RATTENBURY: Okay; thank you.

MS CARRICK: My question is about the remaining Mr Fluffy houses. When will you be considering compulsory acquisition of them where the current residents would want that?

Mr Steel: We consider it on a case-by-case basis, but I will ask the officials if they want to provide some further information. It is not something that we have ruled out at the present time for the remaining properties, but they also have pathways open to them and those residents have been engaged with thoroughly with information about those pathways, which includes private demolition and sale. There is also another pathway that is available to them now that the buyback scheme has potentially passed for those properties beyond 12 months since they have been registered. So there is another pathway available to them, which I will just bring up.

Mr Engle: I will start and then I will pass this back. There are only a very small number of remaining properties. A large majority of the owners are elderly and so, at this point, compulsory acquisition has not been the preferred pathway or a pathway that was used.

MS CARRICK: How many are left? How many do not want compulsory acquisition, and how many do?

Ms Akhter: We have 14 left altogether, and they are all owned by private residents. So we have a very small number in the register left. As the minister mentioned, those who have not elected to participate in the buyback scheme the government offered at the time can still opt to manage their affected property through private demolition or private sale. Should the remaining affected property fail to sell on the open market, the government has a conditional offer under the scheme to purchase the affected property

through the purchases of last resort as a mechanism.

MS CARRICK: Some are elderly and they do not want to move, and I guess they will just die there in their homes. But what about the ones that still want to move? You had compulsory acquisition in for mid-2025. Why did you move it back to 2027?

Mr Steel: I am not sure that is quite correct. We have not ruled out compulsory acquisition on a case-by-case basis. But those other options are available to the owners of those Mr Fluffy properties. They have to make their own decision about whether they want to pursue those. The government is not necessarily considering, at this point in time, compulsory acquisition, but we have not ruled it out either.

MS CARRICK: If they were to do a private demolition or have a private sale, what would the value of the sale in the private market be like? Would that be comparable to—

Mr Steel: That is a financial decision that they would have to make. The government cannot make that for them. The government had a voluntary scheme that was available for those residents to opt into. They could make a decision to opt in or pursue another pathway or, indeed, remain in the property. It is open to them to make that decision. The government is not going to make the decision for them about that. It is not a compulsory scheme. That is a decision for them to make.

MS CARRICK: So they are left in a very poor financial situation now.

Mr Steel: It is a decision that they have to make around their own finances, as to which option they want to pursue. We have outlined those options to the owners. I have written to a number of them myself.

MR RATTENBURY: Could I clarify, Minister? It is something I have been pondering. Obviously, the initial offer was made to people in 2013 or thereabouts, at the market value at that time. What happens to somebody now? Are they being offered a price that is relevant today or are they still stuck on that 2013 price?

Mr Steel: I can get that information for you. Do you want to—

Ms Akhter: Sorry—could you please repeat the question?

MR RATTENBURY: Sure. I am trying to understand: if someone wants to sell to the government now or you undertook compulsory acquisition, what price would they get? They were offered a price in 2013, I think, when the scheme started, but we are obviously now in a very different market. What price or value do they get?

Ms Akhter: Any property in private ownership has legislative requirements that they need to comply with, including asbestos management plan requirements and development and building approval restrictions, and there is occupancy prohibition for any new owners or tenants. We would have to take that, as the minister mentioned, on a case-by-case basis and see whether that is what they want and how we can support them. In relation to the financial figures, that is not something I have ready at hand. We need to understand the difference between the figure that we spoke about at the time

and now.

MR RATTENBURY: I appreciate the case-by-case basis. I am trying to understand the policy position.

Mr Steel: The buyback program says:

Under the buyback program, on surrender of the Crown Lease for the affected block, the owner will receive:

- the value of the affected block (house and land), as though it was not contaminated by loose fill asbestos as of the date the property was added to the Register

MR RATTENBURY: That is 2013?

Mr Steel: It depends on when their property was added to the register, because some were discovered later.

MS CARRICK: Do we know when the people that are left were added? It does not really matter anyway, because it is probably a very old valuation. Is there any chance of giving a current valuation?

Mr Steel: They had the option of opting in during that period, and then—

MS CARRICK: But, if they did not, they are punished now. They are living in—

Mr Steel: No. There is another pathway, which Ms Akhter mentioned, which is available should they fail to sell the land through a private demolition and sale. It provides a similar scheme. It has some different policy settings but some of the same intentions.

MS CARRICK: Why can't we just go down the compulsory acquisition route and sort this out? There are not that many left. It might be best to sort them out. These people are living in condemned houses, and it is not healthy to do that, and it is not good for mental health.

Mr Steel: It is not something that we have ruled out, but there is an issue of fairness to the other Mr Fluffy owners as well, by treating them differently to the remaining owners. They obviously had the opportunity. All of them have had the opportunity to voluntarily opt into what was quite a generous scheme offered by the government, or they can decide not to do that. They can either stay in the property and manage the asbestos risks or go through a private demolition and sale. If that does not work out, they have the alternative pathway that Ms Akhter outlined.

THE CHAIR: Minister, you have said that there is a fairness issue. Do you consider it fair that, after many years of extraordinary inflation, when it comes to home values, a 2014 valuation would not come close to being the current day equivalent?

Mr Steel: I am not going to comment on people's financial circumstances.

THE CHAIR: No—I am asking about the unfairness of not taking into account any increase in the value of land or a home over the course of 2015 until about 2025.

Mr Steel: Again, I am not going to comment on people's individual decisions, about whether they opted into the scheme or not at the time—

THE CHAIR: It is not the about the individual—

Mr Steel: and what their particular issues were in making that financial decision for themselves.

THE CHAIR: I ask about this because I, as well as others, have been trying to advocate over some time for individuals to get updated valuations, or at least have the government come to the table in some sort of genuine negotiating position. What I have found is that there has been, for some reason, pretty deep resistance to sitting down and coming to a position which would enable some of these individuals to actually move on with their life and get past an extraordinarily stressful situation that has had direct mental health consequences and direct health consequences. I know that you are aware that this is one of the concerns that got me involved in politics. I am struggling to see how it is possibly reasonable to expect someone, in 2025, to accept a valuation from 2014. I would love to understand what your thinking is around exactly how it is reasonable to offer that valuation again in 2025?

Mr Steel: Ms Akhter has the Purchaser of Last Resort policy setting to provide some context for the committee. It is the option that is available if someone fails to sell their land through a private demolition and sale.

Ms Akhter: There is the standing offer, as I mentioned before, from the government—that the government will buy back. However, there is a guideline that provides the policy setting. It offers that, when they agree, they will be paid the average of two independently determined market valuations for the property at the time they agree, explicitly taking into account the presence of loose fill insulation, as well as presentation and condition issues. There is an option.

THE CHAIR: So it still considers the presence of loose-fill asbestos as something that will reduce the value of the property. Is that correct?

Ms Akhter: Yes.

Mr Engele: The difference with the buyback scheme is that the earlier valuation, if it was in 2014—I would have to confirm this—did not include the presence of asbestos. Now, with Purchaser of Last Resort, the current valuation is at the time of the application, but it includes the presence of asbestos, which, as you point out, would reduce the value. They get the uplift in land value, but it recognises, as part of not taking up the scheme earlier—the intent was to provide an incentive for people to take up that earlier option—the presence of asbestos. That is the difference between those two buyback options.

THE CHAIR: If someone pursues this particular pathway—the Purchaser of Last

Resort—does that block them from qualifying for the same provisions, in terms of planning, as those acquired under the buyback scheme? I am afraid I cannot remember the exact—

Mr Steel: I think you are referring to the first right of refusal or—

THE CHAIR: No. Sorry—I am referring to the planning constraints on the block. Under the buyback scheme, those blocks were then—

Mr Green: Permitted for dual-occupancy.

THE CHAIR: reclassified. It was roughly equivalent to RZ2.

Mr Green: I would need to check that, unless George knows. Having said that, the missing middle reforms go further.

Mr Steel: We can take that on notice anyway. We are talking about a small number of blocks, and it is post buyback as well.

THE CHAIR: It is post buyback?

Mr Steel: Yes. We will check. The guidelines are available on the website for people to look at. To respond to your comment—I do not think there was a question—we have not ruled out compulsory acquisition. I mentioned that we would consider it on a case-by-case basis, but at this stage we are not considering it.

MR RATTENBURY: If you did compulsorily buy back, is it at full market value or would it be on the basis that Mr Engele and Ms Akhter just described—that the value would take into account Mr Fluffy?

Ms Akhter: The guidelines provide the difference between the buyback program and the option for Purchaser of Last Resort. It clearly articulates what the—

Mr Steel: Those are the two programs, but, in terms of compulsory acquisition, it is a legal question and I do not have the answer.

Mr Green: It would be a just terms requirement. I think it would have to be tested to be clear.

MR RATTENBURY: That is what I was going to: what do “just terms” mean in this context? It would be an interesting question. Thanks.

MS CARRICK: I ask that you talk to the remaining people and try to sort something out. I do not think this is a good situation to go on and on.

THE CHAIR: Ms Tough, we are up to you.

MS TOUGH: The budget provides a million dollars in expense funding to the National Capital Design Review Panel. Can you describe what this funding goes towards please?

Mr Steel: Yes. The National Capital Design Review Panel is still only a relatively new body that supports better integration and design outcomes for development, particularly over five storeys. Early design engagement helps to improve the design before it goes to the Territory Planning Authority with a development application. There have been some real successes already with the scheme. We are seeing some of the benefits of that. Catherine Townsend, the ACT's Chief Architect, is involved in the NCDRP. We mainly bring architect practitioners to the panel—and the NCA is also involved, of course—to provide feedback to developers so that we can try to get better design outcomes, particularly for the larger multistorey developments. Concerns were raised in the past about the design of those new homes. This is one way of improving design. I will hand over to Mr Bennett to provide some feedback and what the money in the budget will go to.

Mr Bennett: The funding for this year's budget is for a couple of FTE positions in our design review panel secretariat, as well as additional funding to run the design review panel sessions. That goes to paying the panellists and some of the other costs around holding the design review meetings. In the 2024-25 financial year, we held 34 design review sessions. With the funding that the government provided in the last budget, we were able to meet our performance indicator of providing advice within 10 business days 100 per cent of the time. The additional funding that the government has provided has allowed a timely and quality service to be provided to the development industry. I think as the minister alluded to, we have seen some really great results in improving the design and quality of buildings that have come through the review process.

MS TOUGH: You said there were 34 last financial year. I assume they are available to any developer, and developers are aware of when they are happening—that they are advertised in advance somewhere?

Mr Bennett: Yes. We have established processes, and, as you can imagine, we have established customers who bring proposals through the design review process. Through the additional investment, we have been able to reduce our wait times from a peak of about six months a couple of years ago down to about six weeks for new projects. We have four sessions currently available in September. September is about as soon as someone who is in the design development phase at the moment would be ready to present. In effect, for projects that are coming through that process, where they are getting towards the end of the documentation phase, there is no delay for them being able to enter the design review process. We have those slots available.

I would also say that this is in relation to prescribed development. All developments above five storeys need to come through the design review process, as well as major shopping centre upgrades. We also have a range of projects that choose to come through voluntarily because they see the value of the design review process. We bring entities to the table to work through issues in that early design phase to resolve the development proposal, so that it is then in a form that can proceed to the development application process. We have seen some major precinct developments and major local centre developments coming through that process as well.

MS TOUGH: Wonderful. Thank you.

MR RATTENBURY: I have a quick supplementary on the National Capital Design

Review Panel. The tender to refresh panel membership was released on 31 July last year. Has the refreshed panel actually been set up yet?

Mr Bennett: We have recently concluded the evaluation process. There were a number of factors as to why it has taken a bit of time to resolve. We had the election in the middle, we had a significant response from interested panellists, and we also had a very thorough procurement process that we went to, where we needed to evaluate the applications. We have recently concluded that evaluation process. In the coming weeks, we will be announcing the successful panellists and what that panel membership will look like going forward.

MR RATTENBURY: Terrific. Thank you.

MS CASTLEY: I would like to talk about developer licensing. If I am correct—and I am happy to be corrected—there is currently no commencement date for the parts of the Property Developers Act 2024 that would give effect to developer licensing. If that is correct, when does the government intend to commence it?

Mr Steel: The government has been discussing this with the industry. I will hand over to Mr Bennett to provide some information.

Mr Bennett: Thank you. The formal legal instrument to sign off that commencement notice has not been signed off. That is currently being drafted and will be with the minister shortly. The policy decision has been made by the minister and has been communicated to our industry stakeholders. The licensing scheme will open for applications on 1 October 2025. There will be a 12-month transition period before mandatory licensing requirements commence on 1 October 2026.

MS CASTLEY: Do we know yet what fees the government intends to charge for a developer licence? And will this be in addition to an application fee?

Mr Bennett: We are working through our fee proposal at the moment. That is a decision that has not yet been taken by the government. That will be made through a formal fee determination. That will be coming out in the next few weeks as we head to 1 October for the opening of applications. We expect to have that released in the coming weeks as well.

MS CASTLEY: Is the developer licence fee paid once upon obtaining that or is it continual over a 12-month period?

Mr Bennett: We are looking at a model where we will charge an initial application fee for the lodgement of the application and the administrative process, and then there will be an annual fee. Both the administrative fee and annual licence fee will be relatively small components, and then there will be a third element, which will be an activity based fee. This is where we will be able to structure the fee so that developers who have larger projects that have a greater level of risk and a greater level of oversight is required will pay more than smaller developers. That activity based fee is likely to be charged on a per-dwelling basis and will be based on the capacity of the particular developer to pay.

MS CASTLEY: Basically, the mum and dad developers will pay the application fee, the annual fee and an activity based fee. If they are going from, say, one house to four units, it will possibly be based on four properties.

Mr Bennett: There will be one application fee payable—an administrative fee—and the annual licence fee, and then there will be an activity fee which is payable per dwelling that they bring forward at the building approval phase. The fee will not apply to owner-builds. The scheme only applies to regulated residential development, which is a project that includes three dwellings or more. If a homeowner is bringing forward a dual-occupancy development, that will not be within the remit of the developer licensing scheme.

MS CASTLEY: They will not need one?

Mr Bennett: Yes. That will be regulated by our existing building and licensing framework. When a project moves to being a regulated residential development—that is, for three dwellings or more—the developer licensing regime applies.

MS CASTLEY: Am I right in understanding that there is a liability period of 10 years when there are over three dwellings?

Mr Bennett: Yes. We have sought to bring the property developer into the existing chain of accountability that applies in the building and construction process. At the moment, a builder is liable for the building and any defects which arise in the building for a period of 10 years after the building work is done. We are adding the property developer into that existing liability framework to say that the property developer of a project is also legally responsible for any defects in addition to the builder, who is already responsible under the existing framework. We are adding the property developer into that regulatory accountability framework.

MS CASTLEY: Do other jurisdictions add the developer to that 10-year liability period?

Mr Bennett: This is Australia-first developer licensing regime. However, Queensland is doing some initial policy work into developer licensing, and New South Wales has a particular piece of legislation around defects in major apartment buildings that also allows them to pursue the property developer for regulatory compliance.

MS CASTLEY: Are you hearing much pushback from developers? When I say the word “developer”, we all just assume they are squillionaires building high-rises, but not everyone is in that position. Do you hear from anyone wanting to build more than three dwellings on a block who says that this might be prohibitive to going ahead with the project?

Mr Bennett: Over the last 12 to 24 months, we have heard that there are parts of this scheme that the property development industry is very supportive of. Having accountability and having minimum standards of practice and behaviour will support good players to continue to do good work and not be undercut by people who are building to lesser standards. There has been support for that principle. There has been some opposition to particular elements of the scheme. In particular, bringing property

developers into the chain of accountability and making directors liable for defects has been a point of feedback from the industry. They do not support or like that element.

We have brought property developers who are the entity responsible for the engagement of the principal builder—who has control and influence over the development, sets project timeframes and project budgets and has an ability to manage the project and the risks that arise—into an existing framework that builders operate in already. Builders operate under this liability scheme at the moment. We think that, while we appreciate that property developers themselves do not support having liability provisions attached to them, we have a strong building industry that operates under the existing liability framework, and this will only help to benefit the end consumer by having more people who are interested in building buildings that do not have defects in them or fixing them as they arise.

MS CASTLEY: The government estimated that it would start generating revenue from developer licensing this budget year at around \$1.7 million. Are we still expecting to get to that figure?

Mr Bennett: That revenue will come from the commencement of the licensing framework. Some of the fees that will be charged will go towards addressing that and some will be gathered in future financial years as well.

MS CASTLEY: There is the expected revenue from developer licensing, but do we have any idea how many will obtain a licence? Has there been much talk in the industry about that?

Mr Bennett: The number of licensees will very much depend on how particular projects choose to structure their commercial arrangements. The company, the entity, that is doing the development is often a special-purpose vehicle that is established for the purpose of undertaking a development, or it could potentially be a joint venture arrangement between multiple entities. So, to try to reduce the administrative burden on the industry, we allow the special-purpose vehicle to be licensed or, if that special-purpose vehicle is wholly owned by a parent company, the parent company to hold the licence. Where a property developer sets up special-purpose vehicles to do developments at different sites and they are wholly-owned subsidiaries of the parent company, only the parent company would need to be licensed and they could undertake the different developments. We have tried to reduce the administrative burden that would apply to those. Where we have joint venture arrangements—that is, where we have different parties coming together—that particular entity needs to be scrutinised and licensed itself.

THE CHAIR: I have a couple of supplementaries on this. There was very short mention of owner-builders. It sounded like they are excluded. Is that correct?

Mr Bennett: An owner-builder is excluded. I will clarify: the scheme only applies to development projects that have three or more dwellings. That is a fundamental application provision.

THE CHAIR: So it is for tri-occupancy and beyond?

Mr Bennett: Yes.

THE CHAIR: Owner-builders are excluded. What is the basis for exclusion being based on who builds? Is that because, as the builder, they would already be liable?

Mr Bennett: As an abundance of caution, we have also excluded owner-builders, but it is very likely that an owner-builder would not fall within the remit of the scheme.

THE CHAIR: There is a very interesting question about who is actually liable and for how much when you run into defect issues. I assume that we are not looking at something that actually increases total liability. Are we looking at a situation where the builder and the developer are jointly and severally liable?

Mr Bennett: Yes. I make the point that liability will only arise when there is a defective building and the defects have not been fixed. When there is a defective building and the defects have not been fixed, it comes on the regulator's radar to issue an order. There are several steps that need to happen. Several things need to go wrong, and there are several opportunities for a building to be fixed or rectified for the benefit of the homeowners and consumers before the liability provisions are enlivened. The way that this act is structured recognises the existing liability that applies to builders in the development of buildings and adds developers into that framework, so that the regulator will be able to issue an order to both the builder and the developer jointly and severally.

THE CHAIR: Under this system, will the developer have the opportunity to contract out of liability or is that specifically excluded?

Mr Bennett: The developer is responsible under the legislation, and an order can be issued to the developer. There may be other contractual arrangements that they put in place—

THE CHAIR: That is what I am talking about.

Mr Bennett: but they cannot contract out of the ability for the regulator to issue them an order and for that order to apply to them as the developer.

Mr Steel: Part of the purpose of the scheme is to get them to look very closely at who they contract with—their subcontractors—to make sure that the work is done properly and defects do not arise.

THE CHAIR: With subcontractors—

Mr Steel: Yes; that is right.

THE CHAIR: or contractors—

Mr Steel: The property developer—making sure that who they engage for the project, both the builder and the subcontractors—

THE CHAIR: Of course, the relationship between the developer and the builder would generally be with a prime contractor who then subcontracts, so I assume that—

Mr Steel: That is right. The developer has ultimate responsibility for the project, in addition to the builder. This will hopefully get them to invest in more quality building practices that will help to reduce the number of defects.

THE CHAIR: I understand the intent; I am just trying to understand the application. You can look at projects where things have gone wrong. The La Trobe Building in Victoria resulted in a very significant case that reset the balance of who was responsible for what proportion of what problem. I am wondering whether there is something that sets out the extent to which a developer is going to be responsible for a defect versus the extent to which a builder is responsible for a defect. I imagine there are going to be complexities around all sorts of actions that have taken place. It could be a very complicated scenario that does not result in any more liabilities or payouts to owners.

Mr Bennett: While it is a complex building process, under the legislation it is quite simple. Both the builder and the developer are liable for the defects within the development, and the regulator can issue an order to both of them. In that sense, the very fact that a defect is in the development means that the regulator can issue the order to each of those parties.

THE CHAIR: But does the regulator make a decision on whether to issue to both one or the other?

Mr Bennett: The regulator has the discretion to consider that in considering an order, if it got to that point. If it got to that point, the regulator would issue a show-cause notice to the particular parties involved and would consider the response that they provide, looking at their conduct, their behaviour and any actions that they have undertaken, before determining whether it is appropriate to issue an order to a particular entity in that process.

THE CHAIR: Minister, you have suggested that the idea is that you are incentivising developers to be careful about who they contract with to undertake building activity. Where a builder has shown all due diligence in doing their best to get someone who is qualified and does not have a track record of defects, your expectation would be that, if there were defects down the track by the builder, they would be liable in some way under this scheme?

Mr Steel: The regulator will have to make the decision about who they would go after if the defects remain after other avenues have been pursued.

THE CHAIR: I am just trying to understand the intent.

Mr Steel: All of us in the Assembly have agreed to this reform. Those of us who represent the electorate of Murrumbidgee and have door-knocked 33 Eggleson Crescent in Chifley and understand the impacts on consumers—

THE CHAIR: Yes.

Mr Steel: of pretty shoddy practices have had a gut full. This will address it by extending the chain of accountability to property developers that have responsibility for

the quality of their projects—not just the ones that they are building that might have the defects—

THE CHAIR: I am very glad that you have—

Mr Steel: but also the ones that they build afterwards as well, so that we can stamp out the practices. Quite frankly, if the outcome is that some property developers do not get licensed and no longer undertake projects in the ACT that are dodgy, that is a good outcome of the scheme as well.

THE CHAIR: Okay. What I am trying to work out is just to make sure that the people that we are targeting are the ones causing the problems, rather than the ones doing their best to provide decent quality houses for people.

Mr Steel: The regulator has an independent role. They will make those decisions about who they go to. It is about making sure that the chain of accountability extends to all those responsible for the project. That includes the property developer.

And I appreciate the gymnastics that have gone on around trying to analogise mum and dad developers to people who are somehow doing large high-rise development, but what we are talking about here are, in most circumstances, established property developers that really should be doing better. And the industry themselves—those who are doing the right thing—are quite frankly sick of it as well. They want the rest of the industry to clean up their act.

So, it is only going to be used in circumstances where those defects have not been rectified. And I think that, in practice, we will see it operate fairly despite the hyperbole from those in the property development industry who have said that they are not supportive. And you can see why they would not be, but this is about consumer protection. The regulator will choose that, to the benefit of consumers.

THE CHAIR: I think you can probably appreciate, minister, the importance of getting it right so that it did not end up as a disincentive to achieving the number of homes that Canberra clearly needs. And I think what we can all agree—

Mr Steel: Yes, but they have to be good quality homes. We do not want to build 30,000 homes that are unliveable in 10 years time because of defects caused by shoddy practices. That is the point.

It is a bit of a social contract that we are talking about here. The government is engaging in quite extensive planning reform that we want the Assembly to support. It is only fair to the rest of the community in which these homes will be built, as well as for the new residents that will live in them, that they are built well.

THE CHAIR: Yes. I will do my best not to speak too much for others, but I think the focus here is trying to make sure we are getting things targeted right; to get the right balance. I think we all agree, Minister Steel, on the objective of making sure people have good quality homes. Now, I think we have been on this for a while—

MS CARRICK: Can I just have one supp on that?

THE CHAIR: Ms Carrick.

MS CARRICK: Will you do more licensing of trades, to ensure that they are qualified?

Mr Steel: Yes, absolutely. We have made a couple of commitments. James Bennett's team, within CED, is undertaking a piece of work to look at extending occupational licensing to particularly high-risk trades. We do not currently license some of the trades that are licensed in New South Wales. We license builders, electricians and plumbers. We need to look at occupations like water proofers, and tilers—

MS CARRICK: Roofers?

Mr Steel: We are seeing some of those defects coming through that do have an impact on building quality in those areas. And they will be the first cabs off the rank. But we are taking a risk-based approach.

A wide variety of industry groups have come forward and said, "Hey, we want to be licensed"—from landscapers through to a whole range of other occupations. But we really need to be focusing on the high-risk ones, and that is the focus for the team. So, there is some further work happening on that at the moment. And that has been funded in the budget too.

MS CLAY: Minister, I want to chat about how we are including First Nations people in the land and planning decisions that we are making at the moment. The urban design guide states the Ngunnawal people, their culture and relationship to country are foundational elements for all design projects in the ACT. When assessing development applications, what is our statutory team looking for in the development assessment outcome reports to show how country and place are addressed in the design elements?

Mr Steel: I will hand over to George Cilliers.

Mr Cilliers: We consider what the design guides require us to consider. So, in terms of those requirements, we do rely on referral agencies also to provide us with advice. In some cases, for example, we might consider the conservator, who has a good relationship, in terms of those communities and—

Mr Steel: Heritage Council as well.

Mr Cilliers: Yes. And there is also a requirement for a statement to be prepared with the application to outline how it addresses First Nations.

MS CLAY: Sure. And have the assessing officers engaged with First Nations representatives to improve their understanding, or have they undertaken any training?

Mr Cilliers: We have identified that for training. That is interesting that you notice that, because we actually put out a significant requirement in our training needs. There is also mandatory training in terms of those aspects. That is required of all public servants. But we have identified that that is not enough. We want to go further. So, the problem is finding the right sort of module that is suitable.

MS CLAY: I am pleased to hear that has been identified as a specific need.

Mr Cilliers: Yes, definitely.

MS CLAY: I think that is important and good. Currently, under the statutory assessment team's current knowledge or in this identified training, wherever it would fit in, would that include interconnection with the land and the landscape and its value? Would it include some kind of appreciation of that?

Mr Cilliers: Yes. Most of the time the assessment documentation we get provides that sort of context. Something else to point out, because these elements really come out again in the more significant developments: that the NCDRP provides us with a strong basis in terms of the design response. So, by the time it gets to the assessing officer—I do not want to say there is not much to do—but it has been properly thrashed out and worked through by that point.

MS CLAY: Sure. So, for our significant developments that are going through the NCDRP, they have this expertise?

Mr Cilliers: Yes. The NCDRP provides us with thorough analysis. I do not know the level of the expertise—I cannot talk for them—but we are quite impressed with what we see coming through.

MS CLAY: I wonder if you could take on notice to provide any specific training or skills that the NCDRP has in this area. Would that be possible to take on notice and come back and tell us if there is or is not?

There is not really a generic skill set?

Mr Cilliers: No.

Mr Bennett: And I will just outline: the way that the panel is formed is that there is a particular panel set out for each project. So, the panel that is formed to assess that project depends on the skills of the panellists and on the type of project that is coming in. So if it is a new estate subdivision, the land and connection to country is much more of a focus in a state subdivision type development as it is to an infill residential tower.

MS CLAY: Brownfields, yes.

Mr Bennett: There are particular panellists who have more skills and experience in designing for country, and they are identified and put on the panel for those sorts of projects. It is a case-by-case; as the proposal raises those issues, we form a panel around that. I am not sure that it is easy to say, "These panellists do this", but it is something that we absolutely consider as part of the design brief, for briefing the panel. And also, as relevant skillsets for panellists to assess particular projects.

MS CLAY: Okay. Thank you. That was quite a good answer. I do not need that other one taken on notice.

There are a lot of decisions government is making now about land, and I just want to check where government is doing this—because I have sent some letters to our environment and indigenous minister, and I have not heard back; and I think I might have written to you too, minister.

When government is making decisions about, for instance, Western Edge, how are First Nations people engaged with, and with whom?

Mr Steel: Well it is something that we will need to think about if there was further development proposed, which at this point there is not. The Caring for Country Committee exists, and so that would be certainly part of that discussion around environmental aspects of what is happening in the Western Edge. I think that is a relevant body. But in terms of any future proposed development, the EPBC Act would apply. That would capture, I would imagine, a number of these sorts of cultural matters that would need to be considered. And indeed, the planning system would pick those up, as being considerations as well.

With my heritage minister's hat on, I have been talking with the Heritage Council quite a bit about how they can potentially provide some high-level input into some of the planning work that is underway. And I have asked them to provide me with advice rather than me directing them under the Statement of Heritage Expectations about what they believe the focus should be—particularly with the focus on Aboriginal and Torres Strait Islander people over the next four years.

I have just appointed Bradley Mapiva Brown as the Deputy Chair of the Heritage Council. At the meeting that I had with him over the last week, we discussed providing some input into some of the planning work so that we can pick up some of those issues and cultural considerations from a heritage point of view. I am sure there will also be broader considerations that we will need to make, as we go forward with some of those things.

So yes, it is an issue that is under active consideration as those planning reforms happen. I think the planning strategy already picks up some of those elements, but as we look to potentially update that piece of work—which requires review every five years—then that is another opportunity to engage; particularly with the Heritage Council, but potentially with the broader Aboriginal and Torres Strait Islander community as well.

MS CLAY: And when you say 'broader', you mean probably not just the Dhawura-Ngunnawal Caring for Country Committee—

Mr Steel: And not just the Heritage Council, potentially. A broader community consultation, yes.

MS CLAY: Okay. And who would be responsible for doing that broader consultation?

Mr Steel: It would be CED, yes. The planning strategy sits with me.

MS CLAY: Yes, that would be excellent. That is just part of what I am trying to do; to work out who to follow up on these things with.

Mr Steel: The Minister for Aboriginal and Torres Strait Islander Affairs would be the responsible minister and would be engaging in that process as well. We are looking particularly at the environmental elements of the strategy, with the work that we want to do on the landscape plan as well. So, I think a few threads there will be of interest.

MS CLAY: Yes, there is a lot. There is also setting city limits. Would you also be consulting with First Nations people on that?

Mr Steel: That is part of that discussion, I think. We are just working out whether that forms part of a review of the planning strategy; and then how it is linked to the landscape plan work. And of course, if we are talking about landscape, we are talking about country. We need to be consulting with Aboriginal and Torres Strait Islander peoples as we go.

Ms Akhter: I just want to add to what the minister said. Yes, there is consultation that happens as part of the heritage assessment process, but also as part of planning projects that we undertake. One good example was the Watson Section 76, where we have actually collaborated with the First Nations community for place planning for the site. It was an extensive consultation and engagement with Ngunnawal and other First Nations people, which resulted in the Maliyan Park, a public park that celebrates the Ngunnawal culture. So this project also received a national award. So I just wanted to put it out there because we do undertake consultation where it is possible.

MS CLAY: Thank you. And was it the SLA that ran that consultation?

Ms Akhter: No, we did.

Mr Steel: The SLA are doing their own, though, ahead of subdivision planning for the Mongolo Town Centre as well.

MS CLAY: We heard earlier that we have appointed NCDRP panellists. Did we consider First Nations expertise in that appointment process?

Mr Bennett: We considered the technical expertise for the design process—architects, landscape architects, engineers. We did not explicitly have a category about First Nations design, but that is something that we could consider on a project-by-project basis.

MS CLAY: Thank you.

Mr Green: I think the other thing to note is that there is nothing preventing NCDRP and the chair and co-chairs of that panel seconding people on and asking people to attend for specific projects, going to the points made by Mr Bennett.

Mr Bennett: I would make the point that it is probably for the proponent to engage with traditional custodians in the design process as opposed to the panel to assess that process. The principles of the design guide talk about the proponent having constructive dialogue with traditional custodians. So that should be done early to engage in the design process. That would then be put to the panel for a more technical assessment.

MS CLAY: Which is a great answer. Does that then mean that the NCDRP and the statutory assessment team would look to see whether the proponent has done that as one of the things that they would be checking for?

Mr Green: Yes. That is the assessment documentation I referred to.

MS CLAY: Great; we are getting there. As well as decisions about what to develop as well as the actual development decisions that we are making, we are also making decisions about what to do when we are not developing, like in the western edge, for instance, or access to Ginninderra Falls. These are quite culturally significant areas. The government might say that they want to put houses and hotels there or they might say not, but there is still a decision about how it should be maintained, who has access and those kinds of things. If it does not become a DA, if it does not become a development decision, who is making that decision about how that land then gets maintained and who is looking after it?

Mr Steel: Parks and Conservation and the land management portfolio, which is with Minister Cheyne.

MS CLAY: Minister Cheyne?

Mr Steel: Yes, they would be looking at those issues, if it is land under the purview of the Parks and Conservation Service.

MS CLAY: I have not written to Minister Cheyne about this—so I have not not heard back from her.

Mr Steel: I know they have extensive engagement with the Aboriginal and Torres Strait Islander community and have a lot of Aboriginal and Torres Strait Islander people employed as rangers. It is integral to what they do. But that may not apply to all of the land. I am not sure whether that applies to all of the leased land that you mentioned in your question. So that might be a question for Minister Cheyne.

MS CLAY: Thank you.

MS CARRICK: My question is: when will you update the 2018 Planning Strategy?

Mr Steel: That is what I referred to before—the five-year review. We adopted the 2018 Planning Strategy as the current planning strategy under the new planning system. It is due for renewal by the end of 2027 or thereabouts. We are considering how that fits into the work program. We have some priority reforms that we need to do to the planning system. The team can only do so much at once, but we do need to update it.

There are good bones in the Planning Strategy. Indeed, a lot of the reforms that we are undertaking actually deliver on actions underneath the 2018 Planning Strategy which still remain relevant. We have actually actioned some of them. There is probably some further work to do. There are some questions as transport minister as well, trying to better integrate transport planning and land use planning. Getting that thread through the document may be something that we could look at. We are doing that, of course, through the machinery of government changes, bringing transport together with

planning in CED.

There is further work that we can also do to look at some of the work that we are doing with the landscape plan and how that feeds into the strategy. We have committed to consider the urban growth boundary and how that might fit in. That is not something that is in the Planning Strategy at the moment but something that could form part of that discussion and consultation.

There is some further work that is happening that will inform some of those changes. I alluded to that before, but it is the western edge investigation work but also the continued work on the Eastern Broadacre Strategic Assessment. That will then allow us to make some further decisions about some of those elements. So there are good opportunities to renew it, and that would go out for community consultation at the time that a draft would be ready.

MS CARRICK: The last one enabled centralisation of social and economic development into the city. It would be good to see the new strategy look at the role of the town centres in the social and economic development of Canberra for their communities.

THE CHAIR: I will take that as a suggestion. On behalf of the committee, I would like to thank our witnesses who have assisted the committee through their experience and knowledge. On behalf of the committee, I thank you for your attendance today. If you have taken any questions on notice, please provide your answers to the committee secretary within five business days receiving the uncorrected proof *Hansard*. As I said, on behalf of the committee, I thank our witnesses who have assisted the committee through their experience and knowledge. We also thank Broadcasting and Hansard for their support.

If a member wishes to ask questions on notice, please upload them to the parliamentary portal as soon as possible and no later than five business days from today. This meeting is now adjourned.

The committee adjourned at 5.30 pm.