

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

SELECT COMMITTEE ON ESTIMATES

(Reference: Appropriation Bill 2002-2003)

Members:

**MR G HUMPHRIES (The Chair)
MR J HARGREAVES
MS R DUNDAS
MRS V DUNNE
MS K GALLAGHER**

TRANSCRIPT OF EVIDENCE

CANBERRA

THURSDAY, 25 JULY 2002

**Secretary to the committee:
Ms J Henderson (Ph: 620 50129)
Mr R Power (Ph: 62050435)**

By authority of the Legislative Assembly for the Australian Capital Territory

The committee met at 9.04 am.

Appearances:

Mr S Corbell, Minister for Education, Youth and Family Affairs, Minister for Planning and Minister for Industrial Relations

Department of Education, Youth and Family Services—

Ms F Hinton, Chief Executive

Mr T Wheeler, Executive Director, Corporate; Executive Director, Vocational Education and Training

Mr J Coleborne, Executive Director, School Education

Ms J Farrelly, Acting Executive Director, Children's, Youth and Family Services

THE CHAIR: Standing orders provide for two as a quorum to take evidence, so we will proceed. Welcome again, Minister and officers, to today's proceedings. Since we were all here yesterday, I do not know if I need to go through the usual housekeeping, but you should take it that the comments I made yesterday stand.

Today Mr Corbell is continuing as Minister for Education, Youth and Family Services. We are hopeful of getting on to him as Minister for Industrial Relations before lunch sometime this afternoon, but not before 2 o'clock. I am hopeful of returning to the Department of Urban Services with you, Minister, as Minister for Planning.

On the basis that we continue yesterday's exercise, I will begin by asking a question of my own—about pay parking at Lake Tuggeranong College. On Monday at the hearings of the committee, Mr Wood, as Minister for Urban Services, ruled out the use of departmental funding to pay for teacher parking at Lake Tuggeranong College. He said that was a consequence of the decision to impose pay parking in general at the town centres at Tuggeranong and Belconnen.

Is it your view that there should be any departmental funding of that pay parking, or is it your view that it is appropriate to use departmental funds for the provision of pay parking for teachers at least, if not for students, at Lake Tuggeranong College?

Mr Corbell: Mr Humphries, I do not fully understand your question. Are you asking whether it is my view that the department of education should meet the costs of pay parking for teachers at Lake Tuggeranong College?

THE CHAIR: Yes, that is the question.

Mr Corbell: I understand that this issue is going to be investigated further by the Department of Urban Services to see whether to designate a parking area for staff and students of the college. Those matters will be further worked out in the implementation stage between this department, the school and the Department of Urban Services.

THE CHAIR: Would you at least countenance the possibility of pay parking being provided by the department?

25 July 2002

Mr Corbell: I simply do not have enough detail on what the proposed arrangement is at this time. It was discussed by me and Mr Wood, and we recognise the unique circumstances of Lake Tuggeranong College and want to make sure those are properly addressed on behalf of staff and students.

We will be working through that detail as we lead up to the implementation of pay parking in Tuggeranong Town Centre. Mr Wood indicated that that is unlikely to be in place until the middle of next year, so there is a considerable period of time for those discussions to occur, and those discussions will occur.

THE CHAIR: I understand that the principle of free parking for teachers exists in most colleges around Canberra. At present, parking is not charged at any college in the ACT for either students or staff, as far as I am aware. That principle may not be continued in respect of Lake Tuggeranong College, at least.

Mr Corbell: I do not think your assumption is accurate. We will simply be working through the issues with the school and there will be discussion between this department and the Department of Urban Services to address the circumstances Lake Tuggeranong will face. Unlike other colleges, they are directly within the central town centre area. Their parking provision is currently part of the broader parking provision for Tuggeranong Town Centre. They do not have discrete parking in the same way that other colleges do, and we will be taking that into account.

THE CHAIR: So if I print a press release saying, "Minister refuses to rule out students and teachers paying for parking at Lake Tuggeranong," you won't disagree with that?

Mr Corbell: No, we are not going to require teachers or students to pay directly. We will not be asking them, when they park their cars, to pay for parking.

MR HARGREAVES: You have ruled out the point—

Mr Corbell: They will not be charged for parking. There will be a designated car parking area for students and staff at the college, details of which will be worked out. If there are costs to be borne, it will be a matter for government. We will not be asking students or staff to pay for that parking.

THE CHAIR: So we do not know what the size of that parking area will be?

Mr Corbell: No.

THE CHAIR: We cannot say whether all the needs of the students and teachers will be accommodated?

Mr Corbell: All that detail is yet to be worked out. It is still very early days.

MRS DUNNE: Is it only very early days because you only became aware of it after you announced the policy?

25 July 2002

Mr Corbell: Not at all. In fact, we were very conscious of it prior to the announcement. It was discussed in detail at the time the government made the decision in the budget to proceed with pay parking policies at Tuggeranong and Belconnen. But we always understood that there was a significant lead time towards the implementation of pay parking.

As Mr Wood indicated earlier this week, we anticipate that pay parking arrangements will not be in place until the end of this financial year. That gives the government adequate time to work with the community to address any specific issues, which include the issue at Lake Tuggeranong.

MR HARGREAVES: Mr Chairman, it may assist if I advise the committee that part of the impetus for this decision was consultation between the minister and the students at Lake Tuggeranong College some time ago, at which I was present. The uniqueness of Lake Tuggeranong College and the lack of parking on site were raised. I came away from that meeting understanding that the government had recognised the issue and intended to address it. So I think that what we are seeing here is a result of that consultation process.

THE CHAIR: Is this a ministerial announcement?

MR HARGREAVES: No, Mr Chairman, I am advising the committee of a consultation process of which I was part.

Mr Corbell: It simply makes the point that we were on the ground quite some time ago discussing this issue.

THE CHAIR: That is very good to hear. I am sure everyone will be very relieved to know they are not going to have to pay for parking.

MR HARGREAVES: They already know that.

THE CHAIR: Well, that is good. Minister, could I ask about school-based management. The previous government had a policy of promoting school-based management that gave a measure of autonomy to the funding of particular priorities within school communities. Has there been any change to the premise of school-based management, or is the policy of the previous government intact?

Mr Corbell: The policy of the previous government is still in place. That said, I think, it is appropriate to continually review the operation of school-based management. I have some thoughts and concerns that I think are worth further investigation, and that is a matter I am currently pursuing with the department.

THE CHAIR: I do not understand. Are the matters you are further investigating to do with school-based management?

Mr Corbell: Yes.

THE CHAIR: So there could be some change to the policy in the future?

Mr Corbell: Possibly.

THE CHAIR: Are there any more details available at this stage?

Mr Corbell: I will just give you an example. Currently, schools are responsible for arranging for cleaning on their premises. I do not have a problem with that, but I am aware of representations the government has received from the union representing people in the cleaning industry. These highlighted to me that some cleaning contractors operating in ACT government schools are apparently not abiding fully with occupational health and safety requirements in relation to, say, the storage of chemicals, the safety of equipment or the payment of staff. That is a concern for me.

I know that with school-based management there has been an increased onus on principals and on the staff in the school directly responsible for the administration of the school's budget to effectively become contract managers in a range of areas. Cleaning is an example of that. My concern is that, in some circumstances, schools may have simply gone for the lowest price rather than taking account of a range of other factors. I do not blame schools for this. It is simply an additional pressure they now have to respond to that perhaps they were not really aware of.

During the time of the previous government we reinforced to schools the appropriateness of employing people who take proper account of OH&S and other appropriate conditions of employment and good practice. It has been drawn to my attention recently that in some schools some cleaning contractors do not appear to be conducting themselves at an appropriate level in relation to occupational health and safety and other issues. I will be looking at that issue further as a result of those representations.

THE CHAIR: I am aware that some schools do not use paid resources at all for some activities, possibly including cleaning. They use volunteers or subsidise their effort with the use of volunteers. At least, that is my impression. I assume from your discussions with relevant unions that you would not be requiring or forcing schools to dispense with volunteer labour where it is available in favour of contract labour or employed labour.

Mr Corbell: At this stage I am concerned to see that, if schools are employing cleaning contractors, those contractors abide by OH&S standards and relevant standards in relation to pay and conditions.

THE CHAIR: Is that a no?

Mr Corbell: I have not discussed in any way the issue of volunteers in schools. It has not come up.

THE CHAIR: But my question was whether it is your view that employed labour be used in schools rather than voluntary labour.

Mr Corbell: I accept that there is a range of volunteer and paid activity in schools. Whether or not schools use volunteers to clean is a matter I have not asked about. For some of the larger schools, I simply do not believe it would be possible. Big high schools and big colleges just could not do it. There may be some supplementation around the edges in terms of volunteer labour; schools rely on parents in a volunteer capacity in

a range of ways. But, first of all, I do not believe there is widespread use of volunteer labour in this area, if at all. Second, it is not an issue that I have paid any attention to.

THE CHAIR: We are on general questions in relation to education. Any general questions for the minister?

MR PRATT: Minister, I would like to follow on from an issue I raised yesterday. You might want to take it as a question on notice—and I am prepared for that response—if that is what you would prefer. It is not an urgent matter, but it is a serious matter. We cannot underestimate the seriousness of behavioural problems and disruptive children. It is a society problem. This is a problem which schools are stuck with

The buck stops with us parents about how we present our kids. I do not necessarily say that the problems we have in schools with students' personal discipline are a reflection on school management, but it is a problem schools have to manage in terms of classroom productivity and workplace relations.

Against that, what is the department's assessment of the level of disruptive children and behavioural problems? What is the impact, if any, on teacher morale? What is your assessment of this issue in terms of the level of casual teacher availability? Can you please give me a rundown on that area?

Mr Corbell: I will invite Fran Hinton in for a moment to give you a more detailed perspective. From my perspective as minister, this issue was raised at the recent ministerial council meeting for education ministers last week, and it was the view of the New South Wales minister that this was an issue that needed greater attention at a national level. Other ministers—I amongst them—accepted children with behavioural problems as an issue that we need to address.

But how do we address it, and how do we focus on it? Should we be saying that these kids have got behavioural problems and that this is an issue of major national concern, or do we go to the roots of the problem, which are generally driven by students facing disadvantage in one area or another as a result of socio-economic status, problems in the home and learning difficulties? There is a very complex intertwining of causes here.

The view taken by the ministerial council was that it would not be appropriate to say that student behaviour was an issue of national significance, which was the proposal of the New South Wales minister. Instead, the ministerial council reaffirmed that it needed to focus on issues that might cause students to become disruptive in class—such as disadvantage—and on better individual support for students with problems.

This is where we come back to the discussion we had yesterday on pathway planning and individual and additional support to students—boys in particular—in literacy and numeracy, with the adequate provision of alternative education settings and of additional support between the school and home.

These were the issues that ministers came back to when this issue was discussed at a national forum recently. It is also a view I share because I think that is where the focus is. It is not about saying, "We have got behavioural problems. Isn't it a bad thing?" This is about discipline; this is about a range of other measures. That is not the response.

25 July 2002

The response has to go to the root causes of why some young people are potentially disruptive in class. I stress “some young people”. The overwhelming majority of young people in the school system are effective, cooperative and engaged in learning, and teachers are doing a fantastic job in delivering that to them. But there are some people who have behavioural problems, and we need to provide them with additional support.

In relation to any impact on casual teaching, I do not believe it is an issue to the extent that you suggest. I think Ms Hinton indicated yesterday that, in a recent survey on why teachers do not do additional relief work or do not see relief work as attractive in the ACT, this ranked very low in terms of the issues of concern. My apologies. I am getting the issues confused.

Ms Hinton: That was money.

Mr Corbell: That was in relation to level of payment. My apologies. I am not sure of whether the issue has been raised at all, but I will ask Ms Hinton to elaborate.

MRS DUNNE: Before we go on to Fran, can I go back a bit, Minister? You said, quite rightly, that disruptive behaviour is manifested by a small number of people.

MR PRATT: It is a minority issue.

MRS DUNNE: It is a minority issue in that not many students are actively involved. But it has wider ramifications for the system because in every class where there is a disruptive student, it affects all the other kids in the class to some extent, and the teacher. For instance, when Mr Hargreaves gets out of control here, it distracts us from what is going on.

Mr Corbell: You have not been around him as long as I have.

MRS DUNNE: I know that. You probably become inured to it after a while. I mean, it might be reasonable to say that less than one per cent of kids manifest bad behaviour, but the issue is not isolated to those kids. It has ramifications across the class body, across the school body and across the teaching body within that school.

Mr Corbell: Only if teachers do not respond to it. I think teachers do respond to it. When there is a problem, teachers take steps to make sure situations do not escalate and that that disruption does not become a pervasive and undermining influence on the class that student is in and the unit of study that those students are doing. Teachers are proactive in their responses to children who display particular behavioural problems, and they take steps to address them. Overwhelmingly, the approach by teachers is proactive in this regard.

MRS DUNNE: Ms Hinton, are there areas where more of these problems are manifested, where there is more obvious disadvantage and where you have more behavioural problems than in other schools?

Mr Corbell: You mean geographic areas?

MRS DUNNE: Are there schools that have more behaviour problems than others, or is it an evenly distributed phenomenon?

Ms Hinton: Perhaps I will go back to Mr Pratt's original question and add a couple of comments to what the minister said. Broadly speaking, the minister has given the answer. Overwhelmingly, the young people in our school system are wonderful young people. They are learning, they are actively engaged in work, they have a sense of humour and they are developing social skills and ways of working with each other.

There is a number of students with seriously challenging behaviours, but it is very small. International research indicates that we are talking about a maximum of 2 to 3 per cent of students. We need to remember that we are talking about people, not necessarily students. Being students is only a factor associated with their age; it applies to adults as well. There are many strategies within school systems to address this. We have alternative education settings, and about nine of those—

MR PRATT: Per general briefing of yesterday, yes.

Ms Hinton: That is right, but these are particular settings outside the normal school area. Quite a significant percentage of students can be accommodated within those alternative education settings.

But the answer, in dealing with these young people, lies, as the minister said, in addressing the fundamental underlying causes. That is one of the reasons we have been working very closely to provide support from a range of different sources to young people and their families. It is not simply about education. For example, children who come to school without breakfast are not likely to be attentive during the school day, so that gets addressed. It is about providing classroom strategies within schools that motivate students and tailor education more and more to the individual needs of young people.

It is worth remembering, when we talk about disruptive behaviour in schools, that young people of today are significantly different from young people of my generation. They are less disrupted by activity around them. Many of us will have seen the example of a young person who is able, quite successfully, to concentrate very hard on a piece of work while the TV is going, the radio is going and somebody is in a corner in a telephone conversation. They can move from one activity to another far more easily than people of my generation. This needs to be seen as a skill because it will equip them for the kind of life in which they will be operating in the years ahead of us.

That process is quite significant. Sometimes there is a wish to put young people into boxes and have them sit in quiet solitude, working alone and not being seen to interact with others. Increasingly, what we are trying to do in education is develop social skills and cooperative processes and have people work in teams and solve problems. It is also worth remembering that in many instances young people who in later life show great innovation and great entrepreneurship do not necessarily conform at school.

I believe that for us in the education system there are also the challenges of changing classroom strategies to encourage individuality, creativity and working in teams and of developing education programs that respond to the motivations of individual young

people and are tailored to meet their particular needs. Notwithstanding that, there are still the particular needs of young people with challenging behaviours.

Mr Coleborne spoke at some length yesterday about the approaches that are being adopted within mainstream schools as well as in the alternative education settings. The minister spoke yesterday about the review of counselling services and the need to go back and look at the model by which we provide welfare and counselling assistance to young people, starting with a process of looking at the needs that they have and how those can best be met. That is another strategy for addressing that sort of behaviour.

In regard to teacher morale, we survey teachers, through our school quality assurance, school review and development program, about their level of satisfaction. The level of satisfaction is very high in primary schools—very high indeed. In high schools, we are talking about somewhere around 80 per cent of teachers. It varies a bit from year to year.

MR PRATT: Eighty per cent?

Ms Hinton: Yes, in terms of satisfaction levels. I think colleges are similar or a bit higher. So, in regard to morale, the teachers I talk to recognise that their work is often challenging. I spend quite a lot of time talking to individual teachers. We talk about professional matters, and the level of enthusiasm and commitment that they display in talking about their work does not suggest to me that there is a morale problem. That is not to say that they are not always looking for more resources and new assistance to help them do the job better, but I do not put that down to low morale. In fact, I would say it is almost the converse.

You talked about casual teachers yesterday. We have got more than 1,100 casual teachers registered, of whom 1,000 have worked this year. Since May, when we did another round of advertising, more than 80 new casual relief teachers have signed up to teach in our schools.

We have done a casual teacher survey, current results of which are currently being fully analysed, and 50 per cent of our casual teachers responded to that survey, which we think is a pretty high survey response.

We are trialling an on-line database, which is about better ways to connect casual relief teachers out there in their homes with the schools at the time the vacancy is known. That is one of the key issues. That is, if someone is sick, there is a short time frame in which to access people, and lots of schools are trying to access the same teachers. We are seeing if we can use technology to do that process better.

Another 112 final year University of Canberra primary education students are about to register for intern casual work from the beginning of term 3. A couple of years ago we worked with the University of Canberra on the structuring of their course to introduce a system whereby final year students in their last six months could undertake casual work in our schools—paid work, although at an intern rate—as part of their final course. That would also help the casual relief area. We are working with the university to see if we can do something similar in the secondary area.

25 July 2002

The intern program has great advantages for us in terms of casual relief. It has advantages for us because we are able to get a good look at the final year students in terms of the selection process. It is also very valuable for the students because it provides a transition from their full-time education at the University of Canberra to working with the schools.

MR PRATT: What is the retention rate of the internship group? Is there a significant drop-out rate among the interns coming out of the University of Canberra in their first year of prac teaching?

Ms Hinton: Whilst they are interns, they do not have a permanent appointment with us. It is just an interim process. They are employed on a casual basis while they are applying for permanent positions. We are certainly not in a position to take all graduates from the University of Canberra. We do not have sufficient vacancies to take all of them.

MR PRATT: I guess that is a question I should ask the University of Canberra.

Ms Hinton: We have a merit process. We select from all over Australia, and we take the best of the teacher education graduates. That may mean taking some from the University of Queensland, some from South Australia and some from Western Australia, as well as some from the University of Canberra. That is why we do not necessarily take all of the graduates from the University of Canberra; it is a merit selection process.

MRS DUNNE: Going back a step, Fran, you did not answer the question about whether there are pockets of bad behaviour or whether it is uniform?

Ms Hinton: I am sorry. I did not come back. Yes, there are some areas where the circumstances of a concentrated group of families are more difficult than in other areas. That is certainly the case. We work with that, for example, with our Schools as Communities program, which is targeted at eight of the areas that are most in need.

MRS DUNNE: What are those eight areas? Are they geographic areas?

Ms Hinton: Yes, geographic and school-based areas. But they will not come as any surprise to you. We have been talking north-west Belconnen, and we are talking southern Tuggeranong and some of the areas around Narrabundah.

MR PRATT: Would you put a percentage on the number of high schools which are put in that sort of category?

Ms Hinton: I am not putting schools in those categories, Mr Pratt. I was talking about the broad geographic areas where the socio-economic data from Canberra indicates that here is a higher proportion of disadvantage in those areas than in some other areas.

MR PRATT: So you do not designate particular high schools in some of those areas as warranting a bit more attention?

Mr Corbell: The previous minister did some of the work on the Schools as Communities program, so we all know where some of the pressure areas are. We were talking yesterday about West Belconnen, about some of the pressures there in relation to support

for young people. It comes through in those areas and in some of the schools that serve those areas, too. These are not unknowns. The previous government was aware of them, as we are. The issue is what we do to provide the level of support. I should say, though, that schools themselves do not always appreciate being labelled.

MR PRATT: We would not ask you to name or label them.

Mr Corbell: No, and I would not anyway. We have to be conscious of that because we go and talk to teachers in schools in some of the areas we have mentioned. We actually see some outstanding work being done to respond to the circumstances they face.

I do not think that sort of labelling and typing of schools is very healthy or productive. We recognise that there are parts of our community that have difficulties that other parts of the community do not have, and we work to address those—across a range of government service provision, not just at school.

MRS DUNNE: So there is an ongoing commitment to the Schools as Communities concept?

Mr Corbell: It has proved to be very effective to date. I am keen to do some more qualitative assessment of the outcomes. Anecdotally, it seems to have been quite effective. I have spoken to a number of people who have been working in that program based in schools, and I only hear good things about it. We have maintained the existing provision, and I will be looking over the next 12 months—given that it has only been operating for about 18 months—to see how we can build on it.

MRS DUNNE: And I suppose the way of building on it is to increase the capacity to use those sorts of programs to bridge the silos, so that you are not just delivering school-based programs but helping to deliver wider programs to the wider community. As we were saying the other day about the adolescent day unit, you do not just address it in those hours. By addressing those things, almost invariably you find deeper issues that need to be addressed.

Mr Corbell: Yes, that is right.

MS DUNDAS: Can you explain to me how you keep the education policies of the department regularly updated? Is there a rolling process whereby each policy is reviewed every 12, 24 or 36 months?

THE CHAIR: Every three years, Ms Dundas.

Mr Corbell: I have to say about the Department of Education and government schooling that there is a very extensive range of policy settings—just about everything you could possibly name, and rightly so. This is a very complex level of service provision. Fran might like to elaborate on some of the macro planning frameworks.

Ms Hinton: Our policy processes involve having them listed on our intranet. At the time policies are established, our process is to go up with a draft policy. Then we have a final one about 12 months later, maybe with changes, maybe not. There is usually a date for

review on the individual policy. Those dates will vary according to the significance of the issue and the likelihood of change in that particular issue.

Our review process generally looks as much at need, as a simple cyclical process of where we need to look at policies again. But it is interesting that you raise the question because we have recently determined that we need to completely overhaul our policy framework and have a look at that again. That is where we are at the moment.

MS DUNDAS: So you will not necessarily be reviewing every policy, but you will be reviewing the framework under which those policies sit?

Ms Hinton: That is right—and the way in which we review them.

MS DUNDAS: Okay. I have a specific question about the corporate sponsorship policy, which was revised in May. Can you explain to me why the ACT government believes that organisations, such as Nestle, that fail to comply with international standards fit in with the values and goals of ACT schools?

Ms Hinton: It is really interesting, isn't it? We put a fair bit of work into the sponsorship policy, and I do not think we have any sponsorships. I do not think we have had any for a few years. In terms of sponsorship, it is a good example.

One of the reasons we tried to review it was that I had actually tried to get sponsorship to give prizes to students. The level of our contractual requirements of the company that was going to give prizes to the 80 students was such that they just were not prepared to bother doing it. All they were doing was giving the individual students a prize, and we were just going to acknowledge that in the prize-giving process. But we required, under our processes, the most extraordinary, bureaucratic set of contracts as though it was a procurement exercise for us. That is why we went back on it.

We try to have a policy that says the department should not have sponsorship with organisations that give inappropriate messages to students from a health or values perspective. On the other hand, neither the company that you raise or any other has come to us with sponsorship proposals, Ms Dundas. I wish they would.

MS DUNDAS: I am looking at the Nestle Write around Australia competition, which works with senior primary students in workshops. It has the ACT Public Library logo on it, and the competition runs annually. It also runs workshops. Is there a different policy for different parts of the government?

Mr Corbell: Individual departments have their own corporate sponsorship frameworks.

Ms Hinton: Can I explain maybe what the sponsorship is?

Mr Corbell: Yes. I could not comment on what the public library service's approach is to this. I am not responsible for that. Ms Hinton will clarify.

Ms Hinton: We distinguish between sponsorship, donation and the array of possible materials that are available for use by schools. These do not require any contractual arrangements at all. We think of donations as being when an individual or a local

25 July 2002

company provides resources to a school with no strings attached—for example, when the local butcher gives sausages for a sausage sizzle.

MR HARGREAVES: Could I ask a question on the definitional issue that Ms Hinton is talking about? The example that Ms Dundas used was the Public Library logo being on the Nestle competition material. It seems to me that that is sponsorship out and not sponsorship in.

Ms Hinton: That is right.

MR HARGREAVES: What you have now just talked about is sponsorship into the system by organisations, et cetera. Do we do any sponsorship out?

Mr Corbell: Perhaps Ms Hinton can differentiate between the different types. I think we need to do that, and then I am sure we can come back to your point, Mr Hargreaves.

MR HARGREAVES: Thanks very much.

Ms Hinton: There is a straight donation, and we have no rules about that. If anyone wants to give us money or resources with no obligation for us, we take it.

MS DUNDAS: Even if it is coming from individuals or companies who do not have the values that the ACT government or school system complies with?

Ms Hinton: If they require nothing from us at all, we take it—if they do not require us to publicise it, do not require us to say anything about it and do not require us to tell anybody, not even the students. That is what I am saying is the difference with a donation.

A sponsorship is when there is an explicit agreement, wherein an organisation offers to provide resources to the school or the school system in return for some action that we might take. For example, a firm might say, “We will give you this amount of money if you put up a sign outside the school saying it is supported by X company.” Or it could be that they say, “We will give you this amount of money if you put in every one of your newsletters: this, this, this, and this.” It can be a series of different things. That is what we call sponsorship.

Then there is a set of materials that are around—and there are many, many companies. We could not begin to list the ones that run various competitions—from banks to health-promoting organisations through to companies that sell. They drop their stuff at schools, and sometimes schools use them, sometimes not.

MS DUNDAS: Are there any guidelines specifically for the promotion of companies in schools via competitions they are running when those companies, I would say, do not comply with what I think would be the values of the ACT school system?

Ms Hinton: We do have some guidelines for competitions. I am going from the general to the specific and back again, which might be a bit confusing because I was just trying to distinguish between the different areas that we are talking about. But there are

guidelines for those competitions. They are being reviewed and are going out to schools at the moment.

Mr Hargreaves also raised where the government department, the school or the organisation elects to sponsor another agency to achieve their desired outcomes. You see that in a number of instances. For example, I remember that when we had the Bureau of Sport, Recreation and Racing we would often sponsor an activity in order to have the sport participation logo on that workshop or whatever it was.

Education does it sometimes. We sometimes sponsor literacy conferences—that is when our logo would be at the literacy conference. Our intention in doing that is to get some recognition for our organisation, as well as to support that activity. There are different forms of that, and I will be coming back to them. In regard to sponsorship—there is very little of it. Almost none. Some years ago there was sponsorship by Actew of Lake Tuggeranong College for the solar car.

MS DUNDAS: Solar runners.

Ms Hinton: In fact, Actew probably still gives that but not to the school, because they sponsor through the P&C association. But we have guidelines, and we are working on that process.

MS DUNDAS: In regard to guidelines for competitions, I cannot see them listed with the policies on the web site. Can you either tell me what is in them or provide me with a copy of them?

Ms Hinton: I do not have the detail.

MS DUNDAS: They have just been finalised?

Mr Coleborne: Ms Dundas, some guidelines have been developed, to be sent shortly, to schools, because of the number of competitions that schools are approached about. Schools sometimes look at the demands on their time to see whether they should be involved in these issues. On some occasions schools have sought guidance from the department as to whether they should be involved in certain competitions, given that they sometimes come at short notice and can be very demanding of students' time. Sometimes that can impact on other activities in the school.

The department has put together some guidelines, which are going out to schools shortly, to give them some support in that process. That is being done through the community partnership section.

MS DUNDAS: And will those guidelines talk about the values of ACT schooling, as the sponsorship policy does?

Mr Coleborne: I am not sure of the exact content of the competition guidelines. But we will be wanting to consult on it in any case and get feedback from schools about the guidelines and whether we need to change them. If that is something that needs to be in it, we would certainly give consideration to it.

We are mindful of the demands on schools and on their time and of the number of competitions that external agencies often think schools automatically ought to be involved in. We need to consider the impact of these on children's learning, the time they take and the deflection from other important things that need to take place in the school. That is why we are providing some central guidance to schools about the issue. That material is to go out to schools shortly.

MS DUNDAS: My concern is not just with what the best use of students' time is but with the promotion in our educational facilities of organisations that are internationally corrupt or not working in the best interests of children around the world.

Ms Hinton: One of the dilemmas that we face in these matters is that we are not adequately resourced—am I allowed to say that, Minister?—to make assessments of the ethics of every company, nationally or internationally.

MS DUNDAS: Well some of the guidelines have—

Mr Corbell: There is a level of discretion allowed within the framework to individual schools. The P&Cs or the principals will also make some judgements about that.

MRS DUNNE: And perhaps individual parents, who determine whether or not they want their children participating in a competition.

Mr Corbell: So there is a level of discretion on the part of individual school communities.

MS DUNDAS: Will the guidelines address the point that you just made, Ms Hinton?

Ms Hinton: They will make the point about the need for judgments to be made around this, I would think. It was perhaps a slightly flippant comment—but not altogether. Recent events internationally have shown us some of the dilemmas of attempting to make judgments about the appropriate ethics of individual companies and having lists of ones that might be acceptable or not acceptable.

MR PRATT: Some tall poppies crash quickly.

Ms Hinton: The other point I would make is that our young people are bombarded with advertising. They are very used to it. Part of what we do in education is try to encourage young people to take a critical view of the media and the use of it by different people across the spectrum, from business to government, and approach a particular publication and be able to deconstruct it and understand what it is.

Sometimes you see quite effective lessons in schools. They take publicity material from a range of companies, and the students work through the deconstruction of what messages are being conveyed by that material and what tools are being used by the companies—or whoever is putting out the publication—to influence the thinking of the person seeing it. That is an equally important part of the education process and possibly more important than protecting young people from particular materials.

25 July 2002

Mr Corbell: I, too, do not believe there is widespread concern about the issue in school communities. Since I have been minister I can recall having received only one letter on this issue, from a parent who was concerned about the advertising in a school diary work planner that the school was making available to students. In that instance, if I recall correctly, the diary was an option. You did not need to have it to do the course and study in the school, but it was being made available. The parent complained about it, and I simply said that their child did not need it and that it was not a requirement of the course but there for them to take.

If there were widespread concern about the sponsorship framework, I would hear about it. It just is not there, from my reading of the situation.

Ms Hinton: Every time the student logs on to the computer, up comes the Microsoft logo.

THE CHAIR: I think we have spent enough time on this issue.

MS DUNDAS: Yes, I have got the information I wanted.

THE CHAIR: I also think we have exhausted the overview type questions about education, so we might move onto government schools specifically, output class 1. Are there any questions about government schooling? I have got one. I want to give the minister a chance for a free kick this morning.

Mr Corbell: You haven't warmed me up, Mr Humphries.

THE CHAIR: I would just like you to respond to what the president of the ACT Council of Parents and Citizens Associations said about the budget. It was reported in the *Canberra Times* as follows:

President of the ACT Council of Parents and Citizens' Associations Ian Morgan said the council had called for a \$20 million package of reforms on top of the money required to fulfil election pledges and to keep up with indexation, but had received less than \$1 million.

This paltry sum had been well directed, but was nowhere near enough.

The \$2 million dedicated to high-school renewal would amount to a third of a teacher per school.

This might be enough to make some of the curriculum changes that were desperately needed to get students re-engaged with their studies, but left no money for training teachers to help them do it.

What do you think about that criticism, Minister?

Mr Corbell: The first point I would make, Mr Humphries, is that this government is spending more on education than any other government since self-government.

THE CHAIR: That has been true of each government, though, hasn't it? Each government has spent more than the previous government.

Mr Corbell: And we are in front.

THE CHAIR: Until the next election.

Mr Corbell: So we are spending more on education than any other government in the history of self-government. The additional \$27 million is a significant increase in funding for schooling. As for the comments of Mr Morgan, there will always be further pressure that we need to respond to. If you were to ask how much more money is needed in education from a P&C perspective, a teacher perspective or a community perspective, it would be an infinite amount. As always, it is about making sure that there is an effective level of investment.

In regard to the money for high schools, I hope that, now that the P&C see the detail of what has been proposed for high schools, they will see the real effectiveness of it. Ms Hinton can elaborate on some of these points in a moment. The P&C's call for funding, particularly during the high school years, is certainly recognised in our initiatives in this budget. But, as I have already indicated, further work needs to be done in the high school years, and it is an area that I would like to place emphasis on in future budgets. These are always about addressing priorities.

The priorities this year were about making sure we honoured our election commitments: smaller class sizes, additional IT support and taking further steps to address and focus on areas of disadvantage in schooling. That is what our initiatives go towards. But, as is very common in the education debate, there will always be calls for additional funding. That is not to say those calls are not unwarranted; they are in many respects completely warranted. But it is about responding in a responsible way and improving investment in education. That is what I will continue to endeavour to do for as long as I am minister.

Ms Hinton: The P&C made a comment about no funding for training. I think it is worth quickly giving an overview of what is available for professional development. In the government school system, all teachers do a minimum of five days of professional development each year. There is a professional learning fund of almost \$700,000 this year. This is over and above what schools allocate to professional development, which is quite significant.

By the end of 2003 that will be \$1 million on a recurrent basis for professional development, over and above what schools put in. In addition to that, there is half a million dollars a year for teacher fellowships. So there is quite a substantial amount of funding for the training of teachers and professional development to support initiatives like the high school development program and others.

THE CHAIR: Thank you for that. I am sure Ian Morgan will thank you for that as well. Are there any further questions on government schooling?

MR HARGREAVES: No, I think it is a great system.

MR PRATT: One of the best systems in the Western world.

25 July 2002

THE CHAIR: Okay. Let's move on then to non-government schools: output class 2. I want to put to you some comments made about the budget by some non-government school players. The *Canberra Times* of 26 June reads as follows:

Director of the ACT Catholic Education Office Geoff Joy said only 5 per cent of new funds for education had gone to the 28 per cent of students in Catholic schools. This was "a monstrous inequity".

Independent schools, where 10 per cent of all ACT students go, of course, received nothing. What is your response to those criticisms, Minister?

Mr Corbell: Mr Humphries, we had this discussion yesterday. Comments that I made yesterday I stand by.

THE CHAIR: The New South Wales/ACT Independent Education Union put out a release about the budget, and I quote from that release:

... the budget explicitly provides for a \$2.8 million Salary Supplementation for salary adjustments provided in the Government Teachers Enterprise Bargaining Agreement.

An equivalent amount of over \$1.5 million would be required for the non-government sector—giving it equivalent salary agreements—with over \$1.2 million needed for such salary adjustments in Catholic schools alone. Obviously, they are saying this was not provided. The release continues:

Further, the non-government sector has not received anywhere near a fair or proportionate amount of the unexpended "free school bus" monies that were promised.

Minister, again the comment is being made here. The theme through both those sectors is that a promise was made that there would be a fairer distribution of those funds than was actually received. We will be hearing from some of these organisations next week, and we intend to put to them the claim that there were promises made to achieve more equity in this funding allocation. What do you say about the claim they are making that they were led to believe that a more reasonable share of the available money was going to go to them?

Mr Corbell: My response is pretty much as I said yesterday, Mr Humphries. The whole point of establishing the inquiry into ACT education funding is to establish a more equitable framework based on the need for future funding arrangements. That was the context in which our commitments were made, and that is what we are doing.

In relation to funding for salary increases in the non-government sector, I have to make this point: how non-government schools spend their public funding is essentially a matter for them. And they routinely, and quite rightly, assert their belief that how they spend money in their systems is a matter for them.

THE CHAIR: You made reference to the findings of the inquiry. The Independent Education Union makes this point:

25 July 2002

The government also appears to have pre-empted the findings of its own funding inquiry by only providing ICT funding within the non-government sector to Catholic systemic schools and overlooked the others, including other low fee non-government schools. Alternatively, the government has taken a divisively crude sectarian approach to this issue.

Isn't it a good point that, if there are ICT needs in the non-government sector, they should have been addressed in both the Catholic and the non-Catholic systems?

Mr Corbell: Everyone knew what the government's position was before the election. We made a specific commitment to funding for Catholic systemic schools, and we have honoured that commitment. We were quite up-front about that before the election.

In relation to non-government schools not in the Catholic system, we indicated first and foremost that we believed funding arrangements for those schools, and indeed all non-government schools, along with government schools, should be addressed through a broad look at the funding arrangements. That is what the Connors inquiry is about.

As I indicated yesterday, and as the Chief Minister and I indicated in the lead-up to the budget, we would assess requests by non-government schools outside the Catholic system as they were made. As I have indicated, of all the non-government schools in the ACT outside the Catholic system, only one made a request for additional ICT funding in this budget.

MRS DUNNE: Only one had the sheer brass neck to ask you, it would seem.

Mr Corbell: Mrs Dunne, if there was a need, they would have made a request—you would assume, based on your logic.

MRS DUNNE: No, you sent the clear message that they are not welcome at your door.

Mr Corbell: Far from it, Mrs Dunne.

MR HARGREAVES: Can you back that up? That is a very strong statement, can you back it up?

THE CHAIR: No, we are not going to have—

MR HARGREAVES: You have to call her to order.

THE CHAIR: Come on. The minister is the one being examined here, not Mrs Dunne.

MR HARGREAVES: Mr Chairman, if we get a statement like that and you are not going to pull her up, I would like to see what basis there is for the statement.

THE CHAIR: Sorry. It is perfectly fair to put those questions to the minister.

MR HARGREAVES: It is a statement, not a question.

THE CHAIR: If we only make questions here and no statements, you will be the first one to get the rap.

MR HARGREAVES: I am happy to wear it, provided we get an explanation.

THE CHAIR: Minister, you say that everyone knew what the situation was before the election, but we are having statements here from these non-government organisations effectively saying that they believed that a more equitable distribution of funds, broadly based on the existing allocation of funds, was likely to result from the allocation of these so-called free school bus moneys. Now, you say everyone knew what the situation was. Why do they keep making these statements about having been misled about the way in which those funds were going to be spent?

Mr Corbell: I do not know.

THE CHAIR: Are they being malicious?

Mr Corbell: I cannot answer for them. All I can say is that the government's position was clear before the election and we remain committed to making sure that public money is spent in schools on the basis of equity and need. That is the principle behind the establishment of the Connors inquiry; that is the principle behind establishing a better framework for the future provision of funding to both public and private schools.

THE CHAIR: If a need can be demonstrated for lower class sizes in non-government schools, which are as clear as the need to lower them in government schools, will that need be met by the government?

Mr Corbell: It is a hypothetical question, Mr Humphries. What I expect the Connors inquiry to provide to government is some framework in which decisions around need and equity can be made, and what the current debate shows is that we do need that sort of framework.

MS DUNDAS: In output class 2.1 you are discontinuing the measure for the number of year 12 certificates issued, and the budget papers say that that is in line with the deletion of that measure in the government secondary college output measure. However, in the government school output they have a percentage figure of the number of students completing year 12—I think it is about 85 per cent—yet in the non-government sector we do not have such a percentage. Is there any way we can find out how many people who go through the college system in non-government schools are completing—either a percentage figure or a number figure?

Ms Hinton: Short answer: yes.

MS DUNDAS: Will it be in the budget? Will it be an ongoing measure? How will we know?

Ms Hinton: We publish the information on that annually in our year 12 study.

MS DUNDAS: But the budget papers for government secondary colleges have a series of numbers—the percentage of year 12 students who receive a year 12 certificate, the percentage of year 12 students who receive tertiary entrance statements and the percentage of year 12 students who receive a nationally recognised vocational

qualification. They come as part of the budget. When will we see similar outcomes for the non-government sector?

Ms Hinton: That information is published annually. The issue here is whether that information is a reasonable measure of the quantity that relates to the output that is about maintenance of standards and administration of grants.

The funding for non-government schools comes to the department via the territorial account for just simply on-passing, and it comes to us in that way in recognition of the fact that we do not have control over that. Whether it is here or not is probably not a very significant issue because it is published annually by the Board of Senior Secondary Studies in the year 12 study.

MS DUNDAS: Percentages or just raw figures?

Ms Hinton: The year 12 study is about that thick. It has a lot of information—by individual college.

MS DUNDAS: So is it quite easy to make a comparison between non-government colleges and government colleges?

Ms Hinton: You can make comparisons between individual ones if you want to.

MR HARGREAVES: But the figures we have got in the budget papers here—the figures at output 2.1—talk about the cost of administering the non-government school sector. The information that you are seeking, Ms Dundas, relates to whether or not we are getting value for money from the grants which are put out. The grants are \$109,000—

MS DUNDAS: It is a quality effectiveness measure for government secondary colleges. I was wondering why it wasn't a quality effectiveness measure—

MS GALLAGHER: You are talking more about consistency, of course, there.

Ms Hinton: If I may say, Ms Dundas, we are not responsible in that sense, through this output, for the delivery of education in non-government schools. That is why I was pondering the question and thinking about the best way to respond to it. I was acknowledging very clearly that there is no problem in terms of your wish for the information.

MS DUNDAS: And that the information is there.

Ms Hinton: That is right. Information on the results is published in about February each year.

THE CHAIR: I have a question about the statement of financial position for the department. The undercurrent liabilities is a reference to employee entitlements, which stand at about \$23 million at the end of last financial year and \$24 million a year this financial year. They drop down to \$16 million after that. What is the reason for that?

25 July 2002

Mr Corbell: I will get some clarification for you on that question.

Mr Wheeler: The main reason is the transfer out of functions from the department.

THE CHAIR: To where?

Mr Wheeler: To the new department. Sport and rec from last year and parts of children's, youth and family this year.

THE CHAIR: That would have occurred during the 2001-02 financial year, wouldn't it?

Mr Wheeler: Part of the year.

THE CHAIR: Or at least during the 2002-03 financial year?

Mr Wheeler: Yes.

THE CHAIR: So why is the loss appearing in the 2003-04 financial year?

Mr Wheeler: We might have to take that question on notice.

THE CHAIR: Are there further questions on non-government education?

MS DUNDAS: Yes. Can you explain to me why the government payment for output is more than the total cost for the maintenance of standard administration grants?

MRS DUNNE: Sorry, where is that?

Ms Hinton: The \$54,000.

Mr Wheeler: It is the overhead attribution. One of the difficulties we have is making sure that the overhead attribution across all output classes is even. Occasionally, we end up with an output class which gets some overheads in excess of what the GPO is. In other words, we are running at a slight loss.

MS DUNDAS: The department is running at a slight loss.

Mr Wheeler: The department is actually running at a large loss. But a piece of it goes into the non-government schools office. We are not a for-profit organisation, I should say!

Ms Hinton: It is a formula driven process that requires the attribution of a significant number of staffing positions to different parts of the department. For example, I have to be carved up, and Mr Wheeler has to be carved up.

THE CHAIR: Very painful.

25 July 2002

Ms Hinton: In regard to the people who work in the finance area, the facility area, the personnel area and in the industrial and legal areas, we have to make a judgment about what proportion of each one of those salaries goes to each bit of the different output classes. And we do that via a formula.

MS DUNDAS: At a guess, wouldn't that be smaller for the non-government schools because they have their own funds?

Ms Hinton: Yes, indeed. But it is not so precise that it—

Mr Corbell: It is the cost of support for the non-government schools office.

Ms Hinton: That is right. But what I am indicating is that the process of allocating all of those overheads across many different areas, including ones that go from very large parts of the organisations to quite small parts of the organisation, is an inexact science. We are always trying to refine it and get it right, but it does not always work that way. So we will be having another look at how we attribute our overheads to get them right.

THE CHAIR: Are there further questions on non-government schooling? No? I think we have dispensed with education.

MR PRATT: If there are no more questions, as a visiting fellow to this committee hearing, may I personally thank Ms Hinton, Mr Coleborne, Mr Wheeler and their staff for frank answers to frank questions. And good luck.

THE CHAIR: Thank you, Mr Pratt. We might go for an early morning tea and be back here no later than 10.40 for industrial relations.

Short adjournment

Appearances:

Mr S Corbell, Minister for Education, Youth and Family Affairs, Minister for Planning and Minister for Industrial Relations

Chief Minister's Department—

Mr R Tonkin, Chief Executive

Ms P Davoren

Occupational Health and Safety Commission—

Ms J Plovits, Commissioner

WorkCover—

Ms J Plovits, Chief Executive

Mr I York, Chief Finance Officer

Mr W Creaser

THE CHAIR: We are quorate, so we will begin.

Mr Corbell: You mean, you weren't? We would have walked out if we had known you weren't quorate.

25 July 2002

THE CHAIR: Since we are talking about industrial relations, I suppose a walk-out is not an inappropriate thing to be discussing, is it?

Mr Corbell: Not under Labor governments, Mr Humphries.

THE CHAIR: We will see, Mr Minister. I welcome back the Minister, now in his guise as Minister for Industrial Relations, and welcome his officers. Since this is the first time we have seen the Chief Minister's Department, I will read the statement to witnesses.

You should understand that these hearings are legal proceedings of the Legislative Assembly, protected by parliamentary privilege. It gives you certain protections but also certain responsibilities. It means that you are protected from certain legal actions, such as being sued for defamation for what you say at this public hearing. It also means that you have a responsibility to tell the committee the truth. Giving false or misleading evidence will be treated by the Assembly as a serious matter. I give a reminder that we will be broadcasting these proceedings, and the media might also come and take live footage.

I ask you to state your name and the capacity in which you appear when you come to the table. Minister, do you want to make an opening statement in this area?

Mr Corbell: No, Mr Chairman, I do not.

THE CHAIR: Okay. I will go straight to questions. Minister, you announced in your ministerial statement of 13 December that the government was committed to reducing the number of agency enterprise bargaining agreements and ensuring that these agreements are all union negotiated. The government also agreed to establish a set of core conditions that cannot be diminished by enterprise bargaining at agency level. What progress have you made towards implementing those goals?

Mr Corbell: The process of enterprise bargaining in the ACT government is progressing well to date. I should say that a substantial amount of work has been done already. The number of agreements is a matter which will ultimately be determined by negotiation between the government and the relevant unions on behalf of their members—exactly how many agreements we can go to from the existing 59.

I must say, 59 agreements is an absurdly high number of agreements. You spend more time making the agreements than you do on getting the outcomes from those agreements. It is inefficient and it is a duplication of activity right across the government and in a time when the mantra is "efficiency". It is ironic that, when it came to industrial relations, the previous government, which adopted that mantra quite heavily, created endless duplication in the ACT government service.

So the issue of the number of agreements will ultimately be determined by negotiation. In relation to the common core conditions, the government has agreed on a draft template and is now in a process of negotiation with ACT government unions about them.

THE CHAIR: What sorts of thing does the draft template cover?

Mr Corbell: I might ask Mr Tonkin to address that in the first instance, and then other officers.

Mr Tonkin: I am Robert Tonkin, Chief Executive, Chief Minister's Department. The template agreement attempts to broadly update the Public Sector Management Act, which dates from 1994 and no longer reflects modern management practice. There is a need to establish a set of common conditions which will apply in all agreements.

It covers areas such as a code of ethics; personal, recreation, long service, maternity, parental and adoption, emergency, staff organisation and jury leave; and redundancy provisions. It sets out current rates of pay and allowances. It addresses misconduct, the management of inefficiency, forfeiture of office, promotions and temporary transfers and reviews, appeals and grievances. It is a comprehensive list, which essentially reflects the fact that the current ACT, which we are in the process of amending, is out of date.

THE CHAIR: Wouldn't most of those things have been provided for as across-service standards in some form or another before?

Mr Tonkin: They were set out generally in the previous certified agreements. But the need is to ensure that we have a commonality of approach on those basic, essentially non-negotiable positions. We want to make sure that, when we negotiate each certified agreement, the fundamental protections, rights and interests of staff cannot be negotiated away.

THE CHAIR: Yes, I understand that. But which of those core values you have just outlined were subject to negotiation or removal under earlier agreements? Surely they would all have been preserved in earlier agreements.

Mr Tonkin: They were preserved in earlier agreements, as I understand it. But there is a need, every time you go through this process, to ensure that you are getting the same outcome and also to ensure that last time there was not the extent of the same central coordination of these details. So you might end up with slightly different arrangements, say, in the area of grievances. We believe it is nonsensical to have a difference of approach to fundamental issues between departments or, in many cases, within departments.

THE CHAIR: It is an issue of process rather than outcome, then?

Mr Tonkin: No, it is not just an issue of process; it is an issue of making sure that the fundamental standards, conditions and entitlements of staff are common and consistent across all our employment areas. If we want to move people from place to place, it is an intolerable situation if someone is used to an arrangement in one place and moves to somewhere else—or the function moves, as it does when governments change or governments restructure—to end up with differing conditions in different parts of a department. That seems to me fundamentally silly and the purpose of this is to fix that.

MS GALLAGHER: It would also mean that they are not up for grabs during negotiations?

25 July 2002

Mr Tonkin: Yes, they are absolutely quarantined. What the government has put to the unions—and we have discussed this with many of the line agencies—is a set of common conditions, and part of the negotiations with the unions will be to get to a point of agreement on these conditions.

Mr Corbell: So the discretion that line agencies may have had in a previous framework to potentially go into those areas and say, “Maybe we can trade off part of this or part of that” is simply not a proposition we are prepared to countenance.

MS DUNDAS: It is remote.

THE CHAIR: So your goal is to reduce the number of individual agreements from 59?

Mr Tonkin: There are 59 at the moment.

THE CHAIR: How many were there when you came into office?

Mr Tonkin: Fifty-nine.

THE CHAIR: You have still got 59. How many are you hoping to have the number down to by this time next year?

Mr Corbell: We do not have an absolute figure. Chief Minister’s Department has done some work on identifying ways in which we can reduce the number of agreements, but the exact number is a matter for negotiation.

THE CHAIR: When do you hope to remove the first of these agreements?

Mr Corbell: To conclude a new agreement?

THE CHAIR: Yes, to collapse two agreements into one agreement, for example, when you have to eliminate that second or redundant agreement.

Mr Tonkin: Certainly, this calendar year.

THE CHAIR: This calendar year, okay.

Mr Tonkin: We are in the process of a bargaining round, and a lot of the agreements expire in September. It is a matter of how long it takes to negotiate agreements, so it is difficult to put a firm target. But as we come to new arrangements, department by department, you will see the number of agreements reduced.

THE CHAIR: You say that these agreements will all be union negotiated. Do you mean exclusively union negotiated, or with the union as a key or principal negotiator?

Mr Corbell: Under the Workplace Relations Act, there is provision for alternative bargaining arrangements. We would prefer union arrangements wherever possible, and that is what we will seek to achieve.

25 July 2002

THE CHAIR: Your statement said, though, that you would be ensuring that these new agreements are all union negotiated. That is a direct quote from your statement. Are you saying it is possible that some may not be union negotiated?

Mr Corbell: Consistent with the legislative framework we have to operate within.

MS DUNDAS: And it would be complying with the Workplace Relations Act?

THE CHAIR: I will make that clear. I am not as familiar as you are, Ms Dundas, with the act. Are you saying that the act requires or does not require the unions to be at the table in such negotiations?

MS DUNDAS: That is right.

Mr Corbell: The act provides for alternative bargaining arrangements outside of a union framework. Ultimately, staff have rights under that act. But to date, I should make clear that the negotiations have been entirely with the unions that represent staff in the ACT government service, and there has not been any indication that that situation is not acceptable.

MR PRATT: With what stakeholders other than unions are you discussing the creation of these new frameworks and this new policy of yours?

Mr Corbell: No-one.

MR PRATT: Management?

Mr Corbell: Well—

MR PRATT: You are management. Yes, you are management.

Mr Corbell: Mr Tonkin is management, and his officers.

MR PRATT: So what input do your submanagers have?

Mr Tonkin: We have had a series of extensive discussions with departments formulating the government's proposition—or the management's proposition, endorsed by the government—to go forward to the unions. So the agencies have been engaged in this discussion and these dialogues. Then we, the Chief Minister's Department, go forward collectively to talk about it, on behalf of the administration, to the union movement at their peak level. Then we will come down, when we settle the template agreement, to run a series of negotiations, department by department.

MR PRATT: Right, so your agency management staff do have a significant input?

Mr Tonkin: Our agency management staff have significant input into developing these arrangements—within the broad frame that there are central objectives that we want to see achieved. The Chief Minister's Department, which has the policy responsibility for industrial relations, is leading that process and guiding that process in the normal way.

25 July 2002

THE CHAIR: To clarify the question I was asking before, are you saying that the industrial relations legislation permits parties other than unions to be at the table if that is the wish of the employees concerned?

Mr Corbell: That is correct.

THE CHAIR: How is that consistent with the statement you made in December: “The government is committed to ensuring that these agreements are all union negotiated”?

Mr Corbell: We have in-principle commitment to unions as the mechanism in which the collective aspirations of the work force can be achieved. So we will endeavour wherever possible to work with unions.

THE CHAIR: You prefer to negotiate with the unions, but you are prepared to countenance other arrangements?

Mr Corbell: We are prepared to work within the legal framework that exists for industrial relations. Philosophically, we may have some disagreement with that, but we respect the law and we work within it.

THE CHAIR: So I can perhaps ask what percentage of the ACT public service is unionised.

Mr Corbell: I am sorry. I missed that question.

MS GALLAGHER: There is a freedom of association matter here. That is not necessarily public knowledge; nor should it be.

THE CHAIR: I am not arguing with that. I am just asking the question—

MR PRATT: What percentage of workers—

THE CHAIR: Are actually members of unions?

MS GALLAGHER: That is the point.

Mr Corbell: Whilst we try to give you some clarification on that, to put it into context, currently there are over 59 agreements in the ACT government service, and only four are non-union agreements in the existing framework.

Mr Tonkin: To answer your question, Mr Humphries, we do not know how many people employed by us are members of unions.

MR PRATT: So you do not know whether, in the—in your evaluation—“creation” of a new system, you are throwing the net widely enough to involve all stakeholders?

Mr Corbell: Let me put it this way, Mr Pratt, I have not received representations from people in the ACT government service who have expressed unhappiness with the existing framework.

MS GALLAGHER: Even non-members are usually happy to have their agreements negotiated by the union because they deliver better outcomes. They just don't want to pay for it.

MS DUNDAS: They deliver better outcomes; it is recognised fact.

THE CHAIR: Can we have a little bit less discussion across the chamber and a few more questions for the minister?

Mr Corbell: I am quite comfortable, actually.

THE CHAIR: Figures were published in the last two years—I think they came from the Australian Bureau of Statistics, but I could be wrong about that—which suggest that the overall percentage of ACT workers who were members of unions was hovering a little bit above 20 per cent and that the trend in recent years has been towards a declining membership of unions.

If those figures are replicated in the ACT government service and if they are a bit higher in the government services—at, say, 30 per cent—isn't it problematic to be pushing for the negotiations to be union centred when, almost certainly, an overwhelming majority of members of the ACT public service are not members of unions?

Mr Corbell: Let's look at what the practice has been. When the Liberal Party was in government, they established 59 separate agreements in the last bargaining round. All but four were union negotiated. Presumably, there has not been such a dramatic drop in union membership in that period of time—since the last agreement.

THE CHAIR: It has been eight months.

Mr Corbell: It is not eight months; it is a bit longer than that. Presumably, there has not been an enormous drop in union membership in that time, if at all. I do not really understand the point of your question, Mr Humphries.

When you were in government, you yourself embarked on a process which overwhelmingly involved union negotiated agreements, and all previous ACT governments have done a similar thing. It is clear that, regardless of whether people are members of a union—and, as we have said, we really do not know what the exact level of union representation is in the ACT government service; nor should we—

MR PRATT: Why?

Mr Corbell: It is a bit like asking someone how they vote: it is none of your business, Mr Pratt.

MR PRATT: It has a bearing on how you exercise workplace relations.

Mr Corbell: If it is your suggestion that we go around and poll all ACT government employees to ask them whether or not they are in the union, I would welcome your suggestion, Mr Pratt.

25 July 2002

MS GALLAGHER: Show us your ticket.

MR PRATT: It was pretty undemocratic not to take these factors into consideration when you came up with this bloody policy.

THE CHAIR: We are getting into the business of having negotiations across the table rather than asking the minister questions. Order, Mr Pratt. Please listen to this committee. I expect there to be some focus on the business at hand, which is to ask the minister questions and have the minister and his officers answer them.

MS DUNDAS: And I have some questions as well, Mr Humphries.

THE CHAIR: Yes, indeed, Ms Dundas. But you answered that question as to why people should not be asked their views about union membership.

Mr Corbell: I think I have addressed that. Whether or not ACT government employees are members of a union, past practice has indicated that they are generally comfortable about having these agreements negotiated with unions. It has to be remembered that, at the end of the day, all staff vote on the agreement, whether or not they are members of the union. That is not relevant. All staff in all agencies vote to approve or not approve of the agreements.

There is a very clear and democratic process, and the practice over the past 10 to 12 years has demonstrated that staff have seemed to be very comfortable with unions taking the lead role in negotiating on their behalf with government to a stage where they can then vote on whether or not the agreement is acceptable.

THE CHAIR: Will there be pressure on the workers who have negotiated those four non-union based agreements to fall in under a union-based arrangement?

Mr Corbell: No.

THE CHAIR: There would be none at all?

Mr Corbell: No, not from the government.

THE CHAIR: Ms Dundas?

MS DUNDAS: Have you finished with that topic? I want to go on to a different topic.

THE CHAIR: We are generally on industrial relations.

MS DUNDAS: I have a question about the Dangerous Goods Act.

THE CHAIR: That is a WorkCover issue; that is not industrial relations.

Mr Corbell: Can we try to do IR and then WorkCover separately? It does involve different officers.

25 July 2002

THE CHAIR: Our practice has been to begin when a minister appears in a particular capacity—in this case, Minister for Industrial Relations—by asking general questions that cover all of his functions.

MS DUNDAS: I am quite happy to ask the question under WorkCover.

THE CHAIR: If we want to segmentalise it, I do not mind. I am in the hands of the committee. Are we happy to segmentalise it?

MS DUNDAS: Yes.

THE CHAIR: All right. Let's focus then on the minister as Minister for Industrial Relations and push WorkCover to one side.

MS DUNDAS: I then have some questions about work safety and labour policy, which is output class 1, output 1.4.

THE CHAIR: Okay. Ask that question now.

MS DUNDAS: Minister, what new measures are being undertaken this year to improve workplace safety? Are you taking any measures to improve workplace safety?

Mr Corbell: Yes, we are. There are two levels of activity: there is the regulatory activity, which is conducted by WorkCover; and WorkCover and the Commissioner for Occupational Health and Safety undertake a range of activities, which I am sure we can address when we come to WorkCover.

In relation to policy, the government has indicated a number of key initiatives. First of all, we are undertaking a review of a number of important pieces of legislation. The Occupational Health and Safety Act and related pieces of legislation, such as the Dangerous Goods Act, are currently being addressed by the OH&S Council. Those are specific references that I have given to that body.

The government has also announced its intention of proceeding to introduce legislation into the Assembly for the offence of industrial manslaughter. That work is also progressing.

MS DUNDAS: In the output, you have introduced the level of satisfaction of the chair of the Occupational Health and Safety Council with secretariat arrangements, along with the satisfaction of the Minister for Industrial Relations. Do you have any measures to survey people who have to work within the policy and programs under work safety and labour policy?

Mr Corbell: You mean people who are affected by the policy?

MS DUNDAS: Or people who use the service.

Mr Corbell: This is in relation to policy making—and the officer will correct me if I am wrong. It relates, understandably, to the areas of the department that support either me or the Occupational Health and Safety Council in relation to policy making. So that is why

that focus is there. In relation to the implementation of workplace policy, you would generally see those measures addressed through quality effectiveness measures for WorkCover.

MS DUNDAS: In the development of policy do you consult with unions and staff?

Mr Corbell: The Occupational Health and Safety Council is a representative body comprising employers, employees and government.

MS DUNDAS: The output class has been changed from output class 5—work safety and labour regulation—to this new class of work safety and labour policy, and the cost has increased from just over \$1 million to \$1½ million. Can you explain the difference between these two output classes and the increase in the bottom line?

Mr Tonkin: The first explanation for the change in output class is that the function has transferred from the Department of Urban Services to Chief Minister's, which is why output class 5 becomes output class 1, output 1.4. It is a function that was transferred in the time of the new arrangements for the new government to bring this area of industrial policy into the same place as the other areas of industrial relations.

MS DUNDAS: Are you talking about when it came from Urban Services at the beginning of the new government's time and those administrative orders to Chief Minister's?

Mr Tonkin: Yes. It was previously in that department. That is why, if you look at output 5.1 on page 61, you see no targets for 2003. It is simply a way of trying to track it.

MS DUNDAS: Can you explain the difference in total cost in government service?

Mr Tonkin: I cannot off the top of my head, and my financial officers are not here yet. We will see if we can get back to you, before we finish, on what the variation is.

MS DUNDAS: Thank you. This might not fall under this output, but I will give it a shot anyway. How many workplace safety checks occurred in the last financial year? Is that a question for WorkCover?

Mr Corbell: It is a question for WorkCover, yes.

MS DUNDAS: I have a lot of questions for WorkCover, don't I?

THE CHAIR: Going back to the question of the negotiation of new enterprise agreements and the process to be used there, what steps will the department take? I assume that this process is now being steered more centrally by Chief Minister's than was the case in the past, because of the desire for a common platform, and so on.

What steps have been taken to indicate to negotiators within departments how they will engineer the protection of people and the rights of people who do not wish to be covered by union negotiations? Will information be transmitted to employees by way of the email system, pamphlets or a mail-out of some sort that will indicate to people what their rights are in these situations?

Mr Tonkin: In parallel with the offer that will go to the unions in a particular agency, we will also be informing all the staff of the agency of those offers at the same time. They will get fully informed of what is going on as it goes forward. They then have the opportunity to come forward and say they want to operate separately or independently. But, as the minister says, our primary approach is to negotiate with the unions, and we have received to date no approaches from staff anywhere saying they want to have separate negotiations.

Ultimately, you cannot be both a K agreement and an L agreement at the one time. It is either one or the other. If the majority of people are happy with the union agreement or if the government makes an offer to the unions and that is then put to staff and staff agree, then that is it. If anybody in any department has concerns about the offer, they can come back to us. The material that goes out will make that clear under the provisions of the act. They can come back and say they have a differing view. Our experience has been, though, that the vast majority of people are quite content to allow the process to proceed.

The last point I would make is also important. The managements of organisations and agencies are also actually operating in the interests of their work force. It is in the interest of management to ensure that the arrangements that are put in place under certified agreements meet the needs of the work force. That is the way you ensure that your work force remains with you rather than going somewhere else.

THE CHAIR: To move, though, from 59 agreements down to a smaller number, whatever that number might be, would mean that a number of agreements presently within a given area will have to be collapsed into a smaller number.

Mr Tonkin: Yes.

THE CHAIR: You might have a particular agency where there are, say, three agreements where you will be expecting to only have one in the future—for argument's sake. Supposing there is an agency where there is an area where people are content with their present arrangement and do not wish to be part of a larger agreement because they feel that their position might be disadvantaged vis-a-vis the rest of the work force in that agency, presumably there will be pressure on them not to preserve that enclave, that separate arrangement, even though it might suit the needs of particular individuals or the majority within that enclave.

Mr Corbell: It should not simply be an issue of desire to maintain a separate agreement for the sake of it. If there are specific reasons for why it is appropriate to have a distinct agreement for a particular area of government, even within a larger agency, those are issues that will be addressed through the negotiation process—to make sure that the issues of substance are appropriately addressed. If there are particular protections that need to be provided as a result of that agreement, then that is what we will work through with unions and staff.

I have to say, though, that in all the feedback I have had and also within agencies themselves, there is dissatisfaction with a number of agreements they have. Because there are varying arrangements even within individual agencies, there are inconsistencies in the conditions of employment in the levels of pay for the same types of work within

individual agencies. Both from a management perspective and from an employee perspective that has created a lot of problems.

If anything, the situation is the reverse of what you painted. People are seeing that there are disadvantages in having this multitude of agreements and that a reduction to a smaller number of agreements will provide for greater consistency in pay and conditions than what is being achieved with the very high number of agreements we currently have.

THE CHAIR: Consistency in that sense, though, may remove flexibility.

Mr Corbell: Flexibility is only a good thing as long as it does not disadvantage people, and we have seen in relation to some agreements that people have been disadvantaged. They are doing the same work but, perhaps because they are not as industrially influential as people in some other part of government, they do not get the same pay. Issues like this need to be addressed.

THE CHAIR: There is bound to be disadvantage, though, in this process because, unless you move to the highest common denominator of all the agreements, some people who have got favourable agreements will have to surrender some benefits in order to fit into a smaller number of broader enterprise agreements.

Mr Tonkin: We accept that the process of bringing a greater degree of consistency to employment arrangements across the territory is not something to be done very rapidly within the time horizon of this agreement cycle. At the end of this cycle there will still be some differential rates of pay for the same types of work. Our aim would be to fix that in the next cycle because it requires a longer consultative process. So there is no question that anybody will be disadvantaged in this round of agreements from the present pay and conditions that they enjoy.

THE CHAIR: But eventually?

Mr Tonkin: The question in the future is how you do it. Normally there is some sort of negotiated process. To go back to the question of consistency, some of the certified agreements we presently have three or four people—or 12. That is the coverage. I suggest to you that it is operative nonsense to have a certified agreement for three or four people because they represent a particular employment category in a particular workplace.

THE CHAIR: It is not to those three or four or 12 people, though, is it?

Mr Tonkin: The point is that their rights are protected, and that is what the template agreement is doing. It gives everyone the same protection to all their rights and entitlements and ensures that they get the same pay increase. Even if they are in a small unrepresented group that does not have the right sort of industrial muscle, they will still get the same pay increase as people in other areas with a larger work force and a larger industrial negotiating capacity.

We believe that that will produce a more equitable outcome for all the workers that we employ, and we would rather that than foster the notion that we have all these tiny little separable work units within the territory, which is just not the case.

THE CHAIR: I will put it another way then. Can you guarantee that nobody will be worse off once this process is concluded and that no-one will lose conditions?

Mr Corbell: Yes, we can.

Mr Tonkin: No-one will lose conditions. The template agreement is there to protect the level of conditions. The things that are always at risk in these negotiations are things like recreation leave or people wanting to bargain away certain entitlements in order to get a pay outcome.

You can comprehend it out of the whole-of-government level if you wanted to. The government, in policy terms, does not wish to do so. But we can guarantee that all those people's conditions are preserved. There is a no-detriment provision, so they will be protected in their rights and entitlements. We believe that the remuneration outcome they get will be superior and more equitable under this arrangement than under a Balkanisation of the agreements, as was found in the past.

THE CHAIR: How many Australian workplace agreements are there in the ACT government at the moment?

Mr Corbell: Just over 600.

THE CHAIR: You have indicated that you are looking for alternatives to those agreements. To quote your statement, "while recognising the need to maintain necessary flexibility to respond to market pressures and in particular categories of employment." What have you done to identify alternatives to AWAs?

Mr Corbell: The first thing is that the government has agreed that AWAs will not be offered within the ACT public service. Existing AWAs will, of course, continue until they expire, at which stage we will not be renewing them. But we do recognise, as I said in my statement, the need for flexibility and pressures in particular areas for more competitive rates of pay than can be achieved through the normal framework.

So the department has undertaken a process to put in place a new public sector management standard that will allow chief executives in departments to put in place arrangements for flexible payment and other conditions where there are particular pressures in terms of recruiting and retaining staff.

THE CHAIR: But if you want to have the flexibility to offer a small group, or even an individual worker, a particular set of pay and conditions to meet a particular need, why not continue to use an AWA?

Mr Corbell: We believe that AWAs are secretive and unfair, in that they pit people working in the same area against each other. The management standard process is a more transparent process, whilst still responding to the need for flexibility.

25 July 2002

THE CHAIR: So the management standard arrangement would provide that the agreements entered into with those individual workers would be on the public record in some way, or at least available for people to see?

Ms Davoren: Pam Davoren, Chief Minister's Department. The proposal is that there would be a framework for deciding who would be entitled to this additional allowance. There is no proposal in that at the moment for individuals to be identified. That would raise privacy issues. In the same way as we do now with AWAs, we ask agencies to report on those in annual reports, and a similar process could be continued to reflect that level of transparency.

The issue is, though, that the framework itself would be set within the management standard, and that would include the rules for both how the entitlement would be determined and how the allowance would be identified and developed.

THE CHAIR: It does not sound as if there is any more transparency about the individual terms of the agreements.

Mr Corbell: There is. There is a very clear framework for determining the circumstances in which the standard will be used and what the specific options are for chief executives; whereas the range of activity available to chief executives in relation to AWA is much broader.

THE CHAIR: Why can't you use those standards and still have AWAs? That sets what the government, as the employer, would negotiate with respect to individual agreements.

Mr Corbell: AWAs are essentially individual contracts with individual employees. We believe that it is more appropriate to provide for flexibility provisions within a broader employment arrangement with all staff rather than have some employees on individual contracts.

THE CHAIR: But under the arrangements you are suggesting now, there will still be individual contracts.

Mr Corbell: No, there won't.

THE CHAIR: Isn't that what the—

Mr Corbell: No.

THE CHAIR: You said before that you had the capacity to offer individuals separate arrangements, different to other people's.

Mr Corbell: There is no individual contract in those circumstances.

THE CHAIR: Doesn't every worker sign an individual contract when they become a member of the ACT government service and in that sense has an individual contract?

Mr Corbell: No.

25 July 2002

Mr Tonkin: The senior executive service are under contract; everyone else is a permanent employee, not a contract employee in that sense.

THE CHAIR: Okay. But are you saying that you have a management standard agreement with an individual that you want to retain?

Mr Tonkin: The management standard will provide a regulatory and policy framework within which it will enable management to respond to market pressures—

THE CHAIR: By reaching an agreement with an individual.

Mr Tonkin: on a needs basis to offer something to somebody. It is not a contractual agreement in that sense, but it gives you the opportunity to attract a worker—at the manager level usually—in an area where there is a market pressure demand. The standard rate of pay for a manager 4 is \$X, and you might need to offer another \$15,000 to compete in the market to get that particular skill set.

THE CHAIR: Surely there has to be a contract for that to occur?

Mr Tonkin: It is part of the offer. I do not think it is a contract, but we will check that.

THE CHAIR: How can you offer them \$15,000 more and not have a contract to reflect that?

Mr Tonkin: It is the conditions that apply to that particular job; it is not a contract.

MS GALLAGHER: Is the difference the fact of what is up for flexibility, as opposed to an AWA, where all your conditions of employment are open for flexibility? By what you are saying, is it just remuneration that will be the thing that can be changed?

Mr Corbell: Yes, that is correct.

MS GALLAGHER: So that is the difference between what you are offering and an AWA?

Mr Corbell: That is a fair summation, Ms Gallagher.

THE CHAIR: Surely you can still offer AWAs, but subject to the framework that you laid out. I cannot see the difference.

Mr Corbell: The whole point of AWAs—Ms Dundas makes the point and also Ms Gallagher—is to introduce, from the federal government’s perspective, a carte blanche. Everything is up for negotiation—conditions of employment, rates of pay. It is all up for negotiation.

THE CHAIR: But you do not have to go along with that arrangement, do you?

Mr Corbell: It is interesting that you say that, Mr Humphries.

THE CHAIR: “We will offer flexibility, but only up to a point.”

25 July 2002

Mr Corbell: Mr Humphries, when your government was in office, you advertised positions on the condition that people take AWAs. You made that very clear in your advertising. You did not give people a choice. You said, “If you want this position in the ACT government service, you must take an AWA. It is an AWA position.”

THE CHAIR: Are you saying that two wrongs make a right?

Mr Corbell: No, I am simply saying that we do not believe it is appropriate to continue with the sort of approach where all conditions of employment are up for grabs.

THE CHAIR: I am not suggesting you should.

Mr Corbell: That is what you are suggesting we do if we go through an AWA approach, and we are not continuing with AWAs in the sense of having any new AWAs. What we are saying is that we will make additional provision in terms of rates of pay to respond to market demands so that the ACT government can attract and retain the people it needs to deliver services for the community.

MS DUNDAS: So will your system be more open, transparent and accountable than the AWA system?

Mr Corbell: The public sector management standard is a process that is appropriately notified, so it is quite clear in what circumstances the government is saying additional payment will be made.

Mr Tonkin: That is the basic point. In an AWA you can come to any broader series of agreements; but that was not spelt out publicly.

MS DUNDAS: And nobody knew what anybody else had.

Mr Tonkin: Well yes. There is still the privacy provision, but the framework that is possible and available will be publicly known, and there will be reporting as to what happens in terms of implementation of that standard on an annual basis as part of the annual report process.

MS DUNDAS: Whereas the frameworks for AWAs were not ever publicly made available.

Mr Corbell: There was no framework for AWAs, as far as I am aware.

THE CHAIR: But you could have one if you wanted to; that is my point. You create a framework and say that you only offer AWAs in these circumstances—that they conform with a publicly outlined condition.

MS DUNDAS: Mr Tonkin, have your financial officers arrived yet to answer my question?

Mr Tonkin: Yes, I can give you the answer to your question.

25 July 2002

Mr Corbell: Sorry, I just want to correct a comment I made to Ms Dundas. I am advised that there was a framework for AWAs, although the point still remains that we believe the process is a more accountable one.

THE CHAIR: Explain why.

Mr Corbell: I have explained why. And we do not believe that the negotiation of an AWA could result in management saying, "We are not going to respect these normal conditions of employment, but we will pay you all this additional money instead." We are going to respect conditions of employment. The management standard relates to additional rates of pay to be able to attract and retain staff.

MR PRATT: Are you saying that the AWA framed between a manager and an employee was not accountable to that manager's superior? If that was the case, why would that be any less transparent?

Mr Corbell: Philosophically, Mr Pratt, Labor believes that individual contracts are essentially an uneven power relationship. Let's just look at it. The ACT government advertised positions and said, "If you want this job you take an AWA."

THE CHAIR: But you do not have to do that if you do not want to.

Mr Corbell: Well, you do not take the job.

THE CHAIR: No, you as employer do not have to offer it in those circumstances.

Mr Corbell: The point I am making is that, philosophically, we do not accept that that is the way to embark upon a negotiation of pay and conditions between an employer and an employee. We think it is inequitable and is an uneven power relationship in favour of the employer to the potential detriment of the employee. We are not going to continue that sort of relationship wherever we can avoid it.

MR PRATT: But how could that be in the case of somebody taking an AWA which perhaps even conformed with the trend in that particular workplace? Why would that be an impediment?

Mr Corbell: I am sorry?

MR PRATT: Why would that be an impediment? Why would that be any less fair in terms of the way that particular workplace worked?

Mr Corbell: I am sorry, I do not understand the first part of your question.

MR PRATT: If AWAs can be offered and an employee seeking a job feels that they can negotiate an AWA, if they are simply negotiating a set of conditions which perhaps conform anyway to the rest of the workplace, how is that an impediment for that employee?

25 July 2002

Mr Corbell: In those circumstances it may not be an impediment. But the point has to be made, Mr Pratt, that the prospect of individual contracts inevitably raises the opportunity for abuse of that relationship, and that is why we do not believe they should be continued.

THE CHAIR: Let's move on.

MS DUNDAS: I believe Mr Tonkin has an answer to my question.

MR PRATT: I beg to differ.

Mr Tonkin: The question Ms Dundas—

MS GALLAGHER: You are the Liberal Party; that is why you differ.

MR PRATT: And you are pro-union, aren't you?

THE CHAIR: You can fight it out in the backyard after lunch.

Mr Tonkin: Ms Dundas asked a question about why there was an increase in costs. I am advised that the figures you see for output class 5.1 was a part-year effect because the functions transferred in the middle of the year. So what you are seeing with the bigger number now is the full-year effect.

MS DUNDAS: Thank you.

THE CHAIR: I have got one last question, Minister. In your statement on 13 December you indicated that the discussions were to begin as soon as possible to set up a union-management consultative council on public service management. Who are the members of that council?

Mr Corbell: Strictly speaking, joint council is established under the Public Sector Management Act, which is the responsibility of the Chief Minister. So he is technically the minister responsible. However, there is clearly an industrial relations dimension central to its operation.

Joint council is proposed to comprise representatives of both government agencies and unions. The union representatives are representatives of the Australian Education Union; the Transport Workers Union; the Community and Public Sector Union; the Australian Nursing Federation; the peak body, Unions ACT, previously the TLC; the Australian Metalworkers Union; another member yet to be advised by the unions; and their representatives of each of the ACT government departments.

THE CHAIR: Is there no non-union representation for employees on that body?

Mr Corbell: No, not at this stage—nor has provision for that been sought by anyone, I should say.

THE CHAIR: I am sure they would feel very encouraged by your comments to date to come forward and seek some representation, Minister.

MS GALLAGHER: They should join a union.

MS DUNDAS: Is there the flexibility for representatives of the unions to be either union staff or elected delegates from the ACT government workplace?

Mr Tonkin: Yes.

Mr Corbell: Those are essentially matters for the unions themselves to determine.

MS DUNDAS: But there is the flexibility for that in the framework?

Mr Corbell: Indeed.

THE CHAIR: Are there any further questions on output class 1? We might move on to ACT WorkCover.

I will start by asking about the new workers compensation scheme, which began on the first of this month. It is early days, I grant you, but are there any particular teething problems with the new scheme you would like to report on? Can you comment on its progress, Ms Plovits?

Ms Plovits: Jocelyn Plovits, Occupational Health and Safety Commissioner for the ACT and Chief Executive of ACT WorkCover. The implementation of the workers compensation amendments commenced on 1 July, as you stated. The bedding in of such a monumental change to an act is a complex matter, and we have been working with both the policy area and all the stakeholders to get that done.

We have a hotline receiving about 50 calls a day, which we think is very good because it means that people are asking questions, and it means that knowledge of the legislation is out there. We have a communications strategy, which involves use of radio and TV media as well as newsletters and flyers and so forth, and we are using our WorkCover-at-work program to tell employers, as we move that through the various industrial and retail sectors, what is going on.

People have a lot of questions. The two main sets of questions tend to be about how it affects subcontractors and how it affects householders. Those questions are being answered as we move our way through.

THE CHAIR: All right. You have received additional money in this budget—some \$759,000—to do three things: implement the new act and the amendments to the act, implement amendments to the infringement notice scheme and carry out some inspectorial functions under the Gas Safety Act. I assume that the first of those three things is what the bulk of that extra money is going to be spent on.

Ms Plovits: The initiatives are at page 173 in Budget Paper 3. It is set out there that \$438,000 is allocated for the amendments of the Workers' Compensation Act; over the page, for the Infringement Notice Scheme—this is just in the immediate financial year—it is \$310,000; and then there is a broader amount for the regulation of the Dangerous Goods Act. The “gas money”, as we call it, for the regulation of the Gas Safety Act and

parts of the Utilities Act, is simply a matter of shifting it from a purchaser/provider arrangement with the old department, Urban Services, to a government appropriation.

MS GALLAGHER: Is the money for the Infringement Notice Scheme money going to allow for more inspections or more inspectors? They are linked, but with that money are you going to employ people or increase existing arrangements?

Ms Plovits: We will be employing more people with that money. We will be employing a person to assist with redrafting a lot of the codes of practice. Whether the government decides in the end that they remain codes of practice or move to regulations is something that we are going to work through. We will assist in finding what they call “black-and-white language” for the task of the Infringement Notice Scheme rather than the grey language that the codes are in at the moment, which is the guidance language in the code of practice. It makes it easier for employers to understand what the issues are and for inspectors to make a judgement about whether something is there or not.

For example, one black-and-white matter at the moment is first aid kits in the workplace. That is pretty easy. You either see them or you do not see them; they either have stuff in them or they have not got stuff in them. So it is easy enough to decide if there is infringement there. But when the guidance says, “You will talk to your staff,” it is not quite so easy for an inspector, or the employer, to ascertain whether that talking is occurring, in the form of consultation or whatever. We are just trying to shift that to language which says, “and the minutes of the meeting will show ...”, so that people can see a concrete piece of evidence that show whether the action is occurring or not.

A person to help with all of that is being recruited, and then there are two additional inspectors to be recruited. We will be needing technical advice from the inspectors who are currently there to work on some of the 22 codes before we bring them forward to the government and the policy area, so we will need to backfill behind inspectors with an additional resource to maintain the inspection rate or, hopefully, improve it.

THE CHAIR: Ms Dundas, do you have a question?

MS DUNDAS: You have \$400,000 for the regulation of the Dangerous Goods Act for increased legal and security costs. How much of this money do you expect will go on legal fees?

Ms Plovits: I cannot predict today what it will be at the end of the year. It really depends on how the cases go and what legal fees are required. It may not all be expended, in which case some will be returned to government. It just depends what is required. If it was not allocated in that way, I would have to shift money from some other important core business, like safety inspections, to pay that bill. That is why it is there in that way.

MS DUNDAS: I understand that legal fees have been quite high over the last few years in the implementation of the Dangerous Goods Act, and a lot of those cases have not been followed through by the DPP. Can you explain what was going on there?

Ms Plovits: I will reframe what you said, if I may. What happens is that we forward what we call a brief of evidence to the DPP. Then it is the DPP who decides whether it is a matter and whether charges will be laid, and so forth, in relation to the progress of the

25 July 2002

case. It can happen that we forward a brief and the DPP says, "Nothing is going to happen; it is not worth proceeding with; the evidence that is needed to do it is not fully there," or whatever.

If the DPP proceeds, then it goes through a series of stages. The DPP is probably better placed to answer these questions than I am, but my understanding of it is simply that you then go through the normal court processes. Sometimes cases can be withdrawn as part of that normal court process, and sometimes they proceed. It just depends on the DPP's assessment of what is needed in relation to the cases and what is viable.

MS DUNDAS: Can you provide me with (a) a number and (b) a cost regarding briefs of evidence that were not followed through by the DPP?

Ms Plovits: I will take it on notice and provide you with a number, but I doubt that I could work out a specific cost for you because I do not ask people to give me a quantification of the number of the hours they spent on a brief. I can do it for the future, but I cannot do it for the past.

MS DUNDAS: Does the preparation of briefs of evidence come out of the \$400,000 that you have been given for legal and security costs?

Ms Plovits: Not from what the WorkCover staff are doing. That is to pay lawyers for the advice we need in relation to a variety of matters, as well as security costs.

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MS DUNDAS: Does the \$400,000 go to provide for lawyers who write the briefs of evidence?

Ms Plovits: No. And security costs. When you are regulating an act, you often require legal advice on how to do it. The quantum of work that has arisen around the Dangerous Goods Act has meant that we have to draw on the resources of a number of lawyers. As for those particular amounts, they bill us and we can work out that bit. The security costs have changed over time as well, and they fluctuate depending on the issues being addressed. At the end of a year I can give you an idea of it, but going into the year I cannot tell you precisely exactly what is going to happen.

MS DUNDAS: So the briefs of evidence are done by normal WorkCover staff as part of their day-to-day work and you cannot quantify the cost?

Ms Plovits: Yes. I have never separated out whether they are preparing a brief of evidence or answering a phone call or doing one after another in an hour.

MR HARGREAVES: Could I ask about that \$400,000? It is legal costs and security costs?

Ms Plovits: That is right.

MR HARGREAVES: I accept your point that you cannot predict the legal cost, but is there an implication that the exposure of that magazine has increased the security costs such that you have needed to make provision for it?

Ms Plovits: Yes.

MR HARGREAVES: The *Canberra Times* of today or yesterday reported the removal of some from the Cracker Man. It is in the paper, so I needn't worry about privilege.

Ms Plovits: We can talk about that case because it has been made public.

MR HARGREAVES: Quite a number of tonnes were forfeited to the territory, which you will presumably dispose of at some other location. Will the removal of that have any effect on your security, or will you now have to look at alternative arrangements for magazine storage because of the exposure of that particular one?

Ms Plovits: Mr Hargreaves, thank you for your question. It raises a number of issues, which I will deal with in order. The facility that was in the newspapers was a fireworks depot, not a magazine. That is a separate matter; we have a separate magazine for higher risk explosives.

In that depot there are nine to 10 containers. At this point in time, six of those containers have now been forfeited to the territory, and we are working through the options in relation to those containers. This means there are nine containers that may in future have their contents destroyed, so there will still be a requirement to have a secure facility. Because of the publicity of that facility, the security costs had to increase.

What we had had in place for the previous two years was more than was ever required for a fireworks depot anywhere else in Australia. Nevertheless, we did it because we felt we needed to do it. But it was not 24-hour guarding. I put that in place as soon as I learned that some persons thought it would be an idea to make it public, and that is where the additional cost is at the moment. I hope that in due course we will be able to reduce that cost because the community is having to fund it.

MR HARGREAVES: Given that aerial photographs of that depot have been put in the *Canberra Times* and people have been trying to throw fireworks at the fireworks depot, have you considered relocating that depot?

Ms Plovits: The second it was made public, even prior to it being made public, I was considering alternatives. There are not many, and I am working my way through those alternatives at this point in time.

MR HARGREAVES: Do you think the cost of such an alternative location would be covered by the reduction in the security cost that you might be able to achieve?

Ms Plovits: I would hope so.

MS DUNDAS: In the statement of financial performance for ACT WorkCover, the operating result is projected to be negative for this financial year and the next financial year. The total equity at the end of the period is looking to get worse until 2005-06. I am looking at page 67 of new Budget Book 4.

MS GALLAGHER: New or old?

MS DUNDAS: New. I have the old budget paper here as well.

MS GALLAGHER: I think it is the same page.

Mr Tonkin: It won't have changed—on that part of budget paper 4.

MS DUNDAS: ACT WorkCover would be on page 68 of the old budget paper. It looks like WorkCover is getting financially worse with each passing year. Can you explain why the government neither increases your funding to meet this debt nor requires you to find efficiencies to match this debt?

Mr Corbell: I think you would understand the circumstances of these figures. I will ask Ms Plovits to explain them.

Ms Plovits: These figures simply reflect the way accrued employee entitlements—long service leave and recreation leave—are treated by the accountants. If the entire staff of ACT WorkCover immediately moved to take all its recreational leave and long service leave at one time, that would be the cost of it. But it is never anticipated that that would be a true problem within a budget, as far as I understand it. It has to be recorded for our entitlements.

MS DUNDAS: Yes, without a doubt. But I assume other departments would be recording the same information without being so much in the red.

Ms Plovits: Could I defer to my financial people here?

Mr York: Ian York, Chief Finance Officer at WorkCover. I would imagine it is implicit in all departments figures.

MS DUNDAS: But not all parts of government are running at such a negative operating result.

Mr York: That would be a combination of other factors in the operation of those departments. Neither this government nor any previous government has provided funding for accruing entitlements. Our financial position is a reflection of employee entitlements and depreciation; it is the fact that you can see it more clearly—but it would be implicit in all departments' financial statements. Each year we anticipate that the accruals for employee entitlements will increase. In other words, people will not be taking their long service leave. That is just a building up of people's long service leave.

MS DUNDAS: Do you have management systems in place to address the excessive accrual of long service leave and other entitlements?

Ms Plovits: Our enterprise agreement enables people to accrue their recreation leave and not take it all the time. However, from an Occupation Health and Safety Commissioner's point of view, it is a very good idea for people to take their leave regularly, and we encourage and make it possible for our staff to take their recreation leave when they can.

MS DUNDAS: And these figures indicate that they are not doing so.

Ms Plovits: No. The proportion of people taking leave is normal; it is just the age of the staff. It reflects the fact that there is an accrued entitlement. People are not taking their long service leave until they think about when they want to take their long service leave. That is all that is being reflected here.

MS DUNDAS: Can you also then explain the increase in employee expenses and administrative expenses from what they were in the budget of last year to the estimated outcome of this year?

Mr York: That is just a reflection of the spending of the initiative funding that we have been given in the budget.

MS DUNDAS: That is the 2001-02 estimated outcome?

Mr York: To 2002-03, was that the question?

MS DUNDAS: No the question is about the increase from the 2001-02 budget, which is on the other side of the headings, to the estimated outcome. Was extra money provided to ACT WorkCover? Did you employ more staff? What did they do?

Ms Plovits: We certainly employed more staff during the year than was predicted at the beginning of the year. This arose from three things. One was the collapse of HIH. One of the statutory roles I have is to manage what is called the Workers Compensation Supplementation Fund.

In managing that fund, when an insurer collapses, the people who would previously have been paid by the insurer are protected by the fund and workers compensation claimants themselves are not disadvantaged by the behaviour of the insurer. We put on temporary staff to manage that problem, and those staff are with us still. We have run off half the cases now, but nevertheless they are still with us.

One of the other two things that came on stream was that we got permission to commence work on the implementation of the Workers' Compensation Act and the infringement scheme. That happened at the end of last year, not just at the beginning of this year—otherwise, we would still be running around like mad things trying to get ready for the act. All of that work was allowed for and paid for by the government allowing us to recruit some extra staff to do it.

MS DUNDAS: Is the money you are getting this year for new incentives in those areas actually ongoing work that has already started?

Ms Plovits: It is paying for work that has started, but it is also an increase in funding to reflect the fact that we will then need additional inspectors, auditors and people like that for the workers compensation scheme—and some new inspectors under the infringement scheme, and so on.

I am working out the plan now to start the advertising for recruitment. I am sorry I do not have it in any hand-uppable form, but you can see anyway that each of the parts of my organisation has quite a recruitment program. Obviously, in the workers compensation

team, I have not recruited at all in the past year to permanent positions. I have only recruited for temporary arrangements because I did not know, through the year, what money would be allocated for the budget. Now that it is known and it is in the out years, I can recruit to the permanent positions. Nine positions will be permanently recruited there, for example.

MS DUNDAS: I also have some other questions.

THE CHAIR: Before that, I have a question about on-the-spot fines. You have got \$310,000 in the budget to develop an on-the-spot fine system. Amendments have been made to the Occupational Health and Safety Act to facilitate those on-the-spot fines. When were they made?

Ms Plovits: The Legislative Assembly passed them in April last year, and they came into effect on 19 October last year.

THE CHAIR: There are 26 codes of practice presently on the web site.

Ms Plovits: Yes, 26. I said 22 earlier. I apologise.

THE CHAIR: Are they going to be rewritten as part of this exercise?

Ms Plovits: What I have to do as part of the exercise is look at those codes and bring advice forward to government. Some will be rewritten as codes, if government agrees. Some may turn into regulations and be modernised as they go through the process because, as you will appreciate, some of them are quite old.

Some of them are national codes that have been adopted in the ACT, and we need to work on a national program with other jurisdictions to resolve those issues. It is quite a complex task to work through. That was the staff I was referring to earlier who will be coming in to help with the infringement scheme, as it is otherwise known.

THE CHAIR: How much of the \$310,000 is being spent on the rewriting of the codes and how much on getting out there and having some sort of inspectorial or enforcement power?

Ms Plovits: For the sake of how you could picture it, I would say that \$310,000 is being spent on working through all the things that need to be done to make the infringement scheme work at its most efficient. For the purposes of having a person devoted to writing to and making submissions to government for consideration, this is a clerical position, not an inspector position.

But that person needs advice from the inspectors on the technical matters so, to free up some inspectors to give the technical advice, I am taking on the other two inspectors. The \$310,000 buys three people, but that is how they will be doing the work. I have an inspectorate of 23, some of whom, obviously, workers comp, but all of those OH&S inspectors who are there will be using this as part of their tool of inspection—advisory inspection, infringement notices or whatever their situation requires.

MS DUNDAS: In the output measures, we have recorded a tragic increase in the number of workplace related fatalities—three over the last financial year. Can you tell us how these occurred?

Ms Plovits: I can, indeed. I agree with you that it is tragic that there should be three recorded. However, in part, it is simply that we are getting better recording. One was, in a sense, discovered by accident. A pizza delivery person crashed their car, which is counted as a workplace accident because they were driving the car as part of their work. We only found that out when the family rang in to find out what the workers compensation benefits were for the person dying. It is possible that there are other things like that that do not get reported.

In comparison to the ACT, New South Wales has an average of 300 to 400 deaths a year. We certainly do not have the heavy industry base, and we certainly do not have ports and deep-sea fishing, which has a very high injury rate. We have what I call “quixotic death”. There is no way I could predict that the three this year would be a pizza delivery driver, a man trying to save his dog on a railway track and a person that fell from a height—who was an electrician but was not electrocuted.

In the past, I always said that the only predictable death in the ACT each year was an electrocution. We work very heavily with Actew and other bodies involved in electrical work, like construction, to keep educating them about electrical safety. At every safety inspection we are involved in, people say, “Why are they bothering about the cords on the floor?” But, unless they are tested and tagged each year, they are not meeting a standard and, unless they are carefully controlled like this, they can cause a death. We do quite a lot of education and inspection in that area.

It was impossible for anybody to predict the train death, but it was nevertheless a workplace death. The railway track is a workplace, so it had to be counted.

MS DUNDAS: What are you doing to ensure better reporting if there are possibly a number of work related deaths going unreported?

Ms Plovits: This is how the synergy of the thing can come together for people like us. With the amendments to the Workers Compensation Act going into place, notification of an injury is required to be given to the insurer within 48 hours. When we go out and educate employers, we say, “If you just fax us that same notification or electronically deliver it”—which is legally allowed these days—“you will have met your obligation under the OH&S Act as well.”

First, even that simple thing is going to help us get a better reporting mechanism; second, we are improving our database so that we can take OH&S reports in a more efficient way; and third, big employers like the ACT government have amended their injury reporting forms so that reporting comes directly to WorkCover in the way it is supposed do under the act—not that in the past they have not properly reported. In fact, I find that they are the best reporters in Australia.

But you have to improve things and keep moving it forward every time. When I first took over WorkCover back in 1997, death and injury reporting rates would have been at about 25 per cent, and they are at around 60 per cent now. So it is gradually improving.

25 July 2002

MS DUNDAS: That is one end of the problem. What are you doing to stop accidents before they happen, besides those that happen to electricity workers, which you have already explained?

Ms Plovits: And that is just one of a thousand different interventions that you get involved in.

MS DUNDAS: A system wide-program?

Ms Plovits: We have increased the number of inspections this year to 4,667. That is the result for the last financial year. In part, that is because we have worked out more efficient ways of doing the workplace visits; in part, it is because more people are keen to be involved in them. The WorkCover-at-work scheme, which is a mobile office and takes WorkCover out to the workplaces, has assisted us to find quite quickly the areas where they need assistance with compliance.

MS DUNDAS: You mentioned that you had an increase in the number of workplace visits. In those workplace visits, how many businesses were found to have been breaching the Workers Compensation Act?

Ms Plovits: I do not have that to hand.

THE CHAIR: I have been advised that Mr Tonkin has to leave at about 12. Is that still the case?

Mr Tonkin: No, I can hang on for a while.

THE CHAIR: I am hoping we can dispense with your services before 12.30 so you can get away.

Mr Tonkin: Would you like to rephrase that?

THE CHAIR: No.

MR HARGREAVES: It is better than being carved up, I have to tell you.

Mr Creaser: Wayne Creaser, ACT WorkCover. In answer to Ms Dundas's question on the visits that we have dealt with, we do not record all breaches that we find at workplaces, because there are a whole range of interventions that we deal with. We try to resolve issues predominantly through a cooperative approach. If there is a range of breaches that we indicate, we will just talk to the employer to get a cooperative resolution to the issues.

MS DUNDAS: Are those breaches of the OH&S Act?

Mr Creaser: Or any of the legislation that we deal with. It could be dangerous goods, it could be OH&S, it could be gas safety. We have a fairly common approach to dealing with all of that legislation. We do not record every individual breach.

25 July 2002

MS DUNDAS: What breaches do you record?

Mr Creaser: We record the ones where we take formal enforcement action: where we issue a prohibition notice or an improvement notice, if an infringement notice was issued, or where we move to take prosecution action.

MS DUNDAS: Can you give me a figure for how many you have to take to that prohibition, improvement or casework level?

Ms Plovits: We will take it on notice and give you the figures.

MS DUNDAS: Today?

Mr Corbell: We will endeavour to do that.

Ms Plovits: We will send it back to you.

Mr Corbell: We will have to take the question on notice.

Mr Creaser: It is in the vicinity of 100 notices issued for the year, but I do not have the exact figures.

MS DUNDAS: If you are taking that on notice, can you also tell me how many fines were issued?

Ms Plovits: For the infringement notice scheme under the OH&S Act, we have not issued any fines at this point in time, because we are still developing the documentation to sit behind it. Ian is reminding me that under the Workers Compensation Act there is also an on-the-spot fine scheme. We have issued one infringement note in that scheme for a fine for \$1,000.

MS DUNDAS: Has that been collected?

Ms Plovits: Yes. We never have any default on our fines.

THE CHAIR: Let's press on. Do you have a question, Mr Smyth?

MR SMYTH: Talking about workers comp, is the database that you put together, with the assistance of Wizard, working well?

MR HARGREAVES: Funny you should ask.

Ms Plovits: Strange that this should happen.

MR SMYTH: That is the most exciting reaction we have had so far to a question.

Ms Plovits: I nearly forgot I had them with me. I have two outputs from the database, if people would like to look at them, and I would be happy to hand them up to Mr Smyth. The database itself is in its final stages of final development. This has meant now that we have not only gone through how they develop applications for databases and sorted

through it quite closely, removing all the bugs from it; we have also been able to audit the data that is in there—because that is all contributed by approved insurers and exempt employers—and we are auditing that data by going through our records and then back into their records, working through with them on where they could improve their data entry so that the data is as reliable as it can be.

In this second round of material that we have contributed to the national dataset, which then goes into the comparative performance measurement project, we have much more verifiable data than we have had in the past. That is the second year of running it. These two print-outs are just to give you an example. As you know, I am quite happy to produce graphs from the database, but I think these are the most telling in a sense.

These ones are just raw counts—there is no standardisation or anything in there—and they help us target our work. We can know, for example, that construction has had a slight increase in the raw count and then look at another set and notice that the severity indicated in construction has gone down. So we know that we are now dealing with the lighter end of injuries in construction, and that is good because 25 per cent of our inspections are in the construction area.

In retail, for example, it has gone up in the raw count from 726 to 783. We now need to drill down under that one and find out what the severity indicator is there and re-engage the retail sector through the retail task force to address those issues. We will probably find again that it is manual handling, trips, slips and falls.

THE CHAIR: I am intrigued by the 15 injuries from mining in the ACT. I thought there were no mines. Obviously, there are.

Ms Plovits: We do have a mine; it is called a quarry.

MR HARGREAVES: Open-cut mine.

Ms Plovits: I even stored a fireworks depot there.

MR HARGREAVES: The Williamsdale one was the biggest casualty of all, wasn't it?

THE CHAIR: Not in the ACT.

Ms Plovits: Mining can take into account a variety of things. It is a code that is used, and it has a number of other things behind it. When we got the very first print-off in the beginning stages, before the bugs were ironed out, we had 460-odd deep-sea fishermen in the ACT. That was an industry I was unaware of on the lake, so we knew we had a bug to fix with that one.

MR HARGREAVES: I would like to ask you a definitional question about the transport and storage one. When there is an accident involving, say, a heavy vehicle where an injury is sustained, is there any difficulty in distinguishing between a third party claim and what is a compensation claim, and does that affect the numbers?

Ms Plovits: No, not at all. The Workers Compensation Act covers journey to work—people driving to and from work. We do not count those as workplace accidents because it is not the workplace of the person unless, like the pizza person, it is part of their job. If it is part of their job, it counts.

MR HARGREAVES: But if I am a heavy truck driver—and I guess this is what it comes down to: the definition of workplace—

Ms Plovits: That is right.

MR HARGREAVES: is the workplace the base or is the workplace the cabin?

Ms Plovits: For truck drivers, the workplace can be both: the base when they are there and the cabin when they are on the road or at the quarry loading their truck, or whatever it is that happens.

MR HARGREAVES: If they are involved in an accident with a couple of trucks, perhaps, do you regard that as a workplace incident or a traffic accident?

Ms Plovits: It is both. These things are attended first of all by the police because they have to determine a number of things under the Crimes Act, but we count it also as a workplace accident. When they release the scene to us, we progress through it in our way.

I often say in these matters that the deaths—tragically, we talk about deaths, but they are deaths nonetheless—on the roads that were previously only treated as road accidents but were in reality work accidents are now coming onto workplace death statistics. So roads is looking pretty good, and workplaces is going up a bit as a result. But what we are talking about is still the death of a person, so it has to be treated with respect.

MR HARGREAVES: Okay, thanks.

MR SMYTH: So having this data has proved useful? Are you happy that it is accurate and reliable?

Ms Plovits: I am happy that there is now less than 10 per cent error in the database. I have compared our database to others around Australia, and that seems to be the working norm. You always have disclaimers on the bottom saying, “Be careful when you use the data.” Initially, we felt that we had an error rate of about 25 per cent, and that was unacceptable. So we needed to do that audit and work through it with the insurers, and they welcomed that.

MR SMYTH: Collecting the data is not redundant? I mean, it is useful and it is not statistically unreliable?

Ms Plovits: The data in it is useful. Remember what I was saying in terms of where the database development is up to. We have to work hard to get those pictures to look like that because we do not have what is called the GUI interface on the front. The contract itself has still got a way to go to finish that part, but we can get really nice data off it when we put the effort in and the extra work that that requires.

MR SMYTH: But the data in the database is statistically reliable?

Ms Plovits: Yes, with those caveats that I explained—that we have tested it and we find a 10 per cent error rate in what is coming in. Often that is simple things like a telephone number, and I am not going to be particularly worried that the telephone number is showing in the data rate when we are looking at trends and indicators for where we should be targeting our services from WorkCover.

MR SMYTH: Is it fair to say it is probably the most advanced system in the country?

Ms Plovits: Until the next one is developed—yes. It is the most recently developed one.

MR SMYTH: I ask this because the Treasurer said earlier in the week that collecting our own data was redundant and statistically unreliable. I take great exception to that because I know the amount of work that went into it, so I am thankful for your confirmation. How is the database development now being paid for?

Ms Plovits: It has always been paid for from the Workers Compensation Supplementation Fund. The previous government gave permission for that arrangement.

MR SMYTH: Yes. And how is the fund going?

Ms Plovits: Really well. Running off 50 per cent of the cases, the indicators are that we have spent about \$8 million doing that. This is less than the actuary predicted when we first got the data from HIH. Mainly, the prediction had to take into account the paucity of that data and have some history of the cases to find out what it was going to cost.

At this stage that is where it is at. I cannot predict if the most expensive cases are not yet to come next year and the price will therefore really increase. But at this stage, the fund is in a situation, and the government has in hand a strategy to examine what it might need to do in relation to the fund for the out years over the long-term history of these kinds of cases.

MR SMYTH: So the fund is currently in surplus?

Ms Plovits: In cash flow terms, it is fine. No worker should be worried that their claim cannot be paid, because in cash flow terms the money is available.

MR SMYTH: Are the claims from HIH likely to take it into deficit?

Ms Plovits: At some point in the out years, yes. But at this point, I am asking for a reserving strategy and another actuarial analysis. I am really reluctant to give you any firm figures until we get the next set of data in from those people.

MS DUNDAS: Do you have any idea of how much the HIH collapse will cost the ACT?

Ms Plovits: The original figure was between \$54 million and \$64 million, based on a projected liability on the data that was provided by HIH at the time of collapse back in March 2001. So our liquidation year is from March to March. I will probably be able to look back in another few years and tell you more closely what it is going to be.

But that is a predicted liability, and it is not out of kilter with other privately underwritten states who have that. Of course, I am only looking at the workers compensation part of the HIH collapse, and that is all the fund looks after. I cannot talk for the other parts the HIH collapse may have affected. I do not know it.

MR SMYTH: Somebody put to me that the fund had a deficit of \$30 million, if you take into account all the cases. Is that true or false, or can't you answer?

Ms Plovits: At the time of the collapse the fund had about \$9 million in it. Then I got an additional appropriation for the fund of \$30 million. Obviously, the fund has other matters it has to pay for: the database and still some claims from previous insurer collapses like NEM—those that happened 10 years ago. There are not very many of those left now, but there are a few. And, of course, as these people age their medical care gets more expensive.

We had \$8 million going out this first year and we are down to 435 out of 757 claims—I think that is accurate. When it collapsed it was 649 cases, and over the years since the collapse it has gone down another 100 odd. That is not unusual. You would expect that to tail off in future years.

MR SMYTH: Is NRMA handling all of that? This has not contributed to any extra work for you?

Ms Plovits: NRMA is what we call the supervising insurer. They do the day-to-day claims management, and they offered to do that at no cost to the ACT government. At this point I have never been given a bill from them, so I have accepted that arrangement.

The settlement costs are being met by the HIH team. My team does not do all claims management; it is also doing proof of debt for the liquidator and managing most of the liquidation processes, which a supervising insurer would never touch in terms of those sorts of things. Case settlements are the other thing we do.

MR SMYTH: Have you got enough staff to cover that extra work?

Ms Plovits: Yes. They are a very efficient team. Some come on to do a particular thing, like the due diligence on a file to make sure that it is accurate, and then they go off again.

MR SMYTH: Is that extra staff that you have had to put on because of HIH?

Ms Plovits: Yes. I answered a question earlier about putting on extra staff, and the HIH team is one of that group.

MS DUNDAS: Following on about the scheme, you are currently negative in your assets. Do you project at any stage in the future to get that to positive, or will it always remain negative because of ongoing liabilities with HIH and—

THE CHAIR: Where are you referring to, Ms Dundas?

MS DUNDAS: I am looking at new budget paper 4, page 389, the statement of financial position. I do not know where it is in the old budget paper.

MR SMYTH: Is this the ACT Insurance Authority?

MS DUNDAS: The Workers Compensation Supplementation Fund.

Mr Corbell: We have not actually moved to that item yet.

MS DUNDAS: It flows on from the HIH question.

Ms Plovits: Mr York is just reminding me that that is the other part of the discussion. We got up to, I think, \$40 million in the fund. Obviously, some was spent over the first year in relation to HIH but, in the original prediction from the actuary for the fund, the projected liability could have gone to \$64 million. The Auditor-General likes us to reflect the gap between the \$40 million and the \$64 million as a deficit for the fund in the out years. As I have explained, the cash flow situation at this point is fine, and the government has in hand a strategy to address it in the future, should it be needed.

MS DUNDAS: So that negative—\$22 million—is the difference between the amount you were given for HIH and the amount you expect to pay out?

Ms Plovits: And the projected liability in the long term. The fund itself, because it is a big fund, obviously earns its own interest. So there is income coming in, and you have to do cost modelling to work your way across it.

MS DUNDAS: And the figure does decrease over the planned financial years. I was just wondering if there would ever be a point where it becomes positive.

Ms Plovits: In terms of settling the cases, my officer who handles most of these has been very careful to make sure that the legal costs are directly managed. So, whilst the claimant can count on getting what is appropriate in terms of a workers compensation settlement, projected legal costs are way under what they might have been had they been run in a different way or by the original insurer. We just do not know, and we will never know now.

THE CHAIR: Are there further questions on ACT WorkCover or the Workers Compensation Supplementary Fund?

MS DUNDAS: Yes. There was an increase of \$198,000 due to increased activity under the Scaffolding and Lifts Act. Can you explain what that increased activity was, and did it include the V8 supercar race?

Ms Plovits: Not at all.

Mr York: That is fees that are collected by the government through notices of intention. When there is an increase in building activity, that is reflected in increased notice of intention fees.

Ms Plovits: It is a fee that is paid for one of our parts of building and construction, which is to do the lift and the scaffold inspections. It is called a notice of intention fee.

MS DUNDAS: Was there any increase in infringement notices under the Scaffolding and Lifts Act?

Ms Plovits: No. The infringement notice scheme does not apply; it only applies to the OH&S Act, and there is a similar scheme under the Workers Compensation Act.

THE CHAIR: Are there any further questions?

MR SMYTH: One last one. I understand you have been overseas attending some insurance conferences or visiting other WorkCover places. Can we find out what you have been up to?

Ms Plovits: Certainly, Mr Smyth. I did go overseas as part of the delegation for the National Occupational Health and Safety Commission. It was an absolutely fabulous educational experience in terms of learning what is going on in Singapore, the UK and the Danish area. Those countries were deliberately chosen because they have a similar duty of care legislative arrangement as we have. This means that, if you see a good idea there, it is more likely you can use it in your own situation than if it is a very different legislative arrangement.

The other thing I learnt was that, despite the fact that we are one of the smallest jurisdictions in the world, we are one of the most innovative. I was pleased to learn that, because sometimes I think Australians never get over the cultural cringe problem. But I did learn that our little WorkCover is actually doing some very innovative stuff. Everywhere I went people were fascinated to learn about our WorkCover-at-work program, for example.

What I learned from Singapore, in particular, was the value of longitudinal health studies. That is probably not something that fits well into the Australian way of doing business, but we can probably draw on the longitudinal health study from Denmark, it being a similar sort of society.

The other thing I learnt was that foreign workers in the construction industry in those three countries are not well managed. Singapore took the view—and I think it would be something that this government meant when they were talking about industrial manslaughter—that a licence to employ foreign workers is not a licence to kill. They have an approach that, if you do cause serious injury or someone is actually killed on your work site, then you do not get to employ a foreign worker. Of course, in Singapore this means that people do not get to do their business, because they are so reliant on foreign workers.

25 July 2002

That is less the case in the UK and in Denmark, but it is nevertheless still present. In the UK they have a strategic and target-based approach, which was extremely useful. You will see some of that emerging in some of our new strategic planning documents, as we come through, because it is simple common sense to adopt it. They all had marvellous things to look at, and I am just picking the eyes out of it. In Denmark they had an advisory inspection approach. I could go on for hours, so tell me when to stop.

MR SMYTH: Are you able to report the full—

Ms Plovits: I have written a report.

MR SMYTH: Are we allowed to see a copy of it?

Ms Plovits: Are you comfortable with that idea, Minister?

Mr Corbell: Once I have read the report, I will be happy to distribute it.

Ms Plovits: But, back to Denmark, they have, which means that you reward the ones that do well by giving them a score of 1, and they can boast about it. The ones who get 3 tend to have a number of compliance inspections until they understand their role in the world in this matter.

MR SMYTH: Do their insurance companies react to somebody getting a rating of 1? Does it lead to lower premiums?

Ms Plovits: Yes. It is seen as a big incentive in Denmark. They have done 15,000 of their couple of hundred thousand employers so far, and it has had an extremely good benefit. We are not of that scale, but we can do it on our own scale.

MR SMYTH: Are the three countries you visited collecting their own data, as we are doing here?

Ms Plovits: Yes. When I got to the conference I was able to talk to the USA and Germany, and so on. A huge amount of research is being done, which we can tap into, in a way that I was not aware of before. So that is very useful. Whilst some of the papers of the conference were product advertising—to some extent, I guess—the European Union line of information that was being given was extremely informative. Those papers have just arrived in English translation, so I am making them available to people now as part of the process.

MR SMYTH: Thank you.

THE CHAIR: We will see your slides later on, Ms Plovits. Mr Pratt?

MR PRATT: Ms Plovits, can you tell us something about your operational audit program? Are you happy that you are able to cover your jurisdiction in terms of those agencies which are accountable? How often are you able to get your inspectors out to see agencies on an annual rotation basis? How are you scoring the hits, so to speak?

Ms Plovits: In part we focus the program where it is most needed. I want to say two things, so don't take the first thing as the only thing. In the finance and insurance industry, for example, it would be rare for us to go to every single one every year. In fact, it would be rare to go to every single one of anything every year.

We look at this, and that is why the severity indicator is also important. We go to the high-risk areas first—construction, and so forth—and then we work it through. All complaints are addressed. Some require investigation; some even require prosecution. It is a bit of a pyramid—if you want to visualise it. You do far more visits and investigations than you ever do prosecutions. That is proportionally much less.

MS DUNDAS: I want to go back to the increased funding with regard to the regulation of the Dangerous Goods Act. This act has been around for a number of years. Can you explain why, over the last year—and, you are expecting, in future years—you have suddenly got increased activity?

Ms Plovits: The Dangerous Goods Act covers a number of areas, as you would expect. There are nine different classes of dangerous goods. When the Dangerous Goods Unit moved to ACT WorkCover in 1998, I asked for, and they commenced work on, a 100 per cent audit of all licensed areas because I found that was needed. That means petrol stations, gas tanks, storage tanks and use of chemicals in universities or research establishments, and so on. That continued. The other major thing was that we looked at the regulation of retail sales of fireworks and discovered that there were some problems.

MS DUNDAS: Was this an area that you discovered through your audit, or was it a project that you chose to take on?

Ms Plovits: No. Choosing is not it.

MS DUNDAS: Was the information found in the 100 per cent audit you spoke about?

Ms Plovits: One of the things I was tasked with when I took over WorkCover was sorting out matters in relation to explosives in the construction industry. That meant looking at the explosives provisions in the Dangerous Goods Act. I drew the conclusion that I should advise government that we needed to modernise those and bring them under the Occupational Health and Safety Act because the matters for the construction industry related more to that sort of area. The government of the day passed regulations that put that in place as a best practice model, which is used around most of Australia now.

Underneath “explosives” was the issue of that group called fireworks, so we started looking at that as well as part of the broader problem, and that is where we found that there needed to be considerable modernisation and improvement to safety.

MS DUNDAS: In the audit that you undertook, did you find any other areas, under the nine different classes, that need attention? If so, when will you be focusing on them?

Mr Creaser: Certainly not to the extent of the class 1s, which is the explosives industry and, in particular, the fireworks industry. The majority of the inspection work is done in the class 3 areas—the flammable liquids—which take in all the service stations, fuel suppliers and storage of solvents.

25 July 2002

In regard to levels of compliance and working to a cooperative approach to dealing with issues, we certainly do not find the same number of issues in that sector of the dangerous goods industry that we find in the fireworks specific sector of the industry.

MS DUNDAS: So you have a focus on class 1 and class 3, and the other seven classes are running with—

Mr Creaser: We do them all, but class 3 is probably the largest area where most of the licences are dealt with. This is purely because they are the type of dangerous goods most frequently found in the community. We do not regulate the class 7s, which are radioactive substances—that are administered by the department of health—but we do all the other areas.

This is purely because class 3s are such a large proportion of the total number of licences involved and because of the nature of the explosives industry and the potential consequences if something goes wrong. We are also finding a number of non-compliance issues in that sector of the industry, which has taken up a considerable period of time.

MS DUNDAS: What I am trying to discover is whether the same focus is needed on other areas?

Mr Creaser: It goes back to the earlier statement made about how we deal with inspections. Normally, we would go in and try and resolve an issue with a cooperative approach. Where that cooperative approach works and you get resolution of the issue, the level of compliance we are looking for has been achieved. Therefore, you move on and look at other areas. Where that cooperative approach breaks down or the individual companies are not willing to work cooperatively, you will need to take a formal enforcement approach until you get compliance.

MS DUNDAS: And that is what was needed with class 1?

Mr Creaser: Unfortunately, that is what has been required with that sector of the class 1s. A fair bit of attention is being focused there because, as you go into that formal enforcement role, individual visits take more time.

MS DUNDAS: In regard to the questions that I asked earlier, I understood that most of the cases that briefs of evidence were being prepared for were then not being followed through by the DPP.

Mr Creaser: In the last financial year, for example, we presented nine briefs to the DPP. Charges have been laid in relation to six of those briefs, and six of those briefs have resulted in charges being laid. A total of 13 charges have been laid. That is an example of the work we have done in the last financial year.

MS DUNDAS: How many of those claims have been successful?

Mr Creaser: To date, five of those matters are still before the courts. We have just had a recent success in one of the other matters and, as I pointed out earlier, we had forfeiture of the fireworks—

25 July 2002

MR HARGREAVES: Mr Chairman, may I suggest that the Standing Committee on Legal Affairs has done its inquiry, and we are awaiting a government response. Given that it is lunch time, that a lady is waiting for me in my office and that we will be inquorate if I leave—and I intend to leave—may I suggest that perhaps all questions about this be put on notice? I have somebody waiting in my office.

MS DUNDAS: I was just trying to understand the difference about that money and where it was being spent, and I think my questions have been answered. Sorry for delaying your lunch with your lady friend, Mr Hargreaves.

MR HARGREAVES: I will tell my constituent you said that.

MR PRATT: I have one short question, which must be asked because otherwise it will not be asked. Ms Plovits, going back to my previous question on safety management operational audits and that program, I gather the previous government provided a bit more funding to try and expand that and I can see in the budget that this government has also increased that. Are you able to send me a copy of the detailed program showing where you have been able to get out to, how often you have been able to visit those agencies and what you have come up with?

Ms Plovits: I am certainly able to provide some information, and I will be happy to work it out through the annual report because we are collecting all that data now. Is that okay?

MR PRATT: Thanks very much.

THE CHAIR: Thank you, Minister. We will see you again at 2 o'clock.

Resolved:

That, pursuant to standing order 243, the committee authorises the publication of evidence and submissions received by the committee during this hearing, together with any supplementary material arising from the public hearing.

Luncheon adjournment

Mr S Corbell, Minister for Education, Youth and Family Affairs, Minister for Planning and Minister for Industrial Relations

Department of Urban Services—

Mr A Thompson, Chief Executive

Mr B MacDonald, General Manager, Road Transport

Dr C Adrian, Executive Director, Policy Coordination

Ms J McKinnon, Executive Director, Land

Planning and Land Management—

Mr L Hawkins, Executive Director

Ms D Ekelund, Planning and Land Management Task Force

Mr M Hehir, Director, Lands Facility

ACTION—

Mr G Thurston, Chief Executive

Mr P Wallace, Deputy Chief Executive

25 July 2002

THE CHAIR: We will resume our hearings. Thank you, Minister and officers from Planning and Land Management and the Department of Urban Services, for being back this afternoon. I will not go through the usual paperwork of reading out the witness statements, since you were all here only a few days ago. Hopefully, you will remember my injunctions from the chair.

I have a quick bit of housekeeping of another kind. No member of the Assembly has indicated that they wish to hear from the Privacy Commission. On that basis we will be transmitting back to the Department of Justice and Community Safety that we will not require the appearance of the Privacy Commission. That is for the record.

We are presently on general questions—an overview situation—with respect to the Department of Urban Services in the areas of public transport, planning and land management. Are members happy to proceed with those general questions?

MR HARGREAVES: I would be happy to go straight to the output classes.

MRS DUNNE: I have still got a fair few general questions.

THE CHAIR: All right. Let's go with those general questions.

MRS DUNNE: This relates to draft variation 200, Minister. At the HIA president's lunch on 12 July, you told the audience that there had been analysis of the development types that might be foregone or affected by draft variation 200. You said in response to direct questioning that there had been analysis. Why did you tell the lunchers at the Boathouse that this analysis had been done when you cannot provide it to the committee on request?

Mr Corbell: I have provided you with the analysis that has been done.

MRS DUNNE: The analysis that underpins draft variation 200—

THE CHAIR: Sorry, I have not seen that. Has that been tabled?

Mr Corbell: I think that question has been answered.

MRS DUNNE: That was the result of a question on notice that I put on 15 July.

THE CHAIR: I see. I have not seen that. It has been produced.

MRS DUNNE: I got it back a little late. My question was: could you provide the committee with a copy of the analysis that you spoke about at the HIA president's luncheon? I got three paragraphs as a response. Are you saying that the cost benefit analysis underpinning the draft variation consisted of three paragraphs?

Mr Corbell: Mrs Dunne, you are, to be quite frank, making things up. I did not ever use the words "cost benefit analysis".

MRS DUNNE: Okay, what you said—

Mr Corbell: What I said, from my recollection, was that the government had done some analysis of the implications of draft variation 200 and that that had been taken into account. We have done that analysis, and I outlined to you in my answer to your question what that analysis is. I have also made the offer to you of a further briefing to go into more detail on exactly what that was all about.

MRS DUNNE: In that case, Mr Chairman, if these three paragraphs that I got in response to my question on notice on 15 July are an outline of the analysis, could the committee see the analysis?

Mr Corbell: I have indicated to you, Mrs Dunne, that I would be very happy to provide you with a briefing, and Mr Hawkins can probably provide a bit of an outline in further detail now of the sort of assessments that were done. But my answer outlined to you the analysis that was done, and it made the offer to you of a briefing, an offer you are yet to take up. I will ask Mr Hawkins to provide some further information in relation to your question.

MRS DUNNE: Before Mr Hawkins begins, I would like some procedural clarification from the chairman. The minister has said that some analysis has been done and Mr Hawkins can outline the analysis that has been done. I would seek your view on whether or not this question is sufficiently answered by those three paragraphs.

THE CHAIR: I cannot comment on whether it has been appropriately answered or not; that is a matter for the committee to decide as a whole. Have we all seen the response?

MS DUNDAS: No.

MR HARGREAVES: No.

MRS DUNNE: The list was circulated.

THE CHAIR: Right. I might make a copy of the answer. But I understood that there was other information pursuant to the issues raised there, which, on the last day you were before the committee, Minister, you took on notice that you were going to come back to us with. You talked about working models. Is that correct?

MRS DUNNE: No, that was in relation to the land servicing; this is draft variation 200.

THE CHAIR: Okay.

MRS DUNNE: What I am trying to get down to is that I have got a summary of the analysis but what I asked for was the analysis. I get the impression that I am being duckshoved over this. Is there an analysis? And if it exists, can I see it?

Mr Corbell: Let's be clear. It was asked of me at the meeting what analysis had been done of draft variation 200 in relation to a range of issues to do with land development and land release. I indicated that some analysis had been done and that had been taken into account. That is what I said at the luncheon.

It is not my fault if your question presumes certain things that I simply did not say; but that is what your question does. What I can provide fully to you and the committee is all the information that the government has on the potential effects of draft variation 200 on land issues.

MRS DUNNE: And that is more than these three paragraphs?

Mr Corbell: If I can get to Mr Hawkins, Chair, at some stage soon, he can provide the committee with just the information Mrs Dunne is asking for.

MRS DUNNE: Why I asked for this question on notice was—

Mr Corbell: Why don't you just let Mr Hawkins give you some information and see whether or not you are satisfied with it?

MRS DUNNE: Mr Hawkins, is this information available in written form? I do not want to take up the committee's time if something is available in written form.

Mr Hawkins: Lincoln Hawkins, Executive Director, Planning and Land Management. There is a range of analysis, and a lot of it is in plan form rather than written form. Within the time constraints of responding to questions on notice—even to this committee and the hearing—the overview in the answer recognises that some of the sample material, which I could even present directly to the committee now, analyses the constraints which DVP 200 imposes on standard residential forms.

The question alludes to the fact that it is analysis of land development types. One example might be standard residential development on 600 square metre blocks. In our urban fringe area at the moment, it is not unusual to have very substantial, two-storey homes on a 300 square metre floor area.

I will present a plan to the committee that might indicate, through that analysis of a range of current land development types, that, by applying the building envelopes introduced by DVP 200 to the standard residential homes that are currently being built, those could easily remain accommodated on their current residential blocks and the standard size residential.

However, we recognise, through the analysis that has been undertaken—and I have a range of those sample plans here—that private open space requirements will have a more significant impact at the cottage and courtyard block size and that hence there will be some degree of adjustment either in the dwelling type, the design or the block size to respond to what were genuine community concerns. Through the half a dozen examples I have here, we feel that it is more beneficial to explain them in person with the plans rather than seek to do it in a three-day response in a detailed written analysis.

MRS DUNNE: So it is more diagrammatic than written.

Mr Hawkins: Correct. In a complete communication of the analysis that was done, there would be a written component, but it would more usefully be done by examining some of these diagrams and the analysis.

25 July 2002

Mr Corbell: When the government itself considered these issues, it was done largely through a verbal presentation and analysis of a series of plans and diagrams that outlined the practical effect of draft variation 200 on dwellings.

THE CHAIR: I thought the question that was asked was: are copies being made now? I thought the question being asked was about what the effect would be across the system on the number of dwellings that might be produced rather than how it would affect a particular case example—whether you get four residential dwellings out of it rather than five, or whatever it might be.

Mr Corbell: Mrs Dunne asked the question based on a presumption that I said certain things. Her question is inaccurate. I did not say the things in the way she has framed it in her question. What I said at the HIA luncheon was that government had done analysis of what draft variation 200 meant in terms of block size and dwellings.

MRS DUNNE: And what I asked for was a copy of that analysis.

Mr Corbell: As Mr Hawkins has outlined, most of that analysis was in diagrammatic form, which showed the practical impact of the new provisions as they relate to certain dwellings. That is the information he has here. We can certainly provide you with all of these diagrams, but there is a genuine offer for you, either individually or as a committee, to be better informed if you were to take the opportunity for a presentation where you are able to see this documentation and be given the opportunity to have explained to you exactly what it means.

MRS DUNNE: In the first instance, Minister, could I receive the documentation? That is really what I asked for in the question.

THE CHAIR: The question does say, “Could you provide a copy of that analysis for the committee?”

Mr Corbell: Yes, we can provide this documentation. As Mr Hawkins pointed out regarding the three-day timeframe—we are simply trying to ape the spirit of goodwill here—we sought to outline exactly what the nature of that analysis was and how we went about doing the analysis. If you want to see some of the technical drawings, we can provide those and I am happy to do that. I cannot do that today, because Mr Hawkins does not have them all here. But we can provide all of those drawings within three days.

All I would say to the members of the committee is: if you are serious about understanding the impact of DVP 200 and the effect it will have on dwelling types, having the drawings on their own is not going to get you very far. I strongly encourage you to take advantage of the offer of a briefing.

MRS DUNNE: Thank you for that, Minister. I will take up the offer of receiving a copy in the first instance. Just for the record, Mr Chairman, this question was asked on 15 July. It should have been back at close of business last Thursday and I received it—correct me if I am wrong—on Tuesday this week. It was certainly late.

25 July 2002

The spirit of cooperation that I would expect from you, Minister, is that if I ask for a copy of something, I should receive a copy of something—perhaps with a description that says, “Perhaps you might need to have someone run you through it.” But I think I should be able to receive a copy of something if I ask for it.

Mr Corbell: We are only trying to help, Mrs Dunne.

MRS DUNNE: Good.

THE CHAIR: Coming back to the time lines that we have laid down for this committee, since the question requesting documents was asked on 15 July, it would be helpful if the committee could have them sooner than three days from now, since the three-day period has in effect already long expired.

MRS DUNNE: And signed off on the 22nd.

THE CHAIR: If they could be provided tomorrow, that would be very helpful and in the spirit of what has been set down as the framework in which this committee is to operate.

Mr Corbell: We will seek to do that.

MRS DUNNE: Thank you. I have got a wide variety of questions. I notice that there is increasing interest in, and perhaps even pressure on, west Civic in various ways. The ICT Centre of Excellence seems to have its eye on various spots in west Civic. If the Treasurer and minister for tourism has his way and gets a new convention centre, that is one of the possible sites where it might go. What has happened with the west Civic precinct plan? Where are we with it?

Mr Hawkins: Once again, Mr Chair, the west Civic master planning process that emerged out of the former government’s Our City program, which focused on Civic revitalisation, has clearly been very successful on the eastern side. There needed to be a fresh focus in the next phase on west Civic.

We have gone through urban design workshops, which were well attended, at the ANU in the last two months. There were around 60 people at some of those meetings in the last two days. Our advisory panel included urban design advisers from Sydney as well as here—some of our most eminent people have been reviewing the content of that work. We are tracking towards September-October for the draft plan itself. The diversity of participation—people from the university, youth, business holders—fills me with a reasonable degree of confidence that we will get a good result from that process.

MRS DUNNE: We seem to be going through this draft master planning process, and the draft will be available in September. When will the final be available do you think, Mr Hawkins?

Mr Hawkins: That really depends upon the response to the draft material. We are trying not to pin that down too tightly at that end because of the nature and the content of the material. But we will go through six to eight weeks of refinement, testing, exposure and comment.

MRS DUNNE: Are we talking this calendar year?

Mr Hawkins : That is our current expectation.

MRS DUNNE: I am aware that there is a bit of pressure. I know that there is land that has been purchased with a view to building on it. I am just wondering whether the master planning process will hold that up. Does the master planning process have to be completed before the development applications are done?

Mr Hawkins : As you will realise on the committee, we regularly strike the situation where, coincidental with current strategic processes, an immediate development proposal confronts us. In an ideal world we might prefer to have completed a strategic plan. We cannot park all of the change that is happening around us at the same time.

The most successful thing is to feed that in and gauge the participants directly. Whether it is those who are currently at the ROCKS site, those with intentions or those from the business and Chief Minister's area who are involved in the ICT project, they are directly participating in the master plan preparations. And that is the most successful thing you can do at the moment.

MRS DUNNE: And the master planning process covers everything from Barry Drive through the Kingsley Street area down to the lakeside? Does it include the lakeside?

Mr Hawkins : I do not have it indelibly marked, but it will certainly engage all the university interest, which is spread fairly widely down to Acton. There is a study boundary. Where there are overlapping transport interests which might go beyond that boundary, you have got to think outside the square. We are happy to provide you with briefings, if necessary, on how that is progressing.

MRS DUNNE: No, that is good. Will the proposed redevelopment of the Labor Club site be impacted by the draft master plan?

Mr Hawkins : That site is within the study area, so I expect any issues that emerge will be taken into consideration.

MRS DUNNE: Minister, there has been a great deal of brouhaha over the sale of Commonwealth land in that area and about land swaps and the like. You spoke in the *Canberra Times* in May this year about a possible land swap of land in west Civic with the Tidbinbilla deep space station. Is it an active possibility and, if so, has anything progressed on it?

Mr Hawkins : I am not aware of any formal activity on that at this time. The article in the *Canberra Times* and the issue of Tidbinbilla were sparked by comments the Prime Minister made in a letter responding to the Chief Minister's letter requesting him for a more active engagement by the Commonwealth on managing the release of Commonwealth owned rural land in the city.

If I recall correctly, in his letter the Prime Minister alluded to the issue of a possible swap with Tidbinbilla. The deep space tracking station had previously been raised at an officer level. I am not sure whether that was during the time of this government or the

25 July 2002

previous government, but it certainly was an issue that both governments had been aware of for some time.

I am not aware that the issue has progressed at all, except to say that one of the more positive outcomes of my meeting with Mr Tuckey was that we both agreed that the Commonwealth's release of land in the city needed to be better coordinated with our own planning processes. He agreed to write to his colleague the Minister for Finance to seek a delay to any further releases whilst the territory embarked on a strategic planning process, which the Commonwealth itself, through the NCA will be engaged in.

Mr Tuckey also agreed to seek to re-establish, at officer level, regular coordination meetings through his department, the Department of Transport and Regional Services. We are taking some early steps to get better coordination between the ACT and the Commonwealth government, but there is no further movement in relation to Tidbinbilla other than that broader context that I allude to.

MRS DUNNE: It is pleasing that there might be some more coordination, and I hope that this will mean that a policy on land release across the two jurisdictions will be conducted in a more gentlemanly style—less by press release and more by discussion. Is that the case?

Mr Corbell: I would much prefer to be in a situation where territory and federal governments engaged in negotiation and discussion on these issues. But at the end of the day, if we are not able to achieve outcomes in other ways and if we feel we are being bulldozed by the Commonwealth, we will certainly make that clear.

I would prefer not to have to do that in a public forum; I would prefer to have those discussions conducted in a rational way, mostly between officers—because I think that is the best way to achieve things. The offer from Mr Tuckey and his willingness to help coordinate that is something we will continue to embrace.

MRS DUNNE: Do you think, Minister, it will be possible to obtain a copy of the correspondence between the Prime Minister and Mr Stanhope about land releases and land swaps?

Mr Corbell: Yes, I think so. I would need to check with the Chief Minister; it is his correspondence. Given his agreement, yes.

MRS DUNNE: Getting back momentarily to the subject of the Labor Club redevelopment, have there been any approaches to the government about the possibility of any concession for the redevelopment, such as stamp duty and waivers?

Mr Hawkins: I have had one recent approach by an agent of a developer, in an initial contact only, about a proposal. This was intended to be followed up by correspondence, which I have not received as yet. That is as much as I know.

MRS DUNNE: Would that proposed development in west Civic be quite a substantial change? From what one hears, putting residential there would make quite a substantial change to the mix of building types in the area—I know that the territory plan allows for residential, although it is entertainment, accommodation and leisure.

Is that something you are comfortable with as a planner while the master plan process is still outstanding? Or do you think that the whole process might come together in a more coordinated phase as the development proposal comes to fruition and the master planning process comes to completion as well?

Mr Hawkins: That is quite a detailed question, asking a fair bit of foresight. I will give it my best shot, Mrs Dunne. Firstly, it is very hard to predict the timing of the proposal, which has had one meeting and no detail to it. It may well be that we are dealing with a non-issue in terms of the timing and responding to the master plan.

Secondly, broadly speaking, the objectives of the revitalisation of the whole of Civic have provided for a greater degree of mixed use. Whether on that site or other areas of west Civic, the broad strategic planning objectives of providing for a greater degree of mixed use is going to be a healthy thing long term for Civic.

That site itself perhaps has other issues that have to be dealt with, including lease provisions. These have a lot of detailed planning and a process which any proponent would have to undergo before anything I say here today gives anything like a green light to a proposal.

MR HARGREAVES: Mr Hawkins, in your dealings on that site, have you dealt with just the developer, and that is all? Or are there other people that have dealt with you on that site?

Mr Hawkins: No, we have had one meeting with two or three people, who were probably a planner, a valuer and an individual representing parties—I do not fully understand who they are—and I do not know the status of the negotiations. That is a very preliminary conversation, exploring a process that would apply and seeking to understand lease provisions.

MR HARGREAVES: So there is nothing solid at all?

Mr Hawkins: I do not know what is solid; I have just had one meeting.

MR HARGREAVES: In terms of your officers' processes?

Mr Hawkins: No. We have had a meeting, and we have given some information about the status of the lease.

MR HARGREAVES: Sounds good to me.

MRS DUNNE: Is the lease a concessional lease of the sort that is presumably going to be reviewed, going by the announcement you made earlier this week that the Planning and Environment Committee made some recommendations about, a couple of months ago?

Mr Hawkins: Tuesday. Yes.

MRS DUNNE: So that is that process. The status of the lease is still up for consideration because it is a concessional lease of a pre-self-government type.

Mr Corbell: I will let Mr Hawkins deal with the specifics of the site. In relation to the policy on concessional leases, the review is of the management of concessional leases, the rights and responsibilities of lease holders and the way a government should manage concessional leases.

That will be conducted by an external consultant, who is yet to be appointed. In the interim, I have also agreed to a proposal by PALM for a set of criteria which will be used to administer concessional leases in the period up to when the government responds to the consultant's report.

We have set in place an interim framework for the administration of concessional leases. These are criteria which officers will use in assessing matters that arise in relation to concessional leases. The review itself will be completed by an external consultant, who will presumably make recommendations to government on the future management of concessional leases.

MRS DUNNE: Could the committee obtain a copy of the criteria that would be used?

Mr Corbell: The interim criteria? Yes, certainly.

THE CHAIR: Could I ask about the potential application for concessions or waivers in respect of the Labor Club site? Who would normally make the decision about whether such waivers or concessions would be granted?

Mr Corbell: I am certainly unaware of any detail in relation to this proposal.

THE CHAIR: I am not asking for it in detail. I am asking, hypothetically: if someone came forward, anywhere in the city, seeking a concession, a waiver of stamp duty or whatever other concession might apply, who would make the decision about whether such waivers or concessions would be granted?

Mr Corbell: Those decisions are made in accordance with disallowable instruments, which are tabled in the Assembly.

THE CHAIR: By the minister?

Mr Corbell: Yes.

MRS DUNNE: Which minister is it—you or the Treasurer?

Mr Corbell: I am advised that it is the Treasurer.

THE CHAIR: What procedure would you use in the case of an application for a waiver in respect of a block of land in which there is the perception at least of interest on the part not just of the minister but of every minister in the government?

Mr Corbell: It is a hypothetical question. There is no such proposal before the government at this time.

THE CHAIR: Mr Hawkins said there was actually an approach.

Mr Corbell: No, Mr Hawkins indicated—and he will correct me if I am wrong—that he has had one meeting with a number of representatives, of exactly whom he is not entirely sure, about that site, who have sought information in relation to the lease.

THE CHAIR: Before that he said that there had been a tentative approach about the possibility of some concession in respect of development on that site.

Mr Hawkins: Mr Chairman, it was an exploratory meeting, as I understand it, with an intention to follow through with an indicative proposal. We receive many of those types. Sometimes they are seeking in-principle direction or application, with intent to follow through with further information that may be required for an application for surrender and re-grant or other proposals in relation to the lease. All I am indicating is that at that brief meeting there appeared to be some interest on the part of those parties who were going to follow through with such a proposal. I have not received that at this point.

THE CHAIR: Did he indicate that that proposal would include a request of some sort—a concession or waiver—in respect of the site?

Mr Hawkins: The meeting indicated to me that they were considering what the most appropriate way was and were still seeking advice, whether valuation or other analysis. To the degree that the parties, at the time, sought a degree of confidentiality—in fact, I have told you all that I know at the moment—the confidentiality they were seeking to retain at that time was simply about the parties behind the proposal itself.

THE CHAIR: I will check the *Hansard*, but I thought you said in earlier comments that there had been exploration of the idea of there being a concession or waiver available for that site. This was mentioned or raised in the course of the meeting.

Mr Hawkins: In the course of the meeting, it was clear that the intent behind the exploration was for a form of development that would presumably involve residential development. For that to occur there has to be change to the current concessional lease—if that was their intention. But that is a proposal, and it would have to be put as a submission and be considered.

THE CHAIR: I still thought you added to that that there was a request for a concession or waiver.

Mr Hawkins: No, I do not think so. It was suggested that, ultimately, that was going to be their intent. I think we are going into ground where we are reading the minds of people who are not here today.

THE CHAIR: It was suggested that that would be their intent ultimately. Was it flagged at the meeting as a possibility at least?

25 July 2002

Mr Hawkins: It was flagged that they were considering those options and seeking further advice prior to making a submission to us.

THE CHAIR: Minister, the question is: what procedure would the government put in place should the suggestion which has been made to Mr Hawkins materialise and should you be faced with a request for some kind of concession or benefit in which the members of the government would have some perceived interest?

Mr Corbell: I will have to make a few things clear. The first time I was made aware of an approach by people with an interest in that site was the advice that Mr Hawkins has just given to you now. I was not previously aware of any approach by people with an interest in that site—that is the first thing I need to make very clear—nor have I, as minister, had any other approach in relation to this site.

The question is somewhat hypothetical, Mr Humphries, but let me try and answer it as best I can. The government has an existing policy framework for City West. In many respects that policy framework is simply a continuation of the previous government's policy framework for City West in relation to the revitalisation of that area.

For example, the previous government had in place a policy of remission of change of use charge in that area to encourage renewal in that area. This government has continued that policy setting, so we have also continued the policy of encouraging renewal through remission of change of use charge for Civic West. The master planning process will outline the broader strategic directions for Civic West, and Mrs Dunne has talked about that process already.

It is difficult for me to respond exactly as to how the government would address that situation until there is a formal proposal before us, and there is not. But the government would want to make sure that any proposal for the site we are talking about will have been assessed in accordance with exactly the same policy settings as any other proposal for that area.

I should stress also that decisions around development applications, if the Planning and Land Bill is passed, will shortly—I presume it is shortly—no longer be a delegated power of the minister but will be vested in an independent planning authority itself.

THE CHAIR: It is a hypothetical situation you are talking about, though, at this stage, isn't it?

Mr Corbell: As is yours.

THE CHAIR: Well, no. I will come back to the question. My question was not necessarily about what you would do. I asked if you now have a procedure in place to deal with a perceived conflict of interest. It is not a hypothetical question. Is there a cabinet code of conduct direction on this subject to deal with a request where there may be a perceived conflict of interest?

Mr Corbell: The Chief Minister expects his ministers to declare any potential conflicts of interest as and when they arise.

25 July 2002

THE CHAIR: To the other ministers?

Mr Corbell: To him and the other ministers, yes.

THE CHAIR: That would be a little bit unsatisfactory in this case because you all know what your own potential perceived conflict of interest would be.

MR HARGREAVES: Where are they?

Mr Corbell: I do not accept that there is a conflict of interest in this matter. We are talking about a whole series of scenarios which have not occurred.

THE CHAIR: It looks like they are going to occur, Minister.

Mr Corbell: I do not know whether they are going to occur or not, Mr Humphries.

THE CHAIR: Wouldn't it be wise to forearm yourself with an approach or a mechanism to avoid that perception of conflict of interest?

Mr Corbell: Mr Humphries, I am—as of 20 minutes ago—aware that PALM has been approached informally in relation to the site. Now that I am aware of that, I will consider what steps, if any, need to be taken to ensure that proper process is followed.

THE CHAIR: You must have been reading in the newspapers, where the site has been talked about for some time for redevelopment. You must have been aware of the hypothetical possibility of approaches by those people.

Mr Corbell: Maybe I have less idle time than you do, Mr Humphries.

THE CHAIR: Reading the papers—all right.

MRS DUNNE: On the subject of whether or not the minister knew that this might be a possibility and, going back to Commonwealth land sales in the area, did the ACT and the Commonwealth come to an agreement on a price earlier this year for the blocks in west Civic?

Mr Corbell: The Commonwealth indicated to the ACT government what price it was prepared to sell that site to us for.

MRS DUNNE: And what was the ACT's response to that?

Mr Corbell: Which site are we referring to exactly?

MRS DUNNE: The ones in west Civic that you were making a fuss about. I cannot remember the block and section numbers off the top of my head.

Mr Corbell: Julie McKinnon can provide some more information, but there were two sites. One is between the sealed car park on the northern side of Edinburgh Avenue, basically part of the dirt car park area adjacent to the Law Society building. There is

another site on the City Hill side of London Circuit, approximately adjacent to Rydges Hotel.

The Commonwealth indicated their intention to sell both of those sites and, if I recall correctly, formally approached the government saying, “We are happy to sell these to you direct, and this is the price.” The government at the time, whilst not formally ruling out purchasing the site adjacent to the Law Society building, expressed its concern about the Commonwealth’s processes and reiterated the position that we believed that any vacant Commonwealth land no longer required by the Commonwealth should be returned to the territory.

MRS DUNNE: The Commonwealth has a different interpretation of what “no longer required” means.

Mr Corbell: Indeed, they do.

MRS DUNNE: The view has been put, on a number of occasions, that the reason the government was so intent on spoiling the sale, on behalf of the Commonwealth, of the land in west Civic was to protect the sale of the Labor Club.

Mr Corbell: I am sorry; I missed your question. I was talking to Mr Thompson.

MRS DUNNE: It has been said on a number of occasions that the ACT’s attempt to spoil the sale for the Commonwealth of the sites in west Civic was to protect the sale of the Labor Club, which was proposed to happen at about the same time. How do you respond to that?

Mr Corbell: First and foremost, I respond by saying that it is a libellous allegation and I would treat it as such if anyone said such a thing outside the protection of parliament. Second, the position this government has taken on the release of Commonwealth land is no different from the position adopted by previous administrations since self-government, including the previous Liberal government.

The concerns we raised were no different from the concerns raised by my predecessor, Mr Smyth. Indeed, I am advised that Mr Smyth met with the then acting minister for finance, Rod Kemp, and sought his agreement to not proceed with the sale of surplus Commonwealth land.

He, as I understand it, reiterated the position of the then government—and, indeed, previous governments—and this government, that the land should be returned to the territory if it was no longer required by the Commonwealth. Any suggestion that there was some vested interest is, quite frankly, libellous and I would treat it as such.

MRS DUNNE: But, Minister, because of the close association, by name and contact, between the government and the City Labor Club, don’t you see that this sort of perception will be abroad in the community?

MR HARGREAVES: Are you going to go in for the kill soon? I am getting bored.

Mr Corbell: Is that what you are suggesting, Mrs Dunne?

25 July 2002

MRS DUNNE: It is a widely held view—

MS GALLAGHER: Being promoted by the Liberal Party.

MR HARGREAVES: Will we read it in the paper tomorrow morning?

MRS DUNNE: Yes, I am suggesting that this perception is capable of being propagated in the community. Going back to the chairman's question, what procedures do you have in train to distance yourself from things which are a conflict of interest for you?

MR HARGREAVES: Like Dame Pattie Menzies House?

Mr Hawkins: Perceived conflict of interest.

Mr Corbell: I see no conflict of interest. The policy position of this government is no different from the policy position you yourselves had when you were in government. There is no difference whatsoever. I do not see how in those circumstances you can suggest that there is any conflict of interest. For you to raise the matter, Mrs Dunne, is simply a grubby attempt to keep that allegation and suggestion alive, and I challenge you to say it outside this place.

MS GALLAGHER: Can we move on, Mr Chair? We have had half an hour on the subject of the potential and hypothetical issues surrounding the Canberra Labor Club.

MR HARGREAVES: We have not got to the kill yet.

MRS DUNNE: No, we've had half an hour on west Civic.

THE CHAIR: Do you have a question to ask, Ms Gallagher?

MS GALLAGHER: I just wanted to move on.

MR HARGREAVES: I have got a question then. Minister, if this sort of pursuit is going to go on, could we find out what involvement the previous Liberal government had in the changes of use that pertained to Dame Pattie Menzies House? I would like to know what the involvement was.

THE CHAIR: There was no change of use.

MS GALLAGHER: I think Ms Dundas has a question.

Mr Corbell: I am not aware of the detail of that issue at all, Mr Hargreaves.

MR HARGREAVES: Okay, Minister. That will do. I am happy with that.

MS DUNDAS: Mr Humphries, where are we on the agenda?

25 July 2002

THE CHAIR: As I explained at the beginning of today's proceedings, we are having general discussion—overview, statements of capital works—on the planning portfolio. That includes planning and land management and public transport.

MS DUNDAS: And we will get to the detailed stage, specifically of PALM, ACTION and Land?

THE CHAIR: Yes.

MS GALLAGHER: We have only had four hours on an overview so far.

THE CHAIR: I am sorry it has taken a long time, but we have taken the approach before that we would allow—

MS DUNDAS: Yes. I am just wondering where it was because Mrs Dunne was asking some questions that I felt were PALM related as opposed to overview related.

THE CHAIR: They are PALM related, but we have also taken the view that specific questions that might fall within particular components of the agenda could be asked in general. We would prefer people not to do that but, if they want to ask a question—

MS DUNDAS: I was just seeking clarification on where we were up to.

THE CHAIR: Do we want to move on to specifics? Mrs Dunne, are your questions capable of being asked in the specific sections?

MRS DUNNE: Yes.

THE CHAIR: All right. We will move on to specific topics within that. Output 2.2 is public transport.

MS DUNDAS: I will also seek some clarification on questions relating to public transport, considering we also have ACTION specifically on the agenda as the ACTION Authority.

Mr Corbell: I am quite happy, Mr Chairman, to do them concurrently.

THE CHAIR: That is the reason for having overview questions: any problem about division you can deal with by asking them in general at the beginning.

MS DUNDAS: As Minister Corbell has noted, he feels it would be useful to do output class 2.2—public transport—at the same time as the ACTION Authority.

Mr Corbell: Yes.

MS DUNDAS: Then if there are questions that overlap, we can get all the information without having to call ACTION back later this afternoon. It is a suggestion.

THE CHAIR: You are saying: deal with that now so that we can dispense with their services?

MS DUNDAS: Deal with public transport and ACTION at the same time.

THE CHAIR: Does that suit everybody else?

MR HARGREAVES: Great idea.

THE CHAIR: That is fine; let's do that. We will move on to public transport in conjunction with ACTION Authority.

MS DUNDAS: I have some questions on this.

THE CHAIR: We will come back to PALM-related questions later on.

MS DUNDAS: That is what I was suspecting. Can I ask some questions about public transport?

THE CHAIR: You may ask questions about public transport when they are all settled in.

MS DUNDAS: Minister Corbell, I actually asked this question of Minister Wood, and he referred the question to you.

Mr Corbell: I hope it is not a hospital pass.

MS DUNDAS: Will there be any extra bus routes during the times paid parking is being charged at Belconnen and Tuggeranong?

Mr Corbell: Traditionally, and certainly in the time of this government, it has been our view that ACTION should respond in a flexible way to meet demand—as and when it occurs. It is entirely possible that, if additional demand emerges, ACTION will reprioritise its services to meet that demand.

ACTION currently has spare capacity to cope with some additional demand for services, particularly to and from Gungahlin. An example of the sort of flexibility I am talking about, which the government announced earlier this year, are the additional 205 services each week to the Gungahlin area. That is an example of how ACTION adjusts its service delivery to respond to the need for extra service provision.

At the same time, the government will be reviewing the existing three-for-free and park-and-ride facilities at the town centres to make sure that they are adequate for any change in demand. They will continue to make sure that the existing resources that ACTION has are adjusted to respond to demand and will consider any other increases in the context of next year's budget.

MS DUNDAS: Would we be looking at next year's budget if we were going to—

Mr Corbell: This year's budget and next year's budget. As I have already indicated, ACTION has some capacity this year to respond to demand.

MS DUNDAS: How much capacity?

25 July 2002

Mr Corbell: I do not know how that is quantified. I do not know whether Guy can help quantify that.

MS DUNDAS: Can we break it down into groups? What is the capacity you are talking about?

Mr Corbell: It is really about where there is currently underutilisation in other services and those services being redirected.

MS DUNDAS: You mean you could cut services to have services run elsewhere?

Mr Corbell: You would not provide a certain level of service in one area, because it is already substantially underutilised, and you would put it into the area where it could have greatest effect. It is about shifting the bus from this route to that route. It is that sort of change.

MS DUNDAS: Did you want to say something, Mr MacDonald?

Mr MacDonald: Brian MacDonald, General Manager, Road Transport. It is worth reminding ourselves of the proposed commencement date for paid parking, that being March 2003 for Belconnen—perhaps not until July 2003. So, particularly in relation to Tuggeranong, we do not really expect any pressure on the bus service to come out of paid parking this year.

MS DUNDAS: This is a public transport question about ACTION. There was a program run in Woden and Tuggeranong entitled Way to Go. Have the results of that trial been made public?

Mr Corbell: Not at this stage.

MS DUNDAS: Do you know when they will be made public?

Mr MacDonald: I actually saw the report for the first time about two hours ago.

MS DUNDAS: Fantastic. How did we do?

Mr MacDonald: It is looking pretty good. It is quite an encouraging report. Frankly, I am not aware of the status of it and I cannot really comment on the timing, but we will be very pleased to make it available. We need to keep working on the concept of that report. It has been successful in other jurisdictions and has great potential in the ACT.

MS DUNDAS: I understand that there are no funds allocated in this budget to further Way to Go programs—obviously, because you are waiting for the report. If the report is positive, as your first two hours of reading indicate, will there be an allocation of funds to expand Way to Go, introduce Way To Go or do another trial of Way to Go?

Mr Corbell: The Way to Go exercise that occurred was a pilot program. As I understand, it was at least partly funded by Commonwealth Greenhouse Office money, and that meant there was less cost to the ACT government. The government will

consider options for expanding this sort of program in the context of our more detailed transport planning activity, which will inform decision making for the next budget. Way to Go type programs, from my understanding of them in other jurisdictions, have proved to be very successful.

I am aware, for example, of the experience in Perth, which saw not insignificant changes in people's decision making about what transport mode they would choose for particular types of journeys. I would be keen to see that progressed in the ACT as well, but those are decisions for future budgets.

MS DUNDAS: So we will not necessarily see any progression of the Way to Go program in line with the timing for the introduction of paid parking?

Dr Adrian: Colin Adrian, Executive Director, Policy Co-ordination. Based on what Mr MacDonald said about initially receiving the report and depending on what that report says and the outcome of that pilot, there is the possibility of approaching the Commonwealth for more money through the Greenhouse Office. For work that has been done in other jurisdictions, particularly in Western Australia and South Australia, the large part of the funding has come through Greenhouse initiatives money, particularly from the Commonwealth.

One possibility is to have further discussions with the Commonwealth. The other possibility is to see whether there is any capacity for using some of the Greenhouse money for this, since it is, in part, a Greenhouse initiative as well. That is something we will have to analyse, depending on what is in the report.

MS DUNDAS: I am willing to hand the floor to somebody else.

THE CHAIR: Have you got further to go?

MS DUNDAS: I have got more questions on other topics, but within public transport.

THE CHAIR: Okay. Other questions on public transport?

MRS DUNNE: This might be a Mr Thurston question. There are circumstances where Treasury and ACTION may have to take account of currency fluctuations in relation to equipment like buses and fuel. Is the current currency situation impacting on ACTION?

Mr Thurston: Guy Thurston, Chief Executive, ACTION. In regard to fuel we have an arrangement with Treasury. When there is fluctuation up and down and if the price of fuel goes up, Treasury allocates us money on that basis. Fuel has just gone up about 10c in the last couple of days, and over the year they make adjustments accordingly.

In regard to parts, our buses our French by origin—Renault—and there are some fluctuations associated with that. From time to time we deal with Treasury on those variances, which are beyond our control.

MRS DUNNE: In the case of fuel, do you have a standard price—so many cents a litre—that you base your costings on?

Mr Thurston: We work on 80c a litre. Then there is an adjustment up or down, with Treasury, based on that.

MRS DUNNE: So if it is 70c, Treasury does not forward you as much money and, if it is 90c then—

Mr Thurston: No. Treasury had been making these adjustments. Because fuel, up until this week, has been relatively low, we have a bit of credit there. But as soon as it goes up, they will take that back.

MRS DUNNE: With the fare structure, the ownership agreement says that the rate of recovery was targeted at 29 per cent, but you actually received 24 per cent.

MS GALLAGHER: What page was that, Mrs Dunne?

MRS DUNNE: Page 21 of the ACTION ownership agreement. Actually, I think I will leave that question on hold and come back to it, Mr Thurston, because my notes are not quite correct. If somebody else wants to ask a question—

MS DUNDAS: I have a few. You look surprised, Mr Humphries.

THE CHAIR: Shocked.

MS DUNDAS: I am looking at new Budget Paper 4, page 206, which is output 2.2—public transport. It is many other different page numbers in many other different places, but we will just sail through.

Dr Adrian: We are with you, Ms Dundas.

MS DUNDAS: You have discontinued the measure of public bus transport passenger boardings per head of population and replaced it with the new in-service hours measure. Can you explain to me how they relate?

Dr Adrian: Above that there is a measure for public bus transport passenger boardings, so we are still using that as a measure of total passenger boardings for ACTION. The figure underneath that for per head of population is simply an arithmetical calculation based on the number of people in the territory.

The feeling was that, as a measure of performance, it was not adding anything at all; whereas a more useful measure of performance and service delivery would be public bus transport in-service hours. That is the number of actual hours the buses are on the road providing a service to the public. It does not include things like running times between depots and maintenance trips.

MS DUNDAS: It does not include bus breakdown time?

Dr Adrian: No. That is what the words “in-service” mean—buses actually transporting passengers.

25 July 2002

MS DUNDAS: On public bus transport passenger boardings—and this might be a quick kick for you, Minister Corbell—the estimated outcome for the 2001-02 boardings was much lower than the target. Do you have a reason for that, and can you explain why you have set the 2002-03 target still lower than what the 2001-02 target was?

MRS DUNNE: The first one might be a free kick, and the second one might be a hospital pass.

Mr Corbell: It is substantially the impact of the free school bus scheme, which resulted in foregone revenue for ACTION. But I will ask Mr Thurston to elaborate.

THE CHAIR: She asked about boardings, not revenue.

Mr Corbell: Well, I will ask Mr Thurston to elaborate on that.

Mr Thurston: To bring some clarity to the 16.8 million passenger boardings, that target was developed on the basis of the school subsidy scheme coming in, in the initial part of last year, and a projection for the new school year from February this year. That would entail an increase of that order.

The number of trips for the year before was 15.6 million, and we estimated that they would go up by 1.2 million. That works out at about 3,000 students using the bus each school day. It was our best estimation of what the impact of the new school transport scheme would be.

You had the initial burst of people joining it immediately, and we then tried to estimate how many students would change school as a result of the school subsidy scheme. What has been seen in other places over time is an increase in longer travel for students going to schools. That is what happened in New South Wales over a period of years.

That gives you the starting point for 2001-02. The estimated outcome actually ended up at 15.789 million, which was close to that. We are now projecting 16.2 million for the current year. We now have a one zone anywhere system, and we obviously want to get more passengers as a result of that.

MS DUNDAS: The new one fare system is now in place—it is only three weeks, I admit. Do you have any preliminary readings on whether it is attracting people back to buses and whether you will be able to meet your yearly target?

Mr Corbell: It is pretty early days.

MS DUNDAS: I understand that it is pretty early days, but it is a new bus scheme—again, for the 100th time. Have you taken any preliminary data on how the new bus scheme is running?

Mr Thurston: It is 25 days old. In that time we have had two weeks of school holidays, and we had a week and a bit of year 11 and year 12 doing different things. There are some very encouraging signs. We are looking daily at the long distance express type services from the south and the north, and we are starting to see full seated loads on buses, which is very refreshing.

We are monitoring that on a daily basis, and we will be taking whatever steps are necessary to make sure that we do not shun any new patronage. Every day is different. We are monitoring on a daily basis, and it is getting better every day. It would be foolish to make any major statements based on the information to date, but there are some very encouraging signs—which is great.

MS DUNDAS: I understand it has only been 25 days, but have you seen or do you expect to see any changes in use with short journeys?

Mr Thurston: We are obviously monitoring the short ones as well because we do not want to lose any of the former one zone passengers. It is difficult, but we cannot identify any drop-off in that area. That does not mean there will not be certain routes where there has been some backlash, but there is no indication of that at this stage. Again, that is encouraging because that was an issue which may have had some impact.

Mr Corbell: There are pluses and minuses: an additional 10 cents per ride—including the CPI increase—when you are only travelling one zone, compared to a close to 50 per cent saving on a monthly ticket if you are travelling across more than one zone. Yes, there are costs and benefits but, overall, the balance is pretty good. The slight increase, including CPI, for a single zone is very small when you look at the benefits that are being delivered for very large parts of the city.

Mr Thurston: The other encouraging point is that the call centre, which is our daily monitor; the *Canberra Times* letters to the editor; and talkback radio are not seeing this as an issue. That is great.

MS DUNDAS: Fair enough. Still in the public transport realm—and it may well be that in all my research I just have not found it—do the budget papers report anywhere the revenue that comes in from public transport? Is that the fare box recovery measure?

Mr Thompson: Yes.

MS DUNDAS: The fare box recovery measure is done in percentage terms. Are you making a 20 per cent profit? I do not understand how it works.

Mr Thurston: I have a very strong personal view on the fare box recovery. This has nothing whatsoever to do with performance; it is more an output of government policy. Prior to the school subsidy scheme, we were 24 per cent fare box recovery with a target of 30 per cent over a period of time. We were doing that under the umbrella of the ICRC. The school subsidy scheme came in and the fare box recovery immediately dropped back to 18 per cent. The greatest impact on fare box recovery is government policy.

MS DUNDAS: Would that be because you had more people riding for free?

Mr Thurston: Yes.

MS DUNDAS: What is the 18 or 22 per cent you had projected a measure of? Is it the number of people who pay for a bus service?

Mr Thurston: It is the amount of money which the public contributes. But that is based on the social policy of the government of the time.

MS DUNDAS: You are projecting to get 22 per cent of your revenue from the public.

Mr Thurston: Yes, that is right.

MS DUNDAS: Thank you for explaining that.

MRS DUNNE: And you get the other 78 per cent from the public, but by different means.

Mr Thurston: Yes. I mean the travelling public.

MRS DUNNE: You were saying that the target last year was 29 per cent, but you were achieving 24 per cent.

Mr Thurston: No, we were 24 per cent, moving up towards a target of 29 or 30 per cent. But then there was a policy change, which immediately dropped the 24 per cent back to 18 per cent. Then the school subsidy scheme went out, and we went back up to 24 per cent. Now we have got one zone across the board.

MRS DUNNE: Is that 22 per cent—rather than 24 per cent moving up to 29 per cent, which is what it was before the free school buses—a measure of the drop in revenue created by the one zone system?

Mr Thurston: In the main, that indicator is what the public pays; it is their contribution. There are aspects of us providing a good service and making sure we are not shunning people in that regard; whereas if you had extra people on the bus, that would improve the situation. But it is directly related to policy.

MRS DUNNE: So this year it looks like the subsidy from other than the riding public will be 78 per cent.

Mr Thurston: It was about that.

Mr Corbell: I do not agree with the word “subsidy”, and the government would not agree with the word “subsidy”. That is the amount of investment we are prepared to put into public transport to make for adequate public transport provision in the city. I do not see it as a subsidy.

We do not talk about “subsidy” when we talk about money we are spending on other transport infrastructure provision, such as building roads. We do not say a “subsidy” of so much for roads; we talk about investing in infrastructure. This is another, very important, form of infrastructure. I have to take issue with the use of the word; I do not think it is adequate.

MR HARGREAVES: Minister, using numbers also does not take into account the effect of a change in transport policy. It does not take into account the environmental benefit of getting more people out of their cars and onto buses and having less wear and tear on the

road. If one is going to use numbers to talk about the efficacy of a transport system, surely the whole of those costings ought to be taken into account before people go public and start criticising it.

Mr Corbell: That is a very reasonable point, Mr Hargreaves.

THE CHAIR: Following that point of Mr Hargreaves about the environmental benefit, how many additional passenger boardings did the free school bus scheme generate?

Mr Thurston: I anticipated that late this morning. From memory, it was somewhere between 3,000 and 4,000. Are you talking about the number of school students increasing with the use of the scheme?

THE CHAIR: I do not care how you measure it—whether it is over a month, a year or part of a year.

Mr Thurston: I can give you some information which may help. We got a total of 21,470 applications for the scheme, and we could have got anything up to 50,000. That was the unknown aspect of it. Of the 21,400, 20,000 were deemed eligible. They were 52 per cent from non-government schools and 48 per cent from government schools, and 70 per cent from secondary school and 30 per cent from primary school. That is along the lines you would expect.

MS DUNDAS: So the free school bus scheme benefited more non-government schools?

THE CHAIR: Only just.

Mr Thurston: Only just. It was 52/48.

MR HARGREAVES: Then 38 per cent of school children got 52 per cent of the benefit.

THE CHAIR: You would not know—

MR HARGREAVES: I heard your party and everybody else in education telling us that 38 per cent of students were in private or non-government schools, so it is not unreasonable to assume that 38 per cent of the students got 52 per cent of the benefit.

Mr Corbell: You need to do some more detailed analysis of the figures, Mr Hargreaves, to understand the full extent.

THE CHAIR: You had not finished your answer, had you, Mr Thurston?

Mr Thurston: Your precise question was: what was the increase?

MRS DUNNE: Yes. How many boardings did you get?

THE CHAIR: How many extra boardings did you get?

Mr Thurston: We do have it; it is just a matter of putting our hands on that.

25 July 2002

Mr Corbell: We will come back to you, Mr Humphries.

Mr Thompson: Mr Humphries, it is worth recording that we acquired another 17 buses from New South Wales for the initial bow wave. After some time we were sufficiently comfortable to be able to return some of those to New South Wales. It was about 10 initially, wasn't it, Guy?

Mr Thurston: Initially, we had 19 extra buses from interstate to prepare ourselves. We increased the capacity of buses through engineering and maintenance by another 10. The difficulty was that we could have had anywhere between 15,000 and 35,000 students wanting those services.

ACTION did a remarkable job in not getting one complaint throughout that process, which was a very high risk activity. We did not leave one kid behind, and we did not have any complaints. It was a big variable that we had to plan for and, as Mr Thompson said, we were able to manage the transition and very quickly get rid of that additional resource—that is, the buses.

THE CHAIR: I commend you for that; it was a job well done. In your experience as a person involved with public transport, do you suppose that getting those children onto public transport—had it been sustained—might have influenced patterns of public transport use in later life?

Mr Thurston: Everybody bases their transport experience on going to school. If that is a good experience, one hopes they will continue to see public transport as an option. If they see it as a bad experience, they will never want to see a bus or a school bus again. There is that category of people.

MR HARGREAVES: That is why I do not ride a bike to work. I used to ride a bike to school, and I would not do it now. Sorry.

THE CHAIR: Further questions for Mr Thurston?

MS GALLAGHER: This is probably more out of personal interest than relevance to estimates, but we have had a lot of irrelevance, so I am going to go with it. In your staffing profile, in your statement of intent, there are 428 bus operators. How many of those would be women?

Mr Thurston: Very few.

Mr Wallace: Fifty-four.

Mr Thurston: I will put it into perspective. When I came to ACTION five years ago, there were fewer than eight females in the operating areas of ACTION. Recruitment last year heavily focused on trying to attract female drivers to the system. We were successful, and we have been able to retain—Mr Wallace advises me—up to 54.

It is still not great, but we are trying to get a better gender balance because we believe there are obvious benefits in that. We have had a very good retention rate of the females who have joined us. We have had a strategy of trying to bring them in in groups rather

25 July 2002

than individually because the silly male syndrome churned them out before. We are having some good success in that regard.

MS DUNDAS: Every other department gives a gender breakdown in their staffing profile, which is absent from ACTION's. Is there any explanation for that?

Mr Thompson: We have a statement of intent.

Mr Thurston: There is the statement of intent, but we report in our annual reports—

MS DUNDAS: What I am saying is that every other statement of intent for departments has a gender breakdown in their staffing analysis; whereas ACTION does not. Is this going to be rectified in future budget years?

Mr Thurston: Yes, we can rectify that.

MS GALLAGHER: Are you implementing positive recruitment strategies that you are going to continue?

Mr Thurston: Yes. Our overall recruitment strategy is to get a work force that more reflects the community. That is a pretty glib statement, but we mean it. We want to have a group of people who represent the community, not a white Anglo-Saxon male of a median age of 54, which is what I happen to be.

MR HARGREAVES: There goes life after politics.

MS GALLAGHER: But wearing a blue suit rather than a grey one! My other question on the staffing profile is that there seems to be a large number of inoperatives, about 7 per cent of your work force. Does this include people who may have had a workplace injury and so are unable to be at work? Do they come under "inoperative"?

Mr Thurston: Yes. ACTION, being an industrial type organisation, has a high percentage of staff on long-term sickness or workers compensation. There are people I have never seen in ACTION—and I have been in ACTION for five years—and they are still on our books.

We are managing this side of our business in a proactive sense to try and turn off the tap, so to speak, of any new injuries. In an industry where we have 70,000 transactions a day, with people getting on and off buses, you cannot have a zero. Obviously, we are aiming for the minimal number possible.

It is a significant issue. Last year our workers compensation bill was \$2.75 million plus GST. Fortunately, we get the GST back. It is a critical issue for ACTION and for industrial type industries where we have to manage this.

MR HARGREAVES: I assume that a great amount of that money would be for long-term compensation.

Mr Thurston: Yes.

25 July 2002

MR HARGREAVES: Is the number for added people a shrinking or a stable number?

Mr Thurston: We are trying to keep the number of new claims as low as possible. It is the number of claims, the duration and the cost that drive the premium. We are having success with reducing the number of claims and with reducing the duration, which means we are managing it. Unfortunately, medical costs are going up across the board, and that is where, in general, insurance prices are going up significantly.

MS DUNDAS: You say that the information on the gender analysis is in the annual report. Do you have that information to give us as part of the budget papers?

Mr Thurston: No, the annual report is currently being developed. This will be ACTION's first annual report for the period of 1 January to 30 June. We are currently writing that as per the government's requirements.

MS DUNDAS: I was wondering if you had the gender breakdown analysis to give us.

Mr Thurston: I could supply the gender basis, based on 30 June. That is no problem.

MS DUNDAS: Can I also ask about the transport budget. I am looking at user charges in the statement of financial performance on page 203 of Budget Paper 4, the revised edition.

MR HARGREAVES: Is that the St James version?

MS GALLAGHER: She keeps doing it. It has been banned.

THE CHAIR: Well, it has been banned. We should not be talking about it.

MS DUNDAS: The user charges for the ACT government increase from \$132,000 to \$929,000, a variation of 604 per cent, and then plateau. Can you explain what happened there?

Mr Thurston: Is it page 204?

MS DUNDAS: If you are looking at the old budget papers, it is page 204.

Mr Wallace: It is the inclusion of funding that used to be provided through the old Department of Education and Training for disadvantaged student travellers and is now administered under Urban Services.

MS DUNDAS: So it is money that has come from Education?

Mr Thompson: Until this budget, the provision of transport to children with a disability was funded through the Education line, and now it has been moved to a line that passes through the Urban Services budget on its way to ACTION.

MS DUNDAS: On non-ACT government user charges, between the estimated outcome of 2001-02 and 2002-03 we have seen a 205 per cent variation, an increase from \$21,000 to \$64,000. Can you explain that increase?

25 July 2002

Dr Adrian: In essence, the figures there relate to the sale of the Road Ready learner books. We have been in a process of revisiting the publication of those books and revising those documents, and we are anticipating increased sales over this coming year.

MS DUNDAS: Do you anticipate increased sales over the next three years? Those non-ACT government user charges remain quite high.

Dr Adrian: Correct.

MS DUNDAS: Does the Road Ready book cost more than the old book? It is a dramatic increase to be explained just by the publication and sale of one program and one book.

MS GALLAGHER: That is how they are explained.

Dr Adrian: The base in the previous financial year was quite low, but the numbers show that it is only a small increase over time—\$64,000 to \$67,000.

MS DUNDAS: Then can you explain why it was quite low? It was budgeted at \$50,000 but only came in at \$21,000.

Dr Adrian: It was to do with the availability—the book and the reprint of the book. In other words, we were selling less of those books in that year, when it was known that we were going to reprint it.

MS DUNDAS: That is all making sense.

THE CHAIR: We will break now and will resume no later than 10 to 4.

Short adjournment

THE CHAIR: Minister and officers, we will resume. We are in the midst of public transport. I have a question. You appointed the new board of ACTION, and it includes a representative of the Transport Workers Union.

Mr Corbell: I should stress that they are not there in a representative capacity, but the individual concerned is an officer of the TWU.

THE CHAIR: What procedure is in place for negotiations on the EBA? There would be a conflict of interest in having the TWU representative on both sides of the negotiating table at the one time, so what procedure is in place to deal with those negotiations?

Mr Corbell: I will certainly let Mr Thurston elaborate a bit on this from an authority perspective. From a government perspective, I have made clear in relation to the appointment of Mr Whale that we would expect normal conflict of interest practices to apply to his activities on the board. In matters where there is a potential conflict of interest, we would expect him and the board to act appropriately. I have been assured that that will be the process. Mr Thurston, do you want to add to that?

25 July 2002

Mr Thurston: Obviously, everyone who comes to the board takes off their hat and becomes a member of the board, and people are expected to behave within that category. I know that the chairman will be discussing this issue with all the new board members when we have the board meeting tomorrow morning.

THE CHAIR: It is not yet determined how that will be dealt with, but it will be dealt with.

Mr Thurston: Yes. Mr Chair, you asked a question regarding passenger boarding numbers. I can table a document that would help, which shows patronage by ticket type, whether that be by the SSTS, the term ticket or the faresaver, for each of the four terms. It is a positive story in that, through the SSTS, the elimination of the SSTS and the marketing of the term ticket, we have seen an increase, for term 1 this year over the previous year, of 10 per cent and, for term 2 this year over last year, of 13 per cent.

It is a complex document because there are transfers. Obviously, the paid term tickets went down as the free term tickets went up, but overall we have seen a sustained increase in school transport usage, which is great.

Mr Corbell: You actually see that we are carrying more school students now than we were at the peak of the SSTS.

THE CHAIR: Do you have other questions on ACTION?

MRS DUNNE: Mr Thurston, over the years there has been a fair amount of fluctuation in the number of million kilometres of proposed travel. In 1999-2000 it was 17.6 million. It went down to 16.5 for two years, and the target this year is 16.9 per cent. What is the number of million kilometres travelled an indicator of?

Mr Thurston: Which document are you referring to?

MRS DUNNE: It is in various places. It was in the old budget papers, and it is in the statement of intent. I have collected from two or three places. The planned total number of kilometres travelled this year is 16.9 million. But it has been as high, a couple of years ago. This is in the statement of intent, page 21. It used to be in the output measures in the budget papers a few years ago. It shows total kilometres, including SMTs and SSTS, in thousands, and it is 16,944,000.

Mr Wallace: It is the line above that. It is 22.1.

MRS DUNNE: All right. Sorry.

MS DUNDAS: And it is the route kilometres.

MRS DUNNE: What are they measures of?

Mr Thurston: The route is the actual service component of the kilometres; whereas the larger total is total kilometres.

MRS DUNNE: That is getting to depots and things like that.

Mr Thurston: That is the dead running issue and those sorts of things.

MRS DUNNE: The route kilometres over the years have fluctuated from about 17½ million to 16.9 million this year.

Mr Thurston: There was additional kilometrage attached to the school subsidy scheme. They have been refined.

MRS DUNNE: But the actual outcome for 2001 was 16½ million, and it is going up marginally to 16.9. But in 1999-2000, before the school bus system, it was 17.6. Are you doing less routes, or are you doing routes more efficiently? What does that change over time indicate?

Mrs Thurston: We brought in Network 99, which increased the overall services and kilometres by about 20 per cent. Then we were on the basis of use it or lose it, and we had to trim it back about 10 per cent in 2000-01. We are still operating 10 or 11 per cent more of the service—more kilometres—than we were before we started that network.

To give another example, on 13 May this year we put in 205 extra trips to Gungahlin each week. There were extra kilometres but we did it with less hours, by rearranging the way we do business. There are 2,600 trips a day that we continually have to readjust to maximise productivity, and it fluctuates up and down. We were able to get in those extra trips to Gungahlin in just under the original number of hours. But it did increase the kilometrage, as you would expect.

MRS DUNNE: Hobby horse alert! Now that you are a statutory authority and there is more emphasis on measures, would the ratio between passenger boardings and travel be a reasonable measure of the efficiency and sustainability of the network?

Mr Thurston: As Mr Thompson pointed out in reference to output class 2, we have the total number of passengers and the in-service hours, and we can get some ratios from there. But we certainly need to look at those key indicators to make sure we are going forward rather than backwards.

MRS DUNNE: Also to see how many passenger boardings there are per kilometre, or whatever it might be. If those ratios are wildly out of whack, you might have a lot more passenger boardings. But if the amount of travel you are doing to get those passenger boardings is increasing disproportionately, it is a measure of the system not being efficient at the margin.

Mr Thurston: That is correct, and that is why we are using in-service hours. If the only measure of efficiency were the number of hours, ACTION could be said to be totally inefficient and have unproductive hours. That is why we are focusing on the key issue, which is how many hours' service are being provided to the public. Your secondary part, as you say, is how many people are actually using it.

MRS DUNNE: Are the public using them? You can have buses on the road and operating long hours, but you might not have anyone using them.

Mr Thurston: Exactly.

MRS DUNNE: Are you looking at refining those over time?

Mr Thurston: Yes.

MRS DUNNE: My other question is: how is the bus replacement program determined?

Mr Thurston: We are going through the process of procuring new buses at the moment. We are looking for a standard bus with an ultra low floor, which will accommodate the Disability Discrimination Act. We are looking for airconditioned buses, and we are looking for alternative fuel, if at all possible—that is, CNG. We are looking to procure buses of that specification from a current government order within Australia, so that we do not have to go through an exhaustive tendering process.

MRS DUNNE: What do you mean by “current government order”?

Mr Thurston: Providing there is a current government contract in one of the other states or territories that has the bus type we are looking for—

MRS DUNNE: So you can piggyback onto that?

Mr Thurston: We can piggyback onto that rather than go through an exhaustive and lengthy process.

MRS DUNNE: What is the average age of the fleet?

Mr Thurston: The average age of the fleet at the moment is 10.2 years. We are proposing that buses will be used up to 20 years. In the past, most government agencies would sell their buses at 12 or 13 years to the private sector, who would use them for another seven or 10 years.

Around Australia now all government agencies are saying, “If the private sector can run them efficiently, why can’t government agencies?” That is exactly what we are proposing to do. Some of our buses are 15 or 16 years old, but the average age at the moment is 10.2.

MRS DUNNE: How many buses would you replace a year—old out and new in?

Mr Thurston: This budgetary cycle provides moneys for 43 or 44 buses. In an ideal world, if you have a fleet the size of ACTION’s, you would have 18 to 20 buses a year in perpetuity, because they will wear out 20 years later.

Unfortunately, for all sorts of reasons, that has not been the case. The manufacturers would like to see a smooth, rather than lumpy, provision of buses over a period of time. Generally speaking, history has provided very lumpy arrangements for buses, depending on either the federal or the state moneys at the time.

MRS DUNNE: It has been lumpy in the past, but you are hoping to make it smoother.

Mr Thurston: Ideally, we want to work towards a smooth arrangement.

MR DUNNE: You have the criteria of low floors, alternative fuels, if possible, and airconditioning. Currently, you have a lot of Renault, but if you then go into Peugeot or Mann or Mercedes Benz, do you have to change your workshop and are there diseconomies of scale in doing that?

Mr Thurston: If you change the type of bus, you would obviously have some spare parts and training issues. We have predominantly Renault now but, even if we got new Renault buses, we would have to train the mechanics and the drivers in the differences in them. It is good to have that arrangement because it keeps the suppliers on their toes. If you had all one type of bus, they would think they had you captured and would build that into their price.

MRS DUNNE: Yes, I see that.

MS DUNDAS: Again, looking at output 2.2, the estimated outcome for the cost of administrating and regulating the public transport industry and purchasing public transport services in 2001-02 is half of the target cost. The target cost increases a little bit for 2002-03. The footnote says that is due to a revised costing methodology. Can you explain what is going on there?

Mr MacDonald: The substantive reason for the change is the fact that there have been some changes between outputs 2.1 and 2.2. They have been reordered, essentially to line up with ministerial responsibilities: output 2.1 reflects Minister Wood's responsibilities and output 2.2 Minister Corbell's responsibilities. In re-aligning them, some activities were transferred out of 2.2 into 2.1. There have also been some overhead allocation issues.

MS DUNDAS: The footnote for "government payment for output" says that this money includes the ACTION single zone fares, the ACTION gap funding and a report on sustainable transport. How much has been provided for each of those initiatives?

Mr MacDonald: My colleague Mr Wallace can probably give a better breakdown than I can. Essentially, it is a CSO type breakdown.

Mr Wallace: Looking at the one zone.

Mr MacDonald: Sorry, it is the composition of the adjustments to ACTION funding. It is the amount of money ACTION has received for supplementation on the single zone. For example, the single zone was \$2.2 million. Peter, do you want to take over?

Mr Wallace: Peter Wallace, Deputy Chief Executive, ACTION. The current budget allows for our operating expenses to increase by \$4.07 million this year and various amounts into the forward years. We also received a \$1.25 million contribution for the single fare for adults and concessions, \$950,000 for a continuation of the student one zone system and a continuation of the bus door safety project capital funding of \$1.15 million.

25 July 2002

We received, I suppose, the relatively small amount of \$400,000 for the bus replacement program, but at the end of last year we were advanced \$4 million towards this year's expenditure on buses.

MS DUNDAS: How much is being spent on the sustainable transport report?

Dr Adrian: That component is \$150,000.

MS DUNDAS: And the ACTION gap funding?

Mr Wallace: That is the \$4.07 million.

Mr MacDonald: You have to understand that, between last year and this year, there were a number of ons and offs. The school student transport scheme funding, which was in last year's budget, has now come out. That was substantial. We have then had all these additional amounts going into ACTION funding. In net terms, it looks like a very similar number, but there have been significant movements in and out.

MS DUNDAS: Yes, I get that. The government payment for output has with it a footnote that specifies that this is being used on these initiatives. If the \$4 million difference is all the ACTION gap funding, are the other initiatives being funded out of the money that was already there?

Dr Adrian: In simple terms, the difference between the outcome for last year and the \$46.4 million is the new initiatives, which are the single zone fares, the gap funding and the sustainable transport.

Mr Wallace: There is also a reallocation. In the past there has been an injection for operations, which has been funded below the line. The projection for this year was \$4,098,000. That has been included in the general CSO funding now rather than paid as a separate amount.

Mr Thompson: I think we can say that it is complicated simply because we had this one-off of the free school bus scheme last year, which brought several million into last year's final outcome. So you have to take that off and then start loading in other things to get to our new figure of \$46.566 million.

MS DUNDAS: That is what I was trying to work out.

Mr Corbell: If I can interrupt, the previous government's budget planned a reduction funding for ACTION of \$3.1 million for this financial year. The previous government was proposing, in their budget, to spend \$3.1 million less on ACTION. Clearly, ACTION could not have continued to provide the same level of service that it was providing last financial year if the previous government's proposal to reduce the funding to ACTION by \$3.1 million had proceeded.

We have addressed that. We have taken the view that the current amount of service provision should be maintained, and we will maintain funding to ensure that it is. The base funding has been adjusted, and a funding adjustment has now been programmed into the budget, which totals just over \$18 million over the next five years.

25 July 2002

It is worth making the point that the previous government planned to cut the ACTION budget by \$3.1 million this year.

MS DUNDAS: Thank you, Minister. Who has responsibility for the interchanges?

Mr Thurston: Ownership is with Urban Services. We use them for operational purposes.

MRS DUNNE: Who cleans them? As somebody who went to work on an ACTION bus this morning, I would like to know who cleans the Belconnen bus interchange?

Mr Thurston: ACTION has private contractors cleaning it.

MRS DUNNE: And who is responsible for cleaning the overpasses and steps and things that lead up to the Belconnen bus interchange?

Mr Thompson: CityScape cleans those.

MRS DUNNE: A note to CityScape: can we clean up around the bus interchange? It is shocking at the moment.

Mr Thompson: Actually, it has been quite a challenge. We have cleaners in there regularly, and it is proving to be quite a challenge.

MS DUNDAS: Do upgrades of the interchange come out of the DUS budget and not the ACTION budget?

Mr Corbell: Yes, it would be government capital works, not ACTION funding.

MRS DUNNE: Mr Thurston, on this very interesting table that you tabled—the table—

Mr Thurston: I tabled it, so I have not got a copy.

MRS DUNNE: There is a drop-off in patronage for term 4 last year. Is that a cyclical thing because years 10 and 12 finish a lot earlier?

Mr Thurston: Exactly. In October, November there is a big drop-off.

Mr Corbell: In that context, Mrs Dunne, the best point of reference is to compare term with term. From term one last year to term one this year there is still a significant improvement.

MRS DUNNE: So it is better to do term on term?

Mr Corbell: Yes. Equally, between term 2 last year and term 2 this year, there is a stronger result this year.

25 July 2002

MS DUNDAS: I will move to a different topic within transport—I also asked this question of Minister Wood, but I will try it out on you, Mr Corbell—that is, the deregulation of the taxi industry. It comes under the 2.2 output.

Mr Corbell: I am not responsible for taxi industry issues.

MS DUNDAS: Under output 2.2—public transport—are the measures: “The ACT taxi industry to be independently assessed for customer satisfaction aspects” and “Reform recommendations arising from review of taxi and hire car legislation implemented according to agreed schedule”.

Mr Corbell: Discontinued measures.

MS DUNDAS: Okay.

Dr Adrian: We went to 2.1.

MS DUNDAS: So you are not going to answer any questions about it at all?

Dr Adrian: Mr Wood answered that question.

Mr Corbell: Mr Wood, I am sure, has answered fully and comprehensibly.

MRS DUNNE: I have a few round-up ACTION questions. I will ask the questions and you can work out who can answer them. Some of them come out of Labor Party policy, and I do not know whether this one has been implemented or not—to allow concessions to be used at peak hour. Has that been introduced?

Mr Corbell: No, that has not yet been introduced. Our intention is to do a more comprehensive examination of the concessions framework. Currently, concessions for ACTION are complex and not at all consistent. In particular, holders of a seniors card are entitled to concession travel, but the seniors card itself is not means tested. Health care card or pensioner concession card holders are entitled to a concession and, equally, people who could be quite well off are entitled to a concession simply because they are over the age of 55 and have a seniors card.

We are keen to take a proper look at the concessions framework, so the decision on implementing that commitment will be made in the context of work to be done this year. Implementing that commitment will be considered in the context of next year’s budget.

MS DUNDAS: The jury is out on whether that is a core promise?

Mr Corbell: We made no commitment to do everything in the first six months.

MS DUNDAS: Yes, but you also qualified what you were going to do.

Mr Corbell: We have done a lot in the first six to eight months, and we have got three years to implement all our commitments.

25 July 2002

MRS DUNNE: What I am trying to do is get an update. What you said in your update was that there was the possibility for you to severely restrict access to concessions on ACTION buses.

Mr Corbell: I did not say that. I simply said that we needed to have a more rational framework for concessions rather than what is currently a quite inconsistent framework.

MRS DUNNE: This might be a Mr Thurston question. Security cameras are installed at bus interchanges. There was some debate a couple of years ago about whether they were there as security cameras or there to monitor bus movements.

Mr Thurston: They are there primarily to monitor the services and bus movements. They have now been changed to digital, and tapes can be retrieved by the police if required.

MRS DUNNE: So previously they could not be retrieved?

Mr Thurston: No, it was just a static tape. Unless you got the tape straight away, you could not do much with it.

MRS DUNNE: I see. It has been modified so that you can retrieve it.

Mr Thurston: They are now digital. If the police come to us and want to get those tapes, they can do so.

MRS DUNNE: When did that happen?

Mr Thurston: In the last 12 months.

MRS DUNNE: So the policy, Minister, to install security cameras in ACTION interchanges was already done. Was it already done or has it happened in the last—

Mr Thurston: In Belconnen it was done about 12 months ago, and Woden has just recently been upgraded.

MRS DUNNE: “Investigate real time bus information on specified bus routes.” Does that happen? The incoming government brief gives the impression that it might be fairly expensive—\$620,000 in the first year.

Mr Corbell: Well, the government has not progressed that proposal, but it is still interested in it. This government, over its term, will look at that option further as part of the broader transport work it is doing.

MRS DUNNE: So it was your intention as part of your action plan, but now it is just being investigated?

Mr Corbell: The commitment was to investigate it.

MRS DUNNE: Sorry, it was. I stand corrected. These are all my ACTION questions.

25 July 2002

THE CHAIR: Any further questions on public transport?

Mr Corbell: Mr Thompson would like to speak.

Mr Thompson: Mr Chairman, I need to clarify one issue. Before afternoon tea, Ms Dundas asked about one of the significant increases in figures under “user charges ACT government,” and I answered that it was funds transferred from education. To that extent I was correct, but it was not to do with the disabled scheme. It was to do with the low income family scheme, which is now being administered by someone within the Urban Services portfolio rather than the education portfolio. I apologise for that.

THE CHAIR: Okay. That concludes public transport, so I will thank officers from ACTION and the department, who are here for that subject.

We will now go back to output class 4—planning and land management. Is it the wish of the committee, in beginning this, that we should do land as well and also the Gungahlin Development Authority and the Kingston Foreshore Development Authority? Should we roll them all in?

MS GALLAGHER: Yes. We want to get through it today, don’t we?

THE CHAIR: We want to try. All right, we’ll do that. We’ll take all those planning related issues together, if that suits you, Minister.

Mr Corbell: Yes.

MS DUNDAS: Mr Humphries, I am going to take a stab and say that there are more general questions in this area than there are output questions.

THE CHAIR: I have no idea.

MS GALLAGHER: Are you going to suggest dealing with the outputs first and then moving on to general?

THE CHAIR: I am happy with that.

MS DUNDAS: I have some specific questions about output 4.1.

THE CHAIR: We might want to come back to outputs—that is the only thing. You might elucidate questions about outputs. But go right ahead, Ms Dundas.

MS DUNDAS: First of all, the note for “government payment for outputs”—I am looking at output 4.1 of page 214 of revised Budget Paper 4—says that the increase in costs is due to including the new initiatives such as the sustainable transport and integrated transport strategy, for which money is allocated in ACTION in public transport. We just discovered this in the last half hour. If there is \$150,000 for the sustainable transport strategy under public transport, can you tell me how much is in territory planning for that report?

Mr Thompson: There is another \$150,000, Ms Dundas.

25 July 2002

MS DUNDAS: In total, you are spending \$300,000 on the sustainable transport plan. Or am I going to find other GPOs included with it?

Mr Thompson: No, it was a \$300,000 project, which we thought had benefits for the planning function and benefits for the transport function.

MS DUNDAS: Okay.

Mr Hawkins: And to that degree, whilst there is a nominal split and a confer to the committee about the integrated management offer, senior staff from both areas are working right across the department—in fact, even more widely than necessary—to ensure implementation of the program. It touches on ACTION, policy area, planning and environment as well.

MRS DUNNE: They are doing it in the same way as they are working in an integrated fashion to implement the Gungahlin Drive extension. They can talk to one another.

MS DUNDAS: The new Planning and Land Bill talks about the funding for the authority coming from the transfer of funds related to actions that will now be taken up by the new authority. Hence, there will be no impact on the budget bottom line, as it were. I am paraphrasing the explanatory statement that goes with the new Planning and Land Bill.

Of the money for the outputs, the total costs and GPOs associated with territory planning, how much will be transferred to the new authority?

Mr Thompson: All of the funding to do with territory planning, development management and licensing and regulation, transfers to the new authority. A small amount of other funding may also be transferred—and I emphasise “small”—out of the land function, as it is to do with land release issues. But that would be quite small compared with these major lumps.

Mr Corbell: That is yet to be clarified, but there may also be some transfer of funding resulting from the abolition of the position of the Commissioner for Land and Planning, given that the bill proposes to give the powers of that position to the new authority. These decisions are yet to be confirmed; that is just the best guess at this time.

MS DUNDAS: If PALM spends all of its money in the next two months, will there be no money left for the land authority? I am just trying to clarify the situation.

Mr Corbell: That is not a situation that arises.

MS DUNDAS: Lincoln smiled, though.

Mr Corbell: I am sure all the government agencies would be quite keen to spend all their budget in two months but, as Mr Hawkins says, it could not physically be done. Nor does Treasury provide the funding in that way.

MS DUNDAS: Will initiatives such as the strategic planning framework and the sustainable transport report all transfer to the new authority?

Mr Corbell: Yes. All existing activities within PALM will transfer to the new authority.

MS DUNDAS: Other initiatives that are included in the increase in funding for territory planning are the strategic planning framework and strategic spatial plan for the ACT. How much money is allocated to those?

Mr Corbell: \$350,000 in this financial year, \$270,000 in the following year, \$135,000 in the year after that and \$70,000 in the final year of this budget.

Mr Hawkins: To complete the picture, note 7, which you are reading from, points to the neighbourhood planning program—the other new program initiative—which results in an increase of that output figure. There is a range of new program contributions.

MS DUNDAS: Is the money for neighbourhood planning a one-off?

Mr Corbell: It is part of the \$1.83 million appropriated each year for the next four years.

MRS DUNNE: So why will this discontinue in 2002-03?

Mr Corbell: Why will what discontinue?

MRS DUNNE: It says in note 7, attached to the 4.1 territory planning output—I am reading from page 49 on the loose-leaf—

MS DUNDAS: It is on page 205 in the bound version.

MRS DUNNE: Thank you, Roslyn. The measure is “cost of development of neighbourhood and local plans”, and the last sentence of the note says, “This cost measure will discontinue in 2002-03.”

MS DUNDAS: That is the cost of neighbourhood planning groups and a community advisory panel.

Mr Hawkins: I understand that the cost will continue as the measure, meaning the separate description of the measure, due to suggestions about the simplification of the presentation of the material. It has been included in the measure “cost of neighbourhood planning groups and community advisory panel”.

MS DUNDAS: And that measure will discontinue.

MRS DUNNE: It has a one-off appearance in this budget.

Mr Hawkins: Yes.

MRS DUNNE: We all talk about simplification of measures—

Mr Hawkins: There are two lines—

MRS DUNNE: Does Mr Eggin have an answer for why that was?

Mr Eggins : Yes. I think I gave it on Tuesday and Monday.

Mr Thompson: It goes to the discussion we had earlier this week about how much we report in these documents and in ownership agreements and the level of detail. There is room for robust debate on this, but we have simply rolled all of those costs into the bottom line total cost, which for this coming year is \$8,772,000.

MRS DUNNE: It just means that it is very hard to read the budget papers for a great deal of meaning in regard to where the money goes. Perhaps we can deem that the robust debate has been had on this occasion about the quality of measures.

Mr Thompson: It does show up in other documents.

MRS DUNNE: I know. But when you sit down to read the budget, it is at the very least irritating to have to go looking elsewhere for stuff that you expect to find here. Perhaps my expectations are higher than others', but if these measures were open, accountable and found in one document, it would be a lot easier.

MR HARGREAVES : It has been thus since 1927.

MS DUNDAS: I have another question, which relates to neighbourhood planning at output 4.1, quantity measure "number of neighbourhood planning groups serviced". The footnote for this measure, note 4, reads, "The 2002-03 target is nine as at 30/6/03, being three neighbourhood planning groups arising from the first six plans ... and six new neighbourhood planning groups commenced." Where are those new six?

Mr Corbell: That decision is yet to be taken.

MS DUNDAS: When will that decision be taken?

Mr Corbell: I would imagine sometime this year. At this stage, the government has not resolved anything about the program for new neighbourhood planning activity this year.

MS DUNDAS: I ask because this is a 2002-03 financial year output.

Mr Corbell: It is a matter I will discuss with PALM. The government indicated where its priorities were for neighbourhood planning, in the election document. We indicated that the areas under the most redevelopment pressure would be the suburbs in the first part of the neighbourhood planning program: the inner north, the inner south, Woden and Weston Creek.

MS DUNDAS: Can you expect that the six new neighbourhood plans would all still reside within the inner north, the inner south, Woden and Weston Creek?

Mr Corbell: I think there is scope—given the level of interest in this program that has been shown by other parts of the city—to consider whether to include suburbs outside those areas in neighbourhood planning. But that decision is yet to be made.

25 July 2002

MS DUNDAS: Mrs Dunne has just made a little comment about Kippax, an area that is crying out for a master plan. At a West Belconnen LAPAC meeting, which you—or it may have been Mr Hawkins—attended, you indicated that the LAPAC program would continue in Belconnen because Belconnen was not well situated to take on neighbourhood planning.

Mr Corbell: I think it was me at the LAPAC meeting, in Jamison.

MS DUNDAS: It was at the Leagues Club.

Mr Corbell: Yes. The comment I made was that Belconnen is at a different stage of its life cycle, and therefore the redevelopment pressures and activities are different in Belconnen compared to the pressures and activities you see in still older areas of the city—in the inner north and inner south. In that respect the issues that would be handled in the planning exercise would be different.

I should stress that neighbourhood planning is not the only master planning activity that the government is doing, and it would be wrong to assume that neighbourhood planning is the only master planning activity that the government is doing. For example, the government is still progressing master planning activities at Jamison, which are just about complete. I signed the completed master plan the other day.

Master planning activities are occurring in a number of other local and group centres around the city, which are not part of the neighbourhood planning process. The point I am seeking to make is that master planning occurs in a range of forms. Neighbourhood planning is simply one of the ways we deliver local area or master planning to an area.

MS DUNDAS: When you said there are master planning processes happening around the city, do you mean city with a capital C or with a little c? Did you mean Canberra or did you mean Civic?

Mr Corbell: No, I mean around Canberra.

MS DUNDAS: Okay.

MRS DUNNE: We have got the west Civic one, but we have also got Jamison and places like that.

Mr Hawkins: Certainly, at town, group and local centre level, the Woden master planning at the moment is of a significant scale. But it is a master planning process.

THE CHAIR: Can I just clarify what you are saying about neighbourhood plans? You haven't yet decided on the six initial targets where the neighbourhood plans are to be developed. Is that correct?

Mr Corbell: No. The first six suburbs are well advanced—all ready to go.

THE CHAIR: Right. So it is the next three that you have not decided on yet.

MS DUNDAS: The next six.

Mr Hawkins: In fact, at 5.30 tonight at Deakin at another workshop—we are doing six workshops over these two weeks—I will identify the halfway point of the current process, which is expected to be completed in October.

THE CHAIR: Okay. You have got six plans that you have targeted to finalise in the course of this present financial year.

Mr Corbell: Current year.

THE CHAIR: I am looking at the target for 2002-03 in output 4.1. It indicates six in the calendar or financial year—it should be approximately six plans a year, shall we say. With well over 60 suburbs in Canberra, at that rate it would take you more than a decade to complete the process of developing neighbourhood plans.

For those suburbs which are low in order of priority, isn't there a danger that planning profiles will change dramatically in the next few years while people are waiting for those developments to happen and that people will make decisions based on what they feel they can get away with before neighbourhood planning changes the scenario?

Mr Corbell: I don't think so. Neighbourhood planning is a response, in the first instance, to neighbourhoods going through intense redevelopment pressure. It is the government's response to the concerns of those communities who see this change. It is our response to the decision by the National Trust last year to list nine or 10 Canberra suburbs on its endangered places program, as a result of the previous government's planning policies.

THE CHAIR: I don't think they actually said it was a result of that, Minister. They said it was the accumulated planning policies over a number of years.

Mr Corbell: No, they did not say that, Mr Humphries. "Planning policies of the territory government" were the words they used.

THE CHAIR: Did they say the previous Liberal territory government?

Mr Corbell: No, they did not qualify it, Mr Humphries. They said the territory government, and it is pretty clear what they were referring to.

MRS DUNNE: And that has been in operation for 13 years? All of this was over 13 years, I would have thought.

Mr Corbell: It was a very specific response. As I have indicated, we want to learn from the neighbourhood planning process. We want to see how it can be delivered even better and even more effectively than it is being delivered at the moment.

We will certainly be learning from the experience of the first six suburbs and will want to see how we use that in future years. We will also continue with a range of other planning exercises, which are called neighbourhood planning exercises but are essentially master planning exercises, to respond to the individual circumstances of individual suburbs as and when they emerge.

We believe there is still a sufficient level of flexibility in PALM's capacity to deliver neighbourhood planning and in the new planning authority's capacity to deliver neighbourhood planning and master planning to make sure that individual circumstances, as they arise, are effectively addressed.

THE CHAIR: Isn't there a danger, though, that as you go through the process of neighbourhood planning, the rules may change in suburbs where neighbourhood plans are put in place? For example, if you adopt a more restrictive approach towards dual occupancy in those areas, isn't there the danger, as other suburbs start to get in the queue to be treated as neighbourhood plans, of an increase in the number of dual occupancies in those places because people anticipate that they will be restricted once the neighbourhood planning process is completed?

Mr Corbell: I do not believe so, because we are still providing a very clear and broad framework on residential land use policy. Draft variation 200 is a very clear policy that provides a framework to be applied consistently throughout all suburbs in Canberra. The beauty of draft variation 200 is that, while it responds very specifically to the concerns of people in suburbs about what they see as, and what the government agrees has been, a fairly high level of ad hoc and untargeted change in an area, often to the detriment of the characteristics of those suburbs, it provides a more coherent framework, protecting the amenity but also permitting change in a way that is focused but that also allows for area-specific issues to be taken in account.

For example, draft variation 200 indicates that the area in a suburb within 200 metres of local shops will be designated as a general area under the Territory Plan. General area permits unit titling, the subdivision of blocks, higher densities of housing—not high density housing—and a greater variety of housing choice. It also says quite clearly that local area planning processes, like neighbourhood planning, can define clearly how that 200 metre radius should be interpreted. It is not just a straight 200 metres in every suburb; it can respond to the particular circumstances of that suburb.

THE CHAIR: But neighbourhood planning does more than that, doesn't it?

Mr Corbell: It certainly does. I am just making the point that, in relation to responding to the particular instances of individual suburbs, we not only have a framework but a framework that is flexible in how it can be interpreted to take account of the circumstances of individual suburbs.

THE CHAIR: Presumably, there are issues which are not covered by DVP 200 and which will be addressed in the neighbourhood planning process. They are the ones that are likely to make a wave in advance of the neighbourhood planning process. You would have to expect that, surely?

Mr Corbell: It is true that the neighbourhood planning process is bringing up a great variety of issues, and it is interesting that many of them are not the traditional land use planning issues. Many of them are about traffic, they are about the provision of pedestrian access, the provision of public transport and the provision of community facilities. A whole range of them deal with infrastructure or with the provision of government services in an area, whether that is physical infrastructure or some other form of service delivery.

Neighbourhood planning identifies more than just land use planning issues. It certainly raises them, but it also raises issues, for example, such as how to deal with kids crossing a street that is really busy and very unsafe. It brings up all these issues as well.

Neighbourhood planning gives empowerment to the communities where it is currently operating because it looks at their suburb as a whole, not just in the context of traffic, dual occupancy or urban open space. They are looking at all of these issues together, and they are asking: how do we go about making our suburb an even better place to live? Other issues are coming up, but they are not exclusively land use planning issues.

THE CHAIR: How long do you think it would take to complete the neighbourhood planning process?

Mr Corbell: I have indicated that we expect the first neighbourhood plans to be completed around October this year.

THE CHAIR: That wasn't the question I asked you. How many years will it take to complete the neighbourhood planning process? That is only six suburbs out of 60 or 70.

Mr Corbell: We said quite clearly before the election that we hoped, in the first three years of the first term of this government, to complete inner north, inner south, Woden and Weston Creek.

THE CHAIR: That is good but, again, that wasn't the question I asked. That is not the whole of Canberra. Belconnen and Tuggeranong also have planning needs, don't they?

Mr Corbell: Indeed, and we still provide a range of other master planning exercises to deal with circumstances in suburbs right across Canberra. As I have already indicated, I will give some consideration to whether our already announced areas of focus for neighbourhood planning should be broadened.

THE CHAIR: Will a neighbourhood or master planning process be used soon for O'Malley?

Mr Corbell: O'Malley or East O'Malley?

THE CHAIR: Either—if you want to divide the two. But surely you should have a master plan for the whole of O'Malley, not just for part of O'Malley?

Mr Corbell: There is no proposal at this stage for O'Malley.

THE CHAIR: Wouldn't you say that that was the kind of emerging concern about the structure of a suburb that would be well addressed by a neighbourhood planning process?

Mr Corbell: I am aware of some residents' concerns about planning issues in O'Malley. I have met representatives of the residents' organisation for that suburb. It is fair to say that in almost every suburb in Canberra there would be some desire for additional planning activity, but it is not possible to deliver planning in every suburb at once.

25 July 2002

THE CHAIR: So you do not anticipate doing so in respect of O'Malley?

Mr Corbell: There has already been a fairly significant level of planning activity for O'Malley. Perhaps Mr Hawkins would like to make a comment.

THE CHAIR: Planning activity is one thing; consultation on planning activity is another.

Mr Corbell: What is the exact criticism?

THE CHAIR: I am just asking a question. O'Malley is a good example of a suburb that ought to be higher up on the itinerary for neighbourhood planning, given the serious issues that have arisen in the community about planning and the implication of further extension of that suburb. I would have thought it was the ideal opportunity to put in place a neighbourhood plan rather than plan the East O'Malley area, build the estate and then think about a neighbourhood plan.

Mr Corbell: There has been very extensive consultation to date in relation to that proposal, most of it undertaken by your former planning minister.

THE CHAIR: Indeed.

Mr Corbell: Unless you are suggesting that that process has been inadequate, Mr Humphries, I am not quite sure what the complaint is.

THE CHAIR: I am saying that you have promised a neighbourhood planning process for every suburb in Canberra.

Mr Corbell: No, I have promised a neighbourhood planning process for Woden, Weston Creek, the inner north and the inner south. It is stated explicitly in the planning policy of the government.

THE CHAIR: O'Malley is in Woden, Minister.

Mr Corbell: Yes, it is. In time we will get to that area.

THE CHAIR: The point is: why shouldn't that time be sooner rather than later?

Mr Corbell: My apologies. I think I have already answered that question. The suburbs to be done in this financial year are yet to be decided.

MS DUNDAS: Will they be decided before October? Will you expect to have the current six finished?

Mr Corbell: Yes, we expect to do that.

Mr Hawkins: Mr Humphries, my initial observation—we are a little under three months through this process—is that it is intensive but that there is most value in putting that resource into redevelopment areas where there are either community concerns or different values and drawing those things out.

It is intensive and, as the minister said, we need to evaluate the areas we are doing at the moment at the end of this first phase and have the best information for either refining the process or making good judgments about where that would be of value as we move on.

In contrast, there has been very good preplanning around O'Malley, which is in a sense a different type of preplanning. It is urban development preplanning that is going on there, which, whilst very important and needing to be done well, is a contrast to the holistic sense of demography change and the significant mix of social and urban issues which we are facing and drawing out in a good and intensive process in the inner suburbs.

MRS DUNNE: While we are on the subject of neighbourhood planning, the view expressed by the minister is that at least some of the impetus came from the listing of the nine garden city suburbs. What are those nine suburbs?

Mr Corbell: I cannot recall them all, but I think they are Griffith, Red Hill, Forrest, Turner, Lyneham, O'Connor, Braddon and Reid.

MRS DUNNE: Which of those are in the first swag of the neighbourhood plans?

Mr Corbell: Turner, O'Connor, Lyneham and Braddon. I think Deakin was also on the endangered places list, and it is also in the program.

MRS DUNNE: Deakin was on the endangered places list?

Mr Corbell: I think so, but I would have to check. It may have been included at a later time by the trust, but I am not exactly sure.

MRS DUNNE: Okay. I thought there were nine. Of those eight, four are currently in the round of six. But at six a year you are not even going to be able to do inner south, inner north, Woden, Weston Creek in the term of this government, unless you are planning to extend the term of the Assembly.

Mr Corbell: I certainly have no intention of extending the term of the Assembly, Mrs Dunne. The program will continue to be revised.

MRS DUNNE: But you are going to have to ramp it up quite a bit.

Mr Corbell: We have started with a relatively small program this year, and we will assess the outcomes and the processes before deciding on the scope and scale of the program in future years.

MRS DUNNE: But you must realise that it is going to have to be ramped up significantly to meet the commitment that you gave.

Mr Corbell: That is fairly clear from the numbers.

MRS DUNNE: I am not quite sure where to go from here.

25 July 2002

MS DUNDAS: I have an output question.

MRS DUNNE: I have an output question, too. It relates to the policy development output and, seeing that Ms Ekelund has walked in, it is probably a good time to ask the questions about the new land and planning building.

What we have here, Minister, is a piece of shell legislation. An awful lot of fleshing out needs to be done to make the whole system work. It is off-the-shelf legislation in many ways.

Mr Corbell: No more than other authority bills—ACTION Authority, Kingston Foreshore Authority, Gungahlin Development Authority—

MR HARGREAVES: Bruce Stadium authority.

Mr Corbell: These are legislative changes to establish new organisations. Bills do not, as you would know, set out every detail of how a new organisation would work; they put in place the legal framework.

MRS DUNNE: Yes, they do. It is the bill from central casting to put in place the legal framework, but there is a whole lot of stuff that underpins that, which is currently in the land act. At this stage no connection is drawn between the Land and Planning Bill and what is in the land act. While we have got the bill from central casting, the devil is in the detail, which we have not seen yet.

THE CHAIR: That's mixed metaphors for you.

MRS DUNNE: It is late. I have been doing this for six days.

MS DUNDAS: We all have, Mrs Dunne.

MRS DUNNE: Do you expect good metaphors at this hour of the day?

MS HARGREAVES: You deserve your rest, Mrs Dunne.

Mr Corbell: If you want to call a halt to it, Mrs Dunne, I am very happy.

MRS DUNNE: I look forward to that next Thursday. You said in your presentation speech that you proposed the related consequential amendments. Making it a whole proposal would be considered in the spring sittings. When are we going to see the consequential amendments? How far are we with the consequential amendments? I think that is where the important stuff is.

Mr Corbell: Look, I do not deny that the consequential amendments are part of this package. They allow members to see what the direct consequential changes are in relation to the powers currently in the land act. The consequential amendments are currently being drafted, and the intention is to table that consequential amendment bill in the next sitting fortnight of the Assembly.

MRS DUNNE: In August?

Mr Corbell: That is the intention.

MRS DUNNE: That is good.

Mr Corbell: I want to make sure that members have seen the consequential amendments before we debate the substantive bill.

MRS DUNNE: You are not going to debate this bill without—

Mr Corbell: It goes without saying. I would not expect the Assembly to permit debate on this bill without the consequential amendments.

MRS DUNNE: Can you give us some sort of indication of how much of the land act will remain. Will the land act disappear?

Ms Ekelund: Dorte Ekelund from the Planning and Land Development Taskforce. Most of the land act will remain as it is with the consequential changes to it. As you indicated earlier, the Planning and Land Bill is very much a framework for how the structures of Planning and Land would operate. Many of the activities that happen under the land act will continue to happen.

MRS DUNNE: Will they happen under the land act or somewhere else?

Ms Ekelund: They will continue to operate under the land act. For example, the parts that deal with development applications are still under the land act. The parts that deal with processing Territory Plan variations are still under the land act. Dealing with leases, orders, environmental impact assessment and heritage still remain in the land act.

The main changes are associated with powers that are proposed to move from the minister to the new Planning and Land Authority, some refinements of the call-in powers and some increased transparency and accountability provisions surrounding call-ins. The references to the Commissioner for Land and Planning would be removed, as the role of the commissioner is proposed to be absorbed into the new Planning and Land Authority.

They are the main changes, apart from making adjustments. In some cases—in particular, surrounding powers related to determining development applications, as I have indicated—there would be changes to references to the minister, and the executive would move to the authority. But we propose not to make other substantial changes to the land act. However, it is noted by the Parliamentary Counsel and others that—

MRS DUNNE: It is the worst piece of legislation in the territory.

Mr Ekelund: There would certainly be some merit in the future in modernising the rest of the land act and rolling it up underneath the Planning and Land Act—assuming it gets endorsed by the Assembly. That would be a second stage. At this point, the consequential amendments would make it very clear what is proposed to be changed in the land act.

MRS DUNNE: That was entirely the wrong answer. I was hoping that you would say that this would afford us an opportunity for a comprehensive review of the land act.

Mr Ekelund: That is proposed to be done as a second stage, but not for the purposes of this particular bill.

MRS DUNNE: How far down the track do you see that coming?

Mr Ekelund: That is up to the minister and government.

Mr Corbell: It is perhaps ironic that the bill that the Assembly has had the most to do with is the worst piece of legislation in the territory.

MRS DUNNE: It's a shocker.

THE CHAIR: There is direct correlation in that fact.

Mr Corbell: Maybe it has got to do with that particular Assembly rather than the current Assembly. There certainly is a need to further modernise and reform the land act, but the government has not made any decisions at this stage about a possible time frame to do that in.

Our first objective is to get in place legislation to establish a new authority. We believe it is important to do that in the early part of our term, so that those changes can be bedded down and the organisation can operate smoothly. Once that has happened, other issues of planning legislation and the land act overall can be further addressed.

MRS DUNNE: Can the record show that the minister and I agree that the land act needs to be reviewed?

Mr Corbell: That is twice.

THE CHAIR: This is dangerous. This is very dangerous.

MRS DUNNE: I have a couple of related issues. Criteria for the planning process are to be developed, as was said in the presentation speech. When are they going to appear?

Mr Corbell: I am not quite sure what your reference is to.

MRS DUNNE: There are supposed to be criteria for the development process. I presume they are things that are in transition from the land act to the Land and Planning Act.

Mr Ekelund: Are you referring to regulations that would be required for the operation of significant development applications being referred to Planning and Management?

MRS DUNNE: Yes, that sort of thing.

Mr Corbell: Those criteria have not yet been developed. But the intention is to provide that—in certain circumstances and in relation to certain types of development application, since the authority itself has the capacity to approve or reject an application—there be the opportunity for some further independent expert input into assessment of that sort of application.

There will be a mandatory process whereby certain types of application, as determined by the government of the day, are referred—for assessment and for advice to the chief planning executive—to the planning and land council proposed to be established under the act. The sort of potential application that the government has had in mind is certainly the larger scale application—for example, large development projects.

In the current context, something like section 56 would be an appropriate project to give consideration to—and, equally, proposals that occur in certain heritage areas or other areas of significance. The exact criteria are yet to be established, but we certainly do not envisage a situation where every single renovation goes to the planning and land council for comment before the chief planning executive determines the application.

MRS DUNNE: But will those criteria be available before you propose the passage of the bill?

Mr Corbell: It is proposed to make them a disallowable instrument.

MRS DUNNE: I mean, when you have a large-scale change, like the utilities bill or the environment protection bill, a lot of those disallowable instruments were provided. They did not have to be, but they were provided at the time so that you knew what you were taking on when you took on the bill.

Mr Corbell: If the Assembly is interested in seeing those—and I take that as an expression that you are—we will endeavour to do it.

MRS DUNNE: Thank you, Minister. I have a few more specific questions about the bill, but I am not sure that this is the appropriate place to ask them.

Mr Corbell: I am quite happy to take questions on the bill.

MRS DUNNE: No. You have got some questions, Ms Dundas.

MS DUNDAS: You have set aside over \$400,000 for the establishment of the Independent Planning Authority. Why do you still refer to it as the “Independent” Planning Authority, when the legislation has it reporting to the minister and not the Assembly?

Mr Corbell: We have a number of authorities that have statutory independence, which report to ministers.

MS DUNDAS: But they are not called the “independent”—

Mr Corbell: None of them have got “independent” in their title.

MS DUNDAS: What do you mean by “independent”?

Mr Corbell: They are independent insofar as they exercise certain powers in their own right rather than delegated powers of the executive of the government. The Planning and Land Authority will exercise powers which are currently exercised by delegation from

me as minister. These are powers to approve development applications, vary leases and carry out a range of other activities like that. They are currently delegated powers.

Technically, I can exercise those powers myself. In practice it does not occur. So the proposal is to vest those powers directly in the chief planning executive as the authority. Those powers will be either exercised by the chief planning executive, or officers in the authority itself working to that person, without any reference to the minister.

MS DUNDAS: The almost \$500,000 cost that is in there for the 2001-02 estimated outcome is not going to be continued. Has that money been spent and, if so, what has it been spent on? Or is that money planned to be spent this financial year and, if so, how will it be used? Will it be used for setting up a new building and overhead cost transfers?

Mr Corbell: I am not exactly sure.

Mr Thompson: They are costs that have been incurred, and I am not quite sure—

MS DUNDAS: They are costs that have already been incurred?

Mr Thompson: Those ones are.

MS DUNDAS: So in the last seven months we have spent \$500,000?

Mr Thompson: I do not believe that is the right figure; that is why it has got me puzzled.

MS DUNDAS: It is in Budget Paper 4, revised edition—it has to be right! He is not telling me that the numbers in the budget papers are wrong. I am going to get a bit upset.

Mr Thompson: The costs we have incurred are predominantly the costs of the small task force that Dorte has been leading, to consult in order to develop a new bill and develop all the concepts. Those are the main costs that we have incurred to date.

Mr Corbell: The costs for the task force to 30 June were \$202,000. The majority of that is salary cost.

MS DUNDAS: Yes. What was the other \$244,000—told to me by the budget papers and hence true—spent on?

Mr Corbell: I will get some clarification.

Mr Thompson: We have to clarify that, I am afraid. I will be more than happy to respond.

MS DUNDAS: Note that they are taking on notice a question about the Independent Planning Authority and their staff and the expenditure that is listed in the budget for that.

Mr Thompson: I have got to be frank: I am a little surprised. We have had a figure in our minds of around \$200,000.

25 July 2002

MS DUNDAS: If you can clarify whether there is a huge typo in the budget papers—and then I will come back and ask about every single figure—or explain to me where the other money is, that would be greatly appreciated.

Mr Corbell: I am sure we can clarify that for you, Ms Dundas.

THE CHAIR: On the issue of the independence of the planning authority—I haven't yet studied the bill in detail, but I am taking up the offer of a briefing on it—will the Independent Planning Authority be a person or a body of people with that title?

Mr Corbell: The actual powers will be vested in the chief planning executive.

THE CHAIR: The chief planning officer?

Mr Corbell: The chief planning executive—the position is proposed to be called—who is the head of the authority.

THE CHAIR: How regularly is that person appointed, under the act?

Mr Corbell: The proposal is to appoint for no more than five years.

THE CHAIR: What is the term of the appointment of the Commissioner for Land and Planning?

Ms Ekelund: It is being updated. At the last update it was two or three years. But that is under the Attorney-General.

THE CHAIR: Will the chief planning executive hold a dual appointment as a public servant and as a statutory office holder?

Mr Corbell: No.

THE CHAIR: They will be purely a statutory office holder.

Mr Corbell: Yes.

Mr Thompson: But the staff of the authority will be public servants.

MRS DUNNE: It says here that the chief planning officer will be remunerated according to the Remuneration Tribunal Act. I have some general questions about this, which I need to put on the record now. One of them is about reporting. Consistently throughout the legislation as it is currently drafted, when a minister makes a statement of intent or anything like that, it does not have to be notified to the Assembly for six sitting days. There is one exception here, which is five sitting days—I cannot find it at the moment. But that seems to be an inordinately long time.

MR HARGREAVES: That is the disallowable instrument level.

MRS DUNNE: No, they are not disallowable.

25 July 2002

MR HARGREAVES: That is the same period for disallowable instruments.

MRS DUNNE: Yes, I know. But this is not a disallowable instrument; it is a ministerial direction, or something like that.

Mr Corbell: That is recommended by the Parliamentary Counsel's Office as a standard period of time.

MRS DUNNE: My recollection is that in the land act some of those are currently shorter.

Ms Ekelund: Some of them in the land act refer to days rather than sitting days. If there is not a sitting period, that can cause difficulties. We have noted some of the limitations of the land act already, and Parliamentary Counsel certainly recommended using sitting days in this report.

MRS DUNNE: I have some reservations about it being six.

MR HARGREAVES: Mrs Dunne, the reason we went from 15 sitting days to six was to put it within one sitting period. There is consistency, whenever we want to advise the Assembly about X, to have it happen within a sitting period, which is the norm.

Mr Corbell: These are not die-in-a-ditch issues, Mrs Dunne.

MRS DUNNE: Perhaps we will get onto a die-in-the-ditch issue.

Mr Corbell: If you are itching for one, that is all right. But I am very open to the views of the Assembly, and the government is very open to the views of the Assembly on those sorts of issues and will respond to that.

MRS DUNNE: A lot of what the big sleeper is in the bits of the legislation that we currently see, as opposed to what is in the consequential, is in the miscellaneous. You get to miscellaneous and think it is not really important. But here it really is important. Here you have the meaning of "sustainability". It is probably the first substantive definition of "sustainability" that we have seen since the government came to office.

Going back to the beginning of the day again, what analysis was done in the formulation of the definitions of "sustainability" that are in the legislation? When you go to cabinet with something like this, I presume you go with a business impact statement. In that case, you must know what impact the meaning of "sustainability" would have on the building industry, home owners and the range of people associated with the building and development industry. Has that been assessed, and can one see that analysis?

Mr Corbell: We see this as a fairly standard provision for these pieces of legislation now. Indeed, this definition is the same definition, with—

Ms Ekelund: The removal of the word "ecological" and the addition of "social and economic".

Mr Corbell: Yes, but it is virtually the same definition as is in the KFDA Act.

25 July 2002

MRS DUNNE: Including the precautionary principle and the intergenerational equity principle?

Mr Corbell: Yes.

MRS DUNNE: The intergenerational equity principle as in the KFDA Act?

Mr Corbell: I am advised that it is.

Ms Ekelund: This definition was lifted principally from Kingston.

THE CHAIR: I bet I know who put it there, too!

Mr Corbell: By that you are saying it wasn't a cabinet decision?

THE CHAIR: I am sure it wasn't.

Mr Corbell: I am sure you supported the amendment.

THE CHAIR: I am sure you did, too.

Mr Corbell: We have no problem with the amendment. That is why we are putting it in our bill, too.

MRS DUNNE: This is so open-ended. How do you measure the impact on business of implementing the precautionary principle?

Mr Corbell: Fortunately, KFDA are also here in the room, so they have provided me with some information. This principle has substantially been derived from the national strategy for ecologically sustainable development. It is not some stand-alone ACT idea of what is sustainable development. It is a nationally accepted framework.

The costs and the benefits of applying these principles already range across whole-of-government activity anyway. When we make decisions now, we are required, under existing pieces of legislation, to take account of these issues and make them central to our decision making.

I do not believe that we are introducing anything new or radical in this regard, and we already have a specific land development organisation—I am not sure if it is in the GDA legislation; it is certainly in the KFDA legislation—which takes account of these principles in relation to a specific land development policy. This is also consistent with the framework being proposed by the Office of Sustainability in the Chief Minister's Department.

MRS DUNNE: But the Office of Sustainability is out looking for a definition at the moment. Are you saying that this is the definition?

Mr Corbell: We took the view that, if the Office of Sustainability proposed at a later point a different construction, we would seek to amend not only this legislation but also the other relevant piece of legislation that had definition. Simply to progress the matter, we chose to adopt the same definition that already exists in other pieces of legislation.

MRS DUNNE: I look forward to an exposition from KFDA about how they take into account the precautionary principle and the intergenerational equity principle in determining how they will do their development.

Mr Corbell: I am sure Mr Lowe can do that.

MRS DUNNE: In many cases the exercise in the precautionary principle is very subjective and often boils down to “whether I like something or not”. There are no rules or standard operating procedures for how you determine how to take account of the precautionary principle.

Mr Corbell: No, these are ultimately matters for judgment. The legislation proposes that they are matters that must be taken into account. It is basically the Assembly saying to the proposed new authority, “You must take these issues into account when you make decisions, say, on land to be used for a certain land use.”

MRS DUNNE: So what you are doing at the moment, Minister, is asking the Assembly to ask the new authority to do that?

Mr Corbell: That’s right. I just want to put in the question that you know that, if the Assembly were to pass this legislation, it would be saying: you must take these matters into account.

MRS DUNNE: Before the Assembly is advised to do that, we should have a thorough exposition of the people who use it in their daily work now to see how it works—or whether it is in fact meaningless.

Mr Corbell: It is about facilitating a mind shift. At the end of the day, these things are difficult to substantiate. They are about facilitating a mind shift in people with decision-making responsibilities. In the proposed act, at part 2.2, “Functions of Authority”, proposed subsection 8 (3) outlines what the responsibilities of the authority are in regard to this definition:

The authority must exercise its functions in a way that has regard to sustainable development.

So it is a matter we must take into account in exercising its functions and putting in place its activities. It is also important to have that provision in there in relation to it being accountable and to report on how it has done that.

MRS DUNNE: I know you are not a planner and I am not a planner but, confronted with a building development that you had to make a planning decision on, how would you take into account the precautionary principle?

Mr Corbell: I would make a judgment about whether the decision before me—to approve or not approve a particular development—would have a positive or detrimental impact on future generations. That is what the precautionary principle is essentially about.

MRS DUNNE: If you were exercising your judgment using the precautionary principle and there was any doubt, you would have to say no. The shorthand way of characterising the precautionary principle is: when in doubt say no.

Mr Corbell: I think it is a matter of reasonable doubt.

Ms Ekelund: I believe the Assembly has already exercised this sort of principle on a number of occasions in the past—for example, with the Gungahlin Town Centre. Because of concern about ecological species in the area that was to be the town centre site, the whole town centre was moved at a cost of something like \$50 million worth of land.

That is a demonstration of the territory government having been serious about these principles in the past. I am sure that if we look around we will see other such examples, including the work on the action plans on woodlands. There are a number of cases where protection of environmentally sensitive areas is occurring.

MRS DUNNE: Yes, of course. But there are a whole lot of occasions when there are no issues at that level in the hierarchy of issues, but where we are still required to exercise the precautionary principle on all of these occasions. If it actually happens like that—and I should have to get on to the KFDA—we will be in a situation where you won't ever build anything.

Mr Corbell: No. You have to understand that it is a precautionary principle in relation to the environment in its full definition—not simply the natural environment but the social and economic environment. The Commissioner for the Environment legislation says, in relation to his role, that he has to have regard to the environment in its full definition: human environment, social environment, natural environment and cultural environment.

MRS DUNNE: But then you are adding a layer on it, a complexity that is—

Mr Corbell: You are and you're not. It is a more holistic view. It is not a simplistic view saying, "If I build the building on this vacant piece of land, that vacant piece of land is gone forever and the trees that used to grow there will not be able to grow any more." That is undoubtedly true. And if you simply had that very narrow definition of natural environment, then, yes, you would never build anything on any piece of undeveloped land.

The judgment that has to be made is whether it is to the greater benefit of the community socially, economically and culturally and how that weighs up against the impact on the natural environment. You take all those issues into account, and I think our planners are increasingly doing that already.

Those issues have received quite a bit of attention lately in relation to greenfield development sites at Gungahlin Town Centre, where establishing a viable, coherent and rational system of residential development in the Gungahlin Town Centre is being balanced against protecting trees in that area, even though those trees are in the middle of what is meant to be a highly urbanised environment when it is completed.

These are the judgements our planners are having to make now. It is not rocket science, but nor is it a simplistic assessment. It is a weighing-up of a range of factors, and our planners are making those decisions now. It is not radical in that regard.

MS DUNDAS: Chair, I hesitate to say this because I know I have been asking a lot of questions as well, but we have spent close to 15 minutes on a piece of legislation that, besides the missing \$244 million, can be explored in other forums besides estimates. We only have half an hour left today, and I am sure Mrs Dunne and I have a lot of other questions to do with PALM, land and the authorities. Sorry to cut you off, Mrs Dunne, but I was wondering if we could move on.

THE CHAIR: We did spend half an hour this morning on sponsorship in schools.

MS DUNDAS: I did preface my conversation with, “I hesitate to say this,” because I know I am guilty of it myself, but we are approaching 6 o’clock.

THE CHAIR: Well, Ms Dundas, have you got any questions?

MS DUNDAS: Now I am afraid to ask them because I am not sure what they have to do with the budget. Minister, the territory made a substantial amount of money from the sale of section 56 to QIC.

MRS DUNNE: I could tell you how much because I asked that question on notice.

MS DUNDAS: I am not so much interested in the figure. Given the problems that have arisen in the last two days over the connection of the two other QIC properties with that redevelopment they are doing in front of the Canberra Centre, what protections are in place to ensure that the redevelopment of section 56 does not end up the same way and that the road that separates section 56—or whatever it has been renumbered to—and the Supabarn building does not get closed? All of those buildings are now owned by QIC.

Mr Corbell: Yes, they are. I am not quite sure what your question is, Ms Dundas.

MS GALLAGHER: I guess it’s about planning approval.

MS DUNDAS: Yes. It is about whether there are any protections in place to ensure that the road that separates what will be QIC property in section 56 and the QIC property of the Supabarn building will not be redeveloped and closed off in the way the separation of the Supabarn building at the other end and the Target building has been, which you have been commenting on over the last two days.

25 July 2002

Mr Corbell: I should make it clear that my comment on the extension of the Canberra Centre is about unapproved development on part of that project. It is not about the building over of Ainslie Avenue and the connection of the two current multistorey car parks with the new arcade. That is not the objection.

MS DUNDAS: I understand that.

Mr Corbell: The objection is that there are some unapproved parts of that extension. The short answer is that the roads that surround all the existing roads there, with the exception of the part of Ainslie Avenue that will become part of the new covered arcade, remain public roads.

MS DUNDAS: Are there no plans to change that?

Mr Thompson: Ms Dundas, if I could just take you back a little way, there was an extensive negotiating process with QIC before the closure of the land deal. An absolutely central part of that negotiation, which was under the previous government, was about not having the enclosed mall model but about having active street frontages.

It was quite an extensive process. I guess you would call it a master planning exercise that they undertook, which PALM then signed off on. It has section 56, like their preliminary design or their master plan, with a range of active street frontages and certainly not going to the enclosed mall model. Mr Hawkins could give you a lot of detail about that.

MS DUNDAS: I'm sure he could, but maybe this isn't the time. You have answered the question well enough. Regarding the redevelopment over Ainslie Avenue, has the government been compensated for having Ainslie Avenue changed into an arcade?

Mr Corbell: Compensated in what way?

MS DUNDAS: You have just closed a public road to make it a walkway. Was there any money associated with that change?

Mr Corbell: As I understand it, the previous government sold that land directly to QIC.

MS DUNDAS: They sold Ainslie Avenue?

Mr Corbell: Yes. That was paid for through a direct sale. Is that correct?

Mr Hehir: Not quite.

Mr Corbell: I will ask Mr Hehir to give you the accurate information.

Mr Hehir: Martin Hehir, Director, Lands Facility. What was actually sold through a direct grant process was the air space over the road.

MRS DUNNE: The road is not closed.

25 July 2002

Mr Hehir: The road is not closed. In fact, there is a requirement that it remain open because it is a possible transport link. Sorry? We did actually sell some footpath.

MS DUNDAS: You sold footpath, but you did not sell any roads. Will all the roads, including Ainslie Avenue, remain public roads that cars can drive on?

Mr Corbell: Ainslie Avenue? Julie McKinnon is making me sweat. Please come up, Julie, and clarify this situation.

Ms McKinnon: Julie McKinnon, Executive Director, Land. In answer to your question about roads closing, the answer is that, as a result of the detailed discussions with the National Capital Authority, the road will remain open. There will be an access.

MS DUNDAS: So Ainslie Avenue will remain open as a road that cars can drive on all of the time?

Ms McKinnon: Yes. It will be a different size from the one it was, but it will remain open.

MS DUNDAS: So has it halved?

Mr Corbell: One of the major tests was to keep flexibility for the very long term—

Mr Hawkins: Public transport corridors.

Mr Corbell: I might say that this is the previous government's decision, and you should ask them to give an answer.

MS DUNDAS: I am trying to ascertain something. We have received money—

THE CHAIR: Hang on, I will get advice.

MS DUNDAS: Minister, to give the question a clarification label and narrow down what it is I want to know, the ACT government received money from the sale of the air space, as we have established, and also of some footpaths. We have not sold any of Ainslie Avenue yet; Ainslie Avenue is going to be a different size. Where did Ainslie Avenue go? Did we get any money for it?

MRS DUNNE: We did not sell it.

MS GALLAGHER: Mrs Dunne wants to answer the question. I can only advise her of the time.

MRS DUNNE: Perhaps Mr Humphries could answer the question.

Ms McKinnon: What was retained was a transport link for a future transport route. What was purchased by QIC was air space and some of the footpath space. I did not think it extended as far as the road, because I thought that was kept for a future transport route. That is my understanding.

MS DUNDAS: So the road will remain the same size; it will just be a different shape.

Mr Hawkins: It won't necessarily be the same size.

Ms McKinnon: It won't be the same size.

Mr Hawkins: A considerable amount of work was done to analyse whether it would be a tram or any other public transport route. There are dimensions of around nine metres, which were definitely retained. That is all part of new approvals and lease arrangements.

MS DUNDAS: How is the road going to be a different size if we haven't sold any of it?

Mr Corbell: It is up to the government to decide what the physical manifestation of the road will be. I will be corrected if I am wrong but, as I understand it, there is still a road reservation there. It is still gazetted as a road, but how that road is physically manifest is different.

MS DUNDAS: It might be paved as opposed to tarred?

Mr Corbell: Yes, that is right.

MS DUNDAS: Okay. Maybe this is the information I was looking for.

Ms McKinnon: Detailed designs that were part of the entire process were put out, which we could provide to show you exactly what it looks like.

MS DUNDAS: Coming back to my earlier question, if the whole process was going to be repeated, between section 56 and the Supabarn building, there would have to be another sale of either air space or something else, and we would go through a completely different process—

Mr Hawkins: And I expect as extensive a public process as the former committee had to go through, with numerous hearings, public submissions, inquiries and reports, because of how sensitive the location and design issues were.

MRS DUNNE: Hopefully, we will not be the Planning and Environment Committee when it happens.

Mr Corbell: The original proposal by QIC included the closure of Bunda Street.

MS DUNDAS: Yes. I am talking about the other areas.

Mr Corbell: That was rejected by the government of the day as a result of the considerable community comment on the issue. There is always considerable community comment about any of the issues in the Civic area. We expect it to be the same.

THE CHAIR: I think it is going to be the site of the new Belconnen pool, actually. That is what we were going to do there, if the truth be known.

MS DUNDAS: And then you'll run free school buses along it.

Mr Corbell: It has taken a shorter amount of time.

THE CHAIR: Further questions?

MRS DUNNE: Can I get on to the land release program?

Mr Corbell: Yes. We have been waiting for you, Mrs Dunne.

MRS DUNNE: I just have so many things I could possibly ask.

MS DUNDAS: I could start.

MRS DUNNE: Okay, do you want to start on the land release program?

MS DUNDAS: Yes. Can the government justify its claimed 35 per cent increase in land sales when the 2001-02 budget figures, which are actually a discontinued output under land and property, show 1,161 residential units and commercial lots taken to auction—and that does not include the Kingston Foreshore Development Authority or the Gungahlin Development Authority—and the 2002-03 figures show 985 residential and commercial blocks sold?

I know one talks about lots taken to auction and others sold, but the 2002-03 figures do include the Gungahlin Development Authority and the Kingston Foreshore Development Authority. The figure of 1,161 is bigger than the figure of 958. That is a very simplistic way of looking at it; I am just trying to understand where the increase is.

Ms McKinnon: I am sorry. I didn't understand any of that.

Mr Corbell: I am sorry, yes, I think you might need to ask that again.

MS DUNDAS: Okay, I'll do it slowly. It is at output class 1.1—land and property.

MRS DUNNE: Yes, page 239.

MS DUNDAS: Actually, this is in appendix E, because it is a discontinued measure. The land and property class talks of the number of residential units and commercial blocks taken to auction and gives the estimated outcome for 2001-02 is 1,161. I understand that it does not include Kingston Foreshore Authority or Gungahlin Development Authority land or blocks sold.

Mr Corbell: Yes, that is correct.

MS DUNDAS: But output class 1—land—

MRS DUNNE: On page 239?

MS DUNDAS: Yes. This gives the “number of residential units in commercial blocks sold” a target of 985 and a note that it does include the Gungahlin Development Authority and the Kingston Foreshore Development Authority. I know one talks about

25 July 2002

blocks “sold” and one talks about “taken to auction”, but can you explain to me how you get a 35 per cent increase when the number is less to start with anyway and you have put more blocks in there?

Ms McKinnon: The simple explanation is that the note at the bottom of page 239, which says that the 2002-03 target has been set taking into account land releases by other organisations, means that we have taken them into account and this is what is left for the agency which is currently known as Land.

MS DUNDAS: So you are actually subtracting it.

Ms McKinnon: It means you can also describe that as saying they have not been included. We have taken into account that they are not included. The bulk of the land release program for 2002-03, or a large part of it, will actually occur in Gungahlin.

MS DUNDAS: The mysteries of the budget papers! Can you provide us with those figures, to put proof to the claim of a 35 per cent increase?

Mr Corbell: On page 15 of the land release program at appendix 2—2002-03 residential releases—Gungahlin-Horse Park stage 2 has 400 dwellings and Gungahlin-Yerrabi stage 2 has 260 dwellings. Those are both GDA releases. Also, in the release ready program component at the bottom, there is additional land available. That includes Anthony Rolfe and, I am advised, some of the Forde release. They will be GDA releases.

MRS DUNNE: Forde?

Mr Corbell: Forde. Frank Forde.

MRS DUNNE: The land release program is quite complex because it has a whole lot of entities. There is greenfield stuff, and there is redevelopment, which is the KFDA stuff. The KFDA gets moved around. In the last land release it was in redevelopment or was put separately; here it has been put into new development—but in a sense it has not, because it is brownfield not greenfield. But I do not want to quibble too much about that. Of the stuff that is in the land release program for this financial year, 2002-03, how much of it is being released by land? Is it 985?

Ms McKinnon: Apart from Yerrabi?

MRS DUNNE: No, by your entity.

Ms McKinnon: How much is being released by land, as opposed to Kingston and Gungahlin?

MRS DUNNE: I am talking residential, sorry.

Ms McKinnon: Let me see, 660 and 175 is 835, plus a thousand is 1,835.

MRS DUNNE: What’s the 1,000?

Ms McKinnon: Redevelopment sites are 1,000.

MRS DUNNE: But you do not release those.

Mr Corbell: Your question is greenfield sites by residential greenfield by land.

MRS DUNNE: By land, yes.

Ms McKinnon: It is 858, plus there may be part of Lawson. The plan at the moment for the Lawson release is primarily that it will be on Commonwealth land, but some of it may be on our land as well.

Mr Hehir: To clarify the answer, the minister specifically said that the new development area is greenfield, and it isn't quite. The 858 figure is 100 from the new development areas, which is a Dunlop 4 sale, plus 758 from the existing urban area sites.

MRS DUNNE: Belconnen, Bonython, Conder, Greenway and Oaks Estate, et cetera.

Mr Corbell: That is serviced land but land which has not yet been developed.

MRS DUNNE: So, 100 of it is greenfield, and that is only Dunlop 4.

Ms McKinnon: There will be part of Lawson.

MRS DUNNE: Can you tell us about Lawson? I thought the Commonwealth had—

Ms McKinnon: What would you like to know about Lawson?

MRS DUNNE: I want the short version, seeing that it's quarter to 6. Is it going to come back on?

Ms McKinnon: The short version is: we are assuming that we have it in the program this year and we are working with the Commonwealth for a release this year. And there are some issues that the Commonwealth are resolving in terms of their radio stations and when they actually decommission those radio stations. That is what had an impact last year. We are assuming that, as the program suggests, it will be released this year.

Part of the total area of land, the way the first stage of Lawson has been developed, includes territory land. So there will be a minor—and it is very minor—bit that is on territory land, in stage 1.

Mr Hehir: To get to the 985 figure shown in the output class 1—

MRS DUNNE: That includes commercial.

Mr Hehir: It includes the commercial, but there are only 17 or so of those sites.

MRS DUNNE: So 17 are commercial.

Mr Hehir: Roughly. That is off the top of my head. I would have to go and count.

25 July 2002

MRS DUNNE: Okay—approximately 17 commercial.

Mr Hehir: We have also added the estate of East O'Malley to the 985 figure because, even though it is not shown in the actual residential land release program, it will be sold this year. It was in last year's residential land release program, and I believe it is appropriate to count.

MS DUNDAS: How many properties at East O'Malley?

Mr Hehir: The range given for it is from 110 to 120.

MRS DUNNE: If Lawson does not go ahead, all of the greenfield land release you have is essentially first home owners land. Dunlop tends to be classified for the most part as first home owners land.

Mr Hehir: Yes, Dunlop does. It is, however, exhibiting some second and third home buyers. There has been an interesting development: we have found that first home buyers are, to a large extent, purchasing existing home sites. However, if they are purchasing greenfield sites, it tends to be in Dunlop.

MRS DUNNE: In the briefing the minister and I had the other day from the HIA, we heard that their national view was that we have just about squeezed the lemon dry on first home owners because of pulling all that activity forward to the first home owners grant and the introduction of the GST. Do you think you might meet resistance in Dunlop, and might it be difficult to sell in Dunlop?

Mr Hehir: There is actually a note on that at the bottom of the page.

Ms McKinnon: Subject to the extent of the 2001-02 releases—and that really was an indication that we would look at the situation very carefully—and if Dunlop 4 is required, it really will be how the sales in relation to the two existing sites go.*

In terms of your question, will we find resistance? I am not expecting resistance, but a lot of the first home owner grants went, as you would probably understand, into the established areas anyway. The percentage that bought in greenfield sites was quite small.

MRS DUNNE: But there was a recent auction.

Ms McKinnon: In June.

MRS DUNNE: And that was 217, or something like that.

Mr Hehir: 280.

MRS DUNNE: How did that sale go?

Ms McKinnon: Exceptionally well. It depends on—yes, it was sold.

Mr Hehir: It sold for a high price, well above reserve.

MRS DUNNE: I want to get on to the question of the redevelopment sites. In the previous land release it used to be dual occupancy and redevelopment. Suddenly, it has become redevelopment, which I presume still includes dual occs. But why has it doubled from 500 to 1,000 this financial year?

Mr Corbell: My understanding, Mrs Dunne, is that the 500 figure was a very conservative figure, and the actual level of activity was closer to 1,000 per annum, so that was the figure that was factored in. Is that accurate?

Ms McKinnon: The 500, as the minister said, was very conservative. We discussed what was in the pipeline with the building and development industry, and we did this during last financial year. Agreement was reached that, because the figure that was in the pipeline, which was potentially about to be released, was so high, 500 was ludicrously low. Our conservative estimate was more likely to be closer to 2,000, and we agreed that 1,000 was a much more appropriate, but still conservative, figure to put in for private sector redevelopments per annum. It was agreed with industry.

MRS DUNNE: Are you saying that last financial year you were approaching something like 1,000, whereas the answer to the question on notice actually says that the outcome was 1,000? Is that rounding up or rounding down?

Mr Hehir: No, it is not, and I will clarify that. We met with industry—HIA, MBA and a whole heap of builders—and went through all their projects. It was a very interesting exercise. We got to 9,000 projects that were identified over the next five years, and that included current projects.

MRS DUNNE: A lot of that is tyre kicking, as well.

Mr Hehir: A portion of that is tyre kicking; that is why we ended up with 1,000 rather than 1,800 as the figure. Some of it is also stuff that comes out of the land release program, and it is not appropriate to double count it. But the 1,000 figure was agreed at a residential advisory group meeting, with industry there. All the people in the meeting—I do not recall any discontent or any opposition to it—seemed to agree that 1,000 was the right figure, and they believed that it had been 1,000 for a while.

THE CHAIR: What year are we talking about?

Ms McKinnon: Last financial year.

Mr Hehir: We met last financial year.

THE CHAIR: Why are we estimating this? Why don't we know exactly what the figure is?

Mr Hehir: We could, for instance, go on the actual number of approvals—

THE CHAIR: And certificates of occupancy issued at the end.

Mr Hehir: But that is only retrospective; we are trying to plan for the year in advance—

25 July 2002

THE CHAIR: No, I am asking about the results from the last year.

Mr Hehir: So we cannot go on completion.

MRS DUNNE: The answer to my question on notice was outcomes, and I have got a neat 1,000. I'm going, "Wow, that's pretty neat."

THE CHAIR: It was 1,000 the year before, as well.

MRS DUNNE: As a result of that, you are now saying that the redevelopment in this year's land release will be 1,000. It is fair enough that you can estimate that it will be 1,000 but, when you estimated last year that it was 500, did the building industry actually redevelop an even 1,000 redevelopment projects?

Ms McKinnon: It is very difficult to verify how many were actually sold, as you yourself indicated a minute ago. But we have always used what the projection has been in the land release program for the last three years; we have always put what the projection is as the outcome. We have not doubled verified it and, yes, at some stage we would have got a much higher figure if we had in other years, and we would probably get a much higher figure now for last year—or we may get a very much higher figure at the end of this year. But as a simple standard figure, we have put in what industry have agreed is approximately the number that they could live with as being private sector dwellings released.

THE CHAIR: With respect, that's a bit dangerous, isn't it? They might have reasons for wanting it to be lower or higher than it actually is at any given time.

Ms McKinnon: Of course.

THE CHAIR: I still do not understand why you cannot give us the actual number. All developments have to be approved. You have to write your DA, you've got to get it approved and you've got to issue a certificate of occupancy at the end of the development. I would be surprised if there wasn't someone in PALM who could press a button on a computer and tell you how many approvals for redevelopment there had been.

Mr Hehir: There would be if we could figure out which definition we were going to use for when the development is approved. Do we mean when the DA is signed off, do we mean when the certificate of completion of the building is there, or do we mean when the actual sale takes place to the individual occupier? This is a very difficult process for it.

There is a lot of danger in working with the industry in this, in that they either say "No, no. There's not enough land out there," or, "Yes, yes. There's too much land out there." We hear both views sometimes in the meeting. It is a very entertaining process, as well as very difficulty to manage.

THE CHAIR: Depending on who has just bought what at the auction.

25 July 2002

Mr Hehir: But we could. In terms of what we have used, we have used the industry estimate of what they believed was happening to provide that outcome figure. We could go away and interrogate the PALM database and come up with a figure for how many dwellings were approved under a DA process, or we could come up and see how many were built. We could certainly get that figure if you are interested in our providing it.

Ms McKinnon: It has been a matter of quite strong dispute with the industry when we have gone back with figures from the PALM database. This is the definition question of what relates to a sale. In fact, industry themselves did not believe the PALM database was at all accurate. What they include as accurate depends on the question being asked, and it does vary a lot. The PALM database itself had some problems associated with it, and industry were not prepared to accept that as sold—perhaps as a basis for projection.

Mr Hehir: For example, the Silverton site at the city has two DAs approved: one for residential and one for commercial. Which one we put in becomes a big question.

MRS DUNNE: Perhaps neither.

THE CHAIR: Neither. Obviously, if you conclude that the development is actually completed.

Mr Hehir: But which forward projection to use becomes a question. Do you use the one for commercial, which will impact on our commercial sales program, or the one for the residential, which impacts on our residential sales program. It is not so much that; it is a bit of the tyre kicking that Mrs Dunne referred to. There is an element of that in some of the DAs.

Mr Thompson: Mr Chairman, what we have been trying to do with documents like this is give some feeling for the level of raw land that will be released into the marketplace for private property developers to start greenfield development—physically building roads, and whatever—and subsequently for house builders to take over and build houses on. It is a matter of significant judgment to then build into that redevelopments, which is quite a different process. The infrastructure is already there and—

THE CHAIR: I am not disputing that, Mr Thompson. I am actually talking about backcasting. I am talking about knowing what has actually happened. It concerns me that the figures we have got are not even rounded figures—they are actually industry estimates—when it seems to me that the facts must be there and it is a matter of collating them, at most, to find out how many redevelopment units you ended up with in the last financial year.

Mr Corbell: The advice from Mr Hehir is that you could generate an alternative number, but it would potentially be in dispute as well and it may or may not be more accurate.

THE CHAIR: But why would it be in dispute?

Mr Corbell: Industry may claim that it is inaccurate for the reasons that Mr Hehir has indicated.

THE CHAIR: He was talking about forward projections.

Ms McKinnon: I think you were talking about between the past—

THE CHAIR: Yes, we are talking about past projections. They cannot be in dispute. You've either got a house or a block of units there or you haven't. You cannot be in dispute.

Mr Corbell: We could do that, I must admit.

MRS DUNNE: I asked specific questions, and what I got as the answer for redevelopment was, "Well, we projected 500, so must have achieved 500," and I am not happy that that is accurate.

Ms McKinnon: I think we could provide that figure but, again, it is a figure whose accuracy would be contested by industry—and always is, the minute we bring it out. It is an exercise I have not done, and I apologise if that is what you wanted. It is an exercise that we can ask PALM to look to doing.

MRS DUNNE: That is what I wanted, and I wanted actual outcomes.

Mr Corbell: If you'd like that figure, Mrs Dunne, we could certainly generate it for you.

MRS DUNNE: That would be great.

THE CHAIR: Could we split that information into two classes? Could we have dual occupancies—or, at least, a single house block converted into two or more residential units for that dual occupancy—versus larger developments?

Mr Corbell: I am not sure what the capacity of the department database is, but we will give it a try.

MRS DUNNE: The analysis that I have of dual occupancies is interesting. You must be able to pull out dual occs because I have an analysis of the dual occupancies over 10 years.

Mr Hehir: I think we should be able to do it. It may involve checking some of the applications by hand, but we can probably do it. It may just take a while longer.

THE CHAIR: If it takes longer than three days, we will understand.

MRS DUNNE: Yes.

Mr Thompson: To clarify, would you like commencements or completions with respect to occupancy?

THE CHAIR: I don't care what measure you use, but I would have thought completions is the only one which you can really use.

Mr Corbell: For the last financial year?

Mr Hehir: Commencements would be more in tune with what the actual program is about. It is about what goes out to the market, and we don't necessarily expect a land development to take place within that year. It might take a couple of years.

THE CHAIR: No—which is why completions are the best thing to use.

MRS DUNNE: The problem with the figure for redevelopments in the land release program is that it is not land release that the government has any control over.

Ms McKinnon: Correct.

Mr Thompson: It is true, and we have always acknowledged that.

Mr Corbell: It is also part of the total market.

MRS DUNNE: It is part of the total market, but I think that it should be treated somewhat separately because it is not a revenue. I just needed a revenue source for it. Almost everything there, except the stuff like Lawson, which the Commonwealth owns, is territory owned land. But this redevelopment stuff is not, for the most part, territory owned land, unless the space is owned by Housing or something like that. But for the most part, it is not territory owned land and should be treated differently.

Ms McKinnon: The land release program is a forward projection of the government's intentions for the next four years. As such, it really tries to assess what the market supply and demand is and should be. To leave out any reference to what we have agreed with industry and estimate what is going to be available through the private sector would be a little short-sighted.

MRS DUNNE: I am not suggesting that.

Ms McKinnon: It is not included in the budget, in terms of any calculation of dollars; nor is the Commonwealth's revenue from Lawson. It is a very brief one-liner that is part of the total. A very significant thing that was achieved in the land release program, by the previous government, was to get a consolidated look at future projections between the industry and government. That is what this program attempts to do.

MRS DUNNE: Even for someone like me, who is moderately familiar with how the land release program works, it is a bit counterintuitive, especially when your figure rises from 500 to 1,000 year on year. Perhaps we should look, Mr Chairman, at a better way of recording it. I agree with you entirely, Ms McKinnon—

Mr Corbell: I would certainly welcome a recommendation from the committee on that issue. If you believe there is a better way of assessing that, I would welcome the recommendation, and we would look at it.

Mr Thompson: Mr Chairman, one other issue that we will be confronted with in pulling information off the PALM database at 30 June, just finished, at the end of a very significant problem the industry had with home owners warranty insurance, was that on that day there was still, as I recall it, a significant backlog of certificates of occupancy to be granted. So we will see what we can do.

MRS DUNNE: Yes, 200-odd.

THE CHAIR: Perhaps that is a reason to discount it. They might have therefore been lower than otherwise would have been the case. That is fair enough. We have reached six o'clock. What volume of questions do we think we have got left?

MRS DUNNE: I have got substantial questions for the KFDA and the GDA.

THE CHAIR: I have probably got 10 to 15 minutes worth of questions myself.

MS DUNDAS: I had one last question on the Gungahlin Drive extension but was willing to put it on notice—because I did not want to open the debate.

Mr Corbell: In relation to the Gungahlin Drive extension, I would also like to make a point in clarification of some of the information that was provided on Tuesday. Do you want me to do that now? I am not quite sure when else we would do it.

THE CHAIR: We are exploring the option of whether to plough on tonight—to keep going. I do not think there is consensus.

MS DUNDAS: I can't.

THE CHAIR: Or we have recall time dedicated for tomorrow afternoon. We have the corrections minister coming back to speak to us about corrections, but we have four hours put aside. So we could presumably resume these matters tomorrow afternoon, after we have heard from the minister for corrections.

MS DUNDAS: But if we are going to do that, can we make it quite clear what it is we are going to talk about. Because there are a number of people sitting in this room whom we may not have questions for.

THE CHAIR: Yes, that is a fair point.

MS DUNDAS: I have one question on Gungahlin that could possibly be answered by the minister or somebody else.

THE CHAIR: What is the consensus? Do you want to continue tonight, or do you want to come back tomorrow afternoon?

MRS DUNNE: Ms Gallagher and I have family responsibilities, and I am sure other people do.

THE CHAIR: Minister, at 2 o'clock tomorrow afternoon we will see Mr Quinlan. I do not know how long it will take, but I would guess an hour or an hour and a half. Could we have an arrangement in place that we contact your office and give you 15 or 20 minutes notice to resume discussion about the subjects we have been discussing this afternoon, which we might refine a little bit now?

25 July 2002

MS DUNDAS: Can we clarify that tomorrow we will talk about the GDA and the Kingston Foreshore Authority and briefly about the Gungahlin Drive extension, but not about land or transport or PALM?

THE CHAIR: We have finished with transport, and I do not have any further questions about land.

MS DUNDAS: Neither do I. That is the point I am trying to make.

MRS DUNNE: I have so many questions about land, but I cannot reasonably ask more questions on land.

THE CHAIR: Then the arrangement would be, Minister, that we would give you, say, 20 minutes advance notice of our requirement to have you back here tomorrow afternoon, no earlier than 3 o'clock, and at that stage we will cover issues in planning and land management. We won't require questions on land, we won't require answers on issues relating to public transport, but we will come back to the Gungahlin Development Authority and the Kingston Foreshore Development Authority. Is that satisfactory?

Mr Corbell: That's fine, Mr Chairman. Is it possible for me to clarify some comments that I made on Tuesday?

THE CHAIR: Yes, you can. You might as well do that now.

Mr Corbell: On Tuesday Mrs Dunne asked me a question in relation to a response I gave to Mrs Cross on 4 June in relation to the government's position on the timing of the Gungahlin Drive extension. I have checked the cabinet record in this regard. The budget cabinet dealt with the bulk of the capital works program on 27 May and resolved to agree to that program subject to further refinement. The final budget cabinet was on 11 June, when the complete budget proposal was resolved.

I believe, in those circumstances, that one may have the impression that I misled Mrs Cross in relation to her answer. I certainly did not do so intentionally. The capital works program, whilst substantially agreed on 27 May, was agreed subject to further refinement, and the total budget was only formally agreed on 11 June. I apologise to members if they believe they have been misled. I do not believe I did so intentionally. Viewing the cabinet record, the circumstances are a little unclear as to whether the decision was completely made on 27 May or whether it was made on 11 June. I would like to put that on the record for members, and I will also be making a brief statement to the Assembly when it next sits.

THE CHAIR: We could have a discussion about that, but we should leave that—

Mr Corbell: We can take the opportunity tomorrow, if you like.

THE CHAIR: Indeed. Thank you, Minister. We will resume with you tomorrow sometime after 3 o'clock, giving you 20 minutes advance notice.

The committee adjourned at 6.09 pm.