



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING AND ENVIRONMENT

(Reference: Annual and financial reports 2003-2004)

Members:

**MR M GENTLEMAN (The Chair)
MR Z SESELJA (The Deputy Chair)
MS M PORTER**

CANBERRA

TUESDAY, 22 FEBRUARY 2005

**Secretary to the committee:
Dr H Jaireth (Ph: 6205 0137)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents relevant to this inquiry which have been authorised for publication by the committee may be obtained from the committee office of the Legislative Assembly (Ph: 6205 0127).

The committee met at 1.00 pm.

Appearances:

Mr Simon Corbell, Minister for Health and Minister for Planning

ACTION Authority

Mr Peter Wallace, Chief Executive

Mr Brian Quirke, Senior Manager, Finance and Administration

THE CHAIR: I welcome everybody and open the hearing into the 2003-04 annual reports. I welcome the Minister for Planning, Mr Corbell, officials and committee members.

You should understand that these hearings are legal proceedings of the Legislative Assembly protected by parliamentary privilege. That gives you certain protections but also certain responsibilities. It means that you are protected from certain legal action, 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.

This afternoon we will hear from the Minister for Planning regarding the ACT Planning and Land Authority, the ACT Land Development Agency and ACTION Authority. We will also be hearing later from the Minister for Environment in relation to the Office of the Commissioner for the Environment. If any questions are taken on notice, the committee would appreciate responses within five working days of the hearings. It is the responsibility of witnesses to ensure that they meet any commitments they have made regarding provision of information or answers to questions on notice. The secretary will email a transcript to all witnesses as soon as it is available.

Questions for today's annual report hearing are to be from the committee and relevant to the report for the period 2003-04. A schedule has been provided in regard to the minister's generous availability of time and I would ask all members of the committee and other members to adhere to this program. I would like to ensure that all committee members have an opportunity to put their questions to the relevant minister before moving on to other members' questions. Minister, would you like to make an opening statement?

Mr Corbell: I do not have any particular statements to make. The annual report period for this report is some time ago now. So, rather than seek to reiterate what I think has been largely discussed in the public arena in terms of the government's transport and planning policies, I am open to questions from the committee.

MS PORTER: I note that the authority has created a new position of safety manager, as well as implementing a safety management program. I congratulate ACTION on both of these initiatives and I would be pleased if you are able to advise the committee what initiatives have flowed from these decisions and have they directly improved the level of safety for both employees and the travelling public. I found reference to that on page 6.

Mr Corbell: I will ask Mr Wallace, the chief executive, to answer that question.

Mr Wallace: We took the decision to implement a manager of safety and security. It was, I suppose, in response to our levels of OH&S issues and also the emerging issues regarding security, particularly after international events. Our manager is Kerry Byers. She is an award-winning person in the field of OH&S, and is now learning more about security on a daily basis. Kerry and her team have implemented a program of rapid response to first injury occurrences—a system of getting people to physiotherapy if they have some sort of mishap, not necessarily to prevent a claim, although it has been successful in doing that, but to get people instant treatment for whatever has occurred to them. Obviously, early intervention is the main cause of a lower premium, so early intervention is also a major focus of this program. As soon as we can get someone back to work, back to full-time duties and they are ready for work, the better it is for the employee and for the organisation, and that has been a major factor as well. So we have seen a significant reduction, particularly in this reporting period, in the number of workers compensation claims. In the previous year there were around 82 claims and the year that we have reported on and since then the figure is about 58 claims, so it is a significant reduction.

We have also undertaken a review of safety and security in conjunction with a consultant, and the findings of that report are the basis of an implementation plan that we have now in place within ACTION. It is around the physical security of both our employees and our sites and a number of recommendations regarding the provisions of cameras on buses, staff IDs, boom gates for our facilities et cetera. We are implementing those on a progressive basis. They are the main features.

Mr Corbell: I add that I think it is really important that ACTION does this work, given the age profile of the ACTION work force. I think the average age of an ACTION bus driver is about 50, which is quite old. People in that age bracket are more likely to suffer workplace-related injury and are, therefore, more likely to make a claim through the workers compensation system. So an early intervention approach is particularly important given the average age of the work force. ACTION is to be commended for taking that step, because it does reduce costs for the government in terms of its overall workers compensation premium.

MS PORTER: In the last point that you were making around security you mentioned cameras on the buses. Does that include cameras at the interchange facilities as well?

Mr Wallace: There are already cameras on the interchanges. We do not run the interchanges ourselves; urban services runs those. But there are cameras there that we have monitoring responsibilities for. We have a number of buses that are fitted with cameras. We have recently made the decision that all new buses will be fitted with cameras, so all new buses that we receive from this week onwards will have security cameras fitted, and we are also looking to retrofit with cameras the Scania's that we have already received.

MR SESELJA: Minister, I refer you to pages 6 and 24 of the annual report with a separate discussion of the funding model. The report notes that the need for a funding model was “advocated by the Independent Competition and Regulatory Commission of Audit” and talks about the work that was undertaken to get that funding model up. Are

you able to say what stopped that occurring in the last financial year?

Mr Wallace: The funding model is a fairly complex piece of work. What we are trying to do is establish a basis for funding of ACTION that gives it security of funding and an incentive to grow its business. So if ACTION as an operator grows its business it is not penalised by that by having to do more and more with the same amount of money. If it grows its business, so potentially does the level of funding available to it to deliver services. The funding model is a piece of work that is ongoing. It has involved fairly detailed discussions with Treasury as well as the Department of Urban Services and ACTION itself, and I have also been involved in a number of those discussions. I am confident that in the next six months or so we will have a government decision on a funding model and that is certainly the time frame we are working towards.

MR SESELJA: So the only obstacle then to it being achieved in the last financial year was its complexity?

Mr Corbell: Yes, the complexity of the issues. There is a range of funding models used around the country. We had to develop one that was specific to our ownership arrangements. For example, in South Australia, in Adelaide, the fleets are privately operated but a number of the fleets, the vehicles themselves, are owned by the state government but are operated by a private contractor. In other jurisdictions, the fleet itself is privately owned as well as privately operated under contract and in other jurisdictions it is like the ACT where there is a government-owned and operated fleet. So there is a range of issues that we have to work through to get one that is appropriate to our operating environment.

MR SESELJA: On page 20 there is mention of risk management. The report says:

A program of internal audits was undertaken in 2003-04. Comprehensive audits were completed on fares and stores/purchasing, as well as several other systems, but only a partial audit was undertaken on payroll. ...

During the year, the Audit Committee also oversighted the management of ACTION's high-risk activities and provided regular updates on these to the Board. Risks were rated on a 'high' to 'low' scale and those assessed as being 'control critical' or 'requiring active management' were scheduled to receive audit reviews.

One aspect of the risk assessment was the identification of business activities that had a high degree of potential for fraud. These activities included bus fares ... stores/purchasing ...and payroll ...

My question is: why, given that payroll was identified as a high-risk area with a high degree of potential for fraud, was it only partially audited for the financial year?

Mr Corbell: I will ask Mr Wallace to answer that question.

Mr Wallace: It is mostly a matter of the individual parts that open themselves to risk. The processing of leave and other arrangements around that are the main areas where you can run into trouble with fraud, such as people not submitting leave forms. That was the partial thing that was looked at.

MR SESELJA: So those areas identified as high risk were audited?

Mr Wallace: That is right. It is almost regimented, I suppose. If you apply this year for leave next year, that is the block you get. I do not think they are trying to defraud us, but a lot of employees get to the time to go on leave and they just go on leave. So it is following up and making sure they submit those leave forms. Otherwise, it could be fraud. If they leave our employ without putting in a form, they may be paid more in entitlements than they are actually due. That is an ongoing process. The actual processing of the pay is done in-house, but the system is off-line. It is a bureau server but we have control of those individual inputs. It is just making sure that people on the ground in both the depots are able to follow those up. As to other high-risk activity, just driving a bus around is high-risk.

MR SESELJA: On page 8 the report talks about improved bus services. It refers to “continual refinement of the network to better meet the needs of the ACT community, with particular focus on Gungahlin”. It talks about an improvement of 20 per cent for the Gungahlin area in terms of bus services on weekdays. Was there an associated improvement for weekend bus services to Gungahlin?

Mr Wallace: Yes. There were additional services on the weekend, but it was primarily aimed at weekday services to get people to work.

MR SESELJA: What was the additional improvement in weekend services for Gungahlin?

Mr Wallace: An increase in frequency and an extension of the areas covered by the bus service. It is a growing area and we need to keep redesigning those services.

MR SESELJA: Do you have specific figures on the weekend?

Mr Wallace: I do not have the specifics with me.

Mr Corbell: We can take that on notice, Mr Seselja. May I stress, though, that the government’s policy objective is to increase the number of journeys to work that occur by public transport. So our focus is overwhelmingly on the frequency and availability of public transport during what you would regard as the commute. That is obviously during the weekday, rather than on weekends.

MR SESELJA: I understand that. My concern is that people who need to use buses, particularly on weekends, are often going to be people who have no other means of transport.

Mr Corbell: That is right, and there is that social service element of ACTION’s business that is very important and the government treats that very seriously. That is why we are trialling services like the new evening service in areas such as Weston Creek, where you have a dial-up service. People can access the service over the phone. Rather than waiting for 90 minutes until the next bus comes along on the weekend or on an evening, they can use the telephone and arrange a pick-up at a convenient time. We do treat that element of the business as important. The issue is trying to get the balance right between the government’s objectives of increasing the number of journeys to work and making sure

that that safety net, if you like, transport service is still available.

THE CHAIR: Minister, moving to page 6 of the report, in 2003-04 the authority increased its adult patronage by two per cent. Is that trend continuing, and what is the government doing to achieve that growth?

Mr Corbell: Yes, that trend is continuing. Since the government has been in office, adult patronage of ACTION has continued to grow. It first of all picked up quite substantially when we brought in the one fare anywhere system, abolishing the Liberals' multizone system, which was a real disincentive to catch the bus and forced people in many instances to pay twice to catch the bus from, say, Tuggeranong to the city or Belconnen. We now have a one fare anywhere system, with a two per cent growth in 2003-04. In 2004-05, we saw a two per cent growth in the July to September period and 3.3 per cent growth in the September to December period. Again, this is comparing with like periods the previous year.

I am very pleased to report that this year, from January to now, our patronage is six to seven per cent higher than it was for the same period last year. So the government is significantly increasing the number of services available. The Xpresso services that the government announced last year are providing more direct services more often from the suburbs to employment areas such as the city, Parkes, Barton, Russell and so on, as well as between the town centres. For example, there are now direct services from Tuggeranong to Belconnen. We are really seeing significant growth. I think it is a strong endorsement of the government's strategies to try and improve the level of patronage. Yes, the trend is continuing.

THE CHAIR: Moving on to page 7, in 2003-04 funding was provided for fleet replacement strategy. How was that implemented during the year? What is the effect of that strategy?

MR CORBELL: The fleet replacement strategy has been focused on increasing, first and foremost, the number of wheelchair accessible buses that we have in the ACTION fleet to meet our obligations under the Commonwealth's Disability Discrimination Act. We are on track to meet our obligation to have 25 per cent of the fleet wheelchair accessible by the relevant date, the end of December 2007. We are on track to meet that requirement.

In addition, the government has invested in a new part of the fleet that is much more attractive to use and much more comfortable, both for drivers and, importantly, for passengers. Apart from being low-floor, wheelchair accessible, it is also an air-conditioned fleet. The new Scania and IRIS buses are both air-conditioned buses. In addition, the Scania buses are natural gas powered vehicles. This is a considerable saving to ACTION in terms of fuel, but also an important commitment in reducing greenhouse gas emissions with the use of natural gas powered vehicles. We will have 33 compressed natural gas buses by the end of this year. There will be another 10 provided by the end of 2005. So a total of 43 natural gas vehicles will be on the road by the end of June 2005.

In addition, there are the 20 IRIS buses that ACTION purchased as a result of the failure of an order by another operator for 20 IRIS buses that the operator was not able to pay for. ACTION took advantage of a good deal to get those buses as well. They have the

same body, essentially, and the same look as the Scania natural gas buses, but they are not natural gas powered. They are powered by diesel, but they meet the latest European standards for diesel emissions. The government intends to continue the fleet replacement. It is a really important part of the program to improve the look and feel of ACTION buses and the ACTION bus fleet. Certainly a lot of people, I am told, now ask whether or not their route has these buses on them because they are so markedly different to ride in and enjoy compared with the older vehicles in the fleet.

MS PORTER: Minister, according to the report, 43 per cent of ACTION drivers are over 51 years of age. You alluded to some of the difficulties that that creates in respect of injury and compensation claims. Does the age profile of the drivers produce any other issues that prove difficult to manage?

Mr Wallace: The age profile is improving as we have retirements. There is no compulsory retirement age. We have a driver who is 73, Spencer Gilchrist. As a matter of fact, he was a customer service award winner last year, an ACT government award, and that was a nomination from his customers who put his name forward. He has had 34 years of service with us. I do not know how many years of service he would have had if he had started at the eligible age to start. When you get to that later stage in life, you look to having a more comfortable life, so we do have difficulties filling weekend rosters as a result of that. We have put a number of things in place to make sure that we fill our weekend rosters. We have experienced operators, they have the customer at heart and we get a lot of compliments about the service they provide. So, apart from making sure that we are extra careful in looking after their health, I think basically they are an asset to us.

MS PORTER: I did notice that you have had a strong recruitment program and that you are recruiting younger people and some women drivers into the fleet. I notice that in the last two years 77 drivers have left the service and 96 have been recruited. I just wonder whether the age profile is evening up a little bit with those leaving and joining.

Mr Wallace: It is. We have had an increase in recruitment because we were gearing up for the Xpresso services with an extra 11 buses and another 12 or 13 drivers required to operate those. So we were in a ramping-up stage. The average separation age is about 47 and the average recruitment age at present is 32. It is a conscious decision but we do get a higher proportion of younger applicants than of older applicants. We do not exclusively recruit below a particular age, but obviously the difference will come through.

We do not have a problem attracting applicants; other networks in Australia do. In our last recruitment exercise in September-October we had 290 applicants and we are working through that now. So far this financial year we have had five or six courses run with an average of six participants, so we are up to 30, and 10 of those were female recruits. It is pleasing to note that we are progressively growing that part of our business, because we really ought to reflect our community with our drivers.

MR SESELJA: Minister, page 14 deals with conflicts of interest and I have a quick question on the two disclosures of interest in the financial year. Are you able to advise when you received notice of those and when you passed them on to the relevant committees?

Mr Corbell: I am advised that the authority is required to advise me of conflicts of interest in the relevant year and that is what they have done. I could not tell you exactly when I received those; I would have to take that on notice to give you the exact dates. If I recall correctly—Mr Wallace will, I am sure, correct me if I am wrong—both of those related to the position of Mr Andrew Whale, who was a director of the ACTION Authority, a member of the board, but also at the time a relevant union organiser for the Transport Workers Union. He disclosed the conflict of interest when the board discussed issues dealing with the enterprise bargaining arrangements and excused himself from those discussions because he was clearly in a conflict role. He took the appropriate course of action, as did the board. I am happy to provide you with the date of when I received that advice. I think I would have received it when I received the report itself, but I will double-check that for you.

MR SESELJA: Thank you, and also the dates of when that was then passed on to the relevant Assembly committee, if you could.

Mr Corbell: I am not sure that it has to be passed on to the relevant Assembly committee but I may stand corrected there. It certainly has to be reported in the annual report—

MR SESELJA: I think it says within 14 days after receiving the statement that it needs to be passed on to the relevant committee, meaning the standing committee of the Legislative Assembly nominated by the Speaker, or the Public Accounts Committee.

Mr Corbell: I will take that on notice, Mr Seselja, and check to see whether that is actually the case. That is not my understanding, but I will check that.

Mr Wallace: I understand that we have done that; a report was provided in July and would have been passed on to the relevant committee. When we submitted it we would have put it with the package for the minister to sign to send on.

MR SESELJA: If we could then just get the information of the dates of when it was received and when it was passed on, that would be helpful.

Mr Corbell: Sure.

MR SESELJA: I have another question in relation to the automated ticketing system. Page 7 foreshadows that it is an ageing system and it will likely need replacement. It talks about progressing that in the first quarter of 2004-05. Are you able to give us an update of where that is at and what has been done?

Mr Wallace: Yes. We conducted a quick study of the systems available around Australia in particular and what progress has been made. Most jurisdictions have ticketing systems coming to the end of their economic lives and have moved towards smart card technology. We would be looking to do something similar, although we are not ruling out magnetic stripe just yet. We have prepared a bid for this budget and, depending on the availability of funds, we would like to proceed as soon as possible. The system that we have currently is still operating. It has a lot of moving parts—gears and wheels and things—that wear out and the tolerance for the reading of the magnetic stripe becomes a little difficult to maintain, so it has increased our maintenance cost on that particular

system. It certainly is reasonably reliable and stable, but it is costing us more than it should.

MR SESELJA: Are you able to quantify at all any of those costs that are associated with the ageing system, in particular the maintenance but also whether there are any fare evasion implications?

Mr Wallace: We have taken a number of steps about fare evasion, but with the ticketing system itself should it fail to operate while the bus is operating we are able to swap that at the next interchange, so the scope for losing revenue is reduced. We do not believe it is a source of fraudulent activity. We have employed within the last 12 months revenue inspectors for use on the buses to assist people with their ticketing requirements, and our focus has been, to date anyway, mostly on education of the public that we are checking and that we expect people to pay the correct fares. So those are the two components. The revenue that is at risk is when the machine fails and we are unable to validate or sell tickets.

MR SESELJA: So the additional maintenance requirements can be quantified?

Mr Wallace: Yes, the other component. There is additional maintenance and the parts are costing more because we are becoming one of the last users of such a system. To buy something that used to cost us \$50 now costs \$200 or \$300, so it is very difficult to keep those in service. There are time lags in the delivery of those because we have to wait until we get a significant order before they will even produce them.

THE CHAIR: I am just taking note of the time. We do have some questions from other members—Mr Pratt and Dr Foskey—so perhaps we should go ahead with those.

MR PRATT: Thank you. I have two questions on fares and two on security but time may not permit that. Minister, looking at page 30 of the report, we see that expenses were \$75.905 million, which was an overspend of \$4.219 million on budget. A major reason for this blow-out was the whole of government wages increase. Will fares need to increase as a result of these additional ongoing high wages expenses and can we anticipate a commensurate rise in fares for the coming years?

Mr Corbell: The answer to that is no. The fares are set by the Independent Competition and Regulatory Commission. They have agreed on a set price path for action. That is next up for review—

Mr Wallace: Next year; we are in the third year of a three-year price direction. We have been authorised to have a CPI increase from 1 July and we are producing for the minister's consideration a range of changes, but CPI has been in the order of 2.5 per cent so it will be something like that.

Mr Corbell: The price path is set by the ICRC; ACTION has no discretion to raise prices beyond the price path that was set.

MR PRATT: So the ICRC regime will continue, regardless of this wages increase?

Mr Corbell: That is correct. The wages increase has been fully funded by the

government directly through supplementation to ACTION's budget.

MR PRATT: I have another question on security. Page 6 of the report, minister, states, in part, that "appropriate procedures are in place, even if the risk of an event happening is considered low". For clarification, is that your government's assessment in terms of the overall security impact in Canberra, or is that the assessment of security authorities of the threat to buses per se or to ACTION in general, including ACTION properties?

Mr Corbell: There has been an assessment done of threats to critical transport infrastructure across Australia, through the Australian transport officers group, which is relevant public service group that services the ministerial council for transport ministers. Each jurisdiction undertook its own assessment, consistent with the advice received through that group from ASIO and other organisations, and identified potential weaknesses or risks in a central transport infrastructure. As a result of that, a number of jurisdictions are taking decisions around whether or not certain things, such as rubbish bins, bicycle lockers and so on should be located in transport interchanges, bus depots, et cetera.

We have done our own assessment of the risks associated with our interchanges. At this stage it is certainly a possibility that someone would choose to embark on terrorist activity on an ACTION bus as much as it is possible that it would happen on any other bus anywhere else in the country. ACTION's focus has been primarily on making sure that its own depot infrastructure is more secure. At the moment it is quite easy to walk in and out of both the depots into the engineering areas, into where the buses are parked and fuelled and so on. ACTION has identified a range of measures to try to restrict access to those people who need to be in those areas. As Mr Wallace pointed out, this involves measures such as boom gates, ID passes and so on. These things are being actively considered and progressively implemented. In terms of the bus interchanges and public areas, overall our assessment is that those areas are no more and no less at risk than public areas more generally in the city—Garema Place, City Walk and so on. It is difficult to determine whether any greater level of activity is needed there compared with any other public area in the city.

MR PRATT: I will ask you to clarify whether you have been the recipient of an ASIO assessment of all public transport across the country or are you saying that there was a specific assessment of ACT bus capabilities?

Mr Corbell: There are two issues here, Mr Pratt. First of all, there is the ACTION issue. ACTION has taken what it believes are prudent steps to address the physical security of their installations and their drivers and passengers. There is the broader issue of the security of transport infrastructure in the city. Advice has been provided at a national level to all jurisdictions by ASIO on the sorts of issues that jurisdictions should be considering around the safety and security of transport infrastructure. It is that advice that has led the ACT to do its own assessment of both public and private transport infrastructure and what steps, if any, should be taken to improve security, or at least to raise awareness of potential security issues.

DR FOSKEY: In relation to increased patronage, there is probably no doubt that it has a lot to do with the amount of time it takes to make a bus trip and whether you have to wait for long and whether you have to change buses and wait at interchanges. Certainly it

is a big consideration for young people. I have heard that there is talk about returning to area buses. Could you explain how area buses work and whether such an approach would reduce travel time?

Mr Corbell: How is this related to the annual report, Dr Foskey?

DR FOSKEY: It is related to patronage.

THE CHAIR: Dr Foskey, we are having a hearing on the annual report for 2003-04.

DR FOSKEY: Different committees, different processes. Thank you, Mr Chair. Can you give us some numbers for the demand responsive bus trial?

Mr Corbell: That is not dealt with by ACTION and it is not mentioned in the annual report, as far as I am aware. For your assistance, Dr Foskey, the demand responsive transport options that the government has been considering are being managed by the Department of Urban Services transport policy area, which reports to me. I have the relevant officer from that area here. I would be happy to ask Ms Greenland to come to the table and we will try to answer that question for you.

The government did initiate an examination of demand responsive transport models. That commenced in the financial year relevant to this report. We commissioned examination of a range of models. Those are currently under consideration by the government. ACTION has also proposed its own model and in many respects has already commenced that model in the Weston Creek area with the dial-up service that is now operating on after-hours services in Weston Creek. There is a range of options before the government and the government is currently considering whether or not it should trial some other approaches in terms of DRT or whether it should support a roll-out solely of ACTION's model in the Weston Creek area across the city.

THE CHAIR: Minister, I wonder whether we could ask Ms Greenland to continue with that answer, on notice perhaps, as we are out of time. We will move on to the Land Development Agency.

Mr Wallace: Could I conclude by saying that you should get your show tickets through our agents and have free travel to the Canberra Show. But you have to pre-purchase your tickets.

THE CHAIR: Thank you, Mr Wallace, and other officers for coming along.

Appearances:

Mr Simon Corbell, Minister for Health and Minister for Planning

Land Development Agency

Ms Anne Skewes, Chief Executive Officer

Mr Gerry Ryan, Chief Finance Officer

THE CHAIR: I welcome officials from the Land Development Agency. You should understand that these proceedings are legal proceedings of the Legislative Assembly protected by parliamentary privilege. That gives you certain protections but also certain responsibilities. It means that you are protected from certain legal action, 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.

Minister, would you like to give an opening statement on land development?

Mr Corbell: No, thank you, Mr Chairman.

MR SESELJA: On page 59 of the report it talks generally about the aims and objectives of the LDA. Could you give us a bit of background of what parts of the objectives of the LDA cannot be met without the government acting as a land developer? So, if the government were to step back, which parts, in your opinion, would it not be able to meet?

Mr Corbell: This is, I guess, a fairly broad philosophical debate and one that I have had across this table in this forum in previous incarnations with your predecessor Mrs Dunne and other members of the opposition. Fundamentally, the government believes that there is a role for the government in land development. Philosophically, this view comes from the belief that, because the undeveloped, unleased land in the territory is held under a leasehold system, it is essentially the community's land asset and, therefore, any land that is released for development should be released in a way that is to the benefit of the community overall. That is not just solely in terms of the final built product but also in terms of the financial return that the territory receives on the community's land asset.

Previous methods of delivering land for greenfields development have resulted in the territory selling the land on an exclusive basis, raw, that is, undeveloped, and then allowing the development body, the private sector, to improve the product—that is, develop its services and infrastructure, roads, all the utilities and so on—and then sell that improved product at an improved price to builders or owner-builders.

Fundamentally, what that means is that the government misses out on a return on its asset because it is selling an undeveloped product whereas the developer is selling a developed product. I think it is commonsense to state that, if you refine something, you get a better price for it than if you sell it as a raw product. For that reason the government believes there is a role for the government in developing and selling land, given that it is an asset that we own.

But we have also taken a pragmatic approach in recognising that it is not possible in all

instances for the government to develop all land parcels and sell all of those parcels in a developed state to the market. So the Land Development Agency undertakes a range of land release activity, which includes selling some parcels raw, or undeveloped, to the market; selling some land developed, with the government being the land developer; and selling some land in partnership with the private sector through joint venture development activity. All of these give greater flexibility to the government in terms of the return it gets on its land asset, and that is fundamentally the return the community gets on its land asset.

Secondly, it means that the government can push for higher standards of development in ways which go beyond straight market constraints or expectations. The role of government in land development agencies across Australia has demonstrated that there is the capacity to lead the market towards a higher standard of land development activity, that is a higher quality residential estate, and that is certainly one of the key objectives of the LDA and it is one that the government believes cannot be met with the LDA being in existence and not being able to develop land in that particular way.

MR SESELJA: Your annual report states that in 2003-04 the LDA had 37.6 staff. Are you able to advise whether that has grown since the end of the financial year, and where it is at at the moment?

Mr Corbell: I am happy to take that question on notice and provide that information.

MR SESELJA: In terms of total revenue and staff numbers, can you give me an indication of how the LDA compares with other developers in the ACT marketplace?

Mr Corbell: I might ask Ms Skewes to follow up on that in a moment, but I have to say that on the face of it it would be pretty difficult to determine that, simply because the private sector does not disclose its staff numbers. It would be difficult to know, except in general ballpark figures, what exactly the staff numbers are of particular private sector developers. They are not required to report their staff numbers to anyone.

MR SESELJA: So in general ballpark figures would the LDA be the biggest player in the ACT market, would it be 10th or down near the bottom of the list?

Mr Corbell: I think it is wrong to compare the LDA with private sector developers, simply because the LDA is in a unique position. The LDA is the government agency responsible for releasing and developing raw land in the ACT—there is no other entity like that in the ACT—so I do not think you can really compare it with a private sector developer.

MR SESELJA: But there are other developers that you can compare it with.

Mr Corbell: No, I do not think you can, because you cannot point to any private sector entity and say that it has a role like that of the LDA.

MR SESELJA: No, but it is certainly a player in the marketplace, so where it sits is important to how it affects the industry.

Mr Corbell: I will ask Ms Skewes to follow up on this for you, Mr Seselja.

Ms Skewes: It may be appropriate to consider the Land Development Agency in relation to other like entities that exist in each of the other states generally around the country, except for a couple of states that do not have an entity like a land development agency. If you compare the Land Development Agency in the ACT, for example, to Landcom in Sydney or to the Land Management Corporation in South Australia, each has a somewhat different role in the marketplace and a different scope and range of activities that it undertakes. Certainly, the LDA is performing well within the range of resource allocations that those organisations have in those other states, so it is useful to make a comparison in relation to those and not so much to private sector entities, because there is a range of activities that the LDA undertakes in relation to direct grants programs and those sorts of things—aged care and aged accommodation—that are unique to the territory and to the nature of the leasehold system in the way that land is released to the market in the ACT.

So, when you look at LDA and its resourcing and compare that with its revenue, it is certainly well within what I understand to be the sort of parameters that the land development agencies around the country are operating within. That does not necessarily take into account the special programs that we operate that are there to deliver government objectives in relation to community services, community development and aged care, for example.

MS PORTER: Minister, I note from page 37 that in the new EBA one of the initiatives is the provision of support for employees who take part in voluntary activities. I wish to congratulate you for your actions in including that in the EBA. Could you advise the committee as to what form this support takes and what has been the take-up from staff of this support?

Mr Corbell: I am advised that that is an issue of detail in the EBA. I cannot answer that question immediately—

MS PORTER: Please can you take it on notice?

Mr Corbell: but I am happy to provide you with further information on the detail of the EBA on notice. I think that is a standard provision of the new EBA agreement across all government agencies. But I am happy to provide you with further information on what that exactly means.

THE CHAIR: Minister, the agency is responsible for the management of a large amount of undeveloped land in the territory. You refer to page 50. What strategy has the agency put in place to ensure that this land in any way has reduced the bushfire threat to Canberra?

Mr Corbell: You are right. The agency does manage quite a large area of land, albeit on a transitory basis, simply because it receives land from the Planning and Land Authority once the land is scheduled for release and then it manages that land and has to make sure that potential bushfire fuel is managed on that land prior to its being ultimately developed. This is particularly important in the context that the land the LDA manages is immediately adjacent to the urban edge, particularly in our new residential areas of Gungahlin and parts of west Belconnen and Tuggeranong. It is important to make sure

that the fire fuel risk is particularly well managed in that context. I will ask Ms Skewes to give you some more information on that, but it is certainly an area of work that the LDA takes very seriously.

Ms Skewes: The organisation has put in place a bushfire management plan that we have had endorsed by the Emergency Services Authority. So, as part of our strategy of managing unleased territory land, we have put together a comprehensive bushfire management plan that has now been endorsed by the authority. Basically, that is the management regime that we will proceed to implement in accordance with a range of measures. They include, obviously, weed management and control, grazing issues and other measures put in place to manage any bushfire threat that may exist in those particular areas.

Also, where it is appropriate, we engage the Emergency Services Authority in slashing programs and the like, where that is required. That is undertaken under their control and oversight. So we have a vigorous program. We maintain a diligent effort in ensuring that that bushfire management plan is monitored, progressed and regularly reviewed, so that we can ensure that any potential threats are managed in the most appropriate way.

THE CHAIR: On a separate topic, the key platform of the government is the revitalisation of Civic. On page 11 of the report there is mention of what the agency may have achieved in the provision of this site for this to occur.

Mr Corbell: The agency has played an important role in facilitating some of the activity that you are now starting to see in the city. What has been really marked about what has been happening in the city over the past six to nine months is the sudden emergence of a range of major construction sites, whether that is the Metropolitan adjacent to the Rydges Lakeside building, the new office building on Allara Street adjacent to the Boulevard building between Allara and Akuna Streets or development in other parts of the city. The release of land has facilitated the real growth of construction activity in the city and the development of what we hope will be a more modern city centre.

The release of land has focused on both residential and commercial-type sites and the commercial sites, in particular, have sold very strongly in the market place, the most obvious ones being the site adjacent to the NICTA site on section 61 in west Civic, but also the Akuna and Allara streets site in east Civic. Those will see the development of major new commercial office buildings with high-quality commercial office space. This is very important for the government's objectives because existing office space in Civic is generally, not exclusively but generally, of a low standard. It is old, worn out and not competitive in the market place, particularly for large federal government employers who are looking for start-of-the-art, modern, comfortable accommodation for their major departments and their employees.

So releasing land to the market has facilitated some renewal in the city. These new office buildings will be developed. You can see the cranes there now. That will subsequently lead to churn in the commercial office market. Tenants will inevitably move out of older buildings into newer commercial office buildings. That will then lead to the owners of those older buildings having to make decisions about what they are going to do with their investment. Are they going to renew it; are they going to refurbish it; are they going to redevelop it? Whatever decision they take will be positive for the city overall because it

will lead to a higher standard of office or residential, retail or mixed-use development in the city.

The land release has been well timed by the LDA. They have read the market well and have responded. In marked contrast to two years ago, where the property market was saying, "There's not enough commercial office space in the city," they are now saying, "Don't release any more." That shows how finely balanced the commercial office space market is in the city. The release of two or three major sites can have a major impact. I think the LDA has judged its program well in making sure sites are available for release. I am pleased to see the results on the ground, with major development happening. That means jobs, both at the construction stage, but also in the flow-on benefits to the city and keeping employment in the city, which is very important for the government in terms of making the city a place to work, to live and invest in.

MS PORTER: Minister, in section 7 on page 47 of the report you detail the consultation process for a number of the agency's developments. By way of example, could you outline to the committee how comments from residents of Charnwood, Fraser and parts of Dunlop were integrated into the planning stage of the Ginninderra ridge development?

Ms Skewes: Part of the process that the agency takes very seriously is the engagement of local communities in relation to sites on our development and release programs. The process that we went through in relation to the particular development at Ginninderra ridge was information nights, with information being provided to residents through engagement of our consultants in a process of information dissemination. That has assisted us in formulating a concept of how we would take the land to the market place, how we would actually develop our thinking around the presentation of the land into the market and what the community requirements were. Importantly, one of the issues is around how we integrate our developments with the surrounding area. Those are important considerations for us.

We try to manage a consultation process that would give the opportunity for local residents who do have an interest to put their views forward, to have them considered as part of our planning process with our consultant teams engaged in that exercise, too. We see the sorts of examples of what we have done in Dunlop east, and there are other examples that we have given in the report. We are out with a consultation exercise for Woden east planning study and trying to engage local communities, who obviously have very clear ideas from time to time on what their aspirations are for a development. So we try to get that dialogue into the planning process early enough so that we can hear those comments and have them taken into account as part of the planning and thinking that goes on prior to the presentation of a site to the market place.

MR SESELJA: I wanted clarification of one of the figures that jumped out at me. Page 111 deals with the Kingston stage 1A joint venture. Note 2c deals with marketing expenses. For 2003 the advertising budget was \$473,000 and the commission paid \$383,000. That strikes me as a little high. Are you able to explain to us why, in particular in that year, the commission was so high in relation to the total advertising budget?

Mr Ryan: That is most likely the result of the marketing pre-sales campaigns that were skewed towards that financial year, 2002-03. The joint venture marketing campaign was launched in May 2002 and so most of the sales activity would have occurred in the

2002-03 year and most of the promotional work would have been established. Commissions are normally paid on settlement. There was probably an arrangement with the commissioning agents for commissions to flow through at a steadier rate. Possibly there was some degree of accrual recognised in those figures as expenses in that year.

Mr Corbell: Could I please just clarify an answer to one question that Mr Seselja asked earlier in relation to ACTION. He asked whether the relevant standing committee of the Assembly had been advised on the declarations of conflict of interest on the ACTION Authority board. I stand corrected; there is a legislative requirement and the acting minister at the time wrote to the relevant committee on the conflict of interest and this was acknowledged by the standing committee at the time. I do not have those dates but I will provide those to the committee.

THE CHAIR: Thank you, minister and officials, for your time this afternoon.

Appearances:

Mr Jon Stanhope, Chief Minister, Attorney-General, Minister for Environment and Minister for Arts, Heritage and Indigenous Affairs

Chief Minister's Department

Mr Mike Harris, Chief Executive

Dr Maxine Cooper, Executive Director, Arts, Heritage and Environment

Mr Geoff Wells, Manager, Parks and Conservation Service

Mr Peter Liston, Acting Manager, Water Resources

Dr Sandy Blair, Manager, Heritage Unit

Mr Robert Neil, Manager, Environment Regulation

Mr Bill Logan, Manager, Natural Resources and Legislation

Mr Rod Hillman, Manager, Public Affairs and Information

Office of the Commissioner for the Environment

Dr Rosemary Purdie, Commissioner for the Environment

Dr Helen Sims, Manager

THE CHAIR: I now welcome the Minister for Environment, officials, committee members and other MLAs.

You should understand that these hearings are legal proceedings of the Legislative Assembly protected by parliamentary privilege. That gives you certain protections but also certain responsibilities. It means that you are protected from certain legal action, 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.

If any questions are taken on notice, the committee would appreciate responses within five working days of the hearings. It is the responsibility of witnesses to ensure that they meet any commitments that they have made regarding provision of information in answers to questions on notice. The secretary will email a transcript to all witnesses as soon as it is available. Questions for today's annual report hearing are to be from the committee and relevant to the report for the period 2003-04. A schedule has been provided in regard to the minister's generous availability of time and I ask all members of the committee and other members to adhere to this program. I would like to ensure that all committee members have an opportunity to put their questions to the relevant minister before moving on to other members' questions.

Minister, would you like to make an opening statement?

Mr Stanhope: I have no particular statement to make, thank you, Mr Chairman, other than to indicate that officials of Environment ACT and other officials and officers associated with the environment and this committee's deliberations today are here and stand ready and willing to answer any question that the committee may wish to ask them.

MS PORTER: On page 3 of the Commissioner for the Environment annual report there is mention of a loss of productivity for at least three months on each occasion that a temporary staff person is appointed. I wondered how this loss of productivity is

measured and if there is any suggestion of how this loss may be avoided in the future.

Mr Stanhope: With the committee's indulgence, it may be appropriate to invite the Commissioner for the Environment, Dr Purdie, to respond to issues relevant to her report.

Dr Purdie: The assessment is a subjective one and it is really based on the amount of time, when a new person is taken on for a specific purpose like state of the environment reports, that is taken to train them up to the stage where they are being productive. That was the first part of your question.

MS PORTER: The second part was: have you any suggestions about how this loss may be avoided in the future?

Dr Purdie: One of the ways that would help would be, I guess, by avoiding the need to employ contract staff repeatedly, so by having a fixed permanent position full time. That would certainly go some way to alleviating that problem.

THE CHAIR: I will ask the next question of the minister. Minister, perhaps you could give the committee an outline of post bushfire recovery activities that have been taken out by Environment ACT. I refer to page 29.

Mr Stanhope: Your question relates to the matters detailed on page 29 of the commissioner's report in relation to post bushfire recovery and the fire regimes. As you would appreciate, the major land manager in terms of area of land under management in the ACT is, of course, Environment ACT, as a consequence of its responsibilities for Namadgi National Park and for large areas of the Canberra nature reserve. So issues in relation to bushfire recovery and post-2003 responses to the fire, as well as falling across all areas of government, have in a number of areas fallen very specifically to Environment ACT, most particularly in relation to damage and recovery relevant to Namadgi itself, to Tidbinbilla, the Cotter and to other major areas of significance to the ACT community and indeed to the government and Environment ACT.

In relation to the specific aspects of the recovery, it might be appropriate for me to ask Dr Cooper to detail the work that has been done to date and will be done in the future by Environment ACT in relation to the Cotter, Tidbinbilla and Namadgi National Park most specifically. But, of course, environment also has ongoing responsibilities in relation to a whole range of areas of public estate within the urban area. Dr Cooper will give you a rundown on those responses.

Dr Cooper: Importantly, in the 2003-04 period one of the key things we did was to have a partnership arrangement with Actew whereby in the upper Cotter catchment, extensive works were undertaken for soil stabilisation. That was an ongoing program for a year and it was very much with the field people working in a team. That achieved an enormous amount in terms of soil stabilisation.

We undertook, in that first period after the fires, a large amount of rural roadside repairs for fencing and we have commenced other boundary fencing. We also made herbicide available to rural lessees to help with their pasture recovery. Again, it was a soil stabilisation issue. We continued tree surgery work in all the areas that the minister has

mentioned but particularly around areas of community activity, such as Kambah Pool and the Cotter, to make them publicly safe. We commenced repairs and reconstruction work on the many walking tracks we have in Namadgi and we undertook limited tree planting along the Murrumbidgee River corridor because, as you would appreciate, for the past few years we have been in drought. We would have liked to have undertaken a far more extensive planting program but drought prohibited that. We also did a lot of repairs to bridges and culverts on fire trails in Namadgi. We graded fire trails in both Namadgi and the Canberra nature park and we replaced things like barriers; we replaced with rock barriers the log barriers at recreation sites that were burnt. So there has been a suite of things getting restored.

At Tidbinbilla we have also done things around the construction of Lucky's enclosure, the construction of temporary vet facilities, reconstruction of the wetlands boardwalk, replacement of various enclosure fencing around the animal areas and construction of the brush-tailed rock wallaby cross-fostering pens for their breeding program. We also reconstructed the Ribbon Gum Theatre and we actually had a very successful *King Jack* theatre performance in October with the schools. In the Tidbinbilla area we also did a lot of silt removal from some of the water areas. As you would probably know if you have been out there, we have really cleaned up the picnic areas and we have many of the citizens of Canberra back out there recreating. That is the suite of things.

THE CHAIR: Minister, can you inform the committee on approximate government spending on contracts for bushfire recovery in non-urban areas in 2003-04? My question is related to page 29 as well.

Mr Stanhope: I do not have those figures myself. I am sure Environment ACT would have them. I would be happy to take the question on notice and respond to it in detail, if that would be of assistance.

THE CHAIR: That would be fine.

MR SESELJA: Mr Stanhope, are you able to inform the committee where the government is in relation to a decision on funding of the Commissioner for the Environment and looking at increasing the hours of work for the commissioner?

Mr Stanhope: The commissioner communicated with me just recently in relation to the stress on her office and her capacity to fulfil all of the agenda that she has ambitiously set for herself and her office. I am meeting with the commissioner next week to discuss the representations that she has made to me. I will, of course, listen with sympathy to the representations that she makes in relation to her budgetary position. Those matters will be considered in upcoming cabinet budget deliberations.

MR SESELJA: So there are no current plans to increase the funding?

Mr Stanhope: At this stage there is no government commitment to increase resources, but I am receiving briefings and submissions from across all of my portfolio areas. I have indeed received such a submission from the commissioner, a persuasive submission at that. I will be meeting with the commissioner next week to discuss it in detail. As I say, our budget deliberations commence, in a formal sense, next week.

MRS DUNNE: How long has it been—

THE CHAIR: Mrs Dunne, I draw your attention to the fact that we are asking for committees to ask their questions and then we are happy to allow other MLAs to ask questions.

MRS DUNNE: My question is directed to Mr Seselja's question.

THE CHAIR: If the committee is happy to allow Mrs Dunne to ask her question now, I will allow it.

MRS DUNNE: Chief Minister, how long has it been since committees of this place, the previous planning and environment committee, estimates committees and the like have been making recommendations about increased funding for the Office of the Commissioner for the Environment, either by increasing the number of hours that the commissioner works, previously that Dr Baker worked, or providing extra resources for research within the commissioner's office?

Mr Stanhope: Well, Mrs Dunne, I understand you were an adviser to a previous minister for the environment. You might be better placed to answer the question than I. Probably when you senior adviser to a previous minister for the environment, Mrs Dunne. You might check your records.

MRS DUNNE: Have you had recommendations made to you as Minister for Environment in the last three years relating to this? Yes or no?

Mr Stanhope: I would have to check that, Mrs Dunne. I am happy to take that question on notice. I will also check on the recommendations that were made under a previous government, when you were a senior adviser to a former minister for the environment.

MRS DUNNE: I like the way you always like to promote me. By all means, Chief Minister.

THE CHAIR: The committee gave you leave to ask a question, not to have a debate.

MRS DUNNE: You might draw the Minister's attention to answering the question as well.

Mr Stanhope: I will get the advice for the last seven years, Mr Chair.

THE CHAIR: Minister, could you outline the work undertaken by Actew for the government as it considers the future water supply requirements for the ACT and the region. Page 27 of the report deals with water re-use and recycling projects.

MRS DUNNE: Perhaps that was covered this morning in the public accounts committee inquiry.

Mr Stanhope: Mr Chair, you are responding to a recommendation and a response to that recommendation in the commissioner's report in relation to a belief of the commissioner, which the government accepts, that we should continue to expand water re-use and

recycling projects and establish a database on water re-use as part of the ACT's water management system. That is very much at the heart of the "Think water, act water" strategy. The government has set itself reasonably ambitious targets in relation to the re-use of grey water and recycling. Much has been done already. The additional capacity that is being delivered through the Fyshwick sewage treatment plant, as of seven or eight months ago, has given a significant boost to the percentage of grey water produced within the ACT that is now being recycled. It has taken us to nine or 10 per cent of the total amount of grey water produced within the ACT.

Interestingly, that puts us on a par with major cities within Australia, with Adelaide, as the leading grey water use jurisdiction in Australia now. I understand Adelaide is re-using about 10 per cent of its grey water. We are now re-using about nine to 10 per cent. We have a way to go yet to meet the target set for 2013. In relation to issues around re-use, we accept that it behoves us, as an inland city, the major urban area on the Murrumbidgee, indeed within the Murray-Darling Basin, to ensure that the water we return to the system is as pure as we can arrange.

I believe it is an important part of our water strategy that we continue to increase the amount of grey water we use. Similarly, we need to make some real steps and some real effort in the way in which we control and, hopefully, better utilise urban run-off. We would have all noticed what has happened over this last week with the showers of rain that we have had. In Kaleen, in particular, even with four or five millimetres of rain, the great big concrete drains that pass for replacement creeks within most of our urban area now fill with a rush and then empty with a rush straight into our lakes. It is a real issue in terms of some of the design that we have been bequeathed and the way that water is not harnessed appropriately. The commissioner has commented on these issues around water use and recycling. The government embraces the recommendations and is determined that we will incrementally increase our use and re-use. It is important in the future, in greenfield developments, that we overcome some of the behaviours and practices of the past.

MS PORTER: On page 64, the urban services annual report mentions the program that was implemented to protect Aboriginal sites after January 2003, the information gathering that took place and the closer working relationships that were developed with the Ngannawal people in relation to those sites, an audit of historic places that took place at that time, a subsequent project to increase the protection of those sites and the preparation of a conservation management plan for the Namadgi National Park. Could you give us some more detail about those particular programs?

Mr Stanhope: I will ask Dr Cooper to comment on those. One of the ironies of the fire is that it has exposed hundreds of additional Aboriginal sites. The report reveals that 400 new Aboriginal sites were identified as a result of the removal of vegetation, which was, of course, a consequence of the fire. That has involved a significant amount of survey work and consultation with the indigenous community in relation to those particular sites. Now, of course, we are engaged in a process of registering those on the heritage register. At this stage we are actioning about 800 identified indigenous sites for potential listing on the heritage register. Something like 800-plus indigenous sites have been identified for registration. In relation to the specifics of the question, perhaps Dr Cooper could provide more information.

Dr Cooper: Ms Porter, the minister has actually covered it quite comprehensively. The only thing I would say by way of supplementary information is that we have really given a lot of attention to the Aboriginal rock shelters, as well as the artefacts. As you would probably know, in the ACT we have some excellent examples of Aboriginal rock shelters within the whole system of the parks and alps parks system. Unfortunately, though, we cannot actually have public access to one of them because of the damage to the rock. It is a public safety issue.

We have worked with the Aboriginal people. We have worked with the interim Namadgi advisory board. The Aboriginal people, not us, have directed all the solutions that we have come up with. In that regard, it has been a huge empowerment process. As the minister said, it was a tragic event, but for the Aboriginal culture of the ACT, it clearly represented a landmark in their understanding of their own culture and their identification of it.

MS PORTER: The second part of the question was to the conservation management plans for the Namadgi huts.

Dr Cooper: Yes, we have developed those conservation management plans. There are about half a dozen. I cannot rattle the names off of all the huts that have been covered but they are certainly all covered by conservation management plans and I will give you a list of those if you wish.

MS PORTER: Thank you very much.

THE CHAIR: Minister, how many bushfire fuel hazard reduction burns were carried out in addition to those planned in 2002-2004.

Mr Stanhope: Mr Geoff Wells may have that information for you.

Mr Wells: All the hazard reduction burns were planned. In 2003-2004 we were operating under the bushfire fuel management plan and because of the drought conditions we were unable to do some. In fact, we were reduced to doing some burns in spring rather than autumn when we would prefer to do them, because that was the only opportunity we had to do them. So I think you could say that we have been taking advantage of the weather conditions and doing whatever we could. There were none that were not planned but we did fewer than had been planned.

MR SESELJA: How many fewer, approximately?

Mr Wells: I cannot answer that question accurately. I would prefer to take it on notice if I may.

MRS DUNNE: Could you say which were planned and which ones were carried out over that period?

Mr Wells: I will provide that information, yes.

MRS DUNNE: My understanding was that after the bushfires, after January 2003, there was some augmentation of the 2002-04 bushfire fuel management plan. I stand to be

corrected if I am not right, but my understanding was that there were actually more burns carried out, for instance on Black Mountain, as a result of the bushfires. Is that not the case?

Mr Wells: It is really a case of bringing forward work that we might have done in other years—an accelerated program rather than an augmented one.

MRS DUNNE: I think the question was that there was a plan of work for 2002-04. Was there anything in addition to that planned 2002-04 that was done?

Mr Wells: Not that I am aware of at this stage. I will certainly answer that question on notice.

MRS DUNNE: And which of the 2002-04 stuff that was planned was not done, and why?

Mr Wells: Some of it, of course, because the units to be treated, was burnt in the fire.

MRS DUNNE: Yes, but that was not necessarily the case with urban places. You did say, Mr Wells, that some was brought forward. Was it brought forward from 2004 to 2003 or was it brought forward from beyond 2004 into that period?

Mr Wells: It was done more rapidly in 2004 and some was brought forward. It is a rolling plan, although the written part of it that was published at the time was just for that particular period. Something would have been brought forward for the latter part of the calendar year 2004.

THE CHAIR: I am keeping an eye on the time. Ms Porter, do you have another question?

MS PORTER: Yes, my question is about addressing the air pollution levels with regard to wood fire burning. I note that the government has introduced a subsidy scheme to help address this problem. On page 65 of the Department of Urban Services annual report it states:

New air monitoring equipment was purchased to comply with the new national monitoring requirements.

The government has certainly been moving to educate people and schoolchildren about this issue. I note that 12 ACT primary schools in this reporting period have been given some environmental awareness about air pollution. Can you report on the success of this program?

Dr Cooper: The scheme has been extremely successful. We have spent \$75,000 on direct subsidies and \$25,000 on purchasing air monitoring equipment so that we can measure what is called PM2.5, which is a small particle compared to the PM10 that used to be measured. That means that we are complying with the new standards that are national standards for monitoring. That has happened and, yes, the National AirWatch Program that you referred to, with the 12 ACT primary schools, has also been very successful, but that program has now ceased because commonwealth funding for that

program ceased.

DR FOSKEY: I have a couple of questions, both relating pretty much to page 43 and the analysis of human resource performance. Thank you to Mr Seselja who asked my first question. The second question relates to the commissioner's note that the office is probably only going to produce state of the environment reports every four years rather than every three years as is the current practice. I would be interested to know whether that will have any implications for the regional state of the environment report and how you plan to link those reports.

Dr Purdie: The ACT state of the environment report is tied to the election cycles. Now that they have shifted to a four-year cycle, the SOE reporting will shift to that. That will align the ACT reporting requirements more closely with the New South Wales reporting requirements, so the way it will pan out is that the next SOE report will be due, for example, in 2007 and the Australian capital region report will be due in 2008, so they will actually dovetail better and ease the workload somewhat better than has been the case in the past where they have both coincided.

MRS DUNNE: Can I just follow up on that. In the Walter Turnbull report about the Office of the Commissioner for the Environment there is a specific recommendation about providing you with a head of power to conduct regional state of the environment reporting. Has there been any progress on amending the legislation to do that?

Dr Purdie: It probably needs a bit broader consideration than amending my legislation because my legislation does not apply to New South Wales. I think there is a disjunction, if you like, there. Even if it was put as my function, it would not necessarily mean that it would happen. So I think part of the process is about negotiating with the Australian capital region leaders forum. That is certainly on the plan to do in the future.

MRS DUNNE: And is that something that you do, Chief Minister, or is it something that is done through the role of the Minister for Urban Services?

Mr Stanhope: As you are aware, the regional leaders forum is co-chaired by me and the New South Wales minister for planning. My understanding—I would probably need to take some advice—is that the negotiation in relation to the regional state of the environment report has been very much handled by the office of the commissioner and issues in relation, for instance, to the council response to a share of the financing of the state of the regional report has been very much negotiated directly by the commissioner with regional mayors and general managers of councils. My understanding—but I will take some advice from the department—is that in relation to all aspects of the regional state of the environment report the commissioner has very much accepted responsibility for all aspects of its production and indeed its financing.

MRS DUNNE: What I was trying to—

THE CHAIR: Excuse me, Mrs Dunne. I note that we have limited time left. You have now asked eight questions of the witnesses and we are trying to get an opportunity for other members to ask questions.

MRS DUNNE: Okay. I will put some more questions on notice then.

DR FOSKEY: The review of the office released at the start of the month made a couple of key recommendations. One recommendation was to endorse the issue of budgeting constraints as per the annual report; another recommendation was that the commission take over responsibility for sustainability reporting. We are interested in hearing why the government has rejected that and chosen to maintain internal responsibility for sustainability reporting.

Mr Stanhope: My view in relation to that was very much around a view which I hold strongly about the need for, in relation to sustainability and the public debate, public acceptance and community engagement in relation to sustainability, to ensure that sustainability is perceived, viewed and accepted as relevant to every aspect of our lives. I had a concern that if sustainability reporting were viewed as within the purview or domain of a commissioner for the environment—namely the commissioner identified so closely through the commissioner’s very title—with one of the three major planks of sustainability, it would distort a broader view of sustainability, which is namely the importance of balancing our economic and social requirements, needs and responses with the environment.

The decision I took—and it was very much my decision—to maintain sustainability reporting through the Office of Sustainability was based very much on that. But I think that one of the dangers facing the public debate or public engagement with sustainability is a view, at the end of the day, that sustainability is just about the natural environment and that, at these early days of consciousness raising around sustainability, as we all strive and struggle to come to an understanding of what we mean, what we intend and what we are seeking to achieve in a generally sustainable society, we not allow the debate to be captured, but that sustainability be viewed in terms of a particular plank of sustainability.

I have a concern that, in some of the forums that I attend and address, sustainability is already being captured. I have made the point before that one can have a debate in relation to the context of the living Murray and environmentalists will argue that decisions taken in relation to the release of water were all about ensuring sustainability of the riverine system; one then walks 100 metres and talks to a rice farmer, who will tell you that the issue of sustainability is about the sustainability not just of his livelihood but of the entire community that depends on the agriculture that is produced.

So we have this battle between those who would argue that it is all about the riverine system, whereas there are just as many engaged in the debate around, for instance, the living Murray initiative who will argue until they are black in the face that the sustainability issue is the sustainability of the economy sustaining communities. I don’t think it is helpful that we have particular interests trying to capture the term. I think if we bastardise it we risk a lot. We risk a lot if we allow the notion to be captured. That is my reasoning and my thinking.

MS PORTER: Going back to heritage, on page 67 it talks about the ACT heritage festival, which I believe was a great success. Regarding the grants program, what kinds of projects were grants awarded to? How are these particular types of projects selected?

Mr Stanhope: Perhaps Dr Cooper would be better able to assist you with the heritage

grants process and the broad range of—they have been listed—heritage issues we seek to cover within the ACT. By way almost of a digression, I tend to think that there has been a quite justifiable focus on our urban or post-ACT establishment heritage. I have often felt that we have focused on it to some extent to the detriment of our pre-1914 indigenous and non-indigenous heritage. That is something I have been seeking to address slowly and gently, with the limited resources available; but Dr Cooper can answer your question specifically.

MRS DUNNE: Is there a list at the back of the report?

Dr Cooper: There is a list. The process for this is that the themes for the heritage grants are published, applications are considered and the criteria are clearly stated in calling for those applications. Every year we look at what the theme should be and, depending upon circumstances, those themes can change. The grants reflect that. We have an independent group who advise us on how the criteria are being applied and we then make a recommendation to the minister for heritage, who gives comment; and we then progress things.

The heritage festival receives a grant—it is in here somewhere—of \$46,000 out of the heritage grants. We believe that that is a very successful festival. In the year we are talking about we had 10,000 people participate in that. We had 60 organisations involved, with over 100 activities. The festival that is coming up soon has the theme of “connections”. We are hoping that this year’s festival will be equally successful.

MRS DUNNE: In answer to a question by the chair about 15 or 20 minutes ago you talked about soil retention activities in nature parks. Could you elucidate on what sort of retention activities you were talking about?

Dr Cooper: There was field work done to do with grading roads differently. When they went in after the fires, they just went in to fight the fires. Depending upon how the soil was then pushed, it was pushed back so you had mounds to capture water, rather than let it continuously erode. There were bridges put in certain places to make sure that when the vehicles were going in for repair work, they were not causing more damage. I can give the committee a list of them—the program was extensive.

MRS DUNNE: That would be useful, thank you. Minister, recently—I am not sure when—parks brigade gave a directive which prohibited the practice of urgent duties driving. When was the directive given and why? What advice was sought from the Emergency Services Authority before the directive was given?

Mr Stanhope: Mr Wells would be happy to respond to that. I don’t know the specifics of times and who was consulted, but I have to say that I fully support and endorse the giving of the direction. Lives and safety were the paramount consideration and should always be the paramount consideration. I support absolutely the giving of the direction, and I insist it be maintained.

Mr Wells: It is purely for the safety of the staff. Even when they are under direction from the Emergency Services Authority fighting fires, environment retains the responsibility for their health and safety. We don’t have up-to-date training; we have some very vague training. It was decided, when that came to my attention, that we would

get that training—it is finishing today. As from today people will be able to drive these vehicles in a better manner. I have to say, however, that the Emergency Services Authority agreed with our decision. They are changing the standard operating procedure so that speeding in emergency services vehicles when responding to a fire will no longer be permitted.

MRS DUNNE: So none of the bushfire brigades will be able to respond, in the technical sense, to a fire in such an emergency?

Mr Stanhope: None of them can put their lives at risk; no, they can't.

Mr Wells: The definition of “responding” will be changed.

MRS DUNNE: Thank you.

THE CHAIR: Thank you, Mr Wells. I would like to thank members and the minister for coming here this afternoon. I would also advise that the committee would appreciate responses to questions taken on notice within five working days.

Meeting adjourned from 2.46 to 3.00 pm.

Appearances:

Mr Corbell, Minister for Health and Minister for Planning

ACT Planning and Land Authority

Mr Neil Savery, Chief Planning Executive

Ms Dorte Ekelund, Director, Land Planning and Projects

Mr John Meyer, Director, Business and Information Services

Mr Ian Sakkara, Manager, Corporate Resources

THE CHAIR: I welcome the Minister for Planning, officials and committee members. You should understand that these hearings are legal proceedings of the Legislative Assembly protected by parliamentary privilege. That gives you certain protections but also certain responsibilities. It means that you are protected from certain legal action, 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.

If any questions are taken on notice, the committee would appreciate responses within five working days of the hearings, and it is the responsibility of witnesses to ensure that they meet any commitments they have made regarding provision of information or answers to questions on notice. The secretary will email a transcript to all witnesses as soon as it is available. The questions for today's annual report hearing are to be from the committee and be relevant to the report for the period 2003-04. A schedule has been provided in regard to the minister's generous availability of time and I ask all members of the committee and other members to adhere to this program. I would like to ensure that all committee members have an opportunity to put their questions to the relevant minister before moving on to other members' questions.

Minister, would you like to make an opening statement?

Mr Corbell: I do not intend to make an opening statement but, to facilitate some further information which Mr Seselja asked for during the hearings earlier today about the disclosure of conflict of interest for ACTION Authority board members, I now have those dates that Mr Seselja asked about. I am advised that on 2 July 2004 the chairman of ACTION wrote to Mr Quinlan, who was then the acting minister for planning, indicating to him details of all disclosures made during the financial year. I am further advised that on 7 July Mr Quinlan, as the acting minister, wrote to Ms Dundas, who was then the chair of the Standing Committee on Planning and Environment, advising the committee of the disclosures of interests, and on 23 July last year Ms Dundas wrote back to Mr Quinlan acknowledging the letter and indicating that the committee had no comment to make. Apart from that, I am happy to answer questions.

MS PORTER: Minister, on page 16 of the annual report it talks about the review of the stakeholder engagement in ACT planning by the National Institute for Governance. How effective do you think the review would be in improving or enhancing stakeholder relationships or do you think that it actually achieved that?

Mr Corbell: I think the review was a very valuable piece of work. It was done by the National Institute for Governance at UC and was overseen by Professor Meredith Edwards, who is well respected nationally for her work on issues around governance, community engagement and so on. She and her team produced a report that I think highlighted the key issues that everyone in the planning debate, whether they be individuals in the community, community organisations, developers, planning authority officials, government or other politicians, needed to take into account in considering how best to engage people in consultation on planning issues. As a result of that, the government has established a new framework for engaging community councils in playing an important role in providing a forum for individuals in the community to provide comment on planning matters. The planning authority is providing financial assistance to those organisations to undertake that work and that is a significant increase in the level of funding that they receive now compared to what they received previously for the other range of work that they did on the basis of an MOU with the Chief Minister's Department.

I am very pleased to inform the committee that all community councils have agreed to engage in this process and the details of that are currently being finalised with the community councils. It is something that I think will serve us very well, having a clearer line of communication between the role of community councils and the government when it comes to planning issues as well as allowing the community councils to reach out more to the communities that they seek to represent with the additional resources that we are giving them. So, overall, I think it has been a very positive outcome. If you want specific details of the recommendations, I am sure Mr Savery can address that.

MR SESELJA: Page 6 of the annual report talks about ACTPLA's values "being ethical, accountable and transparent in all of its dealings". Have there been any allegations against any ACTPLA officers of misconduct or fraudulent activity and, if so, what has been done to investigate them? What are the procedures for such an investigation?

Mr Corbell: I will ask Mr Savery, the chief planning executive, to answer that question.

Mr Savery: Whilst I cannot give precise numbers, there have been at least three occasions that I am aware of where both a former employee as well as current employees have been the subject of investigation as a result of concerns or complaints that have been raised by members of the public in relation to dealings. My understanding is that in all three instances those individuals have been cleared of any wrongdoing. The method by which we undertook an assessment of the validity of the complaints involved the commissioning of a private investigator. As part of natural justice processes, interviews were held with both the individual who raised the complaint and the individual who was then accused.

There was one occasion also during this review period, the annual report period, where another matter was raised by a member of the public, where we took the government solicitor's advice as to whether it was necessary to interview that particular individual. The advice was that it was not and we proceeded with an investigation on the basis of not interviewing that individual who had made the complaint.

MR SESELJA: What was the detail of that investigation? Without going into the

details, what was the process of the investigation where you did an interview? Is that still with a private investigator?

Mr Savery: It is still with a private investigator and it involved interviewing the individual. The reason why GSO advised us that they did not feel it was necessary to interview the individual was that they had made a full and frank disclosure in the material that they had provided. So it was quite a lengthy document that they had provided making the accusation.

MR SESELJA: So the process would be that a private investigator interviewed the individual accused and the individual making the complaint and then made a report to you?

Mr Savery: It is important to make the point about what we have done in order to try to separate the potential for the individual about whom the complaint is made actually making a response on the complaint or pursuing the complaint. We have another process set up within the authority where another member of staff takes responsibility for assessing the complaint and managing the process of that complaint. So the private investigator—and this is a senior individual within the organisation who is not involved in the day-to-day processes that are typically the subject of complaints—is commissioned by that individual and they report back to that individual, who in turn presents a position to both me and John Meyer, who is the director with that particular responsibility.

MR SESELJA: What does that report consist of? Would that be something as short as a few lines on a piece of paper or would it be something more comprehensive?

Mr Savery: No, it is typically more comprehensive. It will be a report that will provide information on the investigations, the interviews, if interviews have been conducted, an analysis of all of the material, with a recommendation at the end as to whether or not the matter warrants further investigation or the complaint should be upheld. I should make the point that this is all quite separate, although there is sometimes an overlap with the ombudsman. The ombudsman may be pursuing an inquiry along the same lines or it may not involve the ombudsman at all.

MR SESELJA: You say that “typically” it would be longer. Would there be circumstances where there were serious allegations made where it did just consist of two or three lines on a sheet of paper?

Mr Savery: I will ask John Meyer if he has any greater recollection, but I cannot recall anything below a few pages.

MR SESELJA: And would that be appropriate, even if there has not been an instance in the past?

Mr Savery: Would it be appropriate only to have a few pages?

MR SESELJA: No, no, two or three lines?

Mr Savery: Probably not, but I have not seen that.

Mr Meyer: All the reports that I have seen submitted to us from the investigators have been substantially longer than a few pages, and certainly in the format that Mr Savery has described. I am not aware of any complaints or issues that have been raised that have resulted in correspondence consisting of a matter of lines from an investigator.

THE CHAIR: Minister, in your statement of planning intent for the ACT you listed a number of key strategies, including the implementation of the spatial plan, and these are also flagged in the annual report. What achievements have been made on those strategies?

Mr Corbell: The implementation of the spatial plan is, I guess, the key body of work that the authority, apart from its day-to-day operations, is now engaged in. Obviously day to day the work of processing development assessments, building regulation and so on remains paramount. But, equally in terms of policy work, the implementation of the spatial plan and the transport plan are vital. Progress to date has involved things such as further investigations in the Molonglo valley to determine the suitability of that area in a more detailed sense for urban development, and that has resulted in a significant body of work being undertaken in liaison with the National Capital Authority to determine which elements of the Molonglo valley are suitable for urban development and how urban development could be contained in those areas.

The spatial plan also identifies work through the transport plan on implementing major new public transport connections in parts of the city. The government has already announced details of the establishment of the project team and the initial planning work for the Belconnen to city busway. That is an important project to emphasise and strengthen that public transport corridor. We have also funded and are implementing work right now on the Gungahlin to city busway corridor. In addition, work has commenced on investigations in east basin, which has been identified as a potential new urban redevelopment area adjacent to but not including the Jerrabomberra wetlands through to the Monaro Highway.

Further, the authority is undertaking work in relation to how we can best be engaged with the commonwealth government in the Griffin legacy work. The work of the Griffin legacy substantially overlaps with the spatial plan, particularly when it comes to consolidation of development activity in the central national area or in the central area of Canberra, particularly along Constitution Avenue, which is identified in both the spatial plan and the Griffin legacy as an area for really significant development. There is potential accommodation for up to 10,000 to 15,000 residents along that corridor. Both the Griffin legacy and spatial plan confirm that, so we are working quite closely right now with the National Capital Authority to explore how we can jointly undertake planning work and then land release in that area to deliver those outcomes.

MR SESELJA: On page 9, under key achievements, one of the discussion points is the new pre-DA requirements. I think Mr Savery is probably the most appropriate person but I am happy for Mr Corbell to answer as well. Are you able to give me your reflections on the new system—what improvements it has provided and also some details on the average length of a pre-DA phase in a development application, and what is the longest time an application has spent in this process?

Mr Corbell: I will ask Mr Savery to answer that question.

Mr Savery: My initial analysis of the changes that were made around July of last year was that there has been a significant improvement in the timeliness associated with pre-lodgment processes. But, having said that, there were certainly some teething problems with the introduction of what is now called validation. We replaced what was previously known as the high-quality sustainable design component of the development application process, which was non-statutory and had no time limits around it and which had the potential in some circumstances to extend a development application process by up to 12 months—that is worst case—with a process where pre-application is still encouraged. People come in, sit down, talk to our officers, find out about the things that we would like to see incorporated into their designs, but it is not something that the authority is forcing an individual to do.

At the time that they choose to lodge their application, which could either be post having been engaged in pre-lodgment or they have simply gone straight to that point, we have now commenced what is called a validation process, around which we have set a time frame of 10 days in which we will respond to an applicant about any deficiencies that we see in their proposal. Again, going back to the early phase of that—and that probably extended up to November of last year—we continued to experience problems with the administrative processes that we had put in place and that was certainly leading to some delays, but nothing like the previous model. We have made significant revisions to that. For instance, we have now excluded certain types of applications, particularly minor applications, for modest extensions, whether a fence or an outbuilding. They are exempt from having to go through the validation process. So it means that we are concentrating our efforts on those types of proposals that have the potential to impact and that require things like site analysis et cetera.

You may know that at the time all this was taking place the authority prepared these documents, which are called the good design books and which were launched by the minister. These are being added to progressively, but each intends to provide an applicant with information about the sorts of things that they should be incorporating into their proposals, particularly issues around urban design, amenity, sustainable design, et cetera. They are non-mandatory, but all of it is aimed at trying to educate people and also to ensure that the material that they submit is more likely to be acceptable to us, so it reduces the likelihood of their validation being rejected.

So my initial assessment is that we had teething problems. I think we have overcome a number of those, but inevitably there are on average maybe one in 10 applications that there is still a problem with, and we would like to address those.

MR SESELJA: You said it is nothing like the length of delays in the previous process. What would be the longest that the pre-DA phase would have taken to date with the new system?

Mr Savery: I would have to take that on notice. But I make this distinction: whereas with HQSD, even though it was not a mandatory part of the planning system, the authority was insisting on an HQSD report being completed before an application would be accepted, we now have the situation where a person is encouraged to go through pre-lodgement but, if they choose that they want to proceed, we will not stand there and

force them to continue to prepare their application to the point that we are satisfied with it. In fact, that response was one of the outcomes of the inquiry by the Institute for National Governance, which was concerned that there was a lack of separation of power within the authority where, on the one hand, we were forcing someone to get their application to a point where we would say, “If you do it that way, we will green light it” and then of course, when it came into the process and we sent it out to the community for consultation, they would turn around and say, “How can you divorce yourself from this application? You have basically spoon-fed this person to the point of saying that you will approve it in all instances.” So it has been quite a fine balancing act to achieve that. I cannot recall one instance where we have had an application that has gone anything like six months in pre-application. And, as I have said, it is still up to the applicant to say, “I have had enough of this. I’m going to lodge my application.” They could not do that previously.

MR SESELJA: So the process now and the practice in ACTPLA is that they no longer spoon feed in the same way as they used to and they would not, in this pre-lodgement phase, steer someone around in the way they wanted it done and basically—without forcing them to—virtually force them to? What you are saying is that that would no longer happen under the current processes?

Mr Savery: Not to the same extent. I will give you another example. For instance, we had staff working in the development assessment area who have urban design and architectural qualifications and who would actually sit down with the applicants and say, “Look, if you design it this way, that achieves all of our objectives.” They have now been put into that part of the authority that produces the policies and the manuals to guide them, and it is the DA officer who sits down and says, “Look, our interpretation of this is such and such. We would certainly encourage you to take all of these things into consideration.” In most cases those types of applications need to be accompanied by what is called a design response report. That is prepared by the applicant and tells the authority how the subject matter has been taken into consideration. At that point we will simply assess the application on its merits. We will not continue to have this dialogue that occurred previously of “Your design response report does not deal adequately with these issues. Go away, do this, come back and your design response will be adequate for the purposes of assessing the application.”

Mr Corbell: I think the key difference now is that—and I am certainly much more comfortable with the process that is in place now than what was in place previously—what someone does before they lodge their application is up to them. They can seek some feedback and some advice from the authority on how to interpret the different guidelines and mandatory requirements that will be used to assess their application—they can choose to do that, and the authority will provide that assistance in a reasonable way—or they can do that themselves and put their application in. It is their choice. What Mr Savery has done, and what I am very supportive of, has been to say, “Our role at the end of the day is to assess the application against the statutory requirements: does it stack up or doesn’t it? We will provide assistance early on, if that is what people would like, but we will not be giving a proxy or de facto approval as part of that process.” At the end of the day, the step is: lodge your DA and we will assess it and decide whether or not it can be approved. It is a process that is better for the community to understand. They can see the distinction between the role of the authority as the assessor rather than as some sort of agent for the development proponent, and that is very important. So overall it is

a very positive step forward.

MR SESELJA: I understand that you have said that this does not go on any more, but would you be concerned if there were reports that it is going on, that it is stretching out to months and there is this sort of quasi-approval process still going on in much the same way as seemed to go on before? What actions would you take if you were able to verify that?

Mr Savery: I will respond in the first instance. I would be concerned to an extent, but in each instance I would have to qualify it by needing to understand whether it is at the applicant's choice that they are extending the engagement process because they want to try to resolve issues that are fundamentally significant, having apprised themselves of the policy environment and needing to get a better appreciation out of the authority. It happens in all jurisdictions, all planning authorities. There is a degree to which you are invariably in contact with the applicant or their designers and architects, assisting them to understand what it is that is expected of them, and to some extent that does draw you into this environment where you could essentially be perceived to have endorsed their project.

What we then endeavour to do, depending on the substantive nature of the application, is to have a design review panel within the authority. That takes it out of the hands of the individual officer and suggests that there is a peer review of the proposal. This is once the application is in the process. We potentially have to go to the planning and land council for their advice, again on very substantial matters and then, thirdly, with most matters that are of a relatively significant nature where these types of situations arise, we have a decision panel. So again it is not left to the individual officer to make the decision. We have tried to build in as many safeguards as we possibly can to ensure that there is integrity in the process and that it is not down to one individual who may have become quite intimate with the applicant in the process. Certainly, if that were a systemic issue, as I believe it was before under HQSD, I would want to look at it.

MS PORTER: My question links somewhat to what you have been talking about on a more general level. I wanted to ask about the market research that was undertaken to determine the community's awareness of the authority's functions and preferred forms of communication. There is a reference to it on page 20 and also on page 44, where it goes on to say that the community's awareness of the authority's functions and communication has been improved as a consequence of the market research that has been undertaken during the period of the review. I wondered if you wanted to talk about that. I presume that some of the documents you were showing us before may have been as a result of that.

Mr Savery: The work you are referring to was primarily undertaken by Artcraft market research. They were commissioned by the authority in the last financial year, which was our first year of operation, to fulfil a legislative requirement under the act that established the authority. That was to improve the community's education, understanding and awareness of the planning and development system, as well as the role of the authority. We felt that we did not have sufficient baseline information in order to develop our education and awareness program, and hence we commissioned Artcraft Research. They came back with a fairly comprehensive report, having undertaken some phone surveys and street surveys, as well as focus group sessions with members of the public,

representing a broad demographic.

That report was not all complimentary of the authority or of the planning and development system and, in part, reflected the fact that there was a significant lack of understanding within the community about planning processes generally. I must say that surprised me, given that Canberrans seem to take such an active interest in planning. Nonetheless, that enabled us to focus our attention on the sorts of documents and programs that we should be putting in place. It also led to our advice to the minister at the time that it would be useful to engage the national institute—the governments—in their piece of work. So they happened almost in parallel towards the end of that.

The documents I just highlighted to you—the good design guides—are part of the process of developing a suite of publications that will not only assist the community in understanding the planning system but will also guide them in how they should work their way through the system. A fundamental example of that is that, whereas in previous documents we typically provided a decision tree that shows a typical development assessment going through the process—it can be quite unwieldy and complex for a member of the public when, in many instances, the vast majority of applications go through a much simpler process—with the good design books we have tailored the decision tree matrix according to the complexity of the development application. That goes some of the way.

One of the other things we are endeavouring to do in response to Artcraft Research is develop a new website for the authority, which we hope to have the minister release in the very near future, that will be easier to navigate and more informative in terms of the types of information we provide. It also responds to one of the recommendations of the National Institute for Governance report, which is to provide a matrix of the levels of consultation the community can reasonably expect for the different types of activities we do. I think that in itself is an important thing because most members of the public—again it came out from the research—understand planning to be simply a regulatory function.

We issue development approvals and we seek compliance with those. That demonstrates that the vast majority of the public do not recognise that there is an enormous field of other activity going on within the authority, particularly around strategic planning policy development, building control and construction occupations management, geographic information, provision of cadastral information, et cetera. It was a very important piece of work for us. It has now enabled us to benchmark. I think we are going to do further surveys every two years, so we can test whether or not the type of work we are doing towards informing the community is having any effect.

MRS DUNNE: You said the research resulted in the decision to stop referring to ACTPLA as ACTPLA and refer to it as the authority.

Mr Savery: It is.

MRS DUNNE: That was my favourite piece of public policy last year! Thank you.

MS PORTER: Minister, could you please outline for the committee how the establishment of the dedicated customer feedback coordination unit has assisted customers throughout the case management process of general complaints? What

specific customer service training do members of this unit receive?

Mr Corbell: I submit that I am not that familiar with the operation of those customer service units, so I will ask Mr Meyer to answer your question.

Mr Meyer: The initiative to put in place a customer feedback system was aimed at making sure that we centralised the handling of a range of feedback from customers across the authority. I think that process over the last 12 months—it is pretty much the 12-month anniversary—has been very effective in terms of dealing consistently with complaints and issues coming from a range of sources, be they from the ombudsman's office or from the general public. The officers who have been involved in that process—there are three including the senior officer who runs the unit—have received comprehensive customer feedback training and support in the management of complaints handling. Over the past 12 months in particular they have built up some considerable skills in handling and managing that process.

Especially effective has been the fact that a relationship has been developed with customers who have had particular issues or concerns in a way that has meant that we end up with a lot of compliments about that level of service. Those individuals are getting one-on-one service; it is removed from the line areas where the issues have been raised. We do the liaison with the line areas and get back to the customers within defined timeframes. Those timeframes have been consistently met throughout that process. So it is certainly telling. We have had something in the order of 91 items of customer feedback. Fifty-two of those were complaints and 33 were, in fact, compliments. So it has been a pretty balanced approach to dealing with issues and feedback that has come into the authority.

MR SESELJA: Minister or Mr Savery, I have a couple of questions in relation to the development and building administration branch—pages 18 and 19. Could you briefly explain to me what is encompassed in compliance services?

Mr Corbell: I will give it a shot, and Mr Savery will pick up any points I miss. Compliance services look at a range of issues. First of all, there is lease compliance—ensuring that people who have been granted a lease are using the lease consistent with the lease purpose clause and are not in breach of that lease purpose clause. Commonly, the planning authority will receive a range of complaints from neighbours and other residents concerned that someone is undertaking activities on their residential block that they believe is in contravention of the lease purpose clause. For example, they might turn their front yard into a car wreck parking area or have a whole lot of empty fridges on the front lawn—those sorts of things have been known.

That is an example of lease compliance, where the authority would, as a rule, send out a compliance officer to discuss the matter with the resident, make a judgment as to whether or not the lessee is in breach of their lease and, if they are, request them to take action to tidy up the site.

Following changes to the legislation that the government introduced last year the government now has the power, if voluntary compliance is not able to be achieved, to clean up the site and bill the lessee for the costs. That has occurred on a number of occasions where with excessively dirty and untidy blocks, despite repeated requests for

tidy up and compliance, the lessee has ignored the requests. Following formal requests, the authority has itself undertaken clean-up action.

The other side of compliance deals more with compliance with development approvals, in making sure that the conditions of development approvals are met. For example, a development may have been approved with particular conditions. In that respect, the development assessment area would work closely with the private certifier to ensure that any particular matters around conditions of a development approval are met prior to a certificate of occupancy being granted. Those are, broadly speaking, the two areas of compliance the authority is engaged in.

Mr Savery: I would add that it is not, strictly speaking, the same type of compliance as with what was formerly known as BEPCON. Certainly at the time this annual report was put together it was referred to as BEPCON but it is now a consolidated construction occupations licensing and compliance section within the authority. There is a significant amount of compliance work within the authority associated with construction occupations, which is quite diverse. There is building, electrical, plumbing and potentially architectural, where we have inspectors who not only potentially have to audit the work of those individuals who are primarily registered as private practitioners—because the public sector does not provide those services—but their qualifications are also determined or reviewed against the licensing requirements. So there is a level of compliance activity within the authority associated with the licensing, certification and regulation of these construction-type professionals.

MR SESELJA: In relation to the area formerly known as BEPCON, I am trying to get an idea of the nature of the regulation of some of those certifiers. Where it comes to the attention of an ACTPLA officer that a certifier has acted fraudulently, is there a duty upon the ACTPLA officer to report that to higher authorities—the police or other agencies?

Mr Savery: In the first instance we have a new piece of legislation which occurred at the end of the reporting period called the Construction Occupations (Licensing) Act which consolidated all of the licensing, certification and regulation functions associated with all of those professional disciplines into one piece of legislation. That makes it much easier for the authority to administer. We also believe it makes it much clearer and simpler for members of the professions to understand what the regulatory environment is.

Specifically in relation to the question you have asked, if it comes to the knowledge of one of our officers that someone has potentially acted in a fraudulent manner, then they would process a report that would be forwarded up through to their manager and, ultimately, to what is now known as the registrar. That position, created by way of the legislation, operates within the authority. It is the director of development and building administration. Then, as you would imagine, there are various reports, procedures and processes we follow to determine the authenticity of that activity. I do not know how many but we have certainly had some of those instances brought to our attention. They have been followed up—much the same as your first question—not by a private investigator but by our own officers. They have done it because it is not a complaint about our officers. Our officers are investigating a member of the profession to determine whether or not it can be substantiated that that fraudulent activity exists.

MR SESELJA: Where does it go then? It goes up the chain.

Mr Savery: It goes to the registrar at the end of the day, who determines whether or not the case has been established and whether or not any action should be taken against that individual, which could potentially involve deregistration.

MR SESELJA: It would not include reporting it to the police if it were an allegation of fraud?

Mr Corbell: It would depend on the circumstances; it is difficult to speculate in general. If a certifier behaved in a way contrary to their obligations under the act, they would certainly be subject to the disciplinary provisions under the legislation. Whether or not it amounted to a criminal charge of fraud is, I guess, another matter. It would really depend on the circumstances.

MR SESELJA: Who would make the decision as to whether it was serious enough to be possible fraud?

Mr Corbell: I would say the registrar would be in a position to decide if it was simply a case of professional misconduct or whether it was something more malicious than that.

Mr Savery: I would be fairly confident that in any instance like that the registrar would talk to me. I think that in virtually every instance we would seek the advice of the Government Solicitor's Office as to what further action should be taken.

THE CHAIR: Thank you, Mr Savery. Members, we have other members of the Assembly here standing patiently by. Can we offer leave for them to ask questions?

MR SESELJA: I would be happy if we all had a fairly open go. We have an hour and 20 minutes.

DR FOSKEY: Thank you. I warn you at this point that I have eight questions so I am happy to intersperse. On page 44 you refer to the development of guidelines for rainwater tanks for residential properties in Canberra. Did this report have a consultation component? The reason I ask that is that I wondered if you had tested your own guideline that rainwater tanks have to be out of sight; that they cannot be visible from the road. Was community consultation involved?

Mr Corbell: I think the guidelines were released as an interim guideline subject to public comment for a 12-month period before being made a permanent guideline. When I released the guidelines—it was about this time last year; I remember that they were released at the Royal Canberra Show last year—I released them as an interim guideline. That means they could be applied by the authority but were subject to feedback over that 12-month period. So the answer is yes, there was public consultation and it was for one year.

DR FOSKEY: Appendix G on pages 152 to 154 is a list of events of various kinds grouped under the heading “community consultation”. The methods used vary from ads in the *Canberra Times* and on the ACTPLA website to questionnaires and meetings with stakeholders. I am interested to know if your officers have observed that different

methods of consultation have different levels of success—that is, you measure success as the alleviation of community disquiet and increase your community satisfaction. I suppose we would measure community satisfaction by a lack of letters to the *Canberra Times*.

Mr Corbell: Your question raises a couple of points. The first would be: what is success in a consultation process? Is it that everyone is happy; is it that everyone is well informed; or is it both? I think the key issue is making sure that the authority is clear in what its objectives are for the particular community consultation exercise it is undertaking. This was one of the issues identified by the National Institute of Governance in its report on community consultation for the planning process in the ACT. It recommended the development of a matrix that basically would allow anyone in the ACT to ask: what is the magnitude of the proposal being put forward?

You would then be able to cross-reference that and see what level of consultation would be required. For example, if it were a relatively minor thing there would be a relatively minor level of consultation; if it were a relatively major thing, there would be a more comprehensive or major level of consultation. I am advised by Mr Savery that that framework or matrix is being developed and that that is being aided by the recruitment of a community liaison officer to work permanently within the authority to do this sort of work.

To date, the authority has very much relied on past experience and practice to make a judgment as to what is the most appropriate methodology for community consultation into the future, consistent with the National Institute of Governance report. We aim for—and I understand the authority would be aiming for—a more consistent approach using a matrix to determine the level of consultation people can expect, depending on the magnitude of the change or issue being proposed or discussed.

MRS DUNNE: Would there be a problem if, in the great scheme of things, something might not seem to be a major change but might impact on particular groups and therefore for those groups it would be considered a major change? How do you weigh the universal measurement of whether it is major with the particular measure of whether it is major?

Mr Corbell: These are always matters of judgment in a planning discussion. The matrix is designed to give broad guidance and to give some level of reassurance to both the community and officers of the authority as to the appropriate level of engagement that would be expected. But, clearly, if something emerges—if what was thought to be a minor issue becomes a major issue—obviously you respond to that accordingly.

MS PORTER: Would you advise the committee of the findings of the study into community facilities needs assessment, and also the recommendations that have flowed on from that study in the implementation of those recommendations? On page 44 it talks about a study into community facilities needs.

Mr Savery: There are actually two parts to the community facilities needs assessment. I might ask Ms Ekelund if she wishes to add to anything I have to say. The two studies were undertaken for the two geographic halves of Canberra—south and north—over a period of about two years. The second of the studies, which was the south, was

completed in a draft form at the time this report was being completed. However, it has not been adopted by the authority and it has not been forwarded to the minister for his consideration because we believe that there are still components of it that are deficient in being able to assist us in determining, in particular instances, what the community need would be. We are certainly using it as a guideline document and we would anticipate that, before the end of this financial year, we would have that document in a form that would enable the minister to consider it for adoption as a guideline for assessment of community facilities.

Ms Ekelund: The chief planning executive has explained that these documents are not yet fully completed. They are still being used internally. For example, part of our role is in developing the land supply strategy for the government's consideration and endorsement. Some of the data collected through the community needs assessments helps inform the authority in the preparation of the land supply strategy—for example, aged persons accommodation and what parts of the city are most in need of that type of accommodation. They also inform our considerations of development proposals which may relate to community facility land use policy. So they are being used internally for background information to inform our decision making, but there is some way to go before we will feel comfortable with them being final public documents.

MRS DUNNE: I would like to go back to something that arose as a result of Dr Foskey's question. Minister, in response to Dr Foskey's question about successful community consultation you raised the possibility that the measure of success might be whether everyone was happy or everyone was informed. I would have thought that the process of community consultation was not so much just to inform but to obtain feedback from the community about proposals.

Mr Corbell: I am just using the term in its broadest sense. When people talk about community consultation they often ask, "Why wasn't I told?" I am just using the term in its broadest sense. It can involve either or both.

MRS DUNNE: I just wanted to plumb your understanding of community consultation.

Mr Corbell: Perhaps community engagement, which is the title of this chapter on page 44 of the annual report, is a better term because it talks about engaging with the community for a range of reasons.

MRS DUNNE: I wanted to go back to the structure of what used to be called building control, et cetera: perhaps somebody could refresh my memory. After the new legislation was passed there was essentially the position of a controller.

Mr Savery: The registrar.

MRS DUNNE: The registrar—thank you. Does that position supplant the position then currently occupied by the manager of BEPCON, or is that position one above that?

Mr Savery: There is still a manager of what was BEPCON. They are the manager of what is now called construction occupations licensing but they no longer have the function of building controller. Those functions, which are significantly increased as a result of the legislation, are deposited with the registrar and vested in a director,

because we felt it warranted that level. That means that the manager, who is likely to conduct any of the investigations, is then reporting to someone else who can scrutinise his work—as opposed to him being the judge and jury.

MRS DUNNE: Are there any mandatory qualifications for either the manager or the registrar in relation to having some knowledge of the building trade?

Mr Savery: Yes. I might have to get back to you to confirm, but I am pretty confident that there is a mandatory requirement that they must have a qualification related to the construction industry. So they must be an architect, designer, building surveyor, et cetera. I would like to come back and confirm that.

DR FOSKEY: Following on from my rainwater tank question, the government—moving ever so slowly, I am sorry to say—towards implementation of sustainable design for water resource efficiency and energy efficiency will at some point assumedly come up with a guideline that says, for instance, that rainwater tanks are a really good idea. You may live in a house where the only place you can put your rainwater tank—and there are many such houses in Canberra because they did not think of rainwater tanks when they plonked most of the houses on the blocks—is where it is visible from the road. What is going to be the process whereby we change the guidelines so that rainwater tanks can be installed? In fact, one could argue that having them visible is a way of encouraging people to keep up with the Joneses. I will ask my next question on the process towards getting there in a minute.

Mr Corbell: Thank you for the question. First, I would refute your assertion that the government is moving too slowly on this issue. The government has taken a range of very significant steps to focus on the issue of energy and water efficiency of dwellings, both multiunit dwellings as well as single or detached housing. In relation to rainwater tanks per se, I should add that your attention around the issue of BASIX, which I understand was debated in the Assembly last week—

DR FOSKEY: I am sorry you were not there, Mr Corbell.

Mr Corbell: Yes, so am I—was, as I understand it, initially brought about by a briefing provided to you by the chief planning executive. So I think it is a little cheeky of you, Dr Foskey, at least to suggest that the government is moving slowly when, in fact, I understand that the issue of BASIX was first raised with you by the chief planning executive in a briefing to you.

DR FOSKEY: No; not exactly.

Mr Corbell: That said, the issue of rainwater tanks is one that the government treats very seriously. As you know, the government provides a rebate for people to install rainwater tanks. In relation to the location of rainwater tanks there is not a prohibition on them being placed in front of the building line but there is obviously a greater range of issues that have to be taken into account. We do not simply say: yes, no worries; bung a rainwater tank wherever you like in your front yard. The design and aesthetic issues have to be taken into account—that is simply what the guidelines say. They can be considered on merit in the front yard if it is not possible for them to be located at the side or rear of a dwelling.

DR FOSKEY: That leads me to my question about BASIX. I had certainly heard of BASIX and the endeavours of other states in that regard before my briefing, for which I was most grateful. I felt that Mr Savery and I had quite a lot of agreement in our conversation. My briefing with Mr Savery was a couple of months ago. I am just wondering where ACTPLA is up to now with the investigation of a system such as BASIX in its efforts to work towards sustainable development.

Mr Corbell: The government is considering its options in relation to a range of measures such as a BASIX-type system to deliver greater energy and water efficiency measures and outcomes in single dwellings and multiunit dwellings. We are looking very closely at BASIX and also monitoring what is occurring in other jurisdictions. I have recently received a detailed briefing in relation to BASIX from relevant offices in the New South Wales department of infrastructure and planning. I am quite impressed by the BASIX system. There is a range of matters we will need to consider as to whether or not it is appropriate to implement it here in the ACT, but we are certainly doing a lot of work at the moment towards implementing a system which requires a greater level of outcomes in terms of energy and water efficiency—in single dwellings to start with and then moving to multiunit and other dwelling structures.

MRS DUNNE: Following on directly from that, during the discussions on variation 200 the year before last, there were commitments from the government to initiate mandatory five-star energy ratings, which is only part of the BASIX suite. Where are we with the implementation of five-star energy ratings?

Mr Corbell: The government committed at the last election to minimum mandatory five-star energy efficiency for single dwellings. We anticipate that that will come into effect in the middle of next year as part of work through the Building Code of Australia.

MRS DUNNE: You would not do it out of step with the BCA, although it has been introduced elsewhere already?

Mr Corbell: Given that the work with the BCA is quite close to the timeframe we would be working on anyway, we would anticipate it would be more sensible to coordinate it with the BCA.

MRS DUNNE: Even though it has already been introduced in Victoria, a year ago?

Mr Corbell: Only in Victoria.

MRS DUNNE: Yes, I know.

Mr Savery: Part of the rationale for doing it as part of the BCA is to adhere to the intergovernmental agreement on introducing a uniform building standard within Australia. Victoria went its own way: it has not introduced what the Building Code of Australia will introduce; it is operating a five-star rating on the current NatHERS and AccuRate systems. Both NatHERS and AccuRate, which are the software packages used to determine energy efficiency, are being reviewed by the building codes board. The other thing is that the building codes board is undertaking the regulatory impact statement for the introduction of five-star rating. My advice to the minister is that to do it

separately is simply duplicating what is going to happen; you will not get there any faster, because you have to do your own regulatory impact statement, consult with industry, et cetera.

MRS DUNNE: Is the ACT part of that BCA taskforce?

Mr Savery: Yes. All state and territory governments and the commonwealth are members of the Australian building codes board and are signatories to the—

MRS DUNNE: But does the ACT actually participate in the work?

Mr Savery: Yes. I am a member of the building codes board and we have officers who participate in all policies being developed by the building codes board.

MR SESELJA: Page 66 talks about the sources of revenue and it says that the total territorial revenue for the year ending 30 June 2004 was \$23.4 million, an increase of \$9 million over the amended 2003-04 budget. It refers to an increase in taxes, fees and fines of \$6.1 million due to several unexpected large change of use transactions. Could you identify for the committee which sites were subject to a change of use and how much those change of use charges were?

Mr Corbell: I will ask Mr Sakkara, who is responsible for budget management, to answer that question, if he can.

Mr Sakkara: In 2003-04 there was a significant number of change of use charges that were much larger than normal. We have a list here. Several of those were over \$300,000. I will give you some examples of where they were for. Firstly, there was an amount of \$300,000 for the Sky Plaza lease in the CIC Woden project. That was about varying a lease less than five years in duration. There was \$600,000 for the consolidation of five leases to develop 170 units in Braddon. The Hungarian club paid a concessional lease for \$490,000. There was a site in Watson for which the lease was converted to multiresidential for 182 units of \$840,000.

The workers club in the city paid out a concessional lease for \$1 million. The sum of \$1,050,000 was paid for a multipoint car park in Northbourne Avenue—Northbourne House, it says. That is all the detail I have on that. For a multiunit residential project in Kingston there was \$313,000. There are a few more. There was \$300,000 for a 72-multiunit residential development at a site in Braddon. It was previously a motel. There was a change of use charge for the YMCA development in the city of \$1.293 million. It was converted to a residential purpose clause. That is about it of the large ones.

Mr Corbell: I draw the committee's attention to the fact that details of all charges and payments are tabled on a quarterly basis in the Assembly; so these are already a matter of public disclosure.

MRS DUNNE: Would it be possible to get a consolidated list?

Mr Corbell: Don't you keep all your quarterly statements?

MRS DUNNE: No, not always.

Mr Corbell: I am sure the Assembly office has those available.

MR SESELJA: Thank you for your assistance. I have another question in relation to financial results. On page 62 it is stated that the authority has \$6.7 million in employee entitlements on its statement of financial position, which is largely unfunded. It goes on to state that this is not considered a major risk, unless there is an unusually high incidence of old accrued leave being taken by employees. Could you outline for me the risk analysis that was done to come to that conclusion and what was found to be the optimal level?

Mr Sakkara: The accrued liability that we inherited was from the time that we separated from the Department of Urban Services. At that point, our employees had entitlements of that value, related to long service leave and recreation leave. Ordinarily, what happens is that, as employees accrue leave, there is a balance to that where others take leave. So, on average, that is a figure that probably represents our average long-term leave liability. It would be unusual to see all employees all of a sudden deciding to take annual leave or recreation leave at the same time. We could not afford to do that, obviously, because we would need to continue operations. But we would not expect that to be a major risk to us at this stage.

MR SESELJA: So there has been no risk analysis done on that; it is just based on a feeling.

Mr Sakkara: Absolutely.

Mr Corbell: I think that it is common sense. It would be unusual to expect a large number of employees to take their accrued leave at the same time and therefore place that financial burden on the authority.

Mr Sakkara: We did raise the issue with Treasury at the time that we were separating from urban services and they felt that there was no reason to supplement our funding in any way for that accrued liability.

MS PORTER: The report states:

The Authority is committed to the principles outlined in the ACT Government's Policy Framework *Justice, Options and Prevention—working to make the lives of ACT women safe*.

I refer to page 53. Would you outline to the committee the initiatives that have been implemented by the authority and advise how they have led to women in general and women with disabilities in particular being safer in our community? A related question: how has access and mobility for women with disabilities been improved by the development of the ACT interim planning guidelines?

Mr Savery: There are probably three components to this response. I ask Mr Meyer to comment where appropriate. There is the policy around access and mobility guidelines which Mr Meyer has had quite a significant hand in and has received awards for the role

of the authority. That is in terms of providing adequate accommodation and access to our own services and the building that we operate out of as well as for the broader public in terms of new buildings that are being constructed.

Another component relates to crime prevention through environmental design, which is a policy structure that has a national component to it. All state and territory governments have supported a federal initiative under the umbrella of crime prevention through environmental design. Our policy, like the policies of the other states and territories, tries to promote a culture within government and within the private sector whereby every time a new development happens, whether it is a private building or it is a building or project that impacts on the public realm—the places where people congregate and move between buildings—they will make a conscious effort to take into consideration issues like access, mobility and public safety.

Invariably, public safety often comes down to female safety, and a lot of that is around perception. That is not to suggest that men are not equally concerned in poorly designed areas, but women in particular do perceive, for instance, car parking structures to be very vulnerable. Likewise for areas that are poorly lit and places where alcoves are created and antisocial behaviour can occur. I am not saying that we have been able to design out all of those situations, but the policy environment is there to assist developers and our own assessment officers in trying to minimise those opportunities.

The third component is very much our own work policies and the practices that we put into place, again around particularly access and mobility for members of the community and our employees who have certain disabilities. Whilst this is not a piece of positive discrimination, I think that it is useful to make the observation that in general now our organisation and, I think, the sorts of professions we represent have an increasing and significant number of female staff in the work force. I think that almost 51 per cent of our employees are female and an increasing proportion of the senior management within our authority and within our profession is represented by members of the female gender as well. I will ask Mr Meyer to comment specifically on the access guidelines.

Mr Meyer: We have been actively promoting those guidelines across the government service in particular using the work that we have done within the authority in terms of aspects of building design and we are currently going through some accommodation planning to make some changes and also incorporate better access to our facilities. We have put in place a number of employment programs in the authority, including one at our Mitchell offices, and that has meant some redesigning of those offices. We employ 12 staff with intellectual disabilities. Eight of those are female staff. We have reorganised the accommodation internally, as well as the computing and other support network, for those staff and that is proving to be a valuable experience in terms of working with agencies across government as well as with other organisations to look at ways in which we can improve the workplace and access to government facilities.

Mr Corbell: It would be remiss of me if I did not point out that the DLO in my office, Mr Anthony Burton, was the officer directly responsible for coordinating the development of those guidelines. My life would not be worth living if I did not acknowledge the very good work that Anthony did in that area.

MRS DUNNE: You can now point it out to him in *Hansard*.

Mr Corbell: That is right. May I also clarify a question that Mrs Dunne asked earlier, Mr Chair? Mrs Dunne asked about the relevant qualifications for the construction occupations registrar. The legislation at part 9 outlines that the chief executive must not appoint a person unless satisfied that the person has relevant experience or relevant qualification in one or more of the following areas—building, building surveying, draining, electrical, engineering, gas fitting, plumbing, and administration of building or construction industry regulatory schemes.

MRS DUNNE: Is that the manager or the registrar?

Mr Corbell: That is the registrar.

MRS DUNNE: Are there particular mandatory qualifications for the manager?

Mr Corbell: Not legislative, no.

MRS DUNNE: Is there a practice or a policy that says that the manager should have building qualifications of some sort?

Mr Savery: The practice is that we want someone who has familiarity with all of those services, but the actual duty statement does not specify those as mandatory qualifications because the manager's role is as much to manage the affairs of that branch and be competent at managing the individuals, many of whom represent those industry qualifications, as it is about actually being technically proficient in any one of those business practices.

MRS DUNNE: It is a fine line, but sometimes having some expertise is a way of ensuring that someone is not pulling the wool over your eyes.

DR FOSKEY: My question is related to Ms Porter's last question. You will, of course, know that this is my first experience of reading a whole lot of government annual reports. I have noticed a lot of variation across the departments. I have also noticed that in this report there was not a lot of attention given to attempts by ACTPLA to increase equity and diversity amongst the staff. I am not speaking here of gender. There is a report there and I note that women are less represented amongst the senior staff than amongst the administrative staff. I am referring to information about the number of people from diverse cultural and linguistic backgrounds and also indigenous people and people with a disability.

This morning we looked at the state of the service report, which gave quite a lot of attention to those issues. I am just wondering whether ACTPLA does make an effort to increase the levels of people on the staff from those backgrounds, given that it was acknowledged this morning that it is an issue across the public service. This could be one area where it is a greater issue because of the kind of expertise that generally you are looking for. I would just like your comment on that.

Mr Savery: If I could comment first. I will speak from personal observation before I speak on a more technical front. I think that the ACT Planning and Land Authority is one of the most diverse organisations that I have been a member of, and I mean that in all

respects—in terms of gender, culture, ethnicity, et cetera, as well as the skills and the professions that it represents. My understanding is that, whilst there are on average across government some issues to be addressed, our authority probably would be one of the most diverse in terms of representation from all of those groups.

There is no question that we are underrepresented by people of Aboriginal and Torres Strait Islander background. That is probably generally true of most governments. But in terms of other representation, and I do include people with disabilities in that, I think that we probably are above the average or the norm of government. I am not saying that therefore we should rest on our laurels, but I think that we have performed very well in that regard.

DR FOSKEY: It probably would be good to boast about it in your report.

MR SESELJA: On page 6 of the sustainable transport plan it refers to some goals, one of which is “price transport and parking to make them efficient and equitable and to make costs transparent”. One of the strategies to implement this goal is “investigating road pricing in future”. Does that refer to toll roads and, if not, what does it refer to?

Mr Corbell: The intention is to look at the whole of life cycle cost, if you like, of investing in road infrastructure, because often the cost of roads is not fully taken account of in looking at the costs and benefits to the community. People assume that there are no costs associated with a road; that it is only a benefit. Often roads and car parking can result, particularly where it is excessive, in lost opportunities for other types of development, therefore loss of revenue, therefore loss of other opportunities in the community. So, no, the intention is not to look at tolls. The government does not have that on its agenda.

MR SESELJA: But it refers to road pricing, not road costing. Can you take us through what exactly that means. How would you price the road?

Mr Corbell: I think I have just explained that. It is a system—

MR SESELJA: I am not quite sure that you have. You suggested that we need to be aware of the costs but that does not go to pricing. Pricing suggests someone paying for the use of them.

Mr Corbell: No. The government is not looking at or investigating the use of tolls in the ACT.

MR SESELJA: I would like you to more clearly explain to me what “investigating road pricing” would be, given that it is not referring to tolls. You spoke about the costs that go with it, but that is not what it says here. It does not talk about costs; it talks about pricing. Can you explain to me exactly what is meant by that?

Mr Corbell: As I have indicated, it is about looking at the costs and benefits to the community of investing in road infrastructure.

MR SESELJA: Where does the pricing come into that?

Mr Corbell: Clearly, the pricing is around what it is that the community is prepared to pay for investment in that level of infrastructure, and making sure people are aware of the full cost of developing that infrastructure.

MR SESELJA: That is an odd use of terminology for government expenditure.

Mr Corbell: I think we are having a semantic argument, Mr Seselja.

MR SESELJA: I am not sure that we are.

THE CHAIR: It seems to be a debate, Mr Seselja, rather than—

MR SESELJA: Well, it is good to have a bit of interplay. I did have a supplementary related to that but it is not the same—

Mr Corbell: Your substantive question, Mr Seselja, was: is the government looking at tolls? And the answer to that is no.

MR SESELJA: I have a supplementary question in relation to that. The sustainable transport plan talks about ensuring that the whole community is aware of the costs of providing parking and roads. Is there a similar plan to look at the costs of other things like cycle lanes, on-road cycle lanes in particular, and what cost-benefit analysis has been done? In particular, I am interested in the usage of the on-road cycle lanes. What analysis has been done of those in relation to the take-up of those, the usage of on-road cycle lanes, how much they are utilised by cyclists?

Mr Corbell: Given that they are relatively new, I am not aware of any work at the moment to formally quantify the level of usage. It is something that I am happy to take on notice and provide further information to you on if it is available. In relation to the costs and benefits of providing those, as part of the sustainable transport plan the government did undertake a significant piece of work into pricing and understanding the cost of different transport modes and their cost to the community overall. What it found was that overwhelmingly—and this is consistent with other studies around the country and around the world—people who are cycling more than carry the costs of that infrastructure. In fact, they contribute significantly in saving the community money through reduced infrastructure use, reduced health costs and so on because of the mode that they choose. The study also found, interestingly enough, that motorists do bear the full costs of road infrastructure; that is, it is not subsidised, there is not a hidden subsidy. What the report, though, was not able to quantify was some of the environmental benefits of reduced motor vehicle use. That was not able to be quantified in a financial sense so the report is silent on that issue.

To answer your question: there is very significant data and analysis, both in the territory's own most recent analysis of the total costs of transport and who bears that cost here in the ACT, along with a very significant body of work nationally and internationally that recognises that encouraging people to use non-car modes is a significant saving to the community in health, environmental and other costs.

THE CHAIR: Ms Porter, thanks for being so patient. Would you be prepared to allow Mr Seselja to ask another supplementary question?

MS PORTER: Yes, he can ask his last question.

MR SESELJA: Thank you. It was just confirming whether there were any plans to look into the take-up rate, the usage, of those on-road cycle lanes.

Mr Corbell: We will be monitoring the total level of journeys to work by cycling as part of seeing how we are going in meeting our targets through the sustainable transport plan. We have designated mode splits for journeys to work by private motor vehicle, journeys to work by public transport, journeys to work by cycling, journeys to work by walking and journeys to work by other modes. We have targets there and we will be monitoring those. Primarily, we will be using ABS data to determine how we are going in meeting those targets but we will also be conducting our own surveys wherever possible.

MR SESELJA: So you will not be looking specifically at the use of the on-road cycle lanes?

Mr Corbell: We see the use of the on-road cycleways as a contributor towards meeting the overall target, and certainly all the anecdotal evidence suggests that there is a high level of take-up of the use of these lanes. They have been well supported by many people in the community and I think they are a great innovation. Every city in the world is moving this way to encourage more on-road cycling because it is direct, it is safe and it gives the same priority to cyclists as to motor vehicles, and that is exactly the direction that the government wants to take. I am not sure whether you are suggesting, Mr Seselja, that in some way it is a waste of money. But that is certainly not the government's view.

MR SESELJA: I am suggesting that anecdotal evidence would not be sufficient to make a judgment.

Mr Corbell: But what is your view, Mr Seselja? That is the interesting thing. Are you prepared to come out and say that we should not be supporting cycling through on-road cycleways?

MR SESELJA: I was not aware that I was answering questions.

THE CHAIR: Order! You have been very patient, Ms Porter.

Mr Corbell: I am just putting it to Mr Seselja, given his line of questioning, Mr Chair.

THE CHAIR: Thank you, minister.

MRS DUNNE: Can I seek a point of clarification before we move on?

THE CHAIR: Ms Porter has been very patient. She has waited six times while supplementary questions were asked. Would you now allow her the time to ask her question.

MRS DUNNE: Could I ask for a point of clarification, before we move on, so that we do not have to come back?

THE CHAIR: Certainly.

MRS DUNNE: Minister, the report that you referred to that did this analysis: which of those reports was it?

Mr Corbell: It is the ACT transport costing study, which is publicly available.

THE CHAIR: Now to Ms Porter.

MS PORTER: The report refers to the new human resources management strategy on page 21. Has the implementation of that management strategy resulted in some improved outputs? What has the implementation resulted in?

Mr Corbell: I will ask Mr Savery to answer that question.

Mr Savery: I might ask Mr Meyer to add to or elaborate on anything I say. In the first instance, it has enabled us to more effectively target recruitment into the organisation. One of the difficulties in many of the professions we represent—I understand that increasingly this is a problem in mainstream professional disciplines—is to recruit people with adequate skills and experience to deal with the types of issues that our authority faces. I have to admit that there is a component of difficulty in attracting people to come to Canberra as well, as part of that process. The human resource management strategy has a component in it that enables us to first of all identify the skills and experiences that are required and put in place a succession planning process for the organisation, because again in some of the fields that we represent there are no tertiary courses operating in the ACT any more. A good example of that, for instance, is leasing. You can appreciate that there are not many places in Australia that manage a leasing environment. So, unless people learn on the job, it is difficult to bring in people with the skills and experience required.

Having gone through that process, the human resource management plan has also identified appropriate strategies for performance development within the organisation. That is not just about disciplining people. It is about targeting and identifying core areas of competency that can be worked on and improved, types of training courses that we should be targeting and managing and also offering assistance to those individuals who need a particular focus on their work.

The other component of this—and Mr Meyer has been heavily involved in this—is understanding and educating people about their obligations under occupational health and safety, equal employment opportunity and those sorts of things. We have put in place a range of protocols and procedures. We have put in place our business ethics procedures et cetera. It is a constant process of personal development and improvement for the organisation but, without that particular management strategy, I do not think we would be as well positioned as we are now to deal with many of the challenges that we are facing.

Mr Meyer: The learning and development strategy has been far more focused than in past years. What we have really done has been to work with teams across the organisation that have very specific needs to perform their business and to tailor the training and the development around those needs. We have established some very good

partnerships with CIT and the University of Canberra and we are starting to expand a range of programs and training opportunities for staff tailored to the particular needs of the organisation. Picking up on Mr Savery's points: we are trying to treat the management of our staff in a whole of life process. We have quite a sophisticated induction process to work with staff when they come into the organisation and take them through learning and development that is tailored to their particular needs.

In terms of the OH&S strategy, we take a great deal of pride in the effort that we put into that because it has produced significant dividends in terms of case management, very proactively case managing issues related to workplace injury and stress and so forth. That has helped us to manage our premiums and, generally, the absenteeism rate and so forth are quite low for the organisation given the nature of the work. There is more to be done on performance feedback. We have started to pilot a number of schemes there which are again tailored to the particular areas that we are working with, and we will be evaluating those over the coming months.

MS PORTER: You were saying, regarding occupational health and safety matters, that you have been specifically targeting workstation overuse to reduce the incidence of injuries in that regard. Has that paid dividends?

Mr Meyer: It has. The key to success with managing repetitive strain injury is to get it early. We have taken a strong approach to ensure that the desk spaces, equipment levels and so forth are appropriate, that there is any follow-up therapy or support for the individuals experiencing any particular problems there and as a last resort we look at redeployment to other areas in the authority if we cannot address the particular area. We have had dedicated case managers who work with us organisationally, who go around the building to talk to staff and make sure in discussions with managers and individuals that we are addressing their needs.

MRS DUNNE: Could I just go back to something you said before about difficulty in getting people to come to practise as planners in the ACT and difficulties specifically in relation to leasehold. We are the only jurisdiction that has an urban-based leasehold system, but leasehold is not alien to planning regimes across the country. Would you envisage that it may be appropriate to come up with a series of modules of perhaps a graduate diploma in planning tailored to the ACT to address some of those expertise shortfalls such as expertise in dealing with leasehold et cetera so that, rather than expecting people to come with that experience, you provide them with the tools when they get here?

Mr Savery: My answer to that in the first instance would be that, yes, it would be desirable if there were a course or a component of a course offered somewhere in the ACT, whether university based or Canberra Institute of Technology based, where you would have access to people with the appropriate skills to convey how to practise leasing in an urban environment. In fact, we have been involved in discussions with the University of Canberra through their Centre for Developing Cities on the possibility of the resurrection of an undergraduate planning course in the ACT. Ultimately, that is a decision for the Canberra university to decide upon. If we ever got to the point of being able to talk about what the syllabus might be, we would certainly be advocating that a component of that be leasehold.

I think one of the important things also is that there is an increasing realisation that the interface between the lease and the development assessment as two tools within the system is such that the two skills are almost interchangeable. The lease is in effect an extension of the development applications. So you have development assessment officers in the ACT, as opposed to other jurisdictions, involved in writing and interpreting leases. So an undergraduate planning course that offers that type of skill set would be very beneficial. As I have said, in the absence of that, as Mr Meyer has identified, we are working with the managers of those areas where our skill sets are in short supply, identifying other ways in which we can provide alternative training arrangements so that we can potentially bring back into the organisation and use for in-house training and development of individuals people who have left the profession, former employees of the predecessor organisations.

Mr Meyer: Could I add to that that several years ago we put in place a certificate IV in land administration which was a partnership involving some of our senior leasing staff with the CIT. A number of staff did go through that program, which was very comprehensive and integrated aspects of territory planning with the leasehold system. It gave a broad range of coverage. The difficulty really turned out to be one of resources both from the CIT's perspective as well as organisationally to maintain that level of program, so we are now having another rethink about the best way of delivering the sorts of training that you were describing. We are just making sure that we do have succession planning for the lease administration skills.

MRS DUNNE: I suppose that really answers my supplementary question, which is: would you consider sponsoring an institution to provide that level of training rather than requiring another institution to do it? In-house training is all well and good but it does not give someone a qualification at the end. It perhaps makes it more appealing if you have a grad dip in something that relates to your principal training.

Mr Savery: We are looking at many innovative ways in which we can employ a training and development budget, which may involve focusing on an individual, targeting an individual as part of a leadership program, or it may involve us working in association with a tertiary institution to provide us with a service for a particular skill set.

THE CHAIR: Dr Foskey, you have been very patient there. Do you have a question?

DR FOSKEY: Yes, thank you. The draft variation, now variation 200 to the territory plan, was passed by the last Assembly with the proviso that its impact be reviewed in 2005. Has the government or ACTPLA given any thought to the way that the review will be conducted, or if?

Mr Corbell: Yes, Dr Foskey, we have. The government does intend to do an analysis of the application of variation 200 and we do anticipate doing that this calendar year. I am currently considering the development of that proposal through the budget process but it is the government's intention to do that analysis. The key issues from my perspective are seeing what has been the practical impact of the variation in terms of the pattern of development in the residential areas in Canberra and also identifying whether there are any anomalies that require some tidying up.

MRS DUNNE: You can rest assured there are.

Mr Corbell: Those are a couple of issues that are worth investigating, so, yes, thinking has started on that issue.

DR FOSKEY: Have you given any thought to the kind of community consultation that would be most appropriate?

Mr Corbell: Not at this stage, no.

THE CHAIR: Minister, in key achievements in this report for 2003-2004 there is discussion on the City West and Woden town centre master plans. You made a commitment to do away with the requirements for preliminary assessments in Civic. What is the government's strategy for achieving this and what progress has been made?

Mr Corbell: The government did make a commitment to remove the requirement for preliminary assessments in the city as part of improving the timeliness of development in the city and trying to make the city, Civic in particular, more competitive with other major commercial office locations—Parkes, Barton and the Canberra airport are two obvious examples where there are only commonwealth planning controls, not territory planning controls. As a bit of background: it seemed to me pretty illogical to say that Civic is an area where we expect you to build buildings over 7,000 square metres in area but, by the way, you have to do an assessment of the impact of building a 7,000-square-metre area in Civic. It seemed a fairly contradictory position to take, so the government has acted to remove the requirement for preliminary assessments. In City West that is being done through variation to the territory plan, which is implementing the City West master plan. What that variation says is that, because the variation is implementing the master plan, essentially the detailed assessment on impact of larger scale buildings has been done through the master plan, and that will be reflected in the provisions of the territory plan. Therefore, there is no requirement for a preliminary assessment in those circumstances.

In city east the government has sought on a case by case basis to remove requirements for preliminary assessments on particular sites. That has been able to be achieved through a number of mechanisms where effectively adequate assessment has already occurred on those sites. The government is currently progressing its options for removing the requirement for preliminary assessments from town centres as well. That is being done through the systems reform work of the land act which the government commissioned and got under way in the middle of last year.

MR SESELJA: What benefits do you think will accrue to the ACT economy from this decision?

Mr Corbell: I think they are significant, because in many respects the requirement for a preliminary assessment for major projects was duplicated by the same work occurring in the development application process. So it saves time and money for the development proponent. It also means, though, that a decision on a major development can occur sooner and, as I am sure you and members would appreciate, for anyone in the private development sector if they are able to get a timely decision it gives greater certainty around their decision on whether or not to invest and their willingness to engage in the planning system in the ACT. So it is about creating greater certainty of decision making

and I think that gives a signal that the government is interested in seeing development in the appropriate locations in our city.

As a city we want a more vibrant city centre. We want strong and dynamic town centres. We want greater development along public transport nodes—all of those things that support the sustainability objectives we are interested in as a city; sustainable not just in terms of its environmental sustainability but sustainable economically and socially as well. So those are the objectives and removing the preliminary assessment requirement is a significant step in sending the signal to the development industry: if you do work, if you invest in a way that is consistent with the community's outcomes as reflected in the territory plan and master plan, we want to assist you in doing that; we do not want to hinder you in doing that. So it is a fairly significant step forward.

MRS DUNNE: I want to come back, minister, to something raised by Ms Porter when we were discussing the spatial plan. You talked about the Molonglo valley and the work that has been done there. At various stages, including in the government brief, there is reference to the number of dwellings that may be established in the Molonglo valley—somewhere between 12,500 and 20,000 dwellings. Given that there is a reasonable amount of uncertainty as to how much of the land out there is residential suitable, is there a lowest figure whereby it ceases to be economic to develop the town centre? Have you thought about the cost-benefit, about where it becomes too costly to develop a town centre in the Molonglo valley?

Mr Corbell: That work is being done now as part of the planning authority's work with the NCA. Ms Ekelund has been closely involved in that. I will ask her to elaborate on it to some degree. It is important to stress that the government is not looking at a town centre for the Molonglo valley, in the traditional sense. The work to date has focused, effectively, on extensions of existing residential areas both from north-west Belconnen and from the Woden-Weston Creek areas. The work has refined, I guess, a couple of clear areas for more detailed investigation still, and has ruled out others as probably not being appropriate for a range of reasons. So the area was always a very broad estimate based on the investigations to date, but the spatial plan itself indicated that much more detailed work was required to refine that and that work is now ongoing.

The role of the NCA is important in this. They obviously have a very important, and I believe very legitimate, interest in protecting the view sheds from the central national area through to the Molonglo valley, making sure that that does not impinge on the character of the central national area. I think those issues are being well addressed through the work to date. I might just ask Ms Ekelund to give you a very brief and broad outline of what has occurred to date.

Ms Ekelund: The first stage of the work flowing from the spatial plan, as you are aware, is to look at the suitability of the area for urban development in the context of national significance, so we have been undertaking a joint study with the National Capital Authority, which analyses environmental and visual significance of the area and also implications of development of the area on metropolitan structure. The report is close to finalisation and is expected to go before the National Capital Authority board in the not too distant future. Essentially, if the board agrees to the general direction that appears to be flowing from the report, we would move on to our next stage, which would look in much more detail at issues of feasibility and start looking in much more detail at

infrastructure requirements, connections to the road network, use of the current hydraulic infrastructure in the valley and then develop structure planning for the area. Of course, that would be accompanied by a full environmental impact assessment and that would support any ultimate change to the territory plan and the national capital plan. So it is still fairly early days in planning for the area.

DR FOSKEY: This is my final question. You can imagine how excited I got when I read page 48, dot point 4, under the heading of ecologically sustainable development, I saw the word “mandatory”. I think possibly there is something about the expression in this particular dot point that gave me—please convince me if I am wrong—perhaps the wrong idea about the intention of this dot point. I am referring to the last sentence on the bottom of the left-hand column: “This is mandatory for all new multi-unit developments including dual occupancies” et cetera. Is it mandatory to incorporate ecologically sustainable design principles into new developments in ACT suburbs, which is the meaning that I gather from that paragraph?

MRS DUNNE: Not on the basis of what Mr Savery said before.

Mr Savery: It is possible to misinterpret those words. This is the document that is being referred to, which is part of this series of design books.

DR FOSKEY: Okay. I thought it might be so. I was just seeking clarification.

Mr Savery: The word “mandatory” is saying that the authority now mandates that, as part of an application process, they must have regard to incorporation of environmental performance measures.

DR FOSKEY: And how do you know whether they have?

Mr Savery: I cannot remember the exact terminology, but as part of the design response report that has to be submitted as part of these types of applications there is an environmental statement. As I said, the terminology might not be correct, but that environmental statement is a succinct description by the proponent of what they have incorporated into their designs to address environmentally sustainable design principles as enunciated in these documents. But we do not have at this stage a planning tool that then makes it mandatory for them to incorporate certain features. Those tools, as the minister has already referred to, are being investigated and developed.

DR FOSKEY: So they could say that they are actually not doing anything that is going to improve the environment and would still get a tick, at this point? All they have to do is fill it in? That is the mandatory thing?

Mr Savery: That is the mandatory thing, but I think it is fair to say that, on the types of developments we are talking about, it is increasingly difficult for them to achieve even the minimum requirements that are expressed in our policies, not just guidelines, in relation to ecologically sustainable design and get an approval for them. I think that is reflected in some of the commentary coming from the Planning and Land Council as well, where increasingly they are providing advice to both the minister and us that certain features in some of these designs are not acceptable and they are being featured in the conditions that we are putting on the approvals in—

DR FOSKEY: Could the minister use his call-in powers even if you came to that conclusion?

Mr Savery: The minister always has the capacity to use the call-in, but there are certain criteria under which the minister has to determine whether or not a call-in is appropriate, and I think that would be a very narrow interpretation for the minister to call applications in.

Mr Corbell: The issue for me would be: is it appropriate in determining an application through using my call-in powers to place requirements on a development which were above and beyond those required of any other development going through the system? Would it be fair to do that? I think it would be very unsafe for me to do that. Whilst my decision is not open to challenge once I determine an application—that is, it cannot be reviewed through the normal processes—it would be inconsistent of me and would send a confusing signal in terms of government policy to say, “Well, this is the policy that applies for every other DA that goes through the development assessment process but if the minister is determining the application then all these extra things apply.” I have always sought, in exercising the call-in power, to make sure that the application is still assessed and warranted to comply or not comply with the standards and guidelines that the authority applies to any other application. I think that is the only reasonable thing to do. When you look at the actual decision, I formally make the decision as the decision-maker and all of the conditions are outlined consistent with the guidelines and standards used by development assessment staff in the planning authority.

To go above and beyond that and apply particular conditions that cannot be enforced in the normal development assessment process I think would be inappropriate. It would be more appropriate for the government to change its policy and apply it to all developments, and that is exactly the approach the government is adopting. We are, through assessing BASIX and other systems, working towards changing our policy. So, regardless of whether an application is subject to a call-in, the same standards and guidelines apply and the same benchmarks have to be met.

MR SESELJA: I am staying with ecologically sustainable development for a moment. On pages 48 and 49 it talks a bit about ecologically sustainable development and what the authority is doing in that area. It reads:

Significant efforts introducing and monitoring programs to reduce energy consumption contributing to greenhouse gas emissions; including associated staff behavioural changes;

Revised policies and procedures leading to the efficient utilisation of the leased motor vehicle fleet;

I am particularly interested in the second point. How many vehicles are in the ACTPLA vehicle fleet? How many are garaged at home? How many are used only for home-to-work travel?

Mr Sakkara: I cannot remember the exact number of motor vehicles in the fleet but, from memory, there are about 30 or 31 vehicles. Of those there are four executive vehicles which are home-garaged and available for private use by the executives. I think

there are another four that are home-garaged. Basically that is the garaging arrangement for storing the vehicles overnight, because we do not have the facilities available at Dame Pattie Menzies House to house that number of vehicles. There are another 10 or so utilised by building, plumbing and electrical inspectors who are constantly out in the field. They home-garage the vehicles.

MR SESELJA: Is car parking at Dame Pattie Menzies House free?

Mr Savery: We have access to a multistorey car park—or what is left of it is available to us—which was part of the lease on Dame Pattie Menzies House. Up until about 12 months ago we had 186 spaces available there. I do not know if you are aware but we currently have some issues with the structure of that car park. We have had a reduction in the number of spaces—to around 60 or 70 at the moment.

MRS DUNNE: Are those spaces free to staff at ACTPLA?

Mr Savery: Yes, they are.

MRS DUNNE: So the people who are organising the sustainable transport plan get free parking?

Mr Savery: It was part of the original leasing arrangements for decentralisation, as I understand it, of office staff to that area.

Mr Corbell: I understand the leasing arrangements were put in place by the former Carnell government.

MRS DUNNE: Mr Sakkara, could you provide an indication—not the specific addresses—of the suburbs where the cars are home-garaged, if they are regularly home-garaged with the same people?

Mr Corbell: What purpose would that serve?

THE CHAIR: It does not seem to be in relation to the report.

Mr Sakkara: It would give you an idea of distances.

MRS DUNNE: Yes.

Mr Corbell: I am happy to provide you with details of how far those vehicles travel every year.

THE CHAIR: A specific question has been asked about the suburbs.

Mr Corbell: It does not matter where they are garaged; it is their use, surely, that you are asking about.

MRS DUNNE: It does, actually.

Mr Corbell: No, I am sorry; I think that is quite an intrusive question.

MRS DUNNE: Mr Chair, if they are garaged a long distance from Dickson, it does impact on the number of miles they travel.

Mr Corbell: No. I am quite happy to provide you with information as to how far they travel and what mileage those vehicles have undertaken, but I do not see how it is in any way relevant to disclose exactly where they are located.

THE CHAIR: It would let us know how much of it is to and from work and how much is for private purposes.

Mr Corbell: I have indicated what I think is a reasonable request and what we can provide in response to that.

THE CHAIR: Thank you, minister. I will take any further questions on notice.

MRS DUNNE: I have just one question, Mr Chair, please.

THE CHAIR: I would like to thank the minister and the officials for attending today and giving us their time.

MRS DUNNE: Mr Chair.

THE CHAIR: I would also like to thank the members for their time. I would like to advise that we have so far received seven pages of questions on notice, so there is quite a lot for us to get through. I will now adjourn the committee.

MRS DUNNE: Mr Chair, I have a question I would like to ask that some time ago I indicated I wanted to ask.

THE CHAIR: I am happy to take that on notice.

MRS DUNNE: No, I am sorry; it is not a question that can be easily put on notice. The questions that can be easily put on notice I have put on notice.

THE CHAIR: With the committee's leave—go ahead.

MRS DUNNE: Thank you, Mr Chair. Minister, are you aware of the comments made on the *7.30 Report* last Thursday by, I think, Glen Murcutt from the Australian Architects Association about the failings of town planning? This goes to the earlier questions about the skill set we have. Mr Murcutt said, among other things, that he was concerned that a lot of people who are now engaged in the occupation of town planning did not have training in what might be called the aesthetics side—in that they are coming in from a whole lot of areas other than architecture. Is this a problem for the skill set in the ACT? Mr Murcutt is apparently also promoting contemporary design in Australia by having magical mystery tours of what is right and what is wrong in major cities. Would you consider inviting Mr Murcutt to Canberra to pass his aesthetic eye over what we are doing right and wrong here?

Mr Corbell: I certainly welcome any dialogue with Mr Murcutt. Mr Murcutt is one of

Australia's leading architects. He is internationally recognised and I have a lot of regard for his work. I saw part of the interview on the *7.30 Report* last week. I heard him assert that you need to be an architect to be a good town planner. I guess that opens up a fairly hoary debate amongst all the professions because, equally, I am sure many people would argue that you need to be a good landscape architect to be a good town planner, or you need to be a good engineer to be a good town planner—or you need to be a good whatever else it may be. The reality is that town planning is a very diverse field and a very diverse art. The beauty is that it is a generalist profession; it is designed to bring skills from a whole range of other realms into decision making. I think Mr Murcutt acknowledged that in his comments. I think his concern was in terms of assessment of dwellings and the aesthetics around dwellings.

I have to say there are a large number of architects in ACTPLA who work in development assessment as well as in the broader strategic planning area. Many other local government areas do not have the same level as we have. I think the bottom line is that we seek to engage as broadly amongst the planning professions, or the development industry professions, as we can, whether they are engineers, architects, landscape architects or others. The more the merrier.

Mr Savery: This is a topic you might expect me to have a very strong opinion on, as do other planning professionals. It always strikes me—both Dorte and I are senior representatives of the Planning Institute of Australia, sitting on various committees, et cetera—that about the only people who are not allowed to call themselves town planners, or qualified to talk about town planning, these days are town planners. Everyone else seems to be able to express an opinion and be regarded as an expert on town planning other than the town planners themselves. That is the first point I would make.

Like the minister, I have a high regard for Mr Murcutt and a number of other architects. But you may be aware—I am happy to be controversial about this as I was last year in similar proceedings—that whilst architects are at liberty to call themselves town planners, town planners are not at liberty to call themselves architects. Keep that in mind.

In addition to what the minister has said about the range of occupations and professional disciplines we engage in the authority, I would make the point that the planning and land council has three registered architects and urban designers who are used in a very effective way in providing us with design advice on the types of projects that I think would be of most interest to Mr Murcutt.

This cross-references back to one of my earlier comments about the way we have set the firewalls up within the organisation, to ensure that the people who might be able to provide design advice are not necessarily then doing the development assessment. The organisation has been structured in such a way that the professionals we have who have the aesthetic and architectural qualifications—not necessarily the only people with an ability to practise that way—are the ones who are writing all of our policies and providing almost an internal education and advisory service to our planners; that the planners then do the final assessment; and that we have appropriate checks and balances.

The last comment I would make—and I think it is something that generally, again is not well recognised; and the minister made comment about planners being generalists in the

planning professions—is that planners are now expected to be experts in absolutely everything. They are meant to be traffic experts, heritage experts, archaeological experts, et cetera. The reality is that they cannot be. Some of them tend to have a leaning towards the aesthetic—I would include myself in that—component, whereas others are far more skilled and articulate in understanding the regulatory environment, which I am not. So you tend to have people who have a dialogue within the organisation, when they are assessing an application, where all of those things are brought together in a conversation and, hopefully, good judgments are made. But we know that, in some circumstances, there are some bad decisions as well.

THE CHAIR: Thank you very much, everybody.

The committee adjourned at 5. 06 pm.