



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2016-2017

(Reference: [Appropriation Bill 2016-2017 and Appropriation \(Office of the Legislative Assembly\) Bill 2016-2017](#))

Members:

MR B SMYTH (Chair)
MR J HINDER (Deputy Chair)
MS J BURCH
MR S DOSZPOT

TRANSCRIPT OF EVIDENCE

CANBERRA

FRIDAY, 1 JULY 2016

Secretary to the committee:
Ms K Harkins (Ph 620 50435)

By authority of the Legislative Assembly for the Australian Capital Territory

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

APPEARANCES

Chief Minister, Treasury and Economic Development Directorate	1154
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Privilege statement

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Amended 20 May 2013

The committee met at 9.31 am.

Appearances:

Gentleman, Mr Mick, Minister for Planning and Land Management, Minister for Racing and Gaming and Minister for Workplace Safety and Industrial Relations

Environment and Planning Directorate

Ekelund, Ms Dorte, Director-General

Rake, Mr Gary, Deputy Director-General

Fitzgerald, Mr Bruce, Director, Finance and Operational Support

Carmichael, Mr Tony, Executive Director, Strategic Planning

Lane, Dr Annie, Executive Director, Environment

Iglesias, Mr Daniel, Director, Parks and Conservation

Chief Minister, Treasury and Economic Development Directorate

Dawes, Mr David, Director-General, Economic Development

Simmons, Mr Craig, Director, Regulatory Compliance, Access Canberra

THE CHAIR: Good morning all and welcome to—I know you will find this sad—the final public day together in the Select Committee on Estimates 2016-2017. The committee wishes to acknowledge the traditional custodians of the land we are meeting on, the Ngunnawal people. We wish to acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

The proceedings today will examine the expenditure proposals and revenue estimates for the Environment and Planning Directorate as well as the Commissioner for Sustainability and the Environment in relation to budget statement E. Please be aware that proceedings today are being broadcast and transcribed by Hansard and then published by the committee. The proceedings are also being broadcast as well as webstreamed live. If you have to take a question on notice—and I would be shocked if you did because I am sure you are all full bottle on the portfolio—if you could use words such as “I will take that question on notice” it would be useful to track it in *Hansard* and it just lets the secretary know that the question has been taken on notice.

In front of you on the table is a pink card which contains the privilege statement of the Assembly. For those at the table and anybody who comes to the table, if you could read and confirm for the committee that you have read and you understand the implications of privilege?

Mr Gentleman: Thank you, Mr Chair.

THE CHAIR: So acknowledged; thank you very much. Before we proceed to questions, minister, would you like to make an opening statement?

Mr Gentleman: I would, Mr Chairman. Thank you for the opportunity to discuss with the committee the work the government has been doing to grow our vibrant, inclusive and connected city. The budget places an emphasis on maintaining a strong

planning environment that all Canberrans can cherish, and I want to begin today by acknowledging changes to the current administrative orders in this portfolio.

From today the parks and conservation services team will join the Environment and Planning Directorate and will report through my Planning and Land Management portfolio. This merger provides an exciting change for environment managers in the ACT with our operational arm now joining forces with the policy makers at EPD. The new single conservation agency will dramatically enhance our ability to deliver world-class land management practices across the ACT. I have already been engaged with a number of community groups who are excited about the possibilities that the single conservation agency will bring.

As part of the single conservation agency, over 180 staff will transfer to the Environment and Planning Directorate, bringing with them a range of activities, including weed management, bushfire operations and preservation of threatened species through a range of breeding programs. I look forward to the opportunities to further collaborate with this change and the opportunities that will bring. I would like to formally welcome parks and conservation services to their new directorate.

In late 2015 I released my statement of planning intent. This document will help guide planning in the ACT over the coming four years and it is a key part of the government's commitment to urban renewal in the ACT. I was pleased to be able to join the community on the ride when developing the statement of planning intent, which, I can say, is a document that truly reflects the wants and needs of the community that we serve.

The engagement process highlighted the desire for neighbourhoods throughout the city to be inclusive, providing housing choice and community facilities that meet the needs of all associated demographic groups, and allow for ageing in the area. Compact neighbourhoods that could cater for diverse lifestyles and the increase in density would be accompanied by improvements to public spaces and streets, infrastructure and services. Community engagement highlighted the need to create strong neighbourhoods with identity and character.

The statement of planning intent establishes four clear planning priorities and associated actions that reflect the key messages heard from the community and stakeholders. Those are creating sustainable, compact and livable neighbourhoods with better transport choices; delivering high quality public spaces and streets through place making; delivering an outcome-focused planning system to reward design influence and innovations; and engaging with the community, business and research sectors to optimise planning outcomes as well.

Since the document was released I have provided an update to the community on the progress of projects through a quarterly newsletter. In the newsletter I spoke about community gardens and their place in a growing city. I also reported back to the community on the progress of the government's work on place making, which allows hands-on community involvement in the design and management of public places. I hope to report back to the community again shortly on further progress on the statement of planning intent and will continue to engage with local residents on what is important to them when planning a Canberra for tomorrow.

In addition, I want to acknowledge the role of the territory plan and ongoing variations and the approval of the development applications in establishing a compact and livable city that continues to grow with the community. These largely process-driven aspects of planning are often forgotten and I want to highlight their importance in building a city of tomorrow as greenfield developments become less and the city grows to accommodate more people.

In 2016-17 the government will continue to deliver master planning for the ACT's group and town centres and after significant periods of consultation we are working on finalising the master plans for Belconnen, Kippax and Curtin. Master plans are a fantastic opportunity to engage with the community about what they want to see in their local centres and make sure that things which are great about these centres are protected while also providing opportunities for growth into the future. Over the past 12 months the government has released the Mawson and Woden master plans, which were well received by their communities. Draft territory plan variations, which put these plans into action, are currently being developed and I am hopeful that these will be issued for public consultation in the near future.

The government also continues to focus on the efficient processing of development applications. While this process can sometimes be overlooked, it is important in delivering the best outcomes in terms of enhancing the public domain, providing housing options for Canberrans and providing consistency in planning. That should not be underestimated.

Throughout the year the directorate dealt with a number of complex and large projects such as the development of the two new supermarkets at Dickson, which is currently a media topic. This particular development application attracted a large number of submissions and raised many matters for consideration. The directorate has since undertaken another round of community engagement on this application and further assessed some 41 submissions. I am sure the committee understands that an application with complexities can often have a flow-on effect for other applications in the system. However, I strongly believe that the community would want to see the right decisions made and sometimes this can take some additional time and resourcing to achieve.

During the year the government released the Planning and Development (Efficiencies) Amendment Bill, which will streamline current planning processes and reward proponents for going that extra mile when consulting with the community prior to the submission of any planning changes. That brings together the territory plan variations and development applications processes and will dramatically improve the transparency of the process and enable the community to see and comment on the project as a whole. They will be able to see a vision of what the project is going to be like through there.

As I mentioned earlier, the government has established a single conservation agency from today. That will provide opportunities for further collaboration in this area and this work will be supported by a number of new initiatives as part of this budget. The government is providing \$5.193 million to establish and enhance new conservation areas in Gungahlin and the Jerrabomberra valley in Canberra's south. These areas are

being established to offset the impact of matters of national environmental significance from development.

Included in this year's budget too is \$700,000 in funding to address invasive weeds in the territory's nature parks and conservation areas and unleased rural lands, and we will also deal with pests in that funding too. This contributes to achieving the objects of the ACT weed strategy and the ACT pest animal management strategy. We have also committed \$1 million to continue the development of the new Molonglo River reserve for nature conservation, recreation and fire mitigation as well.

Safety in the community is a high priority and we have committed \$1.2 million to ensure the radio network which our rangers and emergency personnel depend on is maintained to the highest standard. Parks and cons manage over 70 per cent of the land in the ACT, much of which is remote area, so this funding is very important to ensure coordination among the ESA groups.

A number of capital upgrades will be provided through this budget to ensure that spaces for visitors and the community to enjoy the great outdoors are maintained. This includes some adaptive reuse of a number of cottages which are no longer in use by our rangers. These cottages will be converted into short-stay retreats for visitors, which is another example of innovation to the way the government is supporting our economy in attracting new visitors.

Moving to a close, I will talk about heritage. I am proud to report that we have had another successful Canberra and Region Heritage Festival; a festival which was held in April and which had 160 events held over a two-week period and attracted 20,000 people. This year's theme was discovery and rediscoveries and it allowed visitors to experience the extraordinary history of the territory.

In this budget year the government will continue to push for reform in the building industry. Extensive consultation with stakeholders having been completed, the reforms will provide improved documentation at the building approval stage, strengthen licensing requirements for builders and surveyors and establish a set of minimum standards. These reforms will also put in safeguards around phoenixing in the industry, where companies deliberately try to avoid their liabilities and responsibilities. The ACT is blessed with a strong building and construction industry and these reforms will ensure that the hard work of the majority is not tarnished by the actions of a minority.

Mr Chairman, thank you very much for the opportunity to give you that update. We now stand ready for questions from the committee.

THE CHAIR: Minister, on page 4 of budget statement E is the staffing profile. It has gone from an estimated outcome of 206 for 2015-16 to 497, which is the transfer of parks and cons. The 306 for the Planning Authority, will that increase or decrease in the coming year's budget?

Mr Gentleman: I will ask directorate officials to give details on the changes to staffing.

Ms Ekelund: The figures for the Environment and Planning Directorate, excluding the Parks and Conservation Service, will remain largely stable. It has gone up a little bit, as you see, from the budgeted to the estimated outcome. That partially reflects ramping up of activities in the basin priority project. Of course, it is not just the Planning Authority; it is the whole Environment and Planning Directorate, which includes a number of functions beyond the Planning Authority that sit within the directorate. It is largely stable.

THE CHAIR: How many are coming across from parks and cons?

Ms Ekelund: There are 177 from the Parks and Conservation Service directly, but 186 in total, including some corporate support services from the old TAMS directorate.

THE CHAIR: 186. So planning and other staff—there would be about five or six additional staff?

Ms Ekelund: As I said, because we were successful in achieving commonwealth support for the basin priority project, there is some ramping up of activity in that area. Also there were a couple of budget measures which had resources attached to them as well.

THE CHAIR: If we go across to page 9, planning's total cost is up \$90,000, which is not from CPI. Planning delivery has gone up about \$1.2 million, which is probably from CPI in that case. Strategic planning has lost what appears to be \$1.1 million out of a \$10 million budget, so there is a 10 per cent cut. Could you please outline those movements and why?

Ms Ekelund: I will ask the head of our finance and operations area, Bruce Fitzgerald, to outline that in more detail.

Mr Fitzgerald: In relation to strategic planning, a number of planning studies which are only one-off, one-year funding initiatives cease at the end of the 2015-16 financial year. They are largely reflected within the strategic planning output.

THE CHAIR: So is that a loss of staff?

Mr Fitzgerald: There is no loss of staff. These are mostly planning studies run through contractual arrangements.

THE CHAIR: The total cost for the whole output has only gone up \$90,000. That is not even CPI. How is that contained? Is that largely because the planning studies are finished?

Mr Fitzgerald: That is right. We had a reduction of around \$1.2 million to \$1.3 million in the strategic planning, in the one-off planning studies, so that is largely the reduction. There have been new initiatives within the planning area, including the scoping mission to replace the spatial database management system, and also there is another study for the Molonglo Valley, the implementation of commitments under the NES plan.

THE CHAIR: Minister, you referred in your opening epistle to “when greenfield developments become less”. The government, I understand, has a policy of 50 per cent brownfield and 50 per cent greenfield. Where are we at with that? Say for the last three years, what is the percentage and what has the ratio been?

Mr Gentleman: The policy is certainly 50-50, but I can say that the response from community groups and stakeholders in the statement of planning intent workshops was that they would like to see that percentage change. They would like to see fewer greenfields operations and for us to contain ourselves within the current structure of the city order. I would ask Ms Ekelund to give you some more details.

Ms Ekelund: My understanding is that the government is largely achieving the 50-50 target. The detail of monitoring exactly how much land release et cetera largely sits with Economic Development and the Land Development Agency given their land production role. As you would be aware, the Land Development Agency has been working very hard to fast track greenfields land releases as well. As the minister said, we have a strong program of urban intensification which is supported by the community. There is still demand for greenfield development. My understanding is that it is largely tracking at 50-50, but it varies depending on the lumpy nature of land releases.

THE CHAIR: But you are not able to give us the detail?

Mr Gentleman: We can take that on notice, Mr Smyth, if you like, and get some details back from the LDA.

THE CHAIR: I would have thought you might have done the count though. How would LDA or EDD know about relations and things like that?

Mr Gentleman: We certainly have the stats on DA. I will take that on notice and come back with what we have as well.

THE CHAIR: If we could have it for the past three years; what the split is as a ratio and then the numbers of units?

Mr Gentleman: Sure.

THE CHAIR: Mr Hinder, a new question.

MR HINDER: Minister, how does planning work in conjunction with roads, if you like, with relation to road infrastructure like Horse Park Drive in Gungahlin? To Canberrans and ratepayers it appears that we have proceeded in a patchwork kind of way as new suburbs come into existence and signalisation of intersections occurs without further connecting pieces of roads being done. What appears to them to be one piece of roadwork turns into seven different road projects that push out over four or five years. Why do those sorts of things occur? What are the technical restrictions for planning/roads in that sort of development that causes a good deal of frustration in the community?

Mr Gentleman: It does, yes. It is quite coordinated even though it might seem staggered to the community. As we move forward with planning processes for new suburbs LDA indicate where they are going to be moving into those suburbs. We allocate the planning processes around that and then in the precinct development we look at the amount of traffic that is going to be generated from the new suburbs, for example. That feeds into the roads construction program as well. If you look at some of the new suburbs you will see that roads will do a study together with planning on what is going to occur for that new suburb, the amount of traffic that will be travelling, and therefore appropriately design the road networks for it. In the past, I think prior to self-government of course when the federal government was involved and Canberrans did not necessarily pay for all of their infrastructure, we were able to see quite large pathways go through the swathe of Canberra.

Tuggeranong is a very good example. There was very little traffic congestion in Tuggeranong compared to what you see in Gungahlin. Gungahlin had some private development there as well as government development that fed into the planning process too. LDA are doing more work in Gungahlin and feeding into the road design network and you are seeing those duplications being funded going forward now.

That is a short history of why it has changed over time. With some of the even newer suburbs, if you look at Molonglo, there is more information being fed in. I have had several conversations with Ms Burch on road projects in Molonglo where you see pathways going in, in advance of the smaller road networks and of course the residential construction.

I have Mr Rake here who assists with roads as well. He will be able to give you some more information.

Mr Rake: Transport planning is the underpinning for all of this work and starts at the suburban estate planning level where we look at the eventual population that is likely to live in an area. Commonly they are road reserves that are large enough for a road capacity much larger than would be initially built.

Part of your question, Mr Hinder, is about the transition of intersection formats and when we signalise particular lights. In that area our strategic planning/transport planning team work very closely with the transport planners in what is now Transport Canberra and City Services to make sure that we are using the most efficient form of intersections. In Canberra we are very used to roundabouts. Roundabouts are a very efficient form of intersection management up to a particular road capacity. Then over time we will commonly see traffic movement patterns that start to jam up roundabouts. If there is a lot of traffic coming through and claiming right of way on a right-hand turn the oncoming traffic may find that it is difficult to get a gap in that traffic. We will see traffic jams build up on the blocked approach and that would be a time to transition to traffic lights. That sort of explains why—

MR HINDER: The Barton Highway?

Mr Rake: Yes. Residents might see that a roundabout that is working well over time gets a bit more congested and then we would make a decision to transfer it to signalisation. We do a bit the same with duplications. We try to put in infrastructure

that is efficient and the right size for the early stages of a suburb's development but recognise that sometimes we will have to come back and augment in a deliberate and planned way at a future point. That is really just about balancing the most efficient use of resources and the lowest reasonable cost to the community to right-size assets throughout the life.

Mr Gentleman: Having had the roads portfolio previously I can say that while people do get frustrated at signalised intersections the longest wait time is 120 seconds. While you are waiting at that red light and you think this is taking forever it is actually only two minutes. That varies sometimes to get traffic flow but the coordinator in TAMS at Macarthur House has the ability to be able to control that flow in peak hours, as a good example, to ensure that, whilst traffic is slowing down, major route traffic wanting to join that major route from suburbs or other commercial areas is able to flow into that and get a free flow as best as possible

MR HINDER: The question was more about not the actual signalisation itself but the connecting single-lane roads between each of those traffic signalisation investments, if you like. Knowing that a suburb is going there one year, three years, five years from now I suspect that Mr and Mrs Average are going, "Why would you not replace that section of road at the same time?"

I understand the history of it pre self-government and possibly when we used to sell off englobo lots to private developers who then made a contribution to road infrastructure as part of that development. But it is the fact that those traffic lights get done and then there appears to be a passage of time before anything happens to that section between those lights. In the example I have given, Horse Park Drive, the last bit we have done is from the Federal Highway to Well Station Road, which you would assume is the most log-jammed part because that is all of the traffic from Gungahlin going to Fyshwick and south.

Mr Rake: Sorry, questions about the actual construction—

MR HINDER: It is about the interaction between roads and planning.

Mr Rake: Our transport and planning will have allowed for the road reserve and the corridor and given all of the best forecasts that we can to our road construction team. Transport Canberra and City Services, again, try to coordinate that effort and that investment to get best value for money at every stage.

MR HINDER: There are the competing interests around the limited budget and all that. I understand that.

Mr Rake: There certainly are competing interests. There is a challenge.

THE CHAIR: A supplementary from Mr Doszpot and then a new question.

MR DOSZPOT: Mr Rake, I am very glad to hear of the aspirational work that you do in making sure that traffic conditions fit the area that you are talking about. Take the Red Hill redevelopment as an example where there have been a lot of requests by the community to reconsider the RZ5 that has been put forward by you, what sort of work

is being done there with the community to justify putting RZ5 into an area that has historically been reserved for town centres? Red Hill is not a town centre. What sort of work has been done with the community on that?

THE CHAIR: Just before you answer, this sounds like a new question. Did you have a supplementary on what Mr—

MR DOSZPOT: It was to do with a question that was asked of Mr Rake. It was a question that was asked of Mr Rake at the beginning.

Mr Gentleman: I can answer in regard to planning for traffic around those, if you like, renewal projects. Of course it is important. The planning directorate does work with roads ACT and of course with Transport Canberra from today to look at the aspects we need to look at for increased density and increased traffic in those areas. That is part of the study that is done when we look at those projects.

MR DOSZPOT: I will get to my substantive question now. Minister, what is the status of the MOU between the LDA, the Canberra Services Club and Defence Housing Australia?

Mr Gentleman: I would have to take that on notice. I am not the minister for LDA. I do not have the detail in front of me. I could take it on notice and come back to you.

MR DOSZPOT: You have got no information on the MOU that exists in that regard? The MOU between the LDA, the Canberra Services Club and Defence Housing Australia, you have got no information on that at all?

Mr Gentleman: I am not the minister that holds that portfolio but I am happy to take that on notice for you and come back with some detail. I am happy to go to LDA.

MR DOSZPOT: Do you not get involved on the planning side of that?

Mr Gentleman: Certainly on the planning side, yes.

MR DOSZPOT: What is your impression of what the issues are? There was an article in the paper as recently as today. Surely you must have some information on what Mr Barr has spoken about?

Mr Gentleman: In regard to planning for that process, yes. As you have seen in the media, the Canberra Services Club held the piece of land—still hold the piece of land—alongside the Manuka Oval. There is an agreement between them, I understand, for the renewal of the Services Club.

Mr Rake: We would become involved if there were a need to change the planning on any of the sites involved in that. The MOU about the sites in question, though, is more of a land transaction at this point than a planning matter. We have not had discussions about changes to the zonings on those sites as part of that MOU. So it is not something that is with us at the moment.

THE CHAIR: Ms Burch, a new question.

MS BURCH: It is probably a link with the renewal of public housing and land and variations. How do you go about working with the community on it? It is one of those vexed matters if you change the use of the land or you change the look and character of the city. How do you go about doing that, given the strong statement of intent that you undertook, that consultative process? What is your comms strategy when you go about changing some of the uses of land, particularly around aged persons units?

Mr Gentleman: It is very important, and engagement with the community at the very early stage, I think, is the most important part. You mentioned the statement of planning intent. Some of the feedback we got was that the community wanted to be really engaged at an early stage but they had the view too that once a decision was made—once the parliament agreed on a change to the territory plan—then that was where the decision should stay. But it is important to get all the stakeholders' views and get them in a room and also be genuine about the consultation that takes place. I will ask directorate officials to give you the complete details of how we go through that process.

Ms Ekelund: When it comes to public housing changes, we have been working with our colleagues in Housing and in the Land Development Agency, now for, what feels like, a number of years to look at what areas of public housing warrant renewal. You may recall that we did what we called an omnibus territory plan variation process. But we did a lot of pre-consultation out in the community first, working with community councils and the general community to look at the areas that may be appropriate for redevelopment. Then we did the larger omnibus consultation where there were a number of sites. At the same time we were exploring what redevelopment opportunities were appropriate.

Through that public consultation process it was clear that the community was more comfortable proceeding with some than others. So we progressed fairly quickly those variations that were relatively straightforward and then there were a number that were more of concern to the community. We continued to work through with the community what levels of development were considered appropriate in those areas.

Already we have talked about Red Hill, for example. The minister and the directorate listened very carefully to concerns by the community and modified the level of proposed development quite considerably. But obviously some of these areas are very appealing and are well supported by facilities and services and are therefore quite suitable for a level of density.

The minister mentioned the statement of planning intent. It was very clear during the consultations there that people were interested in having urban villages of some density scattered throughout the city.

MS BURCH: One of your comments in your opening statement was about a compact city. It almost goes to what is the split between greenfield and infill. We cannot keep stretching suburbs. Are changes to land, such as we have done particularly for public housing with the older persons units, a smart use of our land resource?

Mr Gentleman: It is, and it is what the community has asked for. It is not something

new. Having been in the territory for some 60 years now I can say that what we have seen is a growth in the territory. It is an exciting growth too. I think that most Canberrans really enjoy living in the city. It has a great stretch between the urban density and urban open space for recreation as well. That is what we heard from the community. They do not want to see us stretch past our borders at this stage. They want to see more urban infill, more urban renewal as well.

MS BURCH: There is a risk. How do you balance the risk about concentrating too much on the centre of town and the outskirts? How do you make sure that they are enlivened and supported with adequate transport at all times as well?

Mr Gentleman: That is a good point. The territory plan shows us that we should have town centres with higher density and move out into residential areas that have lower densities. Some of these urban renewal projects are close to either town centres or group centres. That is appropriate as well. Of course, they are the areas in the urban renewal process that people want to live in.

It is exciting to see the change in Canberra's culture from your quarter-acre block with your small house to even apartment living in the territory. There has been some great success, if you look at Braddon and the Lonsdale Street changes. That used to be just a car yard when I was a boy. Now it is an exciting place to live. The Acton renewal process is quite an exciting thing for Canberra. There is an opportunity for us to do more of that.

MS BURCH: I am an old-fashioned girl, I like my quarter-acre block. On page 13 of budget statement E there is a changed indicator which reflects the name change. Are these routine? You have got an indicator of six community consultative processes. Are they routine or are they part of what you spoke about before as going out with major territory plan variations?

Ms Ekelund: We try to hold six what were called planning and development forums each year where we invite all community councils, peak industry groups, other peak groups, and conservation councils to a roundtable forum to discuss relevant policy issues that we are dealing with. The name change is really that. The forum was principally focused on planning and development matters at the beginning. But we do discuss a whole range of environment policy issues too with that group, whether that is our work on adaptation or climate change mitigation.

Obviously they will get more information about land management now that the parks and conservation service is with us. But it is really a forum in which we expose people to some of the early policy stuff that we do. It is a conduit through which the community councils and other peak groups can communicate back out to their representative groups but also a conduit through which they can let us know issues of concern that they would like us to address. It is a regular forum that we have. The last one was last week.

Mr Rake: If I may add, these are over and above the consultations that would occur on site-specific planning changes. If we added up all of our consultations over a year for major proposals it would run into the dozens.

THE CHAIR: A supplementary, Mr Doszpot.

MR DOSZPOT: I have a question regarding the comments you made, Ms Ekelund, regarding Red Hill and the consultation with the community there. You received something like 168 submissions from the community. I am going from memory here; so I could be a few numbers out. One hundred and sixty one of them were totally against the RZ5 and other aspects of the rezoning and the impact on the community. How can you say that you have accepted what the community has asked you to do?

Mr Gentleman: The community is broader than those people that have put in submissions, particularly in that area. As I said, if you look at the engagement on the statement of planning intent—

MR DOSZPOT: You mean Kingston and elsewhere?

Mr Gentleman: If you look at the statement of planning intent workshops, the community as a whole, all of Canberra, wanted to see more urban renewal and densification in those areas. There are people—more people—who want to live in that area. So it is appropriate that we allow them the opportunity to live in that area as well. Whilst you have direct submissions to that particular proposal, what you do not see is the indirect views of the rest of the community where they would like to see more urban renewal, a bit of densification, some excitement and enlivenment of the area but also the opportunity to live in that area.

MR DOSZPOT: And the reason people want to live in the area is because of the conditions of the particular suburb. By putting RZ5 into a small suburban area, you are destroying what the people actually want to live in. That is what the community was telling you, minister, in no uncertain terms.

Mr Gentleman: That could be your opinion, Mr Doszpot. I have given you an overview of how the community in Canberra feels about urban renewal and what they would like to see. We are moving towards those sorts of changes. Remember too, of course, that this process was quite involved in community consultation.

The parliament passed the amendment to the territory plan. Even after that we have made further engagements with the community. In fact, as recently as just the other day our staff were going out with visits to the Red Hill community to talk about the opportunity there. But also we made changes in a technical sense after the variation was changed because of community feedback.

Mr Rake: If I may add, Mr Doszpot, we work within the directorate very carefully through each and every submission that we receive. While a submission may start with a statement that opposes a particular zoning type, we will also look for the main character-based issues that are raised within each submission. In the Red Hill one in particular, the biggest concern that came out attached to the proposed RZ5 zoning was the height limit of six storeys. Through a couple of rounds of consultation and discussion, we have very firmly removed the capability for six storeys on that site. There is a technical amendment currently out for public notification that locks the highest development at four storeys on any part of that site.

It clarifies that other parts of the sites are very carefully constrained at three storeys and two storeys and even goes so far as to note that where there are sloping parts of the site and a basement that may start underground at one end of the site and protrude to above ground at the other, if it is more than one metre above ground it will be counted as a storey and that habitable portion of development above it, if that were a four-storey part of the site, can only be three storeys habitable, one storey of basement on that part of the development and—

MR DOSZPOT: I will have some other questions but in the interests of time I will put them on notice. Thank you.

Mr Rake: Okay.

THE CHAIR: Just on that supplementary, minister, you said that there was evidence in the broader consultation that people wanted to live in that area. Could you provide that evidence to the committee, please?

Mr Gentleman: Certainly, yes, the statements in the stakeholder groups consultation on the statement of planning intent generally about living in a more denser urban renewal area—I can provide some of the notes that were—

THE CHAIR: But is there evidence in your consultation, as you said—specifically said—that more people wanted to live in the Red Hill area?

Mr Gentleman: Not specifically Red Hill. No, this is more generic about all of Canberra. I think that if you see the results from renewal of, as I said, Lonsdale or Acton, the proof is in the pudding. People want to live in those styles of development and are moving there and purchasing it.

THE CHAIR: But specifically in Red Hill; do you have evidence that they wanted to live in a denser Red Hill?

MR DOSZPOT: That is what you said.

Mr Gentleman: No, I did not specifically say Red Hill.

MR DOSZPOT: Yes, you did.

THE CHAIR: Yes.

Mr Gentleman: I said specifically the community as a whole wants to live in these areas that are urban renewal and I gave Red Hill as a good example.

Mr Rake: We have some research we can bring forward that supports the view—

MR HINDER: Supplementary?

THE CHAIR: Okay.

Mr Rake: that in older established areas, long-term residents are also looking for

housing choices to enable them to transition.

THE CHAIR: A supplementary there and a—

MR COE: Supplementary.

THE CHAIR: Everyone has supplementaries. Mr Hinder, then Mr Coe and then a new question from Mr Coe.

MR HINDER: Minister, with all of these urban infill proposals, certainly it must have a high degree of sensitivity around it, given that I would assume people's immediate reaction to any change is resistance; it is just human nature. Is the department comfortable or confident about the way that it goes about the consultation process from a very early stage?

It seems to me that quite often things are announced in a very broad sense, which then allows people to fill the blanks with whatever might be in their heads at the time regardless of what the facts might ultimately be. I am sure there is always a better way that all of us could communicate at any given moment but does the directorate hone the way that it communicates with those communities before we make press statements about things that may or may not happen? Some of the misinformation around the investigations into the possibilities of maybe one day doing something to the west of Tuggeranong town centre is a perfect example of the sky may fall in tomorrow kind of things going on in the media that is just miles and miles away from where we are actually at.

THE CHAIR: Only for Bill Shorten.

Mr Gentleman: You raise a very important point. Let me address the first part about where you mentioned resistance. This is a new thing for Canberra. Up until, perhaps, the mid-80s there was little resistance for urban renewal or, in fact, new residential areas or even new commercial areas across the territory. People liked seeing new things happen. They liked the excitement of growth.

I still think they do. However, as you say, particularly in an older demographic and older areas there is a resistance that comes up with new development. You have highlighted west Greenway. It is something that I am trying to go into consultation on at a very early stage and get the people's view, get that on the record before you proceed any further and have a much greater detail of consultation before you come to any decision about a renewal process.

That is a good test. We will see how it runs out but I think you are right. There is a level of resistance even though in this case nothing may occur. We already see people quite nervous about what could occur there. In the older areas it is more prolific, I think, but it is new. It is only since the mid-80s. Before that it was quite exciting to see Canberra grow.

THE CHAIR: We were still building the new bits in the mid-80s; so there was probably no need for it then. Mr Coe has a supplementary and then he has a new question, I assume.

MR COE: With regard to Red Hill and the technical amendment, which is currently out for consultation, did you seek any advice from the Government Solicitor about whether those changes could be brought about through a technical amendment?

Mr Gentleman: I sought advice through the directorate and looking at the territory plan as to whether that could go ahead, yes.

MR COE: Was advice sought from the Government Solicitor about whether those changes were appropriate for a technical amendment?

Ms Ekelund: We did not seek advice from the Government Solicitor.

MR COE: Right.

Mr Gentleman: These are planning matters. I do not think that they are—the structure of a technical amendment sits within our ability in the territory plan, as EPD, to make those changes.

MR COE: No, it is not the territory plan. It sits within the Planning and Development Act—

Mr Gentleman: Yes, okay.

MR COE: There is legislation which governs what a technical amendment can be. Are you concerned that perhaps what you are doing in a technical amendment is, in fact, not technical but more so should be an amendment in and of itself?

Ms Ekelund: Our assessment is that the proposed changes through the technical amendment do not constitute significant policy change. They refine the policy in the original variation to the territory plan and they certainly do not result in greater impact.

Mr Gentleman: Lesser impact.

Ms Ekelund: They refine the character statements and also, as Mr Rake said, they confirm that the treatment of the basements will be regarded as a storey once they protrude more than a metre above the ground, which was an area of concern. So it is really clarifying the original variation.

MR COE: Has anybody challenged the legitimacy of the technical amendment in the past?

Ms Ekelund: There has been debate over the years about under what circumstances technical amendments are warranted and when they are not.

MR COE: But are there actually any precedents? Has anything actually gone to the Supreme Court or possibly ACAT on this?

Ms Ekelund: No, not that we are aware of.

Mr Rake: We can take that on notice.

Mr Gentleman: Yes, we will take that on notice and do some research for you and come back.

MR COE: So was it even considered? Was there even talk in the directorate that perhaps this proposed amendment was far more towards the policy end of an amendment rather than purely technical?

Ms Ekelund: We did not believe it was. Our judgement was, having been operating in this system for many years, that the interpretation of the legislation was such that a technical amendment would be appropriate in these circumstances.

MR COE: Sure, okay.

Mr Gentleman: The justification for the technical amendment is in the front of the technical amendment.

MR COE: Can you please talk through what changes are coming through or being proposed in the technical amendment?

Ms Ekelund: The technical amendment deals principally with putting in more detail about a character statement—what sort of character we would like the development in that precinct to have—and also confirms that the basement treatment would be considered to be a storey if it protrudes more than a metre—

MR COE: Sure.

Ms Ekelund: which was not the case with the original variation. It was not clear.

Mr Gentleman: Was not clear.

Ms Ekelund: It was not clear.

MR COE: But with regard to the character, is that not in effect fundamental to the actual variation? Is it really? Is the character really just a technical aspect? Is it not actually the front and centre of what the intention is?

Mr Rake: The original variation made clear that we were seeking a high quality development that integrated with the character of the area. The technical amendment draws out in greater detail what is meant by that term. The main purpose of the technical amendment is to give force to policy statements that had been made throughout the discussions with the community.

There are a number of ways that those policy statements could have been put into place. They could have been done through leases on the piece of land. They could have been done through conditions of sale documents or they could have been clarified through this technical amendment. We believe that clarifying those stated policy principles was most certain for the community if we pursued it through the technical amendment.

MR COE: But given that there was actually a substantial amendment—just this year, in fact—why was it not included in the substantial variation rather than being part of what is a limited feedback and limited scrutiny pathway such as a technical amendment?

Ms Ekelund: We were talking about Red Hill as an example where we have had dialogue with community over a long period of time. What happened in that case was that a variation was determined and yet there were levels of disquiet about the interpretation of that variation. There were discussions with the minister as well as the directorate. We considered that in order to address those continuing concerns and clarify the situation we would progress with a technical amendment specific to this site to specifically address the concerns of those residents.

MR COE: Given that consultation happened for such a long time, as you said, was it an error or was it a deliberate omission not to have this in the original variation?

Mr Gentleman: I do not think it was either. It came about through the communications with the community after or during the process of approval by the parliament.

MR COE: What new communication happened? What new points were put forward after the tabling of the variation that you did not know about before the tabling of the variation?

Mr Gentleman: I think it was more, as Ms Ekelund said, about clarification of what was intended that the community did not see in the change to the variation. So we sought, as we are with the technical amendment, that clarification for the benefit of the community. It has been well supported.

MR COE: But wasn't that original information passed on to you in the consultation phase? Are you saying that the first you heard of these concerns was after the consultation for the original variation expired?

Mr Rake: In the first instance we thought that we had a good suite of policy tools available to implement the intent. Through the discussions it became really clear that the community wanted a stronger tool. We believe that the technical amendment is that stronger tool. If we clarify that as a further step to respond to community concerns, as a directorate official I would be comfortable with that. We do try to balance competing interests in every one of these discussions as best we can. This gave us a stronger way to support the aspirations of the community.

Mr Gentleman: I guess a really good example is the definition of the basement. We were not confident in our mind what was going to occur. But certainly the community felt that it could give rise to a developer using the basement as another storey.

MR COE: You were told that in the consultation on the original variation as well.

Mr Gentleman: What I am saying is that to reinforce certainty for the community we thought it was best to come out with the technical amendment.

MR COE: Right; so it was not linked to the fact that there was a real risk that the variation might be disallowed if you did not do this?

Mr Gentleman: No, that was more—it was more—

MR COE: So no MLA put pressure on you to come up with this variation?

Mr Gentleman: No, no MLA put pressure on me or the directorate, no. However, we did, of course, work with Mr Rattenbury. He wanted to ensure that the community were well aware of what was going to happen and I think to reassure the community that it was an appropriate step.

MR COE: So if Mr Rattenbury had not done that, would this technical variation, would this technical amendment have gone through or not?

Mr Gentleman: Oh, it probably would have, yes.

MR COE: It probably would have. Would it have or not? Was it on the radar before Mr Rattenbury's intervention or not?

Mr Gentleman: It was certainly something that we had thought about during the process. Whether we would have gone forward—I would imagine we would have because I think there was enough community concern about the height of the basement. But in the end I think it is a good result.

MR COE: So, is it best practice to do it this way? Would it have been better to have included this in the original variation?

Mr Gentleman: I do not know whether it is best practice or not. The thing is that we are responding to the community and that is good practice. If you find during a process that the community has a view that can be supported by making an amendment to that variation as we go through, why not do it?

MR COE: So 161 people making submissions does not have an impact—

Mr Gentleman: It certainly did. If you look at the variation—

MR COE: yet one Green MLA does manage to twist your arm?

Mr Gentleman: If you look at the variation, Mr Coe, we made significant changes due to the response of the community. In fact—as we have heard here—we drew the project down from six to four stories; so significant changes.

MR COE: Yes, it is gamesmanship and you know it.

THE CHAIR: Mr Doszpot has a supplementary to the original question and then a substantive question from Mr Coe.

MR DOSZPOT: As Mr Coe has indicated, there was very strong support. The very

excuse you are using for trying to make the changes you are making, that people want to live in the area—you are actually in the process of destroying the reason why people live in the area. Red Hill is not a group centre. How can you justify the RZ zoning that you want to put in place there when that is not the way RZ5 is meant to work?

Red Hill is a small suburban area. It is not on a major transit route. It has got issues with parking and road traffic conditions. All of these the community has spoken to you about very strongly. As Mr Coe mentioned, this is simply gamesmanship. It really reflects very badly on the attitude to the Red Hill community. The Red Hill community is represented here today; so they will no doubt either verify or otherwise—

THE CHAIR: Is there a question there, Mr Doszpot?

MR DOSZPOT: The question is: minister, you are saying that you are communicating with the Red Hill community. You may be communicating, but you are not listening. You are not listening to what they are saying. That is about all I have to say.

Mr Gentleman: In response to the statement from Mr Doszpot. I think we have listened very strongly, Mr Doszpot.

MR DOSZPOT: You have not heard.

Mr Gentleman: We have made significant changes to the original application. Indeed, what we need to understand here is that we had 40-year-old housing stock in that sector which I do not think the Red Hill community looked on in a pleasant way. What we are having now is urban renewal. It will be a fantastic result. I am sure the Red Hill community, when they see the results from this change, will be quite excited.

MR DOSZPOT: You did not have 500 people in the community there that you are trying to put into—

THE CHAIR: It is not a discussion. A quick answer, a supplementary from Mr Hinder and then a new question.

Mr Gentleman: I will just finish off. What we do in planning is plan for the future. We plan for the future of Canberra; we plan for the people of Canberra who will be living here in the future and living in these areas in the future. We have had a strong indication from our statement of planning intent workshops that they want to live in a renewed area. They would love to live in areas like Red Hill in a new, denser occupation in that area.

THE CHAIR: Mr Hinder, a supplementary and then a substantive from Mr Coe.

MR HINDER: Minister, my supplementary: I do not want you to go away from here thinking that this committee expects you, on the one hand, to be able to envisage, with your crystal ball, how a development might progress and, on the other hand, criticise you for responding to the responses you get during that process. You had

161 responses that allegedly said, “We hate everything.” I assume that is not what they said. Once you worked through what they actually said in the context and the detail, you came up with a list of things that needed to be clarified. You have then done a technical amendment which then clarifies that. Can you confirm that you are now confident that your technical amendment clarifies all of the proposals being put forward by the government and that much of the fear, however that was brought into being by certain people, is now alleviated by that technical amendment and the consultation process you have gone through?

Mr Gentleman: Yes. A number of changes occurred to the variation and the plan from engagement with the community. First off, as you know, Housing and LDA looked at six storeys in that area, an urban renewal program which I think was quite exciting at the time. The community said to us, “That’s too tall. We don’t like that level of density.” In the changes to the plan we reduced that to four storeys, which the community indicated, I think, during the process they would be reasonably happy with. Then during some of the technical discussions with the community they were concerned that a basement level could be built and not counted as a storey; it could go down to the ground and not be counted as a storey. So their fear again for heights was in that consultation process.

At each stage we have listened to the community and we have amended the proposal for Red Hill directly in line with what they have asked for. Apart from Mr Doszpot’s statements about RZ5 and RZ3, I think we have addressed each concern, including traffic concerns. We have shown the traffic study that was done. I think that is an appropriate way to go. If you put forward a proposal to renew a housing stock that is 40 years old for the benefit of all Canberrans and the local community has issues about certain parts of that variation, we should listen to them and we should respond. That is what has occurred.

THE CHAIR: Mr Coe, a new question.

MR COE: Could you please advise what management-initiated audits took place in 2015-16?

Ms Ekelund: Normally we would have that at our annual report hearings rather than our budget material. We will have to go on memory with this one. I might pass over to Bruce, who attends our audit committee. There were certainly a number of audits that we had done.

Mr Fitzgerald: From a management-initiated point of view, we undertook two audits. One of those, which we are just finalising now, is in relation to field work. The other is an ongoing audit in relation to our e-development system and the government’s arrangement over the development of that system.

MR COE: With regard to the field work, what sparked that? Was it an OH&S issue or was it communication?

Mr Fitzgerald: This year we have put a lot of emphasis on ensuring that we have a good handle on our work health and safety risk. During that process it was identified that this is an area that we should look at to make sure that our procedures are

adequate, that they are robust and that they can provide assistance to people on the ground to get that work done.

MR COE: What actually sparked it? Was there any particular incident or event? Are there any notable incidents or events that have happened that have been some cause for thought?

Ms Ekelund: We take a fairly strategic view to internal audits. We look across the whole spectrum of the directorate's activities. We look at where we have actually undertaken audits in the past and where we might not have taken many audits. Therefore, we say, "Maybe we need to have a look at that part of the organisation." It is quite methodical in terms of how we work them out. Of course, if there are issues of concern that may well be a trigger. That was not the case here, but we were conscious that—up until today—we were largely not an operations directorate. We were much more of a policy directorate. We have little pockets of operations where there is field work. Obviously our profile has very much changed with the Parks and Conservation Service, which is very much operational. In that case it was really that we had not looked into that area and we needed to make sure that we were covering off on the safety of the workers when operations had not really been the main focus of our area.

MR COE: When you say you had not looked into that area, what do you mean by that?

Ms Ekelund: Essentially, we do a matrix of the organisation and what parts of the organisation have been audited and what parts have not. Our development applications area, for example, gets audited quite regularly. We looked at where the gaps are and we concluded that we had not looked recently at the operational side of our crew that goes out into the field.

Mr Fitzgerald: I should just add that our quarterly risk management updates take work health and safety into account. We also as a standing agenda item through the executive team talk about work health and safety. It is about seeing whether those aspects of what we do in the day to day are actually covering all of our obligations.

MR COE: When you said that you have not looked at it for a while, was there an audit a couple of years ago which actually identified this very issue?

Mr Fitzgerald: There was an audit particularly around when we had the construction services area involved in the directorate. It was looked at then and there seemed to be deficiencies as to how we audit and maintain records from field workers going onto site. We addressed those concerns at that time. However, we decided, since it has been three years since the previous audit, to review whether those systems are working.

MR COE: So it has been looked at fairly recently? That audit was on WHS policies, procedures, training and risk identification. It was a high priority—a high risk rating, I should say—so why has it not been implemented yet?

Ms Ekelund: As Mr Fitzgerald said, the construction services area of the directorate moved to Access Canberra some time ago. That was the area that was seen as having

that risk profile. But there was a residual part of the organisation that had some operations. For example, some of our ecologists and zoologists go out in the field together with the Parks and Conservation Service, for example, with kangaroo management or other works. There was still an element of operations that, as we said, warranted another look, even though it was not part of the construction services profile that we looked at in more detail before.

MR COE: What about the draft risk register consultation? Did that happen?

Mr Fitzgerald: Yes.

MR COE: Is that closed now?

Mr Fitzgerald: The consultation on the risk register, yes. That is published now on our intranet.

MR COE: The risk register is done, is it?

Mr Fitzgerald: Yes.

MR COE: Were there any significant changes to that?

Mr Fitzgerald: Mostly when we look at our risk register it is about ensuring that we not only capture all risks but also consolidate them so that we actually understand core risks and can effectively control those as best we can. That was the process that we undertook.

Ms Ekelund: Mr Coe, you would also appreciate that with 177 Parks and Conservation Service people coming in and live operations—chainsaws, trucks and fire management—the risk profile of the directorate will change quite a lot. We have already started having a number of conversations, even before the services joined us today, about those risk issues. We are very conscious about needing to manage these issues in the workplace.

MR COE: What were the findings of the latest staff survey?

Ms Ekelund: In relation to how proud people are working with the directorate and how happy they would be to encourage other people to work for it?

Mr Gentleman: A dorothy dixer, Mr Coe?

MR COE: That is right. How many wanted to leave et cetera; all the usual questions they get asked? Give us a run down.

Ms Ekelund: I am sure that there is a certain part of this survey that you are after.

MR COE: It could only go up from the last one.

Ms Ekelund: First of all, we had a fantastic proportion of people participating in the survey. I think it was about 80 per cent or something like that.

Mr Fitzgerald: It was closer to 90 per cent.

Ms Ekelund: It was 90 per cent, and that is really unusual in staff surveys. We encouraged all our staff to participate so that we had a good handle on what people were thinking and feeling. We had only about five per cent of people saying that they were not proud to be working for us. I think that is a pretty good outcome. We had a very high proportion of people saying that they would recommend EPD as a good place to work. I do not have the statistics, but it is about 89 or 85 per cent. We can get some of these statistics. You may have seen some of them already. One thing that is very positive about the survey outcomes is that people have a lot of respect for their managers and supervisors and feel very supported by them.

Mr Gentleman: They like their minister too. I had a barbecue with them at the beginning, and they were very pleased.

THE CHAIR: Is that an opinion or is that a fact?

Mr Gentleman: That was the response they gave me at the time. I was providing the barbecue though.

MR HINDER: It was direct feedback.

Ms Ekelund: 93 per cent of our staff say that their supervisors provide a clear and consistent indication of what the expectations are of them and, in terms of performance management, in excess of 90 per cent of their supervisors are clearly committed to performance management. I will not go through this in detail; it would cover the rest of the time we have available. People would like to see more of the senior executive, which I think is a good thing. If they did not want to see as much of us that would probably be a bad thing. You will recall, of course, that people are concerned about stress in the workplace. We do work very hard for the government and that does—

Mr Gentleman: There is a lot of out-of-hours work as well that the directorate staff do. I have met them a number of times at community meetings and master plan meetings in shopping centres on weekends and after hours.

Ms Ekelund: That is an area that the management is looking closely at: how do we make sure that we help our staff manage stress levels? We have really upped some of the health in the workplace issues. We have encouraged lunchtime walking as a group and a number of health and fitness areas.

You have in the past asked about bullying and harassment. We have had progressive improvement over the past few years about the proportion of people who feel they have been subjected to or have been a witness to bullying and harassment. But it does still exist and we are very concerned about it. We take it very seriously. We are continuing to work with our staff to make sure those issues are dealt with and that there are strong messages to make sure there is mutual respect in the workplace, but also to clarify the difference, I guess, between performance management and performance monitoring and the interpretation of whether that is bullying and

harassment. We have reasonably good outcomes and most of the indicators in our staff surveys are on the improve. In fact, I think none of them have gone backwards.

THE CHAIR: Is it possible that a copy of the survey be tabled for the committee?

Ms Ekelund: We have sent out a snapshot of the survey to our staff. I am sure we would be happy to provide that to you.

THE CHAIR: Just a final question, because some of the officials might not return after the break. In planning delivery and strategic planning, the government has a policy of cat containment areas. If I owned a cat called Rosie—Rosie the cat—how would you treat Rosie the cat in this planning?

Mr Gentleman: We have had a look at a number of containment areas—

MR COE: There is no feline rights act, I am afraid.

Mr Gentleman: particularly around where we have wildlife and contained areas such as Goorooyarroo and Mulligans. It is important, I think, in those newer suburbs. Interestingly—I will just hark back to the statement of planning intent—in those workshops there was some key evidence put forward that the community would like to see more cat containment in the territory. We will work through those processes and see if we can deliver on what the community is after.

THE CHAIR: So the rights of Rosie—

Mr Gentleman: I am not sure about Rosie.

THE CHAIR: You obviously do not know about Rosie the cat, minister.

Mr Gentleman: I have not heard of a cat called Rosie prior to this conversation.

THE CHAIR: I think a briefing from the department officials to your left would be beneficial. With that, members, we will break.

Sitting suspended from 10.47 to 11.05 am.

THE CHAIR: Welcome back, ladies and gentlemen, to the last day of public hearings of the estimates committee for 2016-17. We are looking at planning today. Members, if we can finalise planning 1.1, 1.2 and 1.3 heritage by 12.30, that would be a good thing.

Minister, I have a question about building quality. Sometimes there is dispute about what is being delivered. There have been a number of court cases recently. What role does the government play, or does the government have any role, when people who have purchased properties are unhappy with the quality of what they have purchased?

Mr Gentleman: Yes, certainly in an advisory role to say the least, but we do take an important role in ensuring, and advising builders of, the quality we want to see. That was another aspect of the statement of planning intent workshops too, that people

wanted to see good quality outcomes for the territory. Across Canberra, especially in complex large developments, we have seen some, I think, suffering of building quality and we want to improve that.

You saw my amendments to the Building Act after the review was done; that should look at ensuring some better quality too. The review of the regulatory system was supported by a program of targeted admin policy and legislative reform aimed at improving the operation and effectiveness of the system. Three bills have been introduced and passed. All focused on licensing and compliance powers as well. So we do want to ensure that we get the best quality for Canberrans.

THE CHAIR: So apart from advisory—is that to those who might take a builder to court?—you do not have any other role?

Mr Gentleman: Yes, there are quite a number of audits and inspections that occur during the construction phase. But I will ask directorate officials to give you some more detail.

Ms Ekelund: Thank you, minister. The building quality assurance role is also the subject of the changes that saw the creation of Access Canberra. Our role is principally the policy role and ensuring that the legislative framework is best practice so that the operational side of that business can actually operate as effectively as possible. In terms of court cases et cetera—all that compliance role—that now sits within Access Canberra within the Chief Minister's portfolio. But we work very closely with Access Canberra to make sure that we understand, through the monitoring, what the concerns are and how we can actually improve the system continuously.

THE CHAIR: Does the department ever get joined to a case and join the residents to take on a builder?

Ms Ekelund: Generally not, no; not since the construction services area has moved over into Access Canberra.

THE CHAIR: Do you know whether you are currently joined to any cases?

Ms Ekelund: Not that I am aware of.

Mr Gentleman: We will take it on notice; I do not believe so.

Ms Ekelund: No, I do not think so.

THE CHAIR: And beyond technical advice, do you offer other assistance? Do you actually fund cases? Do you assist with costs?

Ms Ekelund: No. All that compliance function moved over into Access Canberra.

THE CHAIR: So we would have to ask them.

Ms Ekelund: Yes.

Mr Rake: But if you were talking about a government role—a one-service approach—the improvements to the Building Act do very specifically target some of our compliance powers. We work in an environment where certification is done by private certifiers. The changes recently introduced by the minister will improve the scrutiny over those certifiers. It will clarify their obligations. Some things that may seem common sense to us, that a certifier must actually physically inspect a particular stage that he is certifying, are now very clear in the legislation. The Construction Occupations Registrar has a greater range of powers to take action against people in the building profession who are doing the wrong thing.

Mr Gentleman: We know too that—

THE CHAIR: There is an official from Access Canberra. Are they happy to join us and perhaps they can enlighten us?

Mr Gentleman: Yes, we will invite them up.

Mr Rake: Mr Simmons, come on up. You have until 12.30.

Mr Gentleman: While Mr Simmons is coming up, it is worth while pointing out I think that the community has told us there are a number of issues that they have seen that they want rectified that are happening via the changes that we have put in—changes to the Building Act. As Mr Rake indicated, those are on compliance and inspections.

One of the most, I think, general things we see is water egress. We might have a really good architectural plan for a balcony out from a living area in an apartment and in the engineering of that plan there are water membranes put in place. It all looks perfectly reasonable but during the implementation or building process you might find that the installer of a window will simply drill through the membrane to secure a foothold for the sliding glass door and then water egress is available. But we have Mr Simmons here. I will ask him to give you some more detail.

THE CHAIR: Mr Simmons, does your area or your department provide support to court cases that take builders to court?

Mr Simmons: Yes, they do. There are parties joined. Where the registrar takes on a matter, particularly in the ACAT, what you will find is that often the body corporate is a party joined or they will take action so there is a cooperation between those, because in terms of both the consumer protection elements of the Building Act and the Construction Occupations (Licensing) Act, the consumers, in that case the body corporate—the people who live in the buildings—have a right to representation. Sometimes they represent themselves in matters but often times their party is joined with us.

THE CHAIR: If they are joined to you, you will pay your legal fees and they will pay theirs?

Mr Simmons: It depends on the matter. Sometimes we will be running the case and

they will be there. The parties are joined in terms of they might just be providing witness statements or giving evidence about the impact on them for the tribunal or court process, depending on which matter we are in.

THE CHAIR: I assume that we do not fund bodies corporate to go to court?

Mr Simmons: No.

THE CHAIR: So the only way we would spend funds would be where the government is the lead and they are joined.

Mr Simmons: Yes, so what we are looking for there is where there has been a material breach of the Building Act. If it is water ingress, and about 80 per cent of all matters where there are building defects relate to water, what we are saying there is that there has been a breach of the national construction code, usually volume 1.

In that case the building code will have been breached and we will have to be very specific about what the breach is and be able to say that that is what the builder needs to rectify, because these matters are usually rectification matters. The obvious sign is that the water which is supposed to be on the outside of the building is on the inside of the building. That usually is the indicator that something has not quite worked as it should have.

THE CHAIR: Could you provide a list of the cases where bodies corporate are co-joined and you are providing the funding?

Mr Simmons: Yes, I am sure we will take that on notice. My colleague—formerly Mr Grey but now Mr Greg Jones—will be able to provide that advice for you.

MR COE: A supplementary, if I may?

THE CHAIR: Yes.

MR COE: How does the government decide which issues to fight; in effect, which ones to join? I am sure there are bodies corporate right across the ACT that have a gripe with a builder here or there. There might be 10 or 20 of them, I don't know. If you are not backing all of them, why is it that you are backing a few of them and not financially engaged with the others?

Mr Simmons: Access Canberra, and when we were in EPD, takes a risk and harm approach to all these matters. It is about how you decide which cases proceed and what is the likelihood of success. Previously, when we were in EPD, we had a case tracking system, which is where matters which were brought—as you can imagine, there are quite a number of complaints. Maybe on average there are about 400 building complaints a year across all classes of construction. But focusing around the big issue ones, there are probably about, from memory, somewhere about 20 a year related to class 2 dwellings, which is the—

MR COE: It is pretty small as a proportion of the total building stock.

Mr Simmons: Of the total, it is quite small but when you look at the number of people affected, depending on the size—a class 2 can be anything from a duplex-type situation to a 200 or 300-unit complex. Class 2 building covers quite a spectrum of work. You could be in an apartment complex where you have got 150 to 200 apartments. That is a much bigger impact.

Sometimes when you are looking at the risk model or what the danger is to the occupants, the water ingress is so significant that mould is an issue. So you have got an issue around the danger to human health. You want to take action in those matters. There are also matters where there is a matter of principle about the way the construction industry functions. So you are taking matters on the basis of if we establish the precedent in this case, we will be able to apply that precedent to another series of matters.

You might have five or six cases that are all of similar merit that all take within them the same core issue that you want to address. You will pick the case of those that has the highest probability of winning—not surprisingly—and you run that case. If you win that case, then you have got a decision and you can go back to the other builders and say, “This is what you did wrong. This is what the decision of the judicial bodies has been. Please fix this now. We will waste all our time going back to court because that is the decision.”

It varies depending on the propensity of people to argue with you. Harkening back to a few years ago, there was a water egress matter. The builder was highly resistant to taking any action. But between our contact with him where we had said, “We want you to do this,” and his refusing to act on the rectification order, the penalties changed. At that stage they were about \$100,000; so you could expect the 10 per cent penalty—maybe a \$10,000 fine. The government changed the act and the maximum fine went up to about \$1.1 million; so the minimum fine he could expect would be about \$100,000, and suddenly all the work got done.

It was a change in the penalty regime. He was doing basically a price calculation on the value of the repairs. They were less than \$100,000 but more than \$10,000; so at \$10,000 he would not do it but at a \$100,000 potential fine, he did. There are lots of other ways that you can drive compliance in this market.

MR COE: I guess the fundamental question is: why is the legal action—in one case in Braddon I think it is a good 10 years after the building had been constructed—

Mr Simmons: Sorry?

MR COE: Why is it a government issue and why is the government putting up money for these ones, whereas if you had an issue with a builder on a single stand-alone house, the government is not likely to come in and be a party to that?

Mr Simmons: The government has been a party to matters on single buildings. That is not exclusive. It is not based upon the type of building. It is based on what is the risk and what is the harm that is being caused by the behaviour. In construction there is a lot of commonality of behaviour across different types. So there have been matters taken against—when I was in EPD and ACTPLA before that, those matters

about single buildings did get taken. It is not exclusively about class 2. Class 2 has a focus because of its size. But under the Construction Occupations (Licensing) Act, the registrar cannot take action after 10 years. The action is commenced before 10 years because that is what the statute says. The matter in Braddon was not commenced after 10 years—

MR COE: Okay.

Mr Simmons: It had to be commenced within the time frame.

MR COE: But even still, why is the government getting involved in that at the 9½ year mark or whatever point?

Mr Simmons: What happens is that bodies corporate bring matters to the registrar. Sometimes those matters do not express themselves in the building straight away. It is obviously the case, and I think I have said to the committee before on other occasions when I had a different role, that sometimes matters do not express themselves in buildings immediately. They evolve over time. The further away you get from the point of construction, the more issues of fair wear and tear and the general deterioration of a building over time become factors. But there are some matters that, regardless of the time taken—the experience of time—are fundamental to the original construction.

If the matter is not fundamental to the original construction, and therefore a breach of the building code itself, then it will not be taken. The elapsing of time makes the job much more difficult but there are some things that will always come back to a fault that can be determined to have been caused by the original construction.

Without going into any specific projects, I can say with a high degree of confidence that the matters were capable of being derived to an original failure of construction but also to a period of engagement. A lot of builders engage where they attempt to fix the problem. Over time it may look like the problem has been solved but it turns out actually not to have been solved. Quite often it would be bodies corporate coming into us in the five to seven-year period.

MR COE: But why is it even a government issue? I am not discounting the fact that they can take a while to actually become apparent but why is it even a government issue? I am not arguing against it. I am just keen to know what the rationale is.

Mr Simmons: The rationale is the statute. The Construction Occupations (Licensing) Act and the Building Act work together to say that buildings should be built in accordance with the code and built to meet a particular standard. The bodies corporate—the owners, the consumers—come to us and say, “This is not fit for purpose. It is not built. It is not performing in the way it was supposed to be. What I was sold is not what I have got. I paid to get something.” The statute says that the consumers have a right to ask and there is an obligation on the registrar to investigate.

MR COE: Sure, but there are lots of things that government licences. They licence bars, restaurants, doctors—all sorts things. If a consumer has a problem with any of those, the government does not tend to pay their court costs. It is still a private matter

by and large, unless a person has actually breached their licence. Then it is different litigation. I am just curious as to why it is that the government would pay for some legal costs for issues that seem to be purely private or commercial in nature.

Mr Rake: It goes back to the harm and risk matrix that we use in assessing our compliance response. The common factor to all of the matters that we get involved in will be that they improve the rigour and reliability of our regulatory system. There you go; I have got three Rs. We need to make sure that we have a regulatory system that is robust and works well, and that provides a framework that private matters can be pursued within. Each of these will have some trigger to supporting the fundamental of the regulatory system.

MR COE: Could you take on notice the actions that you are a part of and the costs to date?

THE CHAIR: Are you going to tell us you are lawyer and give us a legal opinion?

MR HINDER: Probably.

THE CHAIR: Mr Hinder has a supplementary.

MR HINDER: I am going to ask a question and it is going to sound a lot like I am telling you I am a lawyer.

MR COE: We will get an invoice as well.

MR HINDER: You cannot afford me! These are what most people would call test cases, aren't they? My question is: is it in the territory's interest to have a specific outcome to clarify grey areas of the litigation process surrounding construction? I understand there might be a defects period in any new build followed by a maintenance period and then grey areas about what does and does not get covered by maintenance. That will almost certainly go to litigation or mediation and the territory in some cases, I would ask you, would have an interest in getting a specific outcome so that from there on it will be settled law: judge-made law, case law.

Mr Rake: In any contractual or regulatory system or framework minimising the grey area is of advantage to both sides. It provides confidence to consumers. Canberrans who are entering a contract to build a house or buy a newly built property can be confident that it will be durable, and industry know what the standards are that they are expected to meet and they understand clearly how we will respond if they do not meet those standards. It is very much in the territory's interest.

MR COE: But could you not say that about almost any industry, though?

Mr Rake: Yes.

MR COE: But it does not happen in many industries.

Mr Rake: In all of our regulated industries we apply the harm and minimisation framework and the notion of using test cases or government-led actions to clarify

matters or to reinforce that full framework for regulation. In some of those other industries that you mentioned—hospitality, entertainment and the food environment—there are matters where government gets involved to provide support.

MR COE: Actually pays and joins the party?

Mr Simmons: The party joins us; it is not that we join them. We are taking an action. We will be taking an action whether they come to the party or not. It is the territory.

MR COE: But whether you choose to pay—

Mr Simmons: The registrar is making a decision that there is a matter of sufficient merit that should be tested in the judicial system. We try to avoid that. Overwhelmingly we work through and mediate those matters. A lot of work gets done to find a solution. Access Canberra's creation has really been about a refocusing across all of the regulatory activities. We have a matter at the moment which has come to our attention. You mentioned liquor. It is liquor, it is fire and it is building. Rather than looking at that and saying, "Should we prosecute in these matters?" we are actually taking a different approach, which is to go back to the entire industry and say, "This matter is happening so frequently now that we need to address it as an industry-wide issue." That will give us a much greater level of clarity in being able to say to people, "To the extent that you may not have been aware of what the issue was, we have now made you aware of that issue." We are being very clear about this because it is one of those issues that come up as a very high risk. It has come to Access Canberra because of the way we organise now.

Essentially, it is people in bars, clubs and restaurants putting tables and chairs and other things in the way of fire exits. That is an issue for the fire brigade, it is an issue for building and it is an issue for liquor. There are different regulatory approaches that we could take to all of those. As soon as our inspectors go in and see it, if they are there at night, they say, "You need to fix that straightaway and rectify that." We are now trying to move to: how do we educate and engage that part of the community to make sure that they do not do that in future?

MR COE: That is a regulator against a licensee as opposed to—

THE CHAIR: The last supplementary.

Mr Simmons: We would prosecute if we had to.

MR COE: The last supplementary from my point of view is this: what liability does the government have for issuing certificates of occupancy on each of these buildings?

Mr Simmons: If you could be clear about—

THE CHAIR: When you issue a certificate of occupancy what have you done to make sure that the building has complied with the code and is built properly and that people are purchasing what they paid for?

Mr Simmons: It is a privatised system of building certifiers. The building certifiers

are regulated. That is what their obligation to the registrar is, so they act and work to the registrar. The registrar's job is to oversight the work of the building certifiers. A certificate of occupancy that is issued by a building certifier is the document that the consumers rely upon. To the extent that there are any errors subsequently found in the building, they are covered by the rectification powers that the registrar has. Often you will find that it is not just the builder but also the certifier who will trigger the actions against them as well in those matters where the defect is something that they should have been able to pick up and did not, but they can be proceeded with as well.

MR COE: The government still accepts that certificate of occupancy, so what due diligence checks actually take place?

Mr Simmons: That is the audit that is undertaken of the building certifiers.

MR COE: Is there no government signatory on that?

Mr Simmons: It is the registrar accepting that that document is an accurate document.

MR COE: That is right. So what liability actually exists?

MS BURCH: You said it was your last sup five sups ago.

MR COE: It is the same sup. What liability exists for accepting that as being a certificate of occupancy, meaning the property is compliant?

Mr Simmons: To the extent that the registrar is entitled to rely on that certificate for what it is—a certificate from the building certifier saying that they have undertaken the statutory inspections and that in their opinion it meets all the necessary requirements of the act—that is what we are accepting.

Mr Rake: A certificate of occupancy is a statement that the regulatory process has been met. It is not a warranty on the building.

MR COE: Yes.

THE CHAIR: We might leave that there; it has had a good workout. Mr Hinder has a new question.

MR HINDER: Minister, we were talking about the quality of developments in Canberra. In the media recently I understand the Dickson developments met with some level of approval. Can you give us a rundown on where that is up to and what improvements have been made from the initial proposal to what we are now seeing artists' impressions of in the media?

Mr Gentleman: Thanks for the opportunity. The authority has now approved the second iteration of the development application for the Coles and ALDI site at Dickson. It is quite a careful and considered approach to what has occurred in the area. As you know, that open car park at the moment will be developed into the two supermarkets and some residential. The initial concept plan and DA proposal from the developer sparked quite a bit of community interest in, I guess, its amenity and also

serviceability for the whole of Dickson. The authority looked at that and rejected the original proposal.

The second proposal has come back with quite significant changes. In an amenity sense, on Antill Street, the proposal seeks to change the original one to one where you have less, if you like, roller-door access facing Antill Street for trucks to come in and service the area. Those trucks will now come in and service the area entirely inside the complex rather than stop on Antill and reverse into the complex. Then on the Badham Street entry on the corner of Antill and Badham, you will now see more glass in the area—more idea of a visual amenity, if you like—than in the previous one. Looking at the amenity across from the central part of Dickson to the development, you see more opportunity for open areas—cafes and that sort of thing. I think the authorities made the correct decision. It has been an improvement on what we have seen before. There has been quite a bit of work with the community on that part of the development and also in relation to car parking. I might ask Mr Rake to give you the detail on what work has been done with the car park.

Mr Rake: We are working very closely with Dickson traders to make sure that we have a plan to stitch together all of the different parking sites within the precinct. We have taken a precinct approach. The development will build on an existing surface car park that contains 237 car parks. By the time the development is complete there will be more than 500 publicly available car parks. So there will be an increase of more than 270 publicly available car parks. Car parks for residents of the apartments will be over and above that. In the short term, the plan that we have put together with the traders involves slightly modifying the time zones in the car parks close to the centre to prioritise those for customers and to change some of the time zones around the periphery to lengthen them to make them suitable for workers in the area.

As to the work that we have done with the traders, we have worn out a lot of shoe leather here walking backwards and forwards to traders just to make sure that we hear everyone's views. Their main concern is that people who are used to coming into Dickson will be made uncomfortable during the construction period and will change their habits and might never come back. We will have a strong information effort in partnership with those traders. We will put together a map that shows customers where the customer priority parking is. We will put some signs out on the corners to make sure that the customers are able to find their way to a car park. All of that work will be funded by the developer. This is part of their obligation in managing the site and managing the construction period.

We are looking at about a two-year construction period. For the first 15 months construction workers will use a site on Hawdon Place, the former observatory site. The developer will make it part of the site induction and fortnightly subcontractor meetings to remind all construction workers that that is where they park. At the 15-month mark, the basement car parks will be available for construction workers to use, and by the 22nd month those car parks will be available for members of the public.

We are very confident that we have got a strong plan in partnership with the traders. I guess the key message that we are trying to get out there is that Dickson is already a great place. We believe this development will make it even better. We want people who use Dickson to keep coming during the period.

Mr Gentleman: I think it will give some polish to Dickson. In relation to public car parking, it is worthwhile saying that the car park that will be taken up by the proposal at the moment has 237 car parks. The end result will be more than double that, so it is a good result for Dickson.

MR HINDER: In relation to that whole-of-precinct approach, is there any funding going into any rejuvenation of the existing group centre and, if so, how much of that would come from the traders, the developer or the government?

Mr Rake: Management of the land within the group centre is directly the responsibility of Transport Canberra and City Services. I have been involved so I will answer on their behalf. That directorate have been working, again, closely with the Dickson traders to look at small projects that could improve the attractiveness of the area. Over the next little while some of the garden beds that contain trees in the small courtyards in the Dickson area will have additional plants put into them. That is being done in partnership between the traders and the government. Transport Canberra and City Services have also been running a project to look at new and innovative artistic designs for bicycle parking racks. Dickson group centre is one of the sites that will receive some of those. That is a project that we will roll out in the near future.

The traders now have a really strong connection to a key person within Transport Canberra and City Services to talk about day-to-day issues, whether it is that they noticed the pavement is ready for its next clean, there is somebody that is parking in a manner that is inconsistent with the rules or there is a bit of extra litter because someone has trundled through and tipped over garbage bins or something like that. They have got a really clear, open dialogue. Our aim is to keep Dickson as great as it can be.

MR HINDER: All right. I trust that motorcycles will receive preferential treatment in parking?

Mr Rake: One of the improvements in the development is an increase in the number of motorcycle parking spaces for residents of the apartments.

MR HINDER: That is an excellent outcome.

Mr Rake: Yes, we have brought that matter to heel as well.

MR HINDER: Thanks, Chair.

THE CHAIR: A supplementary from Mr Doszpot, then a new question from Mr Doszpot.

MR DOSZPOT: Mr Rake, it is great to hear about the additional 250 car park spots. What impact will the revised plan have on parking issues raised by the Dickson pool users? Can you elaborate on that?

Mr Gentleman: Yes, Mr Doszpot, thanks for that. During this process we have been able to allocate those car spaces without using the proposal for the car space at the

Dickson pool. That is in response, of course, to concerns that residents had, and also pool users themselves who wanted to keep that amenity as they look from the pool across Antill Street.

MR DOSZPOT: The actual additional car park spaces, what impact will the whole car park development have on the traffic conditions on entry to and from the car park? Where will it be coming on to? Is it on to Antill Street or where?

Mr Gentleman: It is quite strategic. Entry to the undercroft or underground car park in the structure will come from Badham and then across up in between the new complex and the old Woolies. There will be a one-way traffic verge down to the underground car park. Then the exit from that car park will be where the current car park exits on to Antill Street on the northernmost end. I think it is a good engineering result. It will mean less congestion, because the traffic is flowing in one direction.

Mr Rake: The traffic will come out near the Dickson Library, so not quite on to Antill Street. Drivers will enter the car park from a low speed environment and they will exit into a low speed environment. They will not be entering or exiting directly from Antill Street.

MR DOSZPOT: It is a pretty messy situation there at the moment; hopefully that will be an improvement, yes.

Mr Rake: Yes, it is important that we provide really good legibility for motorists, pedestrians, cyclists and, of course, those service vehicles.

MR DOSZPOT: An article in the paper this morning references that brochures and material will be becoming available. When will you be distributing this to the residents?

Mr Rake: Information about the parking arrangements will go to residents in the month leading into construction. We are in discussions with the developer now to understand when they plan to fence off the site. Approximately one month before that we will start sharing information through the retailers, through letterbox drops. It is all part of the conditions that have been placed on the development.

MR DOSZPOT: Is there an opportunity for residents to make comment on the latest development proposal?

Mr Rake: The development proposal is now approved.

MR DOSZPOT: Sure, but is there an opportunity to reflect on any of the ways that the community could be better informed?

Mr Rake: Certainly if community members have ideas about how we can spread the word about parking arrangements, I would be very happy to hear from them directly.

Mr Gentleman: We continue to engage with the community council in the area as well. So that is ongoing.

MR DOSZPOT: Have you got the critical dates for start of construction at this stage?

Mr Rake: No, a construction start date has not been determined by the developer. But we do know that they are forecasting a 25-month construction period.

Ms Ekelund: We should also note that there is still open a potential appeal period. So construction start may depend on whether there is any appeal against the decision.

MR DOSZPOT: Sorry, just repeat the last bit.

Ms Ekelund: Construction commencement might depend on whether there is an appeal against the approval, which would delay.

MR COE: With regard to the public car parking in the project under development, where do people exit the public parking? Is it wholly within the existing development? I am talking about on foot. I am not talking about vehicular access and exit. Do they come out right in the middle of the development, for instance, or is there an option to go out on to what is in effect public space?

Mr Rake: They come out within the development, but at the junction of that development and the existing public space. Some of the improvements that have been put in place are about improving the lines of sight, the visibility, the transparency in that part of the development. I will give one example. You would be familiar where we have a vehicle ramp leading into a basement. There will be protective barriers around the top to stop people falling in. The first version of those was going to be concrete barriers. It will now be a glass balustrade. People inside who have come up an escalator from the car park will be able to see through a window, through a glass balustrade, towards—

MR COE: Is that primarily at the corner near to the bend in the current road?

Mr Rake: Yes, very close to that area. The shared zone that the development will include, running along the front of Woolworths and towards McDonald's, has been extended a little bit further. Again, it is an improvement to pedestrians trying to move from the basement car park across to Woolworths, McDonald's or the main centre.

MR COE: Finally, it is fairly well known that EPD did not have huge problems with the previous application, but TAMS had some issues with rubbish collection. What changes have been made with regard to the rubbish collection?

Mr Rake: I think I would need to correct you and say that EPD had major concerns with the first development. It was a big part of the reason that it was refused at that time. But all of the service vehicle movements have been improved so that there is less potential for conflict with pedestrians. The revised comments from TAMS reflect that.

THE CHAIR: We might move on, but before we do, was the Parking Coordinator-General consulted on parking?

Mr Rake: The Parking Coordinator-General was in the thick of this.

THE CHAIR: There you go. He is a busy man. Mr Doszpot, a new question.

MR DOSZPOT: I will defer my substantive question to Mr Coe.

MR COE: Thank you very much. I go back to land release in the ACT. What is the strategic benefit of the greenfield releases which are currently happening?

Mr Gentleman: Strategic benefit for the territory?

MR COE: Yes. The strategic plan for the ACT seems to be all about density, growth corridors et cetera. What is the strategic benefit of all the greenfield development that we see?

Mr Gentleman: To provide residential for the territory in the future. The government's policy is 50 per cent greenfield, 50 per cent urban renewal and densification, if you like. The strategic benefit for the territory is that whilst we want to have more, and the community has said it wants to have more, density in the territory, we still need to be able to provide some new greenfield land to ensure the appropriate housing and the options that people want to have for housing in the future.

MR COE: But how do development suburbs that do not have access to rapid public transport, for instance, fit with the planning intent of the ACT?

Mr Gentleman: In many cases since my early time in Canberra I have seen new developments in the ACT that do not have public transport immediately. Planning for public transport is engaged at the time of development or during the process of construction, if you like, as people move in. If you want to build a suburb that did not have any residents in it, you would not have a need for public transport. But it is integral to the planning process and the land release process.

MR COE: But the sheer fact that suburbs in the past have been developed without access to rapid public transport does not mean that that is necessarily the way to go in the future. What assurances can you give to people who are going to move into these greenfield developments that they are actually going to have good public services in the future?

Ms Ekelund: There is a very clear network, rapid public transport network or frequent network. If we look at our new growth areas in Gungahlin and Molonglo, that frequent network is already mapped out so that future residents will actually see where the frequent network will be located, and they can make their decisions about where they might want to live in relation to that public transport coverage.

MR COE: How are you going with entrenching that into the territory plan?

Ms Ekelund: If I may, minister?

Mr Gentleman: yes.

Ms Ekelund: I made a decision as the Director-General and chief planning executive

a couple of years ago not to put that network into the territory plan until such time as we had done our forward planning for the light rail network. I believed it was important that the final frequent network be informed by that work. I note that the Auditor-General did make comment on this issue, but it was a very conscious decision. We were progressing work on the light rail network. I was also very conscious that the frequent network had not had a connection to the airport at that point in time and that it was worth some deliberation about whether that should be part of the frequent network into the future.

MR COE: I am looking at the statement of planning intent. Pretty much nowhere does it say “greenfield development” in there. Yet that seems to be the focus of the government with the lease variation charge and with all the land that the LDA is selling. If you look at the statement of planning intent, it refers to “creating sustainable, compact and liveable neighbourhoods with better transport choices.” Then all the way through, all the dot points, pretty much do not lend themselves to the quarter acre block, as Ms Burch said. How does the greenfield development which the government is doing fit into that document?

Mr Gentleman: They certainly fit into the planning strategy that the government has. As I have mentioned, the statement of planning intent is an interim part of the engagement that we had with the community for the next three to five years. The statement of planning intent is directed to engage the government in that process for the next three to five years, but planning strategy is a much wider strategy that looks at greenfields as well.

MR COE: What portion should be living within walking distance of rapid transport?

Mr Gentleman: As many as we can, I would imagine.

MR COE: You must have goals. This is something that can pretty easily be quantified. What are the intentions or expectations? The Auditor-General’s report on public transport for Canberra, which, of course, you guys have partial coverage of, does discuss the rapid corridors. What portion of people should be living within walking distance?

Mr Gentleman: The largest proportion that we can possibly get, Mr Coe, I think. As we know, if you develop a rapid transport system like light rail, then people are prepared to walk a lot further to a transport stop. They know it is a regulated, it is a—

MR COE: Will they walk from Taylor or Jacka?

Mr Gentleman: I beg your pardon?

MR COE: Will they walk from Taylor or Jacka or—

Mr Gentleman: We know they will walk at least 1.2 to 1.5 kilometres to a light rail stop.

MR COE: 1.5, now? Is that right? It is getting longer.

Mr Gentleman: Yes, they certainly will, as opposed to 300 to 400, 500 metres to a bus stop.

THE CHAIR: Mr Doszpot has a supplementary and then a new question from Ms Burch.

MR DOSZPOT: Minister, regarding the public transport options available for communities that you touched on, are there any development plans for Oaks Estate at the moment? If there are, are there any options that should come through planning for one of the only communities in Canberra that has not got any direct public transport plan at the moment?

Mr Gentleman: If I can correct that, they do have public transport. There is a bus system provided through Dean's that integrates into the ACT system as well. But in regard to planning for Oaks Estate, we did do a master plan for the Oaks Estate area. It showed some possible development for Oaks Estate. But I think at this stage the only applications engaged are those in a heritage sense.

MR DOSZPOT: There is no development, as such, being planned at the moment, as far as you understand it?

Mr Gentleman: No; as I said, only in a heritage sense looking at providing security for those heritage areas of Oaks Estate.

MR DOSZPOT: What sort of security? Fences?

Mr Gentleman: Security under the Heritage Act whereby you want to preserve heritage buildings or heritage of the area.

Mr Rake: Conservation management plans for particular buildings. Do you want to add anything on Oaks Estate, Tony?

Mr Gentleman: We might bring some directorate officials up to give you some more detail.

Mr Carmichael: We have been consulting with the Oaks Estate on a number of issues—the master plan and the heritage. There were divergent community views about both those issues, about what they saw as their future and what sort of development they wanted in Oaks Estate, as well as some mixed views on heritage. The Heritage Council have been considering the heritage nomination. They have been contemplating that over the past six or so months and consulting with the local community. That has not quite resolved yet. They will make a decision in the near future around the heritage value of Oaks Estate.

MR DOSZPOT: Whom have you been consulting in the community?

Mr Carmichael: There is certainly the residents association, one of the key groups that we were consulting with both for the master plan and for the heritage nomination.

MR DOSZPOT: There is no agreement within the residents association, are you

saying?

Mr Carmichael: There was a wide divergence of views that were hard to reconcile. We are doing further consultation with them about that. Maybe some of these things will settle. Some people are highly opposed, some people are highly supportive and there was not a clear community consensus on what they wanted to see there.

MR DOSZPOT: I understand that they are looking at protecting some of the heritage-listed buildings there and that was why I was asking what security measures the minister was referring to. But are you looking at fencing the said heritage-listed property? Is there fencing required for that? Is that part of the—

Mr Gentleman: When I mentioned security I was talking more in the sense of the protection of its heritage into the future, not in a physical sense of security.

MR DOSZPOT: I think the community is asking for that to be protected through fencing. Was that part of your discussions, Mr Carmichael?

Mr Carmichael: Fencing would not constitute one of our considerations. If the owners of the properties want to fence, that is their decision. We would not be talking about fencing particularly.

MR DOSZPOT: What were you talking about then?

Mr Carmichael: I guess it is the consideration of the whole precinct, whether it has merit as a whole precinct to be heritage listed. There are a range of individual sites. That is the distinction that the Heritage Council are working through.

Mr Rake: The heritage listing of a precinct may consider things like the location of community facilities within the estate. It could get down to particular road layouts even.

MR DOSZPOT: They would love some community facilities, I can tell you.

Mr Rake: They may look and point to the remnants of an original site. They will look at road lanes and—

Mr Gentleman: Proximity to other heritage areas. You have the Queanbeyan or the New South Wales precinct.

Mr Rake: Precinct assessments are far more complex and then do draw on a more divergent range of views.

MS BURCH: Just on that, that discussion is not only with your agency but with the Heritage Council as well?

Mr Carmichael: Yes. We support the Heritage Council. ACT heritage is based within my division. They support the Heritage Council and the Heritage Council have been giving this consideration over recent months.

MS BURCH: Do you always aim to have a resolution at the end if the views are for the whole precinct or just some properties within the precinct? That is what I am gathering. If that is unresolved, how long do you put into these discussions?

Mr Carmichael: There are no specific time limits. Obviously, getting to a resolution is desirable. The council do not feel they have a particular weight of opinions one way or the other yet. So they are still giving that consideration.

MS BURCH: This will go to my substantive question which is linked, but if the precinct gets Heritage Council listing—and again Mr Doszpot has been a strong advocate for amenity and other facilities there—how do you accommodate new development within a heritage precinct?

Mr Carmichael: We usually develop a heritage management plan that talks about the sorts of the things that you need to do to maintain the heritage. But it certainly does not preclude future development.

MS BURCH: But it would put, certainly, parameters and guidance around what that would look like?

Mr Rake: Yes. The residential examples that we have are primarily in our inner suburbs at the moment. The original Blandfordia estate or the Kingston-Griffith housing cluster or the Barton housing cluster—there is a particular set of rules for those precincts, what individual residents can and cannot do on their homes, what can happen in and around the area. It would be something of that ilk, not necessarily to the same depth, but something of that ilk for Oaks Estate.

MS BURCH: My substantive is linked to heritage but in a broader sense. On page 10, one output under 1.3 talks more of supporting the council and annual funding of heritage grants. Of course you made mention of the heritage festival. Besides what we often hear about the Heritage Council—buildings and Northbourne Avenue, and we all recall those discussions—there is heritage and culture that is beyond bricks and mortar. What are some of these grants targeted at?

Mr Carmichael: One of the things that celebrate heritage very successfully in the ACT is the annual heritage festival. One of the good indicators this year, with increased numbers, was that more than 60 per cent of people attending heritage events this year were new. They had never been to a heritage festival before or visited a heritage site. That was encouraging because part of what the Heritage Council are trying to do is engage the broader community in the heritage of the city. That was successful in doing that.

The heritage grants often are remediating heritage sites and they become the sites that are visited through the heritage festival. We use the link between what we fund in terms of augmenting or fixing up some heritage sites and key destinations in the heritage festival each year. The work that is done is then appreciated by a broader audience.

MS BURCH: So the grants go in many ways to the built form rather than heritage of an event or harking back to a significant occasion or something?

Mr Gentleman: It could be about linkage. A couple of years ago we did grants for heritage trails across the territory and that was where you could have an app on your phone that would read a heritage trail scan code and would provide information on that particular trail. If you wanted to look at huts across the ACT, that would give you information on that. We launched it at Rose Cottage with some fantastic original Canberrans.

I cannot remember the names of the two characters that held the discussion but one was talking about early Kambah and his farming heritage on top of Taylors Hill, they called it, which is now Mount Taylor, and his discussion with his nearest neighbour who was a farmer on Arawang. The farmer on Arawang was doing some rabbiting in the morning and using explosives. As the first explosion occurred the farmer from Taylor called across to Arawang and said, "How did you go?" And he said, "I think we got six." It was a good sort of, if you like, information session for us to see what early Canberra was like long before the residential Canberra occurred. You could have a discussion across a kilometre of master land in the territory.

Those trails are accessible for all Canberrans to go and have a look. You can have a look at St John's, I think was a good—

MS BURCH: And is that app still around? You can still download?

Mr Gentleman: Yes. The scanning code sits on the heritage trail signs.

MS BURCH: You have mentioned Rose Cottage. There is the Tuggeranong school. How do you go promoting these gems of buildings and the stories around them? Tuggeranong school is buried nicely almost on Simpsons Hill and I do not know if a lot of folk actually know about it and the history that is attached to it.

Mr Carmichael: Some of the grants also go to the National Heritage Trust which do exactly those things. They have open days on particular heritage sites where you can come and engage and talk to experts about it and understand more about specific sites. They are held regularly through the year.

The other area where we branched out to bring in new people who have not visited heritage sites but who have demonstrated a strong interest was through Urban Polaris. These are cyclists who use maps to guide their way around a 24-hour or 12-hour period. They have different sorts of events.

This year in the Heritage Festival we had about 200 of them start at 6 am and go through to about 7 or 8 pm. They visited a whole slew of heritage sites and then they had to write down things about each heritage site. Part of it was about learning and understanding what was valuable for each of those sites but it was another way of just broadening the audience. There were very young people and quite older people in that event, from young children participating and including their grandparents in some cases. It opened up the whole heritage opportunity for a range of new people.

Mr Gentleman: Another really good example is the ghost tour at St John's church. It was a tour through the graveyard of an evening where we had a local historian that

was able to explain the heritage of each of the grave sites and the important linkage to, if you like, nationally important people who have done a lot for Australia and are interred at St John's. Of an evening we had possums to contend with, a black cat—

MS BURCH: It was not Rosie?

Mr Gentleman: No it was not Rosie. Rosie did not get out of the compound at the time. It was quite exciting, with lots of different people coming—older people and young people as well—to learn about Canberra's history.

MS BURCH: If I look at heritage indicators on page 14 they seem to be just within development applications for that vexed issue of development around heritage buildings. Are there any indicators that you would consider putting in the budget or do you hold what we have spoken about in your annual report? How do you get a sense that heritage awareness is growing and participation is growing? Where do you hide that data?

Mr Carmichael: With some of them, we have a website about our heritage work so that we know the number of visitors and we track numbers of visitors. The Heritage Council as individual members are experts in particular, different forms of heritage and they go on radio. We have ABC, WIN particularly who are very interested and they are often a platform to talk about particular heritage sites or heritage events.

We also have a lift-out for the heritage festival. That was very popular and we spent a fair bit of time producing that in a way that will engage a broader audience. It was very successful this year. Often it will have something that is a bit dramatic on the front and that is just a way of attracting attention and engaging people more broadly.

We certainly keep the statistics on the number of people who attend individual events. Sometimes that can be quite a small group of maybe 10 or 20 but other times it could be a couple of hundred people at particular events. We collect all that data through the heritage festival just to show the numbers of people participating and the different demographics. We catch their feedback as well about how we can make improvements, about how people begin to know about the heritage of Canberra.

The app has been very popular. We have also developed it in concert with the Canberra University as part of their education program. It is popular within the program. It is students actually creating those apps and we get to pick the best of them but it is another way we are engaging a different audience, the student audience, the university student audience, in the heritage of their city.

THE CHAIR: Mr Coe, a new question.

MR COE: Thank you. With regard to the light rail master plan, where is that up to and what approximations exist for the cost of construction?

Mr Gentleman: As I have said to you before, Mr Coe, the planning part for the light rail master plan does not involve costs for construction. That is a separate item within the business case that capital metro or Transport Canberra will be doing. The master plan is proceeding well—

THE CHAIR: They told us to ask you.

Mr Gentleman: and I hope to be able to table it very shortly.

MR COE: Have you actually done any staging analysis or benefit-cost ratios?

Mr Gentleman: I have certainly done some analysis looking at possible patronage and current routes where people use public transport and also looking at the transport corridors that are set aside in the territory's plans.

Mr Rake: Benefit-cost ratios would be completed as part of the detailed business case for any future stage.

MR COE: Sure, but what staging analysis has been done?

Mr Carmichael: There is a national guideline that we are complying with on how you undertake this sort of analysis. They are called the national guidelines for transport management. If we want to be successful in seeking some commonwealth funding it is what IA will use to see that we have actually stepped through the process. There is a very detailed process you need to go through. The master plan is the start of that process. Then you go into pre-feasibility stage, which is what we are doing currently, where you look at alignments and engineering issues like how do you get over bridges? Do the bridges take the weight of a tram? Is there sufficient room in a corridor to get the tram through and the adjacent traffic lanes? If that is successful then you move through and government makes decisions about proceeding. Then you go to a feasibility stage where you start to do much more detailed analysis and get a better understanding of costs and what are the opportunities for land uplift and land use in a lot of more detail. After that process, if the government chooses to pick a route based on that analysis, it starts to get into the benefit-cost analysis at that point, but that is fairly late in the process.

Mr Gentleman: It is quite a way off yet.

MR COE: But the stage analysis is surely one of the first things that need to be done in order to work out what is the priority for the next stage. It should have been done at the first stage.

Ms Ekelund: The merits of various stages are being done at the moment.

MR COE: So there will be stage analysis?

Ms Ekelund: There will. The pros and cons of different routes in terms of staging are being examined at the moment.

MR COE: What will be the criteria for assessment?

Mr Carmichael: They are set out in the national guidelines on transport management.

MR COE: I do not believe they are for staging. That is for once you have a project

and you want to take that project through to completion, not a staging analysis.

Mr Rake: The selection of the next route would be a matter for government. The pre-feasibility assessment will pull out the technical assessment of each potential corridor and the opportunities that would exist along that, the key data—distances, travel times, existing patronage figures and population forecast for the area. It would also pull out some quantitative elements of each corridor. If we were looking at the airport it would draw in expected tourist numbers and marketing opportunities for the city. If we were looking at the city to Woden-Mawson corridor we would be thinking about what the urban form would look like in that part of the city.

MR COE: Will you be doing something similar to what KBR did in 2003 for the government?

Mr Gentleman: I think, Mr Coe, we have indicated the types of aspects that will go into this forward planning. We will be consulting on that shortly and we will be able to let you know the details of that.

MR COE: Will you, in effect, be replicating the study done by KBR in 2003, or not?

Mr Gentleman: I do not think we will be replicating it. We will certainly be doing our own studies.

MR COE: But you are not going to get the same sort of staging analysis which was done in that document?

Mr Gentleman: I think I have answered that. As we go through the process we will be able to tell the community what we are doing and the necessary components of that.

MR COE: Are you at all concerned—

Mr Gentleman: I think the first step in it is that we need to—

MR COE: Are you at all concerned about the cost?

Mr Gentleman: The first step we need to do is give feedback to the community on the views that they have given us as well.

MR COE: Sure, but in terms of the cost, if somebody says, “I would like to go between X and Y, but the cost is going to be astronomical,” you might rule that out sooner rather than later and not waste any further time on it. Do you have indicative costs for the routes or stages that are under consideration?

Mr Gentleman: As I have said, the master planning process does not look at the cost for the light rail. That is done in business cases set for each particular route.

Mr Rake: We will have a good indication of any unusual elements of cost related to construction of particular corridors. If we are moving across the lake it is quite obvious we need to understand the bridges. We are working through that at the moment and we are very confident that we will have reliable answers. Looking at

some of the other corridors, the corridor through to the airport, we know as drivers that Morshead Drive just past Duntroon Dairy is quite narrow so we would have to think about whether the corridor is expanded by bridging over the Molonglo a little bit or cutting into the hillside a little bit.

Those are matters that a brief feasibility assessment would consider, in the same way that we can describe a city to Mawson corridor, but there are three or four points along the way where there are key decisions about the precise route that we would take. Exactly how would we move into and out of Woden town centre? Which direction would we take around Capital Hill, Parliament House? There are a range of things.

MR COE: Do you work on an approximate cost per kilometre, as a back-of-the-envelope figure, or something like that?

Mr Carmichael: No, you do not do it that way. As Mr Rake was saying, you understand what the particular alignments could be. Then you do some sieving about which other alignments would represent probably the least cost of construction, the most advantage and uplifting adjacent land. Then you do some high level infrastructure cost analysis at that point, and that is generally a range. There is a range that they will give—a low range and a high range.

Mr Gentleman: That “back-of-the-envelope” called in a question, Mr Coe. It was a nice try.

MR COE: Sorry?

Mr Gentleman: It was a nice try.

MR COE: Okay. You said that the costing comes later. Has any of that costing been done by EPD, CMA, TCCS or any other agency?

Mr Gentleman: We have given you the process that we are working with to develop the light rail master plan. The other processes will be developed by capital metro and then Transport Canberra.

MR COE: This is one government, and this is transport planning. Is that work being done by somebody else or, as Mr Carmichael said, is that further down the track and it has not actually taken place yet?

Mr Gentleman: The studies that we are doing for the light rail master plan will include the feasibility in a technical sense and the issues that we might have in that sense, as we have heard—crossing the lake or going into ridges along a route to the airport, for example. The further work that will be done will be done by CMA or Transport Canberra in the future.

MR COE: Have you handed your work over to CMA for their follow-up?

Mr Gentleman: We have done some work with them with regard to the planning and feasibility that we are doing at the moment, but that is not complete yet. Once it is we

will be able to share that information.

THE CHAIR: Ms Burch has a supplementary, as do I.

MS BURCH: I am just looking at a website with the light rail master plan network proposal that you issued in October last year. Some understand that we are one government, but different agencies have different expertise and get on with different elements of planning. Can you just explain what you have done since October and what connections with community, perhaps even other agencies, you have had to progress this?

Mr Gentleman: Certainly. As you have said, the connection with community is vital during this process. The directorate has been doing some work with them but also on the physical ability too to be able to put a light rail network in. I will ask directorate officials to give you the detail on what we have done since that time.

Ms Ekelund: I might just start with the consultation that you referred to. We went out and consulted broadly with the community about the community's views on where to next, noting that what we are planning for is a network—it is not just the one route—between the city and Gungahlin.

Whilst the government has not released the outcomes of that consultation yet, it is fair to say that we had very strong representation. Many hundreds of people took the opportunity to provide their views on the have your say website as well as many people writing in expressing their views. There were a variety of views. I am sure that when the government releases the outcomes it will be very clear what the community preferences. Certainly the inputs that we received and the views were very positive, with, as I said, many hundreds of people taking the opportunity to express their views.

THE CHAIR: My supplementary: Mr Carmichael, you said that some high level indicative costs would be done. Are we at that stage yet?

Mr Carmichael: That is part of the current project.

THE CHAIR: So there are no numbers available yet on the various routes?

Mr Carmichael: No, not yet.

THE CHAIR: Time frames—when will the tram get to Woden?

Mr Carmichael: They are matters for government. We need to give advice. We are doing the analysis on future options. We need to provide advice to the government and then they can give consideration to the—

THE CHAIR: Minister, when will the tram get to Woden?

Mr Gentleman: Do you want it to stop at Woden, Mr Smyth?

THE CHAIR: No. People ask me will it ever get to Woden?

Mr Gentleman: It will stop for a brief time and then it will proceed down to Tuggeranong at some point.

THE CHAIR: One of your fellow members said 25 years. When is the intention for it to get to Tuggeranong?

Mr Gentleman: As Mr Carmichael said, it is a decision for government. You will see the community feedback from the routes that we have consulted on. I think you will be excited, Mr Smyth.

THE CHAIR: So you cannot give us any indicative timings at this stage?

Mr Gentleman: No, not at this time.

THE CHAIR: Mention was made of bridges to cross the lake. Are both Kings and Commonwealth Avenue bridges suitable to carry the weight of the tram?

Mr Gentleman: That is the investigation that is occurring at the moment. The physical engineering parts of investigations are still going on.

THE CHAIR: They are still going on?

Mr Gentleman: And we are discussing it with NCA.

Mr Rake: We are working closely with the NCA on corridor alignments and on matters related to infrastructure that they control.

THE CHAIR: If they go across Kings or Commonwealth Avenue bridges does that mean a loss of a lane on those bridges?

Mr Rake: Those matters are still being assessed. Commonwealth Avenue currently has three lanes, so it would be feasible to look at using one of those lanes for the bridge crossing. But those are matters that we need to assess.

THE CHAIR: Then the traffic on Commonwealth Avenue would be reduced to two lanes with one lane reserved for a train?

Mr Rake: Trams would be moving through at intervals, if we look at the first stage, of approximately six minutes. So once every six minutes there would be lane sharing under a shared scenario.

Mr Gentleman: If you look at Melbourne and the tram-share roads—

THE CHAIR: No, I am just asking. You intend to have shared rather than dedicated laneways?

Mr Rake: It is lane sharing of—

MR COE: That turns it into a street car, not light rail then, doesn't it?

Mr Rake: It is lane sharing of a public transport vehicle with private motor vehicles, which already happens for articulated buses and single buses. We do not think that it would be a major traffic interruption if there were small periods of lane sharing.

Mr Gentleman: There is still a lot of work to go yet.

THE CHAIR: I will leave that one there. I have a new question. What is the total annual budget for the Parking Coordinator-General and how many FTE work on parking across government?

Mr Rake: There is no specific budget for the Parking Coordinator-General and not a dedicated staffing. The role of a coordinator-general is actually to ensure that discussions are occurring across existing functions within government. I carry the title. Within Mr Carmichael's strategic planning team we have people who work on transport planning. Parking is an important element of that but they also work on public transport planning, private transport planning, freight and a range of matters including active travel.

The Coordinator-General roles are about making sure that the right people are in the right discussions. It is a very open dialogue with Justice and Community Safety on road safety matters as they relate to parking with Transport Canberra and City Services for the ownership of car parks, with our own team for both future planning and regulatory decisions; everything from time limits through to the price of parking.

THE CHAIR: How many car parks will shift from free parking to paid parking in the coming financial year?

Mr Rake: I will have to take that on notice.

THE CHAIR: That is okay. Did you determine the parking fee increases? Who determines that?

Mr Rake: Parking fee increases are decided by government. That is—

THE CHAIR: But which area?

Mr Rake: We give advice on those but it is a cabinet decision.

THE CHAIR: Parking fees went up six per cent this year. Did you give that advice and what was the justification?

Mr Carmichael: That was a previous cabinet decision from last year. It just carries through. When they made that decision they made it over a six-year period.

THE CHAIR: Does the government have a time frame to remove all free parking from the city and the various town centres?

Mr Carmichael: There is not a particular time frame. As with the master plans of each of the town centres, we look at the supply and demand for parking, we look at the other opportunities around active travel, public transport and at the whole

transport mix. We then look at what we think the future demand might be for parking. We make sure that that is provided in, I guess, opportunities in the master plan. It is very context specific.

THE CHAIR: Have you done demand studies for long and short-stay parking in Canberra?

Mr Carmichael: Each master plan does a parking study. We have done a parking study for the city and to the inner north. Every time we are doing a piece of work, parking is one of the areas that we undertake analysis and survey work on to understand what the demand is, where people come from to access that parking.

For example, the take-up for the parking that we have developed along the Tuggeranong-Woden corridors, the park and rides, has been very strong. We are monitoring that because we now see that Mawson is operating close to 100 per cent. We may need to augment that. We know that those people come from all over Tuggeranong to access public transport at that point. So there is an ongoing process of monitoring and analysis and then making recommendations to government about future action.

Mr Gentleman: It is worth while saying, Mr Smyth, that last year we did produce the integrated transport network, which included parking. It is a strategic document that looks at parking and its integration to transport right across the city.

THE CHAIR: But there is not a parking policy for across the city. It is done on a case-by-case basis, is it?

Mr Gentleman: No, the information is fed in off a case-by-case basis and it is looked at on a planning basis but also looked at based on the statistics for new vehicle registrations, the number of drivers licences issued, those sorts of things as well. As you would be aware, we have near 170,000 residences in the ACT. Each residence generally has two vehicles registered to it; so that is 340,000 vehicles. Each of those has at least two movements a day—about 700,000 movements each day. Therefore, in a transport sense it is really important that we have the planning information coming in but also the vehicle movement information.

THE CHAIR: Is that parking study for Civic and the inner north a public document?

Mr Carmichael: Not yet. We are still in the process; that is still one of the bits of work we are working on.

THE CHAIR: When will that be finished?

Mr Carmichael: This is all part of the city gateway renewal strategy. It is probably a number of months off around the parking. There are other elements of that work that are coming to fruition earlier but parking is one of the considerations.

THE CHAIR: I have a few more and then we will go to other questions. For Mr Hinder's sake, can you provide an update on plans regarding motorcycle parking in the ACT? I am sure he was going to ask this. I will beat him to it.

Mr Gentleman: Ms Fitzharris announced yesterday an opportunity for motorcycles to take up car spaces in the territory: three motorcycles in each car space, for example. There is a view to provide more parking for motorcycles. We know they produce fewer emissions, they take up less room. So it is important to provide as much opportunity for people to convert from cars to motorcycles. It is a bit difficult when it is minus 5 but you can purchase a motorcycle, as Mr Hinder has, with heated handgrips. That will make it easier for you to commute.

Also, with some of the work that was done previously, you will notice that many of the motorcycle parks we have in allocated car parks now are free. They have a steel bollard in each of those. That is so that you can secure your motorcycle to the steel bollard. What we saw previously was a lot of motorcycle theft in many of the larger open car parks across the territory.

A good example was where you would have three men in a utility. They would simply pull up, pick up the motorcycle, put it in the back of the ute and drive off. The information provided, particularly by public servants across the territory that were able to look out over the car park, advised us of the changes needed. That is why we put the bollards in place. Motorcycle parking is free, of course. But it is our intention to provide as much assistance as we can for motorcyclists in the territory.

THE CHAIR: A last one from me. What role did the Parking Coordinator-General have in, first, the selection and then, second, the removal of the proposed capital metro depot on London Circuit?

Mr Rake: I was involved in discussions with all of the stakeholders in the area. At the point where it looked like that depot was going to be necessary, I was involved in discussions around the mix of parking, everything from the number of disabled car parks that would need to be relocated through to talking business by business.

It was another example of jumping in boots and all, wearing out the shoe leather, talking to stakeholders in the area to make sure that we understood the range of clients that they had. They included restaurants, who would have patrons coming in at lunchtime and at night; healthcare providers, who would have people with a range of mobility issues coming in throughout the day. We were involved right through that planning. In the end capital metro determined that that site was not going to be needed but, had it been, we were ready to respond and to work up a plan.

THE CHAIR: But isn't that a bit like putting the cart before the horse? Capital metro decided it would go there and then you consulted those affected?

Mr Gentleman: You can park the horse and the cart in the ACT, Mr Smyth.

THE CHAIR: Are you sure? Under which section of the motor transport act is that?

Mr Gentleman: It is the 1907 one, I understand.

Mr Rake: We do not have a horse containment area yet. As soon as we see a project that has a potential impact on a car park, it is appropriate to be looking at what our

solutions will be. That was the purpose of my role, to bring those voices together.

Mr Gentleman: It would be worth while for the committee if they are further interested in parking to go to the EPD website and have a look at the integrated transport network parking document. It does give you a lot of statistics and information about parking and planning for the future; in fact, how many car parks are available at any one time.

THE CHAIR: Mr Doszpot, a quick supplementary, then Ms Burch and then we will have a recall session.

MR DOSZPOT: Minister, has the Parking Coordinator-General or your document that you are referring to looked at parking at schools in the ACT and also in suburban shopping centres?

Mr Gentleman: Yes, both. Yes, the government is very interested in providing the best possible transport options for us. In schools, for example, it is quite a test to drop kids off in the morning. So drop-off zones are very important, I think. There is a term for some of those. Certainly this is also the case in suburban shopping areas. I think Mawson is a very good example. During the work on the Mawson master plan we had information come in for shop owners there on the way they would like to see those car parks operate for the future. They really wanted to see policing of the short-stay car spots so that other employees did not take up those short-stay spots.

MR DOSZPOT: Can you provide documentation on this to the committee?

Mr Gentleman: Certainly, I will provide the plan and any other information we can for you, yes.

MR DOSZPOT: Thank you.

THE CHAIR: Ms Burch, a supplementary to finish.

MS BURCH: Very quickly, my husband did lose a bike from a car park. He is very appreciative now of the steel bollards.

I am thinking of Southquay where we will have more residents. Right across the road from that is Bunnings with a very big, open, private car park. In planning, do you take those private car parks into consideration? Perhaps it is in that document that you were talking about. How do you work with those private entities about managing their parking?

Mr Rake: It depends on the pressures that we have in the area and the extent to which those car parks are already used. Most private car parking will have been provided as a function of the main use of the site. Bunnings will have provided data about estimated customer numbers and would have made some decisions about that parking. We cannot directly presume that their car parking will be available for commuters.

There are areas where we can strike those arrangements. In the parking plan for Dickson one of the elements that we have got is that some private parking that is

currently not accessible to the public will be available to members of the public as part of the coordinated plan. We can bring that into play. It is typically done site by site.

In many of our interactions, whether they be at schools or at local centres, our involvement will come at either a master planning stage, a particular site development stage or if someone says, “We think there is a problem that needs to be looked at. Could you come and help?”

THE CHAIR: We might finish there with the minister for planning. We thank you and your officials for their attendance this morning. Any questions taken on notice, you have five working days starting from Monday, the first working day, to answer and assist the committee. A transcript will be provided when it is available for your perusal. Any corrections or suggestions would be gratefully received.

We will move to the recall of the Minister for Racing and Gaming. Minister, Mr Dawes and officials, in front of you is the privilege statement. If you could please confirm you have read and understand the implications of privilege.

Mr Gentleman: Yes we confirm that.

THE CHAIR: We might just go to questions.

Mr Gentleman: If you like, I have a very short statement that may well clear up some of the queries that you had in relation to this particular area of gaming and racing.

THE CHAIR: Fantastic. Go for your life.

Mr Gentleman: It is to do with the Aquis submission. On 5 May 2016 Aquis was invited to submit a detailed business case on their casino redevelopment proposal based on being able to access up to 200 gaming machines. Their detailed business case is required for government to make a decision on the proposal.

Any legislative changes will not be considered until after the government has considered all aspects of the proposal and made a final decision. The business case is being assessed against a range of criteria to address the regulatory and gaming aspects of the proposal as well as planning and construction aspects. The assessment will also include consideration of the proposal’s alignment with the territory’s strategic economic, social and environmental policy objectives and the feasibility and demonstrated public value of the proposal.

In early May, at the time the Chief Minister met with ClubsACT, it was envisaged that the government would be in a position to consider legislative changes this year if the proposal was supported. However, as the detailed business case was received by economic development, as you heard, on Friday, 17 June 2016, the assessment is still being undertaken.

Therefore as indicated to the committee on 22 June and confirmed in response to the question taken on notice, I have not, and economic development has not, instructed Parliamentary Counsel’s Office to draft amendments to allow gaming machines into

the casino. PCO will not accept instructions to draft legislative changes governing gaming machines, including the Casino Control Act 2006, from any other area of government than the responsible agency, which is economic development. I think that should clear up any queries in relation to the meeting with the Chief Minister and ClubsACT and any legislation proposed for August.

THE CHAIR: You were at that meeting?

Mr Gentleman: Yes, indeed.

THE CHAIR: There was an article earlier in the week which intimated that ClubsACT had been told that legislation was coming. The committee asked the secretary to contact ClubsACT. We have had a response, which is up the website. Minister, this was in your presence and the presence of the Chief Minister and Mr Dawes and other officials. The recollection of the ClubsACT representatives is that the Chief Minister said, “We are looking at taking the legislation to the Assembly in August, not in June, not in budget week. We will look at starting dates for this year. The licence will not be activated until after the building is completed.”

I asked you:

Are you aware the Chief Minister has told groups that he intends to amend the legislation in August?

You said:

No I have not heard that yet.

Were you at the meeting when the Chief Minister told ClubsACT that he intended to bring legislation into the Assembly in August?

Mr Gentleman: Yes. I think there might be some misreading or perhaps misreading of the notes from the particular meeting. My recollection of the meeting was that the only discussion in relation to legislation for June or August was a question from ClubsACT—and I should not really go into the detail—but it really was, “When could legislation occur?” It was not the Chief Minister saying, “I am going to introduce legislation in that period.” My recollection of the Chief Minister’s response was, “At the moment it is too late to do anything in June, we are not sitting in July; the very earliest time could have been August.” As I have said in the statement though, there is no preparation of any legislation for change. I think that should clear up the situation.

THE CHAIR: You do not recall in the meeting the Chief Minister said he intended to amend the legislation? You did not hear him say that?

Mr Gentleman: No. I have given you my recollection of the discussion around legislation. It was more a question as to when this could occur, if it was going to occur, as nothing had been prepared.

MR HINDER: The earliest date would be the August sitting?

Mr Gentleman: That is correct. It is pretty straight bat, I think.

Mr Dawes: I was also present at that meeting and I think the minister has accurately recorded the way I heard that discussion as well.

THE CHAIR: Did you take notes? Are there minutes from the meeting that the government holds?

Mr Dawes: I took some brief notes if there was any action for economic development but I did not take accurate, detailed minutes of that meeting.

THE CHAIR: You did not record that the Chief Minister had said all of this?

Mr Dawes: No. I think it was in the context as the minister has already spoken about. Again, sometimes things come down to interpretation of what is said. At that point in time, I think it is fair to say, we did not even know if, for example, Aquis casino were going to actually lodge their business case, which did not come in until 17 June. There was a lot of speculation at that time.

Mr Gentleman: I think if there was an intention from the Chief Minister to introduce legislation it would be getting drafted.

THE CHAIR: The proposal was lodged on 5 May. How long will that proposal take to consider?

Mr Dawes: Sorry, there was no proposal lodged on 5 May. I wrote to the casino on 5 May, setting out certain things which had been in the media and what was required. But we wanted to see a detailed business case so that we could assess it. That business case was not lodged until late Friday, 17 June. Nothing was lodged at 5 May; it was me writing to the casino that they could proceed to stage two of the process.

THE CHAIR: If there has been no re-lodging, what are you assessing?

Mr Dawes: Sorry, I said that the second business case was lodged on 17 June.

THE CHAIR: I thought the minister had said that on 5 May they had resubmitted it.

Mr Dawes: No, they had not resubmitted it. I think again this comes down to interpretation, if I can say that. I had written to them on 5 May requesting that they lodge their business case. Actually, there was a bit of media around that at the time by the Chief Minister.

THE CHAIR: A new business case was launched on 17 June. How long will the assessment take for that?

Mr Dawes: That will take some time. As I think I pointed out at our last hearing, there are a number of steps we need to really look at, a number of things within the proposal. There are quite a few elements to the proposal. There has got to be community engagement and consultation and that is going to take time. It is going to take a couple of months.

THE CHAIR: Just for absolute clarity, the government will not table or attempt to pass legislation relating to poker machines in the casino in the August sitting this year?

Mr Gentleman: I think we have made that pretty clear. There is no drafting.

THE CHAIR: Between now and then it is easy to draft. It is not that hard. So the government—

Mr Gentleman: There are no instructions. As I have said in the statement, we are not intending to introduce any legislation.

THE CHAIR: Intend is an interesting word. Will the government introduce legislation in August to allow the casino to have poker machines?

Mr Gentleman: I cannot see that I could be any clearer than what I have said.

THE CHAIR: I think the answer is no, we will not introduce or attempt to pass legislation.

Mr Gentleman: There is no intention for me or government to introduce any legislation.

THE CHAIR: Again, intention leaves the door open.

Mr Gentleman: There is no drafting and PCO would not accept it from any other agency.

THE CHAIR: Who is responsible for the drafting for EDD? Is that the Chief Minister or is that you?

Mr Gentleman: If it is gaming and racing, it would be me.

THE CHAIR: Again, I will ask, and then others have questions, one last time: will you tell the committee that the government will not introduce legislation in August to allow poker machines into the casino?

Mr Gentleman: Any legislation that would need to be drafted would have to be drafted from me. I have no intention of introducing that legislation. I have no intention of instructing PCO to do that.

THE CHAIR: Will the Chief Minister introduce it? He is the minister for all things. Will the Chief Minister introduce such legislation in the August sitting?

Mr Gentleman: He has given me no indication that he is going to. I think that is pretty clear.

THE CHAIR: So that door is still open?

MR HINDER: Chair, I have got a point of order. I was under the impression we were just clarifying some evidence that had previously been given, rather than reopening the questioning from previous sessions.

THE CHAIR: It all goes to the same issue.

Mr Gentleman: The answers have been pretty straight forward, I think. The statement was pretty straight forward. The answers are straight forward. I have no intention and I do not think the government does.

THE CHAIR: Again, you have put that different view: “I do not have any intention and I do not think the government does.” Does the government—

Mr Gentleman: I am the minister responsible. I have no intention of telling PCO to draft any legislation. I have no intention of bringing legislation forward in August.

THE CHAIR: That is you. Will the Chief Minister bring forward legislation or will the government bring forward legislation?

Mr Gentleman: No, not as far as I know.

MR DOSZPOT: I have a question. Given that this is a meeting with the ClubsACT executive—is that right?—I cannot quite understand why minutes would not be taken. The Chief Minister, the minister for planning and Mr Dawes, the director-general, are in a meeting. As Mr Dawes pointed out, things can be interpreted different ways. Is that not the reason we have minutes, so that these sorts of situations do not occur? Why were minutes not taken?

Mr Gentleman: My understanding of the meeting is that this was a confidential meeting between the Chief Minister, his gaming minister and ClubsACT in a way forward to assist ClubsACT in the future. As you have heard from Mr Dawes, minutes were taken directly related to his responsibility and of course you have heard that ClubsACT have taken some minutes as well.

MR DOSZPOT: Yes, and they would tend to differ from—

Mr Gentleman: There were no decisions that came out of the meeting. Minutes are normally taken from a decision.

MR DOSZPOT: I come back to what I said. Minutes of a meeting can be taken and should be taken in circumstances such as you attended.

Mr Gentleman: I will take your advice on board.

THE CHAIR: Could you check with the Chief Minister’s Office whether minutes were taken from their perspective?

Mr Gentleman: Certainly.

THE CHAIR: While you are asking the Chief Minister if there are minutes, is it

possible to ask whether he met with Aquis in June last year and what were the details of that conversation?

Mr Gentleman: Yes, certainly.

THE CHAIR: My final question—I will try one more time—is: will the government, by any minister, table legislation in the Assembly in August to allow poker machines in the casino?

Mr Gentleman: I will reiterate: I am the minister responsible. I have no intention to instruct PCO or to introduce legislation in August.

THE CHAIR: Thank you minister. Members, we will adjourn there and we will return at two o'clock with the minister for planning, for one more session and then the Minister for Environment and Climate Change.

Sitting suspended from 12.45 to 2.01 pm.

THE CHAIR: Welcome back, minister, and your officials—together with committee members—for this the final afternoon, at least in the public sense. This afternoon we are going to look at land management, output class 2, and environment, 2.3, with Minister Gentleman. Then we will move on to Minister Corbell as Minister for the Environment and Climate Change for the rest of that part of the portfolio. Then we will talk to the Commissioner for Sustainability and the Environment to close the sessions. Please be aware that the proceedings are being recorded, will be transcribed and then will be published. We are also being broadcast as well as webstreamed live. If you take a question on notice it would be useful if you would indicate that you have done so.

On the table in front of you is the privilege statement on the pink card. If you could please acknowledge for the record that you have read the statement and understand the implications of privilege?

Mr Gentleman: Yes, we have. Thank you, Mr Chair.

THE CHAIR: Thank you for that, minister. This output class is the land management sector of the department, which covers the parks, reserves and open space system. For land management—and I know you have taken this on notice this morning—there is no cut to the budget, as such, is there? There is no reduction in staff for the land management area?

Mr Gentleman: No. In fact, they have simply transferred into EPD.

THE CHAIR: So it is just a straight slide across. Given the accountability indicators on page 15, all of it is not available because in 2015-16 it was reported on by Transport Canberra and the City Services Directorate as estimated outcomes. Is it not reasonable they would have put some numbers in there? Have the indicators actually changed or are they just blank because they have moved across to your department?

Mr Gentleman: I will ask Mr Fitzgerald to give you the detail and reasons for that.

Mr Fitzgerald: The outputs are actually reported. The estimated outcomes are reported within the TAMS budget statements on page 25 of the TAMS statement. Because of the administrative arrangement coming into effect on 1 July, as per the instructions from Treasury, we need to provide only the outputs which we have control over.

THE CHAIR: Could there not have been a note or just a chart at the top saying “previous”, “us”, “them”, “us”?

Mr Fitzgerald: We can certainly look at that for the future. I take your point about a note to be able to cross-reference exactly how they have changed or if they have changed.

THE CHAIR: Yes.

Ms Ekelund: Could I also add that they are exactly the same—there is one that is different—excluding the Arboretum because it has moved into a different part of government.

THE CHAIR: It has gone somewhere else as well. Given they are identical, it would not be that hard. A note or a header that might say “from the previous department” would perhaps make it a bit easier.

Mr Fitzgerald: Sure.

MR HINDER: Minister, I have a question about flora and fauna and water quality. Can you outline the water quality improvements project as part of the basin priority project? Could you perhaps explain that joint federal-territory funding and whether or not that is tied or otherwise funding from the feds?

Mr Gentleman: It is not actually my portfolio; it is environment. It will be dealt with this afternoon. Mr Corbell would be happy to provide the details of that. It is a good outcome, I think, for the territory in that we will be able to really deal with some of the issues we have with water quality across the territory. I know that Mr Smyth, Ms Lawder and I share the same view about improvements for Lake Tuggeranong and the tributaries into Lake Tuggeranong. I am really looking forward to it rolling out, but Minister Corbell will have the details for you.

THE CHAIR: Mr Doszpot, a new question.

MR DOSZPOT: In terms of land management around nature reserves, I have had a constituent come to me regarding some issues about bike riders; children using an area near your area, Tuggeranong, on the left-hand side of the Monaro Highway. I am sorry that my description is not better than that. Are you familiar with the problem? It appears that some mountain bikers have made some trails there.

Mr Gentleman: I can only think you are suggesting the forested area above Richardson and Calwell on the left-hand side—

MR DOSZPOT: That is the one, yes.

Mr Gentleman: as you are heading south towards Cooma.

MR DOSZPOT: Yes.

Mr Gentleman: There has been some unofficial off-road cycling there. There is a paintball operation occurring in that area as well. It has been well recognised as an area for walkers and cyclists for many years. Indeed, I have used my mountain bike following the rail line from Hume down to Melrose view in that area. It is well recognised. I have not heard of any issues for pedestrians or anybody else from the use by bike riders.

MR DOSZPOT: I have to get the exact location better identified, but I understand that some regular cyclists in the area have set up jumps and stuff that are actually dangerous to the walkers. Some of these young people who are riding their mountain bikes or whatever are actually jumping over the heads of walkers.

Mr Gentleman: I have not seen any of that occur in that particular area and I am a regular user. I will ask Mr Iglesias to—

THE CHAIR: Is that on foot or on a bike, minister?

Mr Gentleman: I am sorry?

THE CHAIR: Is that on foot or is it on a bike?

Mr Gentleman: On a push bike, a mountain bike.

THE CHAIR: You have not jumped over anybody's head?

Mr Gentleman: Not recently.

THE CHAIR: I am just checking.

MR DOSZPOT: Minister, if this is known to you, I would like—

Mr Gentleman: Is it the Isaacs area you are thinking of? There are some issues there.

MR DOSZPOT: No, this is up near the Monaro Highway.

Mr Gentleman: Okay.

Mr Iglesias: This is an ongoing issue for us in relation to the creation of these, if you like, unofficial jumps. Where we find them and where we are directed to them, we try to work with the people who have created them and ask ourselves the questions: can they be made safe, can they be tolerated, or do they need to be taken down? There have been times when we have engaged in all three options depending on the circumstance. In this particular case, where there would be a jump that basically clears a walking track, that is not safe and we would be looking at destroying that and

making it good.

MR DOSZPOT: At this stage I just wanted to know whether you were aware of it.

Mr Iglesias: No, not particularly.

MR DOSZPOT: I have been given only some very sketchy information, but I will ask the person who contacted me to contact you regarding it. Thank you.

THE CHAIR: Ms Burch, a new question.

MS BURCH: Just a supplementary on that, if I can. Different groups will move through different areas at different times. A 10-year-old turns into an 18-year-old that loves mountain bike riding and wants to create jumps. There is a mechanism or an opportunity for them to work through and go, “Well, that is a dangerous spot but if you create something over here, that is more tolerable.” Is that what you were saying?

Mr Iglesias: That has been our attitude. We believe mountain biking is a genuine recreational activity that should be supported in our parks, but it should be supported in a way which does exactly what you describe. If we can manage it so that it serves a purpose for all then that is always our starting point. We have lots of areas throughout the parks and reserves where we have done exactly that. At Majura Pines, for example, we have worked with the mountain biking community to create an area within the pine trees that can be used specifically for mountain bikes. We have had reports that we are getting people from interstate coming to that on weekends and quite large events being held. When we have got people walking their dogs or going for a jog in a nature reserve, having mountain bikes flying through the air may not be the most appropriate way, and we would look to mitigate that by either moving them off or engineering a solution.

MS BURCH: Thank you. I go to budget paper 3 on land management. There are two budget lines but I gather they are being funded using existing resources. One is supporting Aboriginal and Torres Strait Islander people—Aboriginal programs and coordination. The other is over the page on 104—kickstarting careers by connecting to culture. Are they two programs that are within this area? If they are, can you tell us a little bit about them?

Mr Gentleman: We have identified a SOGC position for the manager of Aboriginal programs there. Also, the establishment of an advisory group is a key commitment of the ATSI implementation plan. That is set up in the com service as well. The new manager of Aboriginal programs position will be responsible for that advisory group. But I will ask Mr Iglesias to give you that detail.

MS BURCH: In your response, can you advise what sort of engagement will occur?

Mr Iglesias: This will be the first senior officer identified position that we will have in the parks service, which is great for us. This position will do a number of things. First of all, it will be a focus for our existing Aboriginal staff. They will have a senior officer who will oversee their programs.

You may have heard of the Murrumbung Yurung Murra group, which is a group of our Aboriginal employees who have been doing some great work in the community in relation to promoting Aboriginal heritage in the parks. This new position will oversee that. So it will provide a senior officer focus for those people. It will provide a career path that we have not been able to offer before.

MS BURCH: Is this a designated Indigenous position?

Mr Iglesias: It will be a designated Aboriginal and Torres Strait Islander position, that is right. In addition to that, as the minister mentioned, one of the things that we have committed to as part of the ACT government implementation plan for engaging Aboriginal and Torres Strait Islander people is that we create what we are calling an Aboriginal land management advisory group. What that group will do is provide some land management advice to the director-general of the directorate on all things land management. Again, we have not had that before. What this position will do is provide that secretariat support, help the group in bringing those issues forward and provide some advice to us as a land manager from their perspective. That will be an important task for this new position as well.

We are hoping that in setting that group up it is also going to provide our Aboriginal staff with a connection to their elders in the workplace, which again will be a first. It is all about strengthening and supporting our Aboriginal and Torres Strait Islander staff. It is about giving them access to their elders. But it is also a little bit selfish from my perspective in that it is using the expertise in the community to advise us about land management issues that we should really be taking consideration of as the land manager.

MS BURCH: Has there been an example about how you have changed practice, rethought a particular piece of land or changed an approach to land management?

Mr Iglesias: Yes, already, and this is as a result of our Murrumbung rangers. What we have been able to do is completely reassess the way we deliver cultural heritage interpretation. For example, when I was a ranger I was asked to take groups at Tidbinbilla and introduce them to the Aboriginal heritage. We have gone way past that where now we can actually invite visitors to hear that sort of interpretation being delivered by Aboriginal people, which is fantastic.

Again, through our Aboriginal staff we have made changes to the way that we interpret specific sites in the parks. Sometimes we would do the wrong thing as non-Aboriginal people and take visitors to places where maybe we should not have gone. Now we have got that knowledge from the local community and that information is presented to the visitor in a sensitive way and in a way which is respectful.

MS BURCH: And understanding the story.

Mr Iglesias: Yes.

MS BURCH: Will that have any connection into the other program, which is kick-starting careers? This looks at flexible learning options for land management.

Will this team within conservation be connected to this career development option as well?

Mr Iglesias: That was a separate initiative but it would make perfect sense at least to touch base and understand whether there are opportunities to work together and whether there are any touch points there, yes.

MS BURCH: What drove this initiative? Was it to get more Aboriginal people involved in land management?

Mr Iglesias: This was a ground up suggestion. This came from our Aboriginal staff telling us that they wanted a better career path. They wanted to see a means by which they could be connected with their community in the workplace. It was certainly something that was put to the minister as a grassroots idea.

MS BURCH: I look forward to annual report hearings and seeing how it is going.

THE CHAIR: Ms Lawder, a new question.

MS LAWDER: Minister, I want ask about the Riverview development near west Belconnen. The location is adjacent to the Murrumbidgee and Ginninderra Gorge. There are a lot of species on various lists in that area: the swift parrot, the little eagle, the superb parrot, Rosenberg's goanna, the scarlet robin, the spotted-tail quoll, the pink-tailed worm-lizard and probably a few others. I have had discussions with some groups that the proposed reserve is not sufficient to maintain and support all of those threatened and endangered species in that area. Is it the ACT government's opinion that the west Belconnen reserve, as proposed currently, is adequate to sustain and maintain those listed species?

Mr Gentleman: Yes, I think you raise a very important point about where we do a development close to that habitat area. It is important that we need to manage and sustain that habitat wherever we can, as best we can. But I will ask Ms Ekelund to talk to you about the communications that have occurred and the studies that have occurred in that particular area.

Ms Ekelund: Thank you, minister. Very comprehensive work has been undertaken to support the Riverview development. The proponents have engaged local experts in the fields of understanding all the flora and fauna in that corridor. As you say, it is a potentially sensitive area. The consultants have worked very closely with my staff in the environment division, including the conservator as well as with the parks and conservation service.

There has been a lot of liaison about the width and the protection of species, the establishment of the reserve, the longer-term management of the reserve, securing the resources to make sure that there is ongoing management of it. There has been extensive work. I know that Mr Iglesias has been very much involved as head of the parks and conservation service as well.

Mr Iglesias: That is right. It is important to note that on the western side of the Murrumbidgee River there are large areas of protected area already protecting some

of the species that you mentioned. Within the ACT section, from memory, it is just under 400 hectares of land that will be protected.

That mechanism is yet to be determined—I think it is true to say that that is still being worked through—but the objectives for that land will be nature conservation. It will be to protect the viability of some of those species that you mentioned and others as well. I think it is important to note that presently there is not any nature reserve on that side of the river. I will stand corrected but I believe it is rural lease. We are seeing a proposal from the developers that will provide a net increase in the area available for protection. The mechanism will remain to be seen as to how that is done.

Mr Gentleman: I think it is quite exciting to see the amount of work that the Riverview Group has been doing with environmental groups in the progress of this development, and of course not just local environment groups. The overarching body of the Conservation Council has actually written to me congratulating the Riverview Group on the work that they have done. I think that stands out as an excellent recommendation of how we should go about doing development near those important areas.

As you are probably aware, we are doing a similar style of engagement work with any opportunity for west Greenway. We have asked David Shorthouse to head up the team, a group, to talk to stakeholders and environmental groups about any opportunity for residential in that area as well.

MS LAWDER: Given that there are, I think, 11,500 dwellings proposed, the aesthetics of proposed reserve and the sightlines are important to maintain native species. In some cases the proposed design seems to split one area from another, which would make it difficult for a population of pink-tailed worm-lizards, or whatever species, to continue. It has got high conservation values. Is this an approach that you are going to take with other future proposals to develop areas in the ACT that may be adjacent to New South Wales or cross over the border?

Mr Gentleman: I am not sure about whether it is adjacent to New South Wales but certainly in riparian zones it is quite important to get that balance right. As you have heard today, it means that we can actually develop areas set aside for native species. That is quite exciting, I think. We have done it, of course, with biodiversity offsets but this is more engaged in that very early stage of looking at development close to those areas.

MS LAWDER: I guess my point, though, was that it has a high perimeter to area ratio. There are a lot of thin slivers of reserve rather than bigger areas of reserve that are proposed.

Mr Gentleman: There is currently no reserve.

Ms Ekelund: And there is quite substantial, wide reserve proposed along the river. The geography of the area is such that there is actually quite a scarp in some parts of the area. It is quite steep. Certainly the development that is proposed is on the higher land away from the main corridor areas. We have had our ecological staff walk with the Riverview consultants along the edge to define where the edge of the reserve

should be. There has been agreement between our environmental experts and the environmental experts of the proponents about what areas should be protected inside that river corridor. I have a high level of confidence that the important areas will be protected and they will be sustainable in terms of being wide enough for the movement of those species.

MS LAWDER: The perimeter area ratio is over double that of Mount Ainslie, which currently supports the Rosenberg's goanna. This is half of the area proposed. From what I have been told, it is not sufficient to support those species.

Mr Gentleman: I will take that on notice, get some more detail and come back to you.

MS LAWDER: Thank you.

THE CHAIR: I will throw my question to Ms Lawder.

MS LAWDER: How exciting! Mr Hinder had a question about the sustainable use of water. You said that that was in Mr Corbell's portfolio. What is covered under output 2.1, environment? It is on page 10 of budget statement E. It makes reference to "sustainable use of water" and "establish and support an ACT and region catchment management governance framework". Could you flesh out a little more exactly what that covers?

Mr Gentleman: It is under Mr Corbell's portfolio—environment.

MS LAWDER: Are we not doing 2.1?

THE CHAIR: No, we are in output class 2.3, land management. This relates to weeds, fire management, national parks and reserves.

MS LAWDER: Okay, national parks and reserves?

THE CHAIR: Yes, national parks and weeds—pest control.

MS LAWDER: And weeds?

MR HINDER: You have always got weeds. You love weeds.

MS LAWDER: One of my favourite topics.

THE CHAIR: Let me say, I know your love of and interest in weeds.

MR HINDER: Let me suggest African lovegrass.

MS LAWDER: Funny you should mention that. Minister, is it the case, as has been suggested to me by, for example, some people out in the Tidbinbilla area that the ACT government has pretty much given up on trying to control African lovegrass?

Mr Gentleman: No, that is not the case. In fact, in this year's budget we have increased funding for weed management. African lovegrass is a distinct challenge in

that the way that it grows and spreads its seed means that it is quite difficult for us to manage in our own areas, let alone rural areas.

I have been approached by rural lessees who are very concerned about the operation of other lessees in the area. For example, a rural lessee south of Tharwa may spend quite a majority of their time—he and his wife—ensuring that African lovegrass does not grow on their property. However, right next door to him there is a lessee who does not have that much engagement and the area is covered in African lovegrass.

I have asked EDP to look at what controls we can have for rural lessees. We certainly need to take a strong stance on how we deal with it in our own land reserves. As I said, we have increased the funding there. I will ask Mr Iglesias to provide some detail for you on what we are doing with it.

Mr Iglesias: Yes, African lovegrass, unfortunately, is an amazingly well adapted plant. It is very good at producing a lot of seed. It is our intention to prioritise it—probably with one other—as the most high priority weed for control in our protected areas. For example, in some of the grassy areas which are susceptible most of all to invasion by African lovegrass, both in the Jerrabomberra valley and in Gungahlin, a lot of our efforts last year and this year—we have got a little more money to work on it this year as well—will be on African lovegrass.

THE CHAIR: Yes, after the cuts to last year's budget.

Mr Iglesias: That specifically includes within the nature reserve but also along the roadsides that border the nature reserves and that lead into the nature reserves. We have been quite strategic in thinking about how we can do that. We are also working with our colleagues in Transport Canberra and City Services because they also have a little bit of money to deal with weeds from an amenity point of view. But if we work together we can get bang for our buck in trying to manage African lovegrass.

Mr Gentleman: Alongside that too there is planning for the future in ensuring our biosecurity responses to those weeds like African lovegrass that we know about and are dealing with. But we have also new and emerging weeds as part of that challenge. We have got fireweed, alligator weed, ox-eye daisy, mouse-ear hawkweed and Mexican feather grass as well that are emerging pest weeds to try to deal with in the territory at the same time.

MS LAWDER: You mentioned increased funding for weed control, minister. What is the budget this year for weed control?

Mr Gentleman: It is—

THE CHAIR: Budget paper 3, page 101; is that that \$700,000—“Caring for our environment—weed and vermin control”?

Mr Gentleman: Yes, that was that part. The total funding for weed control in the budget for the whole of the ACT is \$2.185 million.

MS LAWDER: Sorry, does that include weed and vermin control?

Mr Iglesias: No, just weeds.

Mr Gentleman: Just weeds.

MS LAWDER: Just weed control. Mr Iglesias, you mentioned prioritising it with one other. What is the one other that you were prioritising?

Mr Iglesias: Blackberry. Blackberry in the rural areas is a really big problem, especially in our major national parks and at Tidbinbilla. It is a weed which is also quite prevalent along the river corridors. We invest quite heavily on blackberry as well.

MS LAWDER: Did you say, minister, \$2.185 million for weed control?

Mr Gentleman: Yes, that is total funding for weed control across the territory.

MS LAWDER: Can you give a brief outline of what activities will take place under that?

Mr Iglesias: Yes, we have a range of projects that we will deliver. We will actually produce what we call an integrated weed operations plan. We do it every year. It is actually in production as we speak. Once we have got it, it will go line by line as to where we are going to prioritise weed control. It will be put on the website. People can see it and see what work we are doing in their own area.

Typically, it picks up 30 or 40 weed species in hundreds of locations across the territory. It is concentrated in and around what we call our priority areas. Our strategy is that we look to areas that are the most susceptible and protect our highest quality environments. Then we work back from there. Pretty soon it will be a document that people will be able to view online and see exactly what we—

MS LAWDER: So it will be publicly available?

Mr Iglesias: Yes.

MS LAWDER: Any idea when that might be?

Mr Iglesias: Usually we do it between—well, about now actually. Maybe within the next month I would be optimistic that we could have something, yes.

MS LAWDER: Thank you.

THE CHAIR: A supplementary, Ms Burch, then I have one and then Mr Hinder with a new question.

MS BURCH: It is with regard to African lovegrass. I think it was raised before—it has been raised with me when I am out and about—about the risk of it creeping into suburban areas and parks.

MS LAWDER: It is more than a risk, I think.

MS BURCH: I think it is here. I think you were asked about Fadden and you provided an update. How do you work with TCCS in managing that and how are they being proactive?

Mr Gentleman: Yes, it is an integrated job.

Mr Iglesias: What our colleagues will do is look at the main arterial roads and the roads which have the greatest grassy verges. They will also try to get an appreciation as to how that weed might move and where it might move. The remarkable thing about African lovegrass is that it can actually get moved by the action of the traffic along the road. Our efforts are to spray on the main arterial roads because we know that one of the vectors is traffic. You will notice that along the Tuggeranong Parkway it will be sprayed, along Gungahlin Drive is another one and also along the Monaro Highway.

But we also look at the landscape and see, if it were to move, where would it do the most damage? In that way we are able to leverage off the work that our colleagues in city services do to also protect the nature reserves.

THE CHAIR: In regard to the initiative on page 101 of budget paper 3, what is the split between vermin and weed control in the \$700,000? Minister, given that I think \$800,000 was ripped out of the budget last year, why is there not ongoing funding for weed control?

Mr Gentleman: This one is ongoing. The previous—

THE CHAIR: It is not. It stopped. There is a row of zeros.

Mr Gentleman: The previous funding that was reserved was for programs that have been completed but we will give you the detail there.

Mr Iglesias: I can answer that. The initiative that you are referring to is in fact for one year. It is \$500,000 for weeds and a further \$200,000-odd for animal control. But there is actually recurrent funding flowing from two other initiatives in this year's budget. Caring for our environment, improving species and habitat protection, includes \$193,000 as a component of that money which will be directed to weed control.

THE CHAIR: Sorry, what page was that on?

Mr Iglesias: That would be—

THE CHAIR: The only caring for our environment I have got is kangaroo population research and control.

Mr Iglesias: I will direct you to the page in a moment.

Mr Gentleman: Is it 143?

Mr Iglesias: Yes, page 143. You will see there are two initiatives. One makes reference to the Molonglo River reserve and the other to improving species and habitat protection. Embedded in those numbers are allocations, and they are ongoing allocations, for weed control. Under the Molonglo River initiative we can rely on \$245,000 next year for weed control. In the species and habitat protection we can rely on \$193,000. What that does is improve the ongoing recurrent base this year by about 33 per cent. Whereas before we relied on about \$1.1 million in recurrent funding for weeds, this year we will have \$1.5 million.

THE CHAIR: Could we have a reconciliation of caring for our environment, weed and vermin control; caring for our environment, Molonglo River reserve; and caring for our environment, improving species and habitat protection? If you could break those down into the components?

Mr Gentleman: In relation to weeds, yes.

THE CHAIR: Then if we could have a summary of what the weeds budget is likely to be for the next three or four years?

Mr Gentleman: Yes.

Mr Iglesias: Sure.

THE CHAIR: Mr Hinder, a new question.

MR HINDER: Minister, as previously stated, the weed control problem is not something we can do on our own. It requires a certain amount of cooperation with neighbours of all descriptions, including the surrounding council areas in New South Wales with whom the previous Chief Minister launched an initiative for much better contact and coordination. Do you see the forced amalgamations as any sort of threat to the work that has been done to improve relationships with those councils on things like fire protection and, perhaps, weed control?

Mr Gentleman: We have had a very good relationship, I think, with some of those surrounding councils. Whether or not that continues in the same propensity, if you like, or with the same speed will be a matter that we will have to see as these amalgamations go ahead. But I can say that, certainly on other matters—I have talked about construction close to the ACT border and, of course, we have had many discussions about water issues and other opportunities for cross-border collaborations—it has been very good. So I am hoping that that collaboration will continue and we will be able to do more work.

I can say that, at the federal level, we have recently had the agricultural ministers conference in New Zealand and I know that all parties were very keen to share as much information as they could especially about feral plants, pests and animals and weed control and animal control as well. There is a view I see, certainly in state governments, that they want to do as much as they can by sharing that information. Down to the councils will now be a new examination, I would imagine.

Ms Ekelund: If I could add, recently the government introduced the ACT and region catchment coordination group and whilst strictly that sits under Minister Corbell, you cannot properly manage water without managing land. There is quite a crossover with the land management function here. Peter Taggart, the acting CEO of the combined Queanbeyan-Palerang Regional Council, sits on that coordination group and is a very active member of the coordination group. As with his commitment to water management, in terms of water quality management, I have no doubt that we will continue to have a good relationship with that council. Yass also sits on that coordination group, and Cooma-Monaro. Through that coordination group, as well as the MOUs with the regional councils, I am pretty confident that there will be continuing, strong commitment from those councils to work with us on these issues.

MR HINDER: And I understand that Yass is integral to parts of the Riverview Group's proposal?

Mr Gentleman: Certainly in a planning sense there is some discussion now between Yass and the ACT on how we are going to provide services for Riverview when it goes across the New South Wales border.

THE CHAIR: Members, our time on output class 2.3, land management, is at an end. With that, Mr Gentleman, thank you for your attendance at estimates. Your time with us is over.

Appearances:

Corbell, Mr Simon, Deputy Chief Minister, Attorney-General, Minister for Capital Metro, Minister for Health, Minister for Police and Emergency Services and Minister for the Environment and Climate Change

Environment and Planning Directorate

Ekelund, Ms Dorte, Director-General

Rake, Mr Gary, Deputy Director-General

Fitzgerald, Mr Bruce, Director, Finance and Operational Support

Lane, Dr Annie, Executive Director, Environment

Sibley, Mr Jon, Director, Energy and Waste Policy

THE CHAIR: I am assuming, minister, you are well acquainted with the privilege statement; so I am not going to go through that one more time.

Mr Corbell: Thank you.

THE CHAIR: Would you like to make an opening statement?

Mr Corbell: Thank you for the opportunity to be with you again. I briefly note that this is my last appearance before an estimates committee in this place, presuming you do not recall me in the coming weeks. Thank you very much for the opportunity to make a brief statement in relation to the work the ACT government is undertaking when it comes to protecting our natural environment and responding to the challenges of a changing climate.

The ACT is now recognised as a world leader in responding to climate change. As you know, the government has recently legislated to source 100 per cent renewable energy by the year 2020 and this places our city and jurisdiction as one of only a few places in the world to legislate for such an ambitious target.

The process with which we have achieved this goal has been very well received by industry and increasingly by other governments and has delivered some of the lowest prices for renewables seen in Australia to date. The competitive reverse auction process has also delivered a range of additional benefits for our city.

As part of funding received from the successful proponents the government has established the renewable energy innovation fund. In December last year the government announced the expansion of this fund, drawing on contributions made by the developer of the Hornsdale wind farm, Neoen and Megawatt Capital. A total funding pool of \$12 million is to be made available under four funding streams in this fund.

The first is for trades training and innovation to accelerate the development of export-oriented trades training services for the nation's renewable energy and energy storage industries. The second is for energy research partnerships to attract the most talented energy researchers to the ACT and to develop our local institutional capacity. The third is for a renewable energy innovation precinct in the City West-New Acton

area including support for small local and inbound businesses, extending the reach and capability of Canberra's innovation network. And the fourth is for technology demonstration to support the development and commercialisation of new renewable energy, energy storage and energy control system technologies. I am looking forward to seeing the outcomes of the projects funded by this fund in the coming years.

The government also has a history of protecting and enhancing the territory's waterways. To further this we have, of course, been successful in securing the balance of an \$85 million investment from the Australian government to deliver the ACT basin priority project. This project will reduce the level of sediment, nutrient and other pollutants entering the ACT's lakes and waterways, including Lake Burley Griffin and Lake Tuggeranong, as well as downstream into the Murrumbidgee itself. This includes long-term improvements to environmental condition, urban landscapes, amenity and recreational opportunity. The government has also committed in this year's budget \$2.6 million for the project which, along with current work at the Isabella pond and our existing commitments to the Waterwatch program, fulfils the territory's obligations in relation to our agreement with the commonwealth.

While combating the impacts of climate change the government is also committed to reducing any potential financial burden on households. In August 2015 we extended the operation of the energy efficiency improvement scheme out to the year 2020. Since this program commenced in 2013 more than 72,000 energy saving house calls have been made, with over 64,000 households participating in the scheme. Over 17,000 of these calls were in priority households, that is, low income households which is something I think we can all be particularly proud of.

The extension of the scheme is expected to generate net present value savings of over \$40 million to households and businesses. By the end of the first quarter of this year the program had saved over 650,000 tonnes of CO₂ equivalent emissions, which is a very significant achievement for such a small jurisdiction.

In this budget we will continue to fund the ACTSmart waste program. This has been very successful in providing guidance to households, businesses and schools throughout the region and has achieved the diversion of nearly 50,000 cubic metres of waste from landfill. That equates to nearly 9,000 tonnes of CO₂ equivalent emissions.

Finally, in this year's budget there is \$200,000 worth of funding for the development of a climate change adaptation strategy for the ACT. Our city is likely to be impacted by climate change in a number of ways, including temperature increases, more prolonged heatwaves and droughts, significant variation in rainfall, more intense storms and flooding, and more intense fire danger weather and therefore potentially more intense bushfires. The community is already heavily engaged in the process of finalising this policy. The draft adaptation strategy attracted over 170 submissions and the final strategy is due to be released later in 2016.

There are a range of other important initiatives including funding to support policy development in the area of adoption of electric vehicles, expansion of energy efficiency improvement for low income households, particularly support to low income households to install solar panels, and funding for some very valuable engineered logjam projects to help provide improved habitat for native fish species in

the Murrumbidgee River system near Tharwa.

I will conclude my comments at that. I and my officials are happy to try to answer your questions.

THE CHAIR: Thank you minister. Members, we have got output class 2, environment, and output class 2.1, environment, and output class 2.2, sustainability and climate change between now and about 5.10. Mr Doszpot, I think you were next in line. You can have the next question.

MR DOSZPOT: Minister, with reference to the environment in budget statement E, pages 10 to 11, can you elaborate on what are some of the government programs that help protect the ACT's natural environment through promotion and involvement of the community in caring for the ACT's natural environment?

Mr Corbell: Yes I can. Thank you for the question. A good example is the program I mentioned in my introductory comments, the Waterwatch program. Waterwatch is a volunteer-delivered program that draws on the catchment management groups from across the ACT to collect regular water sampling in our lakes and waterways to build our database and understanding of overall water health. They undertake sampling of water bodies across the city and region and are engaged in reporting on that data regularly to give us a much more comprehensive picture of the health of our waterways. That is a very good example of one program. Regrettably that program's funding was cut by the federal government about two years ago. The ACT has continued its funding though so that the program remains in existence.

We also continue to provide support particularly to land care and park care groups. That is largely driven through the work of my colleague Minister Gentleman as Minister for Planning and Land Management and his engagement with the Nature Conservation Agency itself. However, the Conservator of Flora and Fauna has a particularly important role in engaging with those volunteer groups as well. I might ask Dr Lane, the conservator, if she would like to add anything further about those programs.

Dr Lane: We engage very widely with the community and we are increasingly improving the capacity of our community, our volunteer groups, in terms of their ability to collect information on what is commonly called citizen science. We have a number of groups now who are very helpful in helping us to monitor, to locate particular species that we do not quite have the resources to get right across the landscape. So they are a very valuable asset in that regard. They are using modern technology and that is really helping us to actually spread the uptake of citizen science.

An application called Canberra nature map has been really successful. It was launched about 18 months ago and we have now got over a million records in there that have all been collected by community members. These are verified records as well and they cover things like birds and reptiles, with butterflies soon to be launched and mammals soon to be launched.

We are actually using this information to help us manage our protected areas as well as non-protected areas. We are using that information to help us, for example,

understand the location of threatened species. And a number of plant species that we thought were quite limited in their distribution, we are now finding that they are popping up in different places.

Certainly the community is a very important resource for us and we work very closely with a number of those groups. Having the parks and conservation service join the directorate is really expanding our community networks.

THE CHAIR: Ms Burch, a new question.

MS BURCH: I have a very keen interest in the basin project, particularly cleaning up Lake Tuggeranong. You mentioned Isabella pond as well. Could we have an overview of what it is, time lines and particularly how Tuggeranong can start to use the lake for more than a few weeks of the year?

Mr Corbell: Thank you very much, Ms Burch. The basin priority project is moving into a very substantive stage now. Over the past 18 months to two years we have been working to meet the commonwealth's requirements around business case development, options identification and data gathering to enable us to put forward a robust business case for their agreement to fund. We have been successful in obtaining that. The federal minister, Minister Joyce, announced that around a month ago and Senator Seselja and I announced that funding accordingly shortly afterwards.

The funding provides for the specific infrastructure improvements to improve water quality in six key catchments. They are in the Tuggeranong catchment. There will be nine projects in the Tuggeranong catchment which of course feeds into Lake Tuggeranong and ultimately into the Murrumbidgee. That is worth \$27 million across those nine projects.

There will be six projects in the Fyshwick catchment at a value of \$15.9 million. There will be five projects in the Yarralumla Creek catchment, at a value of \$16.3 million. West Belconnen will get two projects at \$6.5 million, upper Molonglo two projects at \$3.4 million, and the lower Molonglo one project to the value of \$9.6 million. There will also be \$6 million worth of overall public education, catchment works and water quality monitoring and evaluation activities.

The improvements will vary from catchment to catchment but the types of infrastructure that are proposed include bio-retention systems, ponds on some of the minor tributaries that feed into lake bodies such as Lake Tuggeranong, channel naturalisation, swales and wetlands. In addition there will be a three-year in-lake research trial which will examine the merits of novel approaches to controlling blue-green algae, including bubblers and settlement curtains, and that will be for the Lake Tuggeranong water body.

The project now moves into the detailed engineering design stage. There will need to be further community consultation on the specifics of those engineering design drawings, and development approvals will be required for all of those projects. It is expected that that further community consultation will occur in the second part of this year and will be followed by construction to commence in 2017.

MS BURCH: We have heard during the week about the creation of wetlands around, was it, Isabella pond in particular?

Mr Corbell: I am sorry, I missed that.

MS BURCH: The wetlands and the naturalisation of the large water drains. Is there a particular area where they will go?

Mr Corbell: Yes. They are at nine sites across the Lake Tuggeranong catchment. I am just asking my officials if they have a more detailed break-up for you.

Ms Ekelund: In the meantime, if I can mention, around Isabella pond there is some upgrading of Isabella weir that you would be aware of. We are taking that opportunity to work to expand that project to enhance the wetlands around Isabella pond. Isabella pond has been a particular area of concern that has become quite polluted as a piece of infrastructure in itself. We will be enhancing the wetlands around there very substantially.

MS BURCH: Will you be moving the drying pad that sits right next to Isabella pond? If it is a polluted water site and now you have got Monash Village within 50 metres of it I would suggest that possibly you consider that.

Mr Corbell: I am happy to take the question on notice. I am not able to answer that specifically today but certainly I can take it on notice. Unfortunately I am not able to provide you with a detailed reconciliation of each of the individual project sites in Tuggeranong today. That information is publicly available online. I am sorry, I just do not have that information here in front of me. But I am happy to detail it in a question on notice if you prefer.

MS BURCH: It would probably be easier than us searching for it. If you could it would be good.

Mr Corbell: Yes.

MS BURCH: Community consultation, is that to finalise what the end products would be?

Mr Corbell: That will be part of the—

MS BURCH: Not necessarily where they will be, just to finish, the end?

Mr Corbell: It will be part of the development application process. We need development approval for each of these sites. Whilst there has been quite a bit of consultation at a higher level on what is happening in terms of the basin priority project and each of the catchment areas, we are now at the stage where we are saying specific works at specific locations are proceeding. And obviously not everyone in the community may be familiar with that. We will need to engage further with those specific residential areas where works are going to proceed and get people's feedback on them and make sure they are aware of what is proposed.

These works are all occurring on territory land, obviously, land that is used for water management already in some way, but they are a series of interventions to improve our water quality and they do involve physical engineering works. We will be doing that consultation as part of the development application and approval process.

MS BURCH: And time lines for completion of this work: start early 2017? Finish?

Mr Corbell: Commence in mid-2017, to be completed by mid-2019. That is for all catchments across the territory.

THE CHAIR: Ms Lawder has a supplementary to the question?

MS LAWDER: I think that the Isabella weir works have been rolled over for a couple of years. What exactly is being done? Will that be done this financial year?

Mr Corbell: Those works are funded as part of the EPD budget. They are works associated with, I think, the Economic Development Directorate. They are infrastructure upgrades associated with—indeed, they are a requirement of—the development of Southquay in the Tuggeranong Town Centre, the new residential area beside the lake in Tuggeranong Town Centre.

They also will make a significant contribution to overall water quality management in the lake. They are counted by the territory, and have been accepted by the Commonwealth, as complementary works as part of the territory contribution towards the basin priority project work. But for the specifics of that project I would have to refer you to EPD.

MS LAWDER: You are not sure how much work has been done on the spillway project to date? You spoke about it last year.

Mr Corbell: My directorate is not responsible for that project; so, no, I cannot give you that detail.

THE CHAIR: That was your supplementary. A substantive question, Ms Lawder?

MS LAWDER: I will continue on that theme. As part of the basin project, has any component of the funding been put towards community engagement, community education-type projects?

Mr Corbell: I am sorry, Ms Lawder, I was distracted for a moment. Could you repeat your question? My apologies.

MS LAWDER: As part of the basin priority project funding, is any of that allocation of funding being used for community education and communication activities and awareness?

Mr Corbell: An amount of \$6 million of the total allocation will be provided for public education and also water quality monitoring and evaluation activity ongoing.

MS LAWDER: Will that include things like leaves down gutters? Is that type of

thing anticipated to be included?

Mr Corbell: Yes, that type of education activity is being anticipated, you are right. Obviously organic matter flushing down stormwater systems into water bodies is a significant contributor to deteriorating water quality. There are a number of issues that need to be looked at here. The first is the governments' street sweeping program, particularly for suburban areas where there is significant deciduous leaf fall, which is a significant generator of organic matter. That is something that will need to be looked at further.

In areas where there are not deciduous or exotic tree plantings, there is still, obviously, the contribution of organic matter from private leasehold properties. There is also public education around not flushing your grass clippings and other things from your garden down the street drain. That is certainly something that is going to be looked at further.

MS LAWDER: Does the possible carp herpes virus project fall under your directorate?

Mr Corbell: That is actually NCA. That will ultimately be overseen by the NCA if it is administered in Lake Burley Griffin. NCA is responsible for water body management of Lake Burley Griffin. It is not clear to me whether or not that is going to occur across all water bodies but perhaps Dr Lane can assist. I have not seen a lot of detail on that yet, though.

Dr Lane: That falls under the minister for agriculture, Minister Gentleman. As you know, there is a carp herpes virus. That has been, I think, about seven years in research. It is proposed that that virus would be released in the autumn of 2018. It is shown to be highly effective. So the mortality rates would be very high. That is something that all jurisdictions with carp need to prepare for, particularly for the clean-up.

It has been estimated that there is something like 500,000 to two million tonnes of carp in the Murray-Darling Basin system alone. It is a big operation to undertake for that clean up. The commonwealth government is taking a lead on this but we will be working across government and across community to develop a plan of how we are going to clean up the mess once that virus is introduced.

MS LAWDER: The cost and the management of that would be territory responsibility; the clean up, if you like?

Mr Corbell: That is yet to be determined, I think.

Dr Lane: It may be a cost sharing arrangement, as often happens across the agricultural sector.

Mr Corbell: Yes.

MS LAWDER: Yes, fertiliser being the obvious choice.

Dr Lane: I could add a little in terms of the education component for the basin priority project. During phase 1, funded by the basin priority project, the University of Canberra undertook quite an extensive community survey. That was ACT and region, in fact. There were about 4,700 respondents to that survey, which was very representative of a cross-section of the community. There were some really interesting results from that survey, including about the disconnect between what people put down their drains and their understanding of the impact of that on water quality.

That has given us some really rich information on which to base a community education campaign. In phase 2 we are developing that campaign and we are going to focus on stormwater. We will be employing a person for that three-year period to implement this program. I think we have got some great opportunities there to improve awareness and education and ultimately to improve the water quality.

Mr Corbell: Mr Chairman, I can come back to Ms Burch's question now about the site locations of the projects in the Tuggeranong catchment, if that would be of assistance. As I indicated, there are nine project sites to be funded by the basin priority project funding money. I will just work through them.

There is a site in Kambah, between Kett Street and Drakeford Drive, which will be a new treatment pond. There is a further site in Kambah for a rain garden, which is located at Chirnside Circuit. There will be a site in Wanniasa, which will be a new swale pond and rain garden, located adjacent to Athllon Drive, between Langdon Avenue and Pincham Crescent. There is proposed to be a new bio retention facility located between Isabella Drive and Kirkcaldie Circuit in Chisholm. There is a further rain garden in Fadden, in the Fadden Pines reserve. There is a swale in Monash at the Corlette Crescent area adjacent to Isabella Pond.

There will be a further rain garden in Isabella Plains at the location of the existing Stranger pond. There will be a wetland adjacent to Isabella pond and Drakeford Drive in Monash. There will also be the in-lake research trial, which I mentioned earlier, within the water body of Lake Tuggeranong itself.

THE CHAIR: Mrs Dunne has a question?

MRS DUNNE: I will seek your guidance, Mr Chairman and minister. I want to ask a question about noise monitoring. Does this come in this area?

Mr Corbell: It is administered by Access Canberra actually, which is the Chief Minister directorate.

MRS DUNNE: In that case, I will leave it. I will put the question on notice or it may, in fact, be too late and I will write to the Chief Minister about it. Thanks.

Mr Corbell: My apologies that we cannot assist you.

THE CHAIR: It is interesting which bits fall in which areas. Minister, the Conservator of Flora and Fauna has an accountable indicator on page 14, accountable indicator f. This apparently is a new indicator. Why is the target set at 90 per cent and not at 100 per cent?

Mr Corbell: I think that reflects the fact that some development application referrals are complex and take longer than the preferred time frame. That is not unusual for referral agencies. There is always a percentage of referrals, DA referrals, made to referral agencies that unfortunately do not meet the time frames set out in the Planning and Development Act. That is often by agreement between the planning authority and the referral agency around further information being required. If I am incorrect or if there is anything to add, I am sure the conservator can clarify that.

THE CHAIR: Perhaps we could be told why this indicator was selected and was not measured previously.

Mr Corbell: This is a new indicator.

Dr Lane: It is a new indicator; I was not measured previously. I suppose—

THE CHAIR: Did you keep internal records? Is it something you were measuring anyway but now it is in there as an indicator?

Dr Lane: I am not sure whether we were measuring it before, but I can certainly get that information.

THE CHAIR: Given the role of the conservator, are there other indicators that could be here that perhaps better reflect the work that you do? It just seems an odd indicator given all the functions. Perhaps for the record you could outline just briefly what the functions of the conservator are and why this was chosen as an indicator of your accountability, as it were.

Dr Lane: The conservator has a number of different responsibilities under different acts. This is under the Planning and Development Act but the Nature Conservation Act in particular. The conservator produces action plans, for example, for threatened species. Every two years the conservator is required to publish a research and monitoring program. That was done for the first time last year under the new act. There is comment on development applications, of course; we look at tree protection—register trees on the provisional and the full register; comment on management plans. That is the nature of the work and, as I said, it is done under different pieces of legislation. Why this particular one was chosen, I am not sure. There could have been others that were chosen equally as well but I guess this is a measure of efficiency of the process as well as the accountability of the conservator.

THE CHAIR: It is an important role but, for instance, how many action plans are there now? How many are in preparation?

Dr Lane: There are a number in preparation associated with the ecosystem strategies. We are just in the process of revising the natural grassland strategy. Beneath that sit about 10 action plans that are associated with grasslands, including the action plan for the ecosystem itself.

We have the scarlet robin, which finished public consultation on May 18; so that will be completed in the very near future. There are two and this year will be commencing a review of the aquatic and riparian strategies, which will also have a number of

action plans associated with it.

THE CHAIR: How many action plans are there altogether?

Dr Lane: I think there are about 15 at this point, but I would like to verify that.

THE CHAIR: That is okay. Once an action plan is put in place, how long does it exist? Does it exist for all time? Is it reviewed or when the threatened or endangered species is no longer threatened or endangered, does the action plan lapse?

Dr Lane: They are reviewed regularly. It depends on the species. If a species has not been sighted or recorded, I think it is for about 15 years, then the plan would lapse. But meanwhile we need to continue to implement any actions in case it does reoccur or it is rediscovered. They are reviewed, I think it is every five years or so, and they are reviewed by the scientific committee as well.

THE CHAIR: In the past 15 years have any plans lapsed because we have not sighted an endangered species?

Dr Lane: Not that I am aware of but, again, I will take that one. We do have an example of one at the moment that has not been sighted, I think, for about seven years. That is a plant species that is in the high altitude grassland areas. But we will continue to monitor and look for that one and implement some management actions to maybe encourage its reoccurrence. We are looking to do some fire management, for example, because there is a thought that maybe the grass thatch is suppressing emergence.

THE CHAIR: What plant is that?

Dr Lane: I only learnt of it for the first time this morning; so I would have to get back to you with the name of it.

THE CHAIR: Conservator, what have you been up to.

Dr Lane: It is very rare.

THE CHAIR: Could you get back to us?

Dr Lane: Sure.

THE CHAIR: Minister, providing advice on DAs is important but I think there are perhaps a few things that are higher priority. The position is reviewed every five years?

Dr Lane: Which position?

THE CHAIR: The actual role of the conservator.

Mr Corbell: It is a standing appointment.

THE CHAIR: Yes, but is there a review of the performance or the functions or the

roles?

Mr Corbell: No. Dr Lane is appointed as a senior executive in the public service and performs the statutory functions of conservator and does so for as long as the government is satisfied.

THE CHAIR: For instance, the Auditor-General has to be reviewed once a term. Is the conservator performance reviewed?

Mr Corbell: Whilst Dr Lane performs statutory functions, she is not a statutory officer. She is a public servant; so she is not like the Auditor-General in that respect. The Auditor-General is a statutory officer so the authority—

THE CHAIR: I understand the difference; so there is no review of the functions of the Conservator of Flora and Fauna?

Mr Corbell: Only if there is a legislative review occurring.

THE CHAIR: Supplementary, Ms Lawder.

MS LAWDER: I think you said something like you were not sure why this new indicator was chosen. I paraphrase you a little there. Who determines the indicators?

Mr Corbell: I do.

MS LAWDER: You do not consult with the conservator on the indicators?

Mr Corbell: No, generally speaking indicators are proposed by the directorate and put to me for my approval.

MS LAWDER: It is not possible that the conservator might have suggestions for other indicators that might be useful?

Mr Corbell: That is an internal directorate matter. The directorate puts to me its proposed indicators and any variations or changes to its indicators prior to the completion of the budget and seeks my agreement to them.

MS LAWDER: Thank you.

THE CHAIR: Mr Hinder, a new question.

MR HINDER: Minister, I have a question about the ACT and region catchment management coordination group. Can you advise on the progress in relation to that group and who represents what organisations on it if you have got it up and going at this stage?

Mr Corbell: The catchment management coordination group was established, initially informally, about nine to 12 months ago and has since been formalised, given a statutory function under the ACT Water Resources Act. The purpose of that coordination group is to prepare and release an ACT and region catchment strategy

and also to provide advice to the government and other jurisdictional bodies in the surrounding region on water catchment management issues.

The coordination group itself is chaired by an independent chair. The government has appointed Emeritus Professor Ian Falconer AO as the independent chair. Professor Falconer has extensive experience in the water area and was previously a member of the Murray-Darling Basin Authority's community consultation group for development of the Murray-Darling Basin plan. There are 13 other members of the coordination group. They represent different jurisdictional organisations and also the community as a whole. There is a representative of the upper Murrumbidgee catchment coordinating committee, which is the community-based catchment management bodies, volunteer bodies, that work across the catchment. There are representatives of EPD, what was then TAMS, the Health Directorate, the ESA, the National Capital Authority, Icon Water, the South East Local Land Services, which is the New South Wales government agency responsible for regional water quality management issues, Queanbeyan-Palerang council, Yass Valley Council and the Snowy Monaro Regional Council. This captures all the areas that are within the upper Murrumbidgee River catchment both within the ACT and in New South Wales and is a very important coordinating group to make sure that we are all working collectively towards better catchment management policy for our region.

I have been very pleased with progress to date by the catchment management committee. The consideration on the final catchment management strategy is due to occur with the ACT cabinet in the coming months and the final catchment strategy is due for release in the third quarter of this year.

THE CHAIR: Ms Burch, a new question.

MS BURCH: There are a number of budget lines in budget paper 3, page 1, around our responding to climate change. The fact that we have got so many initiatives proves that we probably are the leading jurisdiction in managing climate change. I am interested in hearing more about the solar grants for low income households. I think you made mention of 64,000 visits or something through the outreach program through the energy efficient team. How is that going? That is halfway through our city. What happens at the end of that program? How do you go back and keep the good work going?

Mr Corbell: I will deal with the energy efficiency improvement scheme first. As you note, the program has now been rolled out extensively to a very large number of households and small businesses in the ACT. The legislation of course puts a mandate on electricity retailers, a legislative mandate for them to deliver free or subsidised energy saving services to their customers. This has generally been in the realm of water and energy efficient fitting replacement in households: shower heads, light fittings and so on as well as draught sealing around windows and doors. We have also seen a number of more innovative programs now being rolled out by the main electricity retailer in the domestic sector, ActewAGL, to extend to a fridge buyback program, providing households with an incentive to trade up, get rid of their old, energy inefficient fridge and trade up to a more energy efficient version and they are being paid a subsidy to assist with that.

Equally the halogen downlight upgrade program has been extremely popular. We would all recall that in the 1990s and early 2000s halogen downlights were all the rage. Everyone who got a refurbishment done on their home put in halogen downlights. The problem with them of course is they are extremely energy hungry, and the replacement of those halogen downlights now with LED downlights is saving households a very significant amount of money. All of those are being delivered by the energy efficiency improvement program.

MS BURCH: And will that continue?

Mr Corbell: The mandate on the retailer will extend out to the year 2020 and prior to that point the government would review the success of the program, whether or not we had effectively achieved a level of market saturation in terms of uptake or whether there were still potential for more households and small businesses to be assisted. The savings from the program, though, are enduring. Even if the program were to cease in the year 2020, if the then Assembly decided not to review its application, the savings are ongoing in households because that energy saving is in place and continues beyond the life of the program itself. That means the emissions savings as well as the electricity and gas bill savings continue beyond the life of the program itself. That program is proving to be very successful.

It is worth reiterating that under the scheme a certain percentage of households that are assisted must be low income households. There is a specific mandate, again in the legislation, on the electricity retailer. So far the advice from ActewAGL, because they are the active retailer in this space in the domestic sector—

MS BURCH: Do you measure that, given that it is a requirement?

Mr Corbell: Yes. They are required to report on performance to the scheme administrator. Over 17,064 households participating since 1 January 2013 have been low income households. It is a very pleasing outcome.

Turning to the solar grants program, we have identified the option of providing assistance to low income households to install solar PV. Obviously household solar PV prices have dropped dramatically in the past 10 years. Costs have probably dropped by probably at least 60 per cent to 70 per cent but there are still some areas for low income households to take advantage of solar PV. We are looking at some of those up-front cost barriers to try to provide a greater equity for low income households.

Funding in the budget is half a million dollars a year over the next four years. Initially we will develop a trial scheme to provide direct assistance to low income households to help meet the costs of installing household PV and we will be looking at whether or not that can be extended to, for example, clients in ACT public housing properties as well as others who are supported through the work of the Community Services Directorate. The exact details of the scheme are yet to be finalised but the objective is to remove some of those up-front cost barriers for very low income households that have not been able to take advantage of rooftop solar to date.

MS BURCH: And whilst the details are yet to be finalised, by the look of this budget

line you are looking to get onto it fairly quickly? There is an equal proportion in this year's budget.

Mr Corbell: Yes we certainly are.

MS BURCH: I am curious about the electric cars. Would you consider electric motorcycles? Some may have an interest in that.

Mr Corbell: The uptake of electric vehicles, whether they are cars or motorcycles, is going to be an important transition in terms of reducing emissions from transport fuels. It is worth noting of course that motorcycles are already very fuel efficient compared to cars but—

MS BURCH: What about a high-powered motorcycle?

Mr Corbell: I think even a big one probably is more fuel efficient than a medium or small sized car. Nevertheless at this point in time the government's focus is on looking at how we can support particularly the uptake of EVs, electric vehicles, that is, cars, because they make up the overwhelming majority of the private transport fleet. The point is well made.

THE CHAIR: Ms Lawder, a quick question to take us to the break.

MS LAWDER: Can you give us a quick update on the kangaroo fertility control trials?

Dr Lane: Certainly. Last year around 75 kangaroos in total were collared and 65 actually were injected with the fertility control drug and 10 were injected with the placebo. The results of those trials will be known a bit later in the year, about October. Very soon we will be administering the drug using a dart, shooting a dart. This is a first for this to happen. It is quite exciting. We have done a lot of research into the feasibility of using a dart, coupled with a dye as well. That research has gone very well and now we are ready to move into that field phase.

We know that the drug works really well because in 2008 there was a trial done on a number of kangaroos and recent monitoring has shown that only one out of 11 kangaroos has reproduced in the seventh breeding season. It is very effective and we think it is going to be a very good way to manage small populations at selected sites. Some results will be produced a bit later this year and then again of the dart trial later next year.

MS LAWDER: How much has been allocated in this year's budget for the fertility trial?

Mr Corbell: I do not think there is any additional funding in this year's budget. It is a continuation of funding from last year's budget if I recall correctly. There is no additional funding in this year's budget.

THE CHAIR: The \$702,000 on page 101, budget paper 3, what is that for then?

Mr Corbell: Just bear with me.

Dr Lane: That is new money, yes.

Mr Corbell: My apologies. My answer was incorrect. I stand corrected. There is \$702,000 worth of funding.

MS LAWDER: Of new funding in addition to—

Mr Corbell: Additional funding for one year, 2016-17, and that is funding to continue the existing trial program.

MS LAWDER: What would the new funding be used for as opposed to the original trials?

Mr Corbell: It supports the work which was commenced in the previous financial year to provide for the research component, including monitoring work to measure the impact of kangaroo numbers on endangered grass ecosystems, calculation of numbers of kangaroos to be culled to maintain kangaroo populations at ecologically sustainable levels in certain sites and also for the monitoring of the current fertility control trial of the vaccine GonaCon.

MS LAWDER: There were 65 injected, and 10 injected with the placebo. Under this funding how many more are you darting—

Dr Lane: The darting will happen very soon. I think it was something like 53 kangaroos.

MS LAWDER: Fifty-three more?

Dr Lane: Yes.

MS LAWDER: All with GonaCon or some with placebo?

Dr Lane: I think that is all with GonaCon.

Mr Corbell: I think it is important to stress on this line item that my advice is that this line item of \$702,000 is not just for the kangaroo fertility control trial. It is also for the continuation of the kangaroo monitoring program itself in terms of maintaining the scientific research into the impact of kangaroos on endangered ecosystems and the science that underpins our assessment about whether or not there needs to be control of kangaroo numbers in certain sites.

THE CHAIR: And what is the split on that?

Mr Corbell: I do not have that in front of me. I would have to take that on notice.

THE CHAIR: Mr Hinder a supplementary and then a final from Ms Lawder.

MR HINDER: That table on page 101 includes weed, rabbit and kangaroo. Would it

be right to say that we had evidence earlier that \$503,000 of that was for weed eradication and the remainder would be in relation to rabbits and kangaroos?

THE CHAIR: It does not say kangaroo.

Mr Corbell: That item is for land management functions which are the responsibility of—

MR HINDER: Sorry, I am on the table below, the same number, \$702,000.

MS LAWDER: That is what I wrote down, \$502,000 and \$200,000.

THE CHAIR: We might break. We will return at 10 to and finish off output classes 2.1 and 2.2. Thank you members.

Sitting suspended from 3.33 to 3.49 pm.

THE CHAIR: Welcome back, minister, officials, ladies and gentlemen. We are now on the home straight. Ms Lawder, you have the call.

MS LAWDER: Thank you. Minister, you spoke in your opening statement about how the Assembly has now legislated for 100 per cent renewable by 2020. Can you give me an update on how we are tracking so far both on renewable energy and also in terms of emissions reductions?

Mr Corbell: Let me turn to renewable energy first of all. Currently we are completing the final next gen large-scale reverse auction round, which is for approximately 200 megawatts of either large-scale solar or wind. My directorate is currently finalising advice to government on the winners of that auction round. When that auction round is complete we will have secured enough renewable energy supply to meet the 100 per cent target by the year 2020.

The auction rounds that have been completed to date are the 40 megawatt solar auction, which was completed in 2013, wind auction 1 for 200 megawatts, which was completed in 2015, wind auction 2 for a further 200 megawatts, which was completed in 2016, and the next gen renewables auction which is currently underway. Based on the progress for each of these wind and solar projects in terms of their development and commencement of generation, we are on track to achieve an 80 per cent renewable energy supply for electricity by the year 2018, with the balance to be achieved by the year 2020. The projects that are currently generating are, of course, the 20 megawatt Royalla project, which has been generating now for over a year, and also the Coonooer Bridge project in Victoria, the first of our wind auction winning projects.

A number of other projects are about to commence energisation, in particular the first stage of the Hornsdale project in South Australia, which is 100 megawatts. That will commence energisation in the coming weeks. Other projects are currently under development, including the other two solar projects in the ACT. The Williamsdale project and the Mugga Lane project are both under construction at this time. Hornsdale stage 2 is proceeding through its development approvals and pipeline of

development and the Ararat wind farm is also currently under development.

Let me give you some more details on that. Hornsdale stage 2, which was successful in wind auction 2, is expected to be completed in January 2018. There is also the Sapphire wind farm being developed by CWP Renewables. It is yet to commence development but is still within all of its milestones with the government. Coonooer Bridge is 19 megawatts and is generating now, and Ararat has substantially progressed in terms of its development.

In terms of progress against our renewable energy targets, the ACT's greenhouse gas emissions fell 12 per cent between 2010-11 and 2014-15, according to the latest greenhouse gas inventory which was released in October 2015. We have also met our peaking per person, or per capita, target. Per capita emissions peaked in the year 2013 and have fallen from 12.72 tonnes at their peak in 2005-06 to 9.97 tonnes per person in 2014-15. The total share of renewable electricity in the ACT's electricity supply is currently at 18.5 per cent. This will be increased to 2020 based on the large-scale projects that I have just outlined. The next ACT greenhouse gas inventory is due at the end of October this year.

MS LAWDER: Is there an ACT government target for emissions reduction?

Mr Corbell: There is a whole-of-territory target as outlined in our greenhouse gas reduction act, which is a 40 per cent reduction, based on 1990 levels, by the year 2020.

MS LAWDER: Are we on track?

Mr Corbell: Yes, we are on track.

MS LAWDER: What about in terms of the Paris agreement? Will the ACT be able to meet that standard?

Mr Corbell: I would say to you, Ms Lawder, that our greenhouse gas reduction already anticipates and is well in advance of commitments that have been made by other jurisdictions prior to the Paris agreement. The Paris agreement anticipates an overall objective of achieving warming well below the two degree increase that is accepted as the guardrail for a safe climate outcome into the future. For the first time, at Paris, nation states recognised that staying well within two degrees—indeed well under a two-degree increase on pre-industrial levels—was the outcome that needed to be achieved for a safe climate future.

Our 40 per cent target is based on a two-degree reduction. Two degrees has long been considered the guardrail point for a safe climate future. Our 40 per cent reduction target is based on that two per cent and was prescient in recognising that well ahead of the Paris outcome. Indeed, the 40 per cent reduction target was formulated immediately after the previous significant COP meeting in Copenhagen in 2007-08. It is a significant target and is certainly consistent with the science.

MS LAWDER: You mentioned, I think, that you had directorate advice about the outcomes of the most recent next gen reverse auction.

Mr Corbell: Yes.

MS LAWDER: Do you anticipate a decision and signing a contract shortly?

Mr Corbell: Yes.

MS LAWDER: Any idea what “shortly” might be?

Mr Corbell: Before the caretaker period.

MS LAWDER: I noted—I think it was in Tuesday’s paper—an article about SolarShare.

Mr Corbell: Yes.

MS LAWDER: Are you aware of progress?

Mr Corbell: Yes. SolarShare are a community-owned organisation which is seeking to develop a community-owned solar farm in the ACT of up to one megawatt in size. SolarShare were one of the respondents to the expression of interest process the government ran over 12 months ago now to support the development of up to one megawatt of community-owned solar in the ACT as part of our total 100 per cent renewables target. SolarShare had been in discussions with another entity, one of the large-scale solar generators, to see whether or not they could progress their project. Those two parties were not—

MS LAWDER: Was that at SolarShare’s instigation or was that at the government’s request that SolarShare approach that larger entity?

Mr Corbell: It was at the government’s request because we had reservations about the earlier versions of SolarShare’s proposal, in particular the risk that was potentially presented to investors by their proposal if they were to go it alone. We were keen to see that risk mitigated through partnering with a commercial developer for the development stage. Because it is at the development stage there is substantial risk to investors, particularly if costs vary or the project is delayed during its development.

However, those two parties were not able to reach terms. I have met with SolarShare since that time in the past one to two months and I have indicated to them that the government remains committed to working with them to achieve a community-owned solar farm in the ACT which is supported by the allocation of a feed-in tariff entitlement under our large-scale renewable energy law.

Since that time my directorate has met with SolarShare on a number of occasions. I have indicated to SolarShare that they will have the exclusive right to negotiate with the government between now and the end of this calendar year on securing a proposal that is satisfactory from the government’s perspective to allow a large-scale feed-in entitlement to be awarded to them.

The coverage in the paper earlier this week was essentially an announcement by SolarShare that they were providing an update to investors and also running a

community information session for other potential investors on progress on their project, and that is a very positive thing. I am advised that as late as yesterday my directorate met again with SolarShare and the revised proposal they have with us now is being received positively. I will be expecting more detailed advice from my directorate in due course about the details of the revised SolarShare proposal, but I remain very committed to and supportive of achieving a community-owned solar project in the ACT. I am heartened by the progress and the effort SolarShare are putting into that at this time.

MS LAWDER: Just finally on the Mugga Lane solar farm—is it the case that the ownership of that solar farm changed?

Mr Corbell: Yes, the ownership has changed in that the Australian subsidiary of Zhenfa bought it out wholly. It did a deal with the parent company in China and it is now a wholly-owned company here in Australia without links back to the Chinese parent. It has been renamed as a company called Maoneng. It is run by the same principals who were running the Australian subsidiary, but it is now owned outright by those entities.

MS LAWDER: I received some representation that there is less, if any, local involvement, contribution and purchasing now that the ownership has changed hands. Have you heard anything along those lines?

Mr Corbell: You will have to elaborate, Ms Lawder; I am not clear what you mean.

MS LAWDER: I think originally there was some requirement about local involvement of Australian or ACT employees in relation to purchasing from local businesses.

Mr Corbell: There were no contractual arrangements in the first solar auction in terms of local content from any of the developers. Local content provisions were only required of successful bidders from the first wind auction onwards.

MS LAWDER: Thank you.

THE CHAIR: Ms Burch, a new question.

MS BURCH: Two questions, and I will try to link them. Going back to the sup I tried to throw to Mr Hinder around batteries in motorcycles, there was a recent announcement about research into batteries. It is one thing having solar panels on roofs, but how do you store that power? Can you give an update about solar battery research and what we are doing with that?

Mr Corbell: The government is strongly progressing what is known as our next generation pilot for battery storage. This recognises that the use of battery storage with distributed generation, particularly at the household level, is going to be a very significant technological change that will substantially reshape the way energy supply networks operate because, rather than energy being supplied from a centralised point, it will be supplied from diversified points across the network, including many, if you like, non-traditional generators, that is, households that are potentially storing energy

generated from their rooftop PV and selling it back into the network or utilising it at times that suit them in a way that reduces demand on the overall network.

The government has announced an initial pilot round of three \$200,000 grants each to three groups of companies in the ACT to roll out a trial of energy battery storage in households across the ACT. That pilot will be part of a much larger range of grant rounds worth up to \$25 million to support distributed storage in the ACT. That money is not budget funded. That money is coming from contributions from the successful wind or solar generators that are successful in the next gen solar auction round, as well as some money from previous winners of previous wind auction rounds.

To date we have supported the installation of 20 battery systems in homes across the ACT as part of the pilot and 50 individual battery systems have been sold. We are currently assessing bids from the second next gen energy storage grants round. Indeed, that round is still ongoing and will close on 6 July. That is going to be worth \$2 million worth of grants, so there is going to be a significant scaling up of battery storage as a result of that second grants round.

MS BURCH: Whilst we are only very early into that, when would we expect to have batteries which are reasonably cost-effective? I have solar but I do not have a battery. It would be a great addition.

Mr Corbell: The grants round is designed to make batteries affordable for households who have solar or are contemplating putting in place solar because we want to achieve, if you like, an accelerated uptake of battery storage in the ACT. The reasons for that are that we want to be a first mover city, an early adopter city, in terms of this technology, and we want to leverage the expertise and the technical skills development that come from being an early adopter to our commercial advantage.

Part of the energy next gen generation storage program is the requirement for the companies that are successful in that grants round for establishing their activities or operations here in Canberra, partnering with research organisations and developing a nascent battery storage knowledge hub here in the city to take advantage of what is going to be a very large part of the energy storage industry in the next couple of years.

We anticipate that over the next three years or so around 5,000 Canberra homes will be supported with battery storage. That will be the equivalent of 36 megawatts of energy storage. That is going to be a significant contributor to our 100 per cent target, but it is also going to provide an increased level of grid reliability, particularly having that amount of capacity installed within the ACT electricity network.

Finally, it is also going to potentially avoid costs associated with what would otherwise have to be further network augmentation to meet growth in the city. We estimate that it is somewhere up to the value of about \$200 million worth of avoided network augmentation from supporting penetration of batteries into the network in strategic locations. For example, in the Molonglo Valley, at its current rate of growth, there will need to be significant investment in a new substation, and they are not cheap. That would ultimately be a cost that would be passed on to all electricity consumers by the Energy Regulator. If the need for that can be delayed or entirely avoided through a significant level of battery penetration into that market then that is

a significant saving to all ACT electricity customers.

MS BURCH: Can I segue into the second part?

THE CHAIR: Only if it is about batteries.

MS BURCH: I have a feeling it is more of a segue through to endangered species. The Tharwa fish habitat—

THE CHAIR: As long as they are battery-powered species, that would be acceptable.

MS BURCH: That is right. You could possibly have battery-supported solar panels to support the scientists at the Tharwa fish habitat project. Can you talk to us about the Tharwa Murray cod habitat? It was a challenge, chair.

Mr Corbell: With the chair's indulgence, yes, I am very happy to. This is funding for additional log jam activity, log jam projects, in the Murrumbidgee at Tharwa. Log jams are designed to deepen the river to provide for improved habitat for native fish species. One of the problems with the health of the river, the Murrumbidgee as a whole and particularly that area around Tharwa, is that it has been severely degraded by significant amounts of sand coming in from upstream which has made it a very shallow water body and therefore not suitable for native fish species. The log jams are designed to address that problem and create a safe haven for native fish species, but they also contribute to a deepening of the river itself because they contribute to changes in water flow that allow the river to effectively return to some deeper channels.

Similar structures as these were constructed in 2013, again near Tharwa. They have been successful in deepening the river from an average of 40 centimetres to over two metres in depth. That is a really successful outcome. They provide a habitat particularly for the native Murray cod. The advice I have is that native Murray cod now outnumber carp in the vicinity of these constructed habitats. The funding will provide for a further 200 metres of improved native fish passage in that stretch of the river near Tharwa.

THE CHAIR: Mr Doszpot, a new question, unless Ms Ekelund is about to enlighten us further?

Mr Corbell: I am reminded by Ms Ekelund that the trees that are required for removal at the Williamsdale solar farm project as part of the development of the Williamsdale solar farm will be used for that log jam activity. Those trees will be going to an environmental project.

MS BURCH: A good home.

Mr Corbell: A good home; a home for Murray cod.

MS BURCH: A good home for Murray cod.

MR DOSZPOT: I defer my question to Ms Lawder.

MS LAWDER: Thank you. Speaking of trees being cut down at Williamsdale solar farm and the justification for chopping down trees in, for example, grassy woodlands—yellow box grassy woodlands—for other environmental goals, how do you balance those?

Mr Corbell: An assessment has to be made as to the overall value of the site. The site at Williamsdale was subject to an assessment under the commonwealth EPBC legislation to determine whether or not it was an activity that was threatening to a nationally recognised species or ecosystem. It was concluded that the works there did not trigger those protections under the EPBC legislation and approval was granted.

To be frank, I think we clear more trees for housing than we do for solar farms in the ACT. This is largely agricultural land; it is already heavily modified. It does not have any substantive native grassland remaining; it has been modified for agriculture. Whilst there are stands of trees on the site that have some value as habitat for bird species, it was not determined that the activity was a threatening process under the commonwealth environment protection legislation. That is exactly why the planning minister exempted it from further assessment under the ACT's environment protection requirements, because it had already met the significant thresholds posed under commonwealth legislation.

It would be preferable if trees did not have to be cut down at all, but when you look at the number of suitable sites for solar projects and the significant contribution that this project will make towards reducing the city's overall greenhouse gas emissions, which has, of course, a broader environmental benefit as well, and the fact that we probably have done much more damage in terms of residential development, this is a modest impact.

MS LAWDER: I take your point about Williamsdale, but over the past 10 years the ACT has, lost I think, 350 hectares of red gum yellow box grassy woodland. When you take each small part on its own it may not be—

Mr Corbell: But this is not grassy woodland; it is not grassy woodland.

MS LAWDER: Nevertheless, there is some yellow box, I believe, on the site.

Mr Corbell: There are some yellow box trees there, but it is not grassy woodland. The ecosystem is substantially altered.

MS LAWDER: When you look at each pocket on its own, it is not the same as looking at how much we have lost in totality. As you mentioned, with the increase in our population, how are we going to balance the requirements of our urban or suburban sprawl and the need, potentially, for other renewable energy projects with the growing population and protection of our environment?

Mr Corbell: I think these are worthy debating points. It is worth highlighting that the expansion of the ACT's reserve system has been considerable as a part of the EPBC approvals for the development of the balance of the Gungahlin district, which has included the withdrawal of substantial parcels of land for nature reserve as part of the

strategic assessment for the Gungahlin district development.

These matters are matters for judgement, but I would certainly argue that the land at Williamsdale was not of high value at all. That was certainly the assessment of the EPBC decision maker and there was a similar view at the ACT level. I guess if we were to adopt the position you are adopting, Ms Lawder, we would not be clearing any further.

MS LAWDER: It was not a position; it was a question about how to balance it.

Mr Corbell: I know, but in response to the position put, I would simply say that you would have to adopt a position that we would not be clearing any further native timber in the territory at all. Clearly, that is not the case when it comes to residential development. In terms of sustainability outcomes, I would probably put it to you that the solar farm is delivering a better overall sustainability outcome than simple development of new greenfield residential housing lots. Albeit that delivers other beneficial outcomes, it does not necessarily deliver a good sustainability outcome.

MS LAWDER: Thank you.

THE CHAIR: Mr Hinder, a new question.

MR HINDER: Thank you, chair. Minister, the notable achievement of 100 per cent renewables by 2020 will dictate that the light rail project will be running on 100 per cent renewables within two years of its commencing. I note on page 102 of BP3—leading Australia in response to climate change—there is a further \$150,000 this year for low emissions future transport options. It notes there that vehicle transport emissions are going to be the highest output for us in the coming years. I understand we are trialling electric buses. As to that \$150,000, what is that trial, what will it do and what are we hoping to achieve?

Mr Corbell: As you rightly observe, the transition to 100 per cent renewables for our electricity supply sector, which is 60 per cent of the city's emissions profile, is for electricity use in buildings. The next element for us to substantially address is emissions associated with transport fuels, because they are actually our single largest own-source emissions if you look at where emissions are actually generated. That is largely from the private vehicle fleet. So looking at policy settings around transport sector emissions is going to be very important. Transport emissions are going to become 60 per cent of our total carbon emissions in 2020 because of the decarbonisation of the electricity supply sector.

We need to look at policy mechanisms to encourage the uptake of electric vehicles. I am very pleased with the very proactive approach that has been adopted by ActewAGL, who are looking at their own vehicle charging network right now. Members may have noticed there is already one vehicle charging point in the Melbourne Building car park, opposite the Melbourne Building on London Circuit. It is the first of a number of public EV charging points that ActewAGL have, by their own initiative, put in place. I congratulate Michael Costello and the team at ActewAGL for being very proactive in this space. They see this as an important part of their future business. Providing renewable electricity for EV vehicles is actually a

potential growth sector for the electricity market and it is probably one of the few growth sectors they actually have. So it is, I think, foresighted for ActewAGL to look at this sector.

But we will need to look at other measures, for example, the ACT taxation treatment of electric vehicles. At the moment we provide some reductions in rego costs and so on for EVs, but we need to look further at how we can further incentivise their uptake. It is the same with stamp duty. We provide a reduced stamp duty for new vehicles as well but, again, we need to look further at those issues.

Then there are other issues such as the cost of car parking and access to transit lanes and so on to allow EVs priority. These are all measures that have proven to be successful in other jurisdictions internationally. We need to look further at whether or not they can be adopted here or whether they can be modified here. Those are all matters that we are going to be looking at very closely as a result of this policy work, which is what this budget provision allows us to progress.

MR HINDER: It sounds like that electric vehicles and other low carbon emission vehicles are a good thing for the environment.

MS BURCH: Motorbikes with batteries, perhaps.

MR HINDER: Of course.

THE CHAIR: Minister, in April this year there was an article in the *Canberra Times* that said the 100 per cent renewable target will add \$290 a year to the average electricity bill at its peak in 2020. What have all these initiatives added to the cost of living for the people of the ACT, per household?

Mr Corbell: At the moment the only projects that have resulted in a price pass-through for consumers are the three solar projects. The Australian Energy Regulator determined the cost pass-through of those projects around two years ago now. I do not have the immediate figure to hand. Maybe Mr Sibley can assist. I will ask him to provide some further information.

Mr Sibley: As the minister was saying, currently the Royalla solar farm is operating under the large-scale feed-in tariff program and the Coonooer Bridge wind farm in Victoria started generating just last financial year. The pass-through costs overall are very small associated with the target, as, in fact, is their contribution to renewable energy supplies. That is because of the lead times of project development. The contribution will ramp up very quickly. The costs associated with it will reach their peak in about 2020. The government indicated, and the current modelling still confirms, that that price will be under \$5.50 per household per week in 2020.

The actual contribution currently to electricity pricing is bundled up in the retail electricity price which is regulated for most small customers in the ACT by the ICRC. It is actually bundled up in the network cost component. We do not have the visibility at this stage for the last price determination of the exact contribution of the renewables. It was very small; it was a couple of per cent overall. We could take that on notice and come back with a more detailed breakdown.

Mr Corbell: We can certainly disaggregate that with a little bit of time and provide that to you, Mr Smyth. Overall, the government's policy cost projections have been consistent with actual outcomes. The estimate, as Mr Sibley says, is under \$5.50 per household per week in the year 2020, declining after that point.

THE CHAIR: What is the impact in the coming financial year, 2016-17?

Mr Corbell: That is the disaggregated figure that we will need to provide to you.

THE CHAIR: That is the 5.50 a week?

Mr Corbell: No, 5.50 is in the year 2020, not—

THE CHAIR: So in 2016-17?

Mr Corbell: Just to explain the mechanics of it, as projects come on line, at that point the network operator, ActewAGL Distribution, can apply to the regulator to recover that cost from electricity customers. It does not all come in one hit. It comes in stages as projects start generating. As Mr Sibley has indicated, at this point there are only two projects actually generating—one wind farm and one solar farm. That cost is reflected now in existing electricity bills. As other projects begin generating, that cost will be passed through to consumers, using the same formula that the regulator used for the other projects.

THE CHAIR: All right. Section 6 of the Climate Change and Greenhouse Gas Reduction Act 2010 sets out as the principal target to reduce emissions to zero by 30 June 2050. What costings have you done on that and its impact on the cost of living? What will it be this year and what will it be in 2050?

Mr Corbell: The focus of the government's policy is outlined in action plan 2. It is to achieve the first significant milestone, towards net zero emissions, which is a 40 per cent reduction on the 1990 baseline year, by the year 2020. The costings the government has undertaken have focused on the detailed implementation of action plan 2 out to the year 2020.

Beyond that point there are many uncertainties around pricing that make it difficult to develop an accurate figure. For example, uncertainties around whether or not there will be a national carbon pricing mechanism of some sort and whether there will be an international agreement around carbon trading are two variables that we know are extremely difficult to predict in one political cycle, let alone two or three or four, which is the type of time frame we are talking about for the 2050 target.

What I would say about the 2050 zero emissions target is that it is entirely consistent with the outcomes of the Paris agreement, where industrialised nations have recognised that there needs to be an effective decarbonisation by the middle of this century for there to be a safe climate outcome for future generations. Once again, the ACT policy is consistent with international settings and thinking on this matter.

THE CHAIR: Minister, it would appear that our time together has come to an end

early. Members have indicated that any other questions they have they will put on notice. With that, we thank you for your attendance today and throughout the past two weeks, and wish you well for your future. Any questions taken on notice—the committee would appreciate answers within five working days. That would be Friday of next week. A transcript will be provided, when it is available, for your perusal. Any corrections that you might want to make we would be interested in. With that, the committee calls the Commissioner for Sustainability and the Environment.

Mr Corbell: Thank you, Mr Chairman.

Appearances:

Office of the Commissioner for Sustainability and the Environment
Auty, Dr Kate, Commissioner

Environment and Planning Directorate
Fitzgerald, Mr Bruce, Director, Finance and Operational Support

THE CHAIR: Welcome, commissioner. This is the 11th and last day of the public hearings of the Select Committee on Estimates for 2016-17. You get the honour of being our last guest. Please be aware that the proceedings are being recorded, will be transcribed and then published by the committee. The proceedings are also being broadcast and webstreamed. If you have to take a question on notice, if you could just please indicate with words like “I will take that on notice” so that we can track it through the Hansard.

In front of you on the table is a pink card which contains the privilege statement of the Assembly. Could you please indicate for the committee that you have read the card and that you understand the implications of privilege?

Dr Auty: Yes, I have read that.

THE CHAIR: So acknowledged. Thank you for that. Commissioner, would you like to make an opening statement to the committee?

Dr Auty: Thank you very much for that invitation. I would because, of course, this is my first appearance before this committee and my first appearance before any committee such as this. I would like to begin by acknowledging the Ngunnawal people.

I have now been in this role for eight weeks. I have been very fortunate to take on a role at a time when I have been given a very good handover by the previous commissioner. I would like to thank Ann Lyons Wright for the handover that I have received.

It is very clear that all the documents that my office is currently tabling, using or disporting around the community are, of course, not my documents. You will know, of course, that the state of the environment report was presented to the minister and was tabled and we have the responses to the recommendations—all 10 of them. You will also know that there are other documents that have come through the good offices of the previous commissioners. Of course, amongst them are two documents that would be before you, one being the implementation status report and the other being a smaller document that refers to talking with children and young people about the environment, from September 2015.

Just in opening I would like to say that, having been in this role for eight weeks, I have been involved in numerous conversations all over the ACT, at this stage mainly focused in Canberra. I have taken it on board that this is not a role just about biodiversity. The conversations that we have been having since I arrived have

involved discussions with people such as the Business Chamber. We have also spoken to a number of people about the way in which their operations involve environmental management systems. In particular, I was delighted to be at Calvary hospital when we looked at what they were doing about their waste at a time when they were auditing that particular enterprise.

I have been in a number of places talking to a number of people about what this role really is for me. The role will, of course, involve the next state of the environment report. We have got the preparation underway for that. Discussions are underway with the ANU and also others who have assisted us over time. We also have underway at the moment the work that will be going into the next implementation status review. That also involves discussions with people from the academic research capacities. At this stage that is in planning and in process.

The other work that is coming to this office in my time as the commissioner is the Gungahlin assessment, which is not at this stage in any state of preparedness. We are thinking about how that will in fact unfold—the Gungahlin strategic assessment. We have also undertaken work at the moment on the lower Cotter catchment. That involves working with a number of people who have expertise and, in particular, the University of Canberra.

Of course, you are all very familiar with the work of the commission and you all know about the role we have in respect of both investigations and complaints. I have been going through the documents available to me in the office and it seems that we have dealt with about 100 complaints since 1993. There have been some complaints dealt with in the time of the previous commissioner. These involve the alleged damage to public unleased land. There were three recommendations in relation to that particular complaint. The other complaint that involved some recommendations was the visual and aesthetic impacts of high-rise building development in Belconnen town centre, which commenced in July 2013 and concluded under the watch of Ann Lyons Wright, the preceding commissioner.

We have held a watching brief, as it was described by my predecessor Bob Neil, in respect of eastern grey kangaroos and the cull associated with that. That matter was also dealt with by Ann Lyons Wright. I have been involved in some subsequent correspondence. A cat containment complaint has been dealt with in the office and it was decided that there was no further investigation required by the previous commissioner. We have had other complaints come through in respect of various members of the public. Of course, we have recently had material placed before the commission, and which has come to me, about the foul smell in Tuggeranong. That has come to me and it has been the subject of a response. We have also dealt with some complaints about Melrose Drive noise and also the Gungahlin bus shelter.

One of the things I would like to say in opening and before I respond to any questions is that we are working quite extensively on what we might describe as our media platform, or our presence, and the way in which we explain what we are doing to the public. I was really pleased this morning to meet with the chief adviser to the chief author of the commonwealth state of the environment report to talk about how we build the audience for the work that we do.

If you have had an opportunity to go to the website in the last little while you will have noted that we are using that to outline what we describe as “living sustainably”. You will note that we have been working on blogs. We have been thinking about the way in which we respond to the opportunities to deal with community consultation. There have been a number of responses to that over time and preceding my arrival as the commissioner. The most recent ones under my watch have involved responding to the scarlet robin inquiry, or community consultation, the Mulligans Flat expansion—we have just responded to that—Horse Park Drive and Brierly Street.

The way in which I hope this office will operate under my watch is that we will be deeply involved in community consultation where and when it is appropriate. We will be dealing with the matters that come before the commission in a way that substantially reflects what has occurred in the past, but we will be taking the view that there are ways in which we should be exploring the environment and economics. There are ways in which we will be exploring relationships that we might build with business and with other stakeholders who ordinarily might not have seen themselves as stakeholders of this office. That is my opening statement, and I am sorry to detain you. Where there are questions, I am happy to answer them. If I cannot, I will take them on notice.

THE CHAIR: Thank you for the statement. On behalf of the committee, welcome and congratulations on your appointment. On page 12 of budget statement E where the output class for the office appears, it appears you have very well managed your funds. You have gathered an extra \$299,000 for the coming financial year. I have two questions. What is the staffing for the 2015-16 year—and what will be the staffing in the coming financial year—and what will the additional funds be spent on?

Dr Auty: In relation to staffing, it has always been, as I understand it, a five-person office. There will not be more staff taken on board. [There will be two level Bs, a level C and a level 6.](#) That is the way in which the office has always run. The last state of the environment report was completed substantially in house with the use of many consultants, whom we did of course pay. I can take on notice the actual breakdown of those particular funds if you want me to. I do not anticipate that we will be taking on any more staff to do the job that was done under the watch of both Commissioner Neil and Commissioner Ann Lyons Wright. We will be working on the basis that any funds not expended in the preparation of any report will be rolled over, as has been the case in the past.

THE CHAIR: So the \$300,000 is a rollover?

Dr Auty: It is a rollover, as I understand it.

THE CHAIR: Thanks for that. Mr Hinder.

MR HINDER: Thank you, chair. Welcome, commissioner. The preamble to the output class in table 10 talks about investigation of complaints by ministerial direction. What does a ministerial direction mean in practical terms and how does that work?

Dr Auty: We have not had any, as I understand it, under recent watches. I could stand to be corrected on that. That is correct. Ministerial direction, as I understand it, comes

to me either by way of a special report or by a direction to deal with a particular complaint. There have not been investigations subject to a ministerial direction for some time. I understand the last was probably in respect of what was happening with the lake.

MR HINDER: Other than by ministerial direction, do you source your complaints or do they find you?

Dr Auty: Complaints have found the office. It is clear from a review of the website that we are undertaking that we probably need to consider how we formalise that. It has been the case over time that people write to the commissioner and those are taken, effectively, as a complaint. The act makes provision for there to be some form of document that might be completed, and I am speaking to my office about how that is done in the future.

The way in which the minister provides directions I am not familiar with. I have not had anything arrive to me in the past eight weeks. I understand that when we do receive a ministerial direction it is done by way of formal letters. Just recently we have asked the minister to provide the office with a direction as to special reports. It does, in fact, cover the lower Cotter and the way the implementation status report or review is undertaken—just to formalise that situation. As a lawyer, I must say I would prefer that the complaints come to me in a form, but we do need to make sure that when we put that together we are consulting with the community about how they might accept that change in direction. We will be taking some care with that.

MR HINDER: As a lawyer, I am pleased that you are taking those directions in that form. All of the investigations happen within your staff? You do not go outside to get resource staff or investigative resources?

Dr Auty: As I understand it, with an investigation we call in and have called in expert consultants to assist us with those. With the complaints, for the most part, I believe they have been dealt with in house, but I could stand to be corrected about that as well. I think that is correct.

MR HINDER: Your staff do not necessarily have all the skills?

Dr Auty: They do not necessarily have all the skills. Having been there for eight weeks, it is clear to me that we do need to make sure that what we are doing is exploring those issues as we unfold elements of a complaint and deal with it in that fashion. It is fairly clear to me that the previous commissioners have taken great care to make sure that those complaints are dealt with by way of what I might describe as assistance from consultants, but it is also clear that when a complaint is received the first point of call is to refer it back to the relevant directorate to see if the matter can be resolved. That has been the history of the office and that has been the way in which matters have unfolded in the past.

THE CHAIR: Mr Doszpot, a new question.

MR DOSZPOT: Thank you, Mr Chair. Commissioner, I echo the chair's congratulations on your appointment to the position, and welcome.

Dr Auty: Thank you.

MR DOSZPOT: In the short space of time you have been there, have you had to handle any issues that were handled by the previous commissioner and were left to you, or did you come in with nothing to do in terms of past activities?

Dr Auty: There are not any past activities that were not anticipated to be the work for me as the commissioner. The lower Cotter, of course, was something that arrived at the office through the recommendation in the Auditor-General's report. That is ongoing. The Gungahlin strategic assessment is ongoing. The implementation status review was started. We did commence to work out how that might be addressed. So that is ongoing, obviously. The same attaches to the state of the environment report.

In respect of complaints, the situation has been that Commissioner Ann Lyons Wright dealt with matters that were on the desk. I am satisfied that they are for the most part complete. As I say, there were some letters in respect of a particular issue that I have responded to.

MR DOSZPOT: Is there anything either now or on the horizon that you want to have a closer look at?

Dr Auty: It is a little early for me to have made that assessment, to be perfectly candid with you, as I am required to be here today. It is a little early. I have taken the view that we can probably be thinking about how we engage in advocacy. I was really privileged to be at the youth parliament very recently. It is very clear to me that youth are an audience that we have probably failed to engage. I have suggested to my office that we bring together some roundtables around young people and also around business, and we will be doing that. We have been invited, in some of the discussions that I have had since I arrived, to be part of some roundtables around business, energy—those sorts of matters—and we will be exploring those. They are all a little in planning at this time.

In the eight weeks that I have been here I have been very busy making sure that as an outsider, not from the ACT, I am known to some of the people who would be described as our usual stakeholders. But I have also been exploring other stakeholders, who have expressed some surprise to see me at their door. I have endeavoured to be engaged in a real effort in exploring the possibilities. We will be tracking that carefully.

THE CHAIR: Ms Burch, a new question.

MS BURCH: Thank you. It picks up a little bit on what you said about 100 complaints received in the past 10 years.

Dr Auty: Since 1993, I believe. That is my reading of the documents that have been before me and from the website. It may need to be addressed or adjusted, but that is certainly what I found on the website.

MR BURCH: In terms of how you benchmark against similar offices and given, as

Mr Hinder pointed out, ministerial directions, I would imagine, are few and far between, when people approach you with a complaint how do you threshold those in terms of what you take on and whether you investigate? You made mention about referring back to agencies. Is that some of the work you will do in your recalibration or form setting?

Dr Auty: It has always been the way the office has addressed complaints. A complaint is raised—a complaint as distinct from an investigation, for instance. A complaint may go on to be an investigation. There are, of course, investigations which the minister directs the office to undertake. It has always been the practice of the office in respect of complaints that they be referred back to the directorate for the purposes of canvassing whether it is possible to resolve the matter. On the basis of that, the matter then comes back to the office in the event that that has not been the case.

In respect of threshold issues, an assessment will be made about how to progress the particular complaint. I take the view that if a matter has been litigated in, say, the Administrative Appeals Tribunal or the administrative tribunal, as it is called here, that would mean that as far as I was concerned the matter has been to a great extent canvassed. That is one of the things that I would be taking on board.

I take the view that, in respect of something like a freedom of information request, if a party has certain channels open to them then they ought to explore them to the extent that is possible given the way in which the legislation and practice operates. I will be making some assessments about that, and I am sure that previous commissioners did the same thing. It is a little difficult to talk about what is happening with complaints until you start going through what we have got. Over time there have not been, as far as I can tell, a plethora of them.

THE CHAIR: Ms Lawder, a new question.

MS LAWDER: Welcome.

Dr Auty: Thank you.

MS LAWDER: In the state of the environment report are all of the 2011 recommendations now completed?

Dr Auty: Thank you for that question. The answer, as I understand it, is no. To the extent that that is the case, we will, in the annual report that is being put together now, be asking directorates what has occurred in relation to each of the previous recommendations. I understand that Dr Aileen Power has the carriage of that in my office and that we have sent out the correspondence to ensure that directorates respond to whatever is still outstanding or pending so that in the annual report which is tabled later this year there will be a very clear idea of what has occurred. Could I take it on notice to clarify exactly whether all of the 2011 recommendations have been addressed? I know that in drafting the response to the annual report at this stage we are seeking clarification about every recommendation that has been made over time. It is quite an extensive document.

MS LAWDER: I do not know if this is a mistake, but it looks like last year's report on the uptake of recommendations was a year late. Is that correct?

Dr Auty: I might just address that question to Mr Fitzgerald because we have discussed that date. It certainly suggests in that document that that is the case.

MS LAWDER: On the face of it, it looks like that.

Mr Fitzgerald: Unfortunately, yes, that was an error. It should have read September 2015.

MS LAWDER: The one scheduled for October 2016 is on track? That is the annual report that you are talking about?

Mr Fitzgerald: Yes.

MS LAWDER: Excellent.

THE CHAIR: That is A, and the same for E? It looks like it is a year late as well.

Mr Fitzgerald: E was produced one month after the target.

THE CHAIR: Then there is a new report this year?

Mr Fitzgerald: Yes.

THE CHAIR: It just reads like it was a month late, and now it has been pushed back for a full year.

Mr Fitzgerald: No. This reflects the change in the annual report directions which are now tabled later than—

THE CHAIR: Four months.

Mr Fitzgerald: Correct.

MS LAWDER: You talked about community consultation and engaging youth more et cetera. Is the format that the report takes prescribed in the legislation?

Dr Auty: The legislation stipulates that we ought to address a number of matters. I will just take you to that. It does not, in fact, stipulate how the report ought to be formulated. It is quite different from the Victorian situation where a framework is tabled in parliament and upon that framework being tabled in parliament the commissioner then adheres to that framework.

In respect of state of the environment reporting here, the relevant section is section 19. Subsection (2) of that particular section says what the environment report must include. It must include:

- (i) the components of the earth, including soil, the atmosphere and water;

- (ii) any organic or inorganic matter and any living organism;
- (iii) human made or modified structures and areas;

There is a raft of requirements down to subsection (7).

MS LAWDER: Who determines the format? Is it the commissioner?

Dr Auty: Essentially, it would be the commissioner in consultation with a number of specialist experts and within the commissioner's office. I cannot comment on how that was done for the last commissioner's state of the environment report, but we will be conferring with a number of people who have local expertise in your institutions here in the ACT and we will be working through those particular issues for the purposes of adhering to the actual act.

MS LAWDER: Possibly not for the annual report but through your community consultation you might consider adjusting the format. Is that possible?

Dr Auty: The format can be adjusted. If community consultation recommended or suggested to the office that there was a particular issue or matter that the community thought ought to be canvassed in the report and it came within the aegis of what the report stipulating in section 19 is, the office would certainly take that on board.

MS LAWDER: Thank you.

THE CHAIR: Members, any further questions for the commissioner? That is the virtue of being the last cab off the rank.

Dr Auty: Yes, I am sorry to have detained you.

THE CHAIR: No. We are very happy you were there when we finished with Minister Corbell.

MR HINDER: It is merely our failure to have any further questions.

THE CHAIR: With that said, thank you for your attendance here today. You took questions on notice?

Dr Auty: I have taken a question on notice from Ms Lawder in relation to the 2011 recommendations. We will respond to that question specifically.

THE CHAIR: If that could be within five days, which starts on Monday—therefore next Friday? If there is anything else that you would like to look at and provide us with, we would be grateful. A transcript will be provided by the secretary when it is available. If there are any corrections or alterations you would like to make, the committee would be open to those suggestions.

With that, members, this is our last public appearance together for the 2016-17 financial year. The chair has the onerous task of determining who is the winner of the chair's award. Given that she made two appearances, Rosie the cat is the overall winner of the chair's award for the 2016-17 financial year, which will bring a

great deal of amusement so some and bewilderment to the rest of the world who do not know what we are talking about. Thank you very much. To the secretariat, thank you for your efforts. To Hansard, thank you for recording and transcribing so thoroughly. To all the ministers and the officials who have attended, thank you for your participation in the public inquiry. To you, members, and all your staff, thank you for your efforts over the past two weeks on behalf of the people of the ACT. The public hearings of the Select Committee on Estimates 2016-2017 come to a close.

The committee adjourned at 4.52 pm.