



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING AND URBAN SERVICES

REPORT NO.53

AUGUST 2000

CONFERENCE OF PARLIAMENTARY PUBLIC WORKS AND
ENVIRONMENT COMMITTEES AT PARLIAMENT HOUSE, DARWIN,
JULY 2000

Recommendation:

1. The committee recommends that the Territory's parliament note this report.

TABLE OF CONTENTS AND PAGE NUMBER

BACKGROUND	1
THE NT PARLIAMENT	2
MANAGING THE WORKLOAD OF PARLIAMENTARY COMMITTEES	2
INTERESTING PARLIAMENTARY INQUIRIES	4
THE ROLE OF THE PRIVATE SECTOR IN PROVIDING PUBLIC WORKS	5
LAND DATA MANAGEMENT SYSTEMS	6

The Standing Committee on Planning and Urban Services was established on 28/4/98 to inquire into and report on planning and lease management, road and transport services, housing and housing assistance, government purchasing and public utilities purchasing, electricity industry and regulation, construction industry policy, parks and forests, private sector employment inspectorate, building services, environment, heritage and municipal services and any other related matter (resolution of appointment, as amended on 25/11/99).

Committee members

Mr Harold Hird MLA (Chair)

Mr Dave Rugendyke MLA (Deputy Chair)

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Secretary – Mr Rod Power

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LIST OF REPORTS BY THE STANDING COMMITTEE ON PLANNING AND URBAN SERVICES IN THE FOURTH ASSEMBLY [DV=Draft Variation to the Territory Plan; tabling date is shown in brackets]

1. DV No.97 *Northbourne Avenue* [26/5/98]
2. DV No.91 *Signs Policies Amendments to the Territory Plan Written Statement* [released 2/7/98, tabled 26/8/98]
3. DV No.93 *Narrabundah section 34 block 16 part block 27 - B5 restricted access recreation land use policies (golf facility)* [released 2/7/98, tabled 26/8/98]
4. *Government's 1998-99 Draft Capital Works Program* [released 3/7/98, tabled 26/8/98, govt response 29/10/98]
5. *1998 Conference of Parliamentary Public Works and Environment Committees* [27/8/98]
6. DV No.66 and DV No.79 *Heritage Places Register (Fourth and Fifth Variation)* [released 4/9/98, tabled 22/9/98]
7. *Final Draft Management Plan for Canberra Nature Park* [22/9/98, govt response 2/7/99]
8. DV No.67 *Federal Highway Duplication* [released 23/10/98, tabled 29/10/98]
9. *Draft Plans of Management for Urban Parks & Sportsgrounds in Woden, Weston Creek and Belconnen, and for Lake Ginninderra* [released 16/10/98, tabled 29/10/98]
10. *Environment Protection (Amendment) Bill 1998 - Exposure Draft* [27/20/98, govt response 1/7/99]
11. *ACTION bus services for school children* [29/10/98, govt response 8/12/98]
12. *Water Resources Bill 1998 and amendments* [incorporating a dissent] (29/10/98, govt response 17/11/98)
13. DV No.63 *Policies for Home Businesses and Home Occupations* [released 5/11/98, tabled 17/11/98]
14. DV No.105 *Symonston section 103 block 6 Mugga Mugga* (released 5/11/98, tabled 17/11/98)
15. *Interim Report on DV No 89 Murrumbidgee and Lower Molonglo Rivers - River Corridors Land Use Policy - Public Land Categories; and Other Minor Changes* [8/12/98]
16. *Tidbinbilla Nature Reserve - Final Draft Management Plan 1998* [9/12/98, govt response 23/3/99]
17. *The Existing Petrol Sites Policy* [18/2/99, govt response tabled 2/7/99]
18. DV No.98 *Water use and catchment policies* [16/2/99]
19. DV No.124 *Charnwood section 94 block 1 (former school site)* [released 5/3/99, tabled 9/3/99]
20. DV No.115 *Enclosure of sport grounds - Holt and Stirling district playing fields* [released 5/3/99, tabled 9/3/99]
21. DV No. 123 *Griffith section 39 block 18 (part)* [released 5/3/99, tabled 9/3/99]
22. *The Draft 1999-00 Capital Works Program* [released 7/4/99, tabled 20/4/99, government response 1/7/99]
23. DV No. 109 *Residential Land Use Policies - Area specific policies B11 and B12 North Canberra - Appendix III.3 Urban Housing Code* [released 16/4/99, tabled 20/4/99]
24. *Activity in its First year of Operation* [6/5/99]
25. *Code of Practice for the Placement of Movable Signs in Public Places* [6/5/99, govt response 24/8/99]
26. DV No.111 *Canberra Centre Consolidation* [released 21/6/99, tabled 30/6/99]
27. DV No.117 *Heritage Places Register (Mt Franklin ski chalet, huts, homesteads and brumby yards)* [1/7/99]
28. *Restricted Taxi (Multicab) Plates* [released 12/8/99, tabled 24/8/99, govt response 25/11/99]
29. DV No.137 *O'Connor section 86, block 2, Macpherson Court* [26/8/99]
30. *Carparking at Exhibition Park in Canberra (EPIC)* [2/9/99, govt response 9/12/99]
31. DV No.94 *Red Hill Section 56 Block 1 (Federal Golf Club)* [incorporating a dissent] [released 11/10/99, tabled 12/10/99]
32. *Report on Attendance of the Standing Committee for Urban Services at the National Conference of Parliamentary Works and Environment Committees in Hobart 13-15 September 1999* [12/10/99]
33. DV No.116 *Charnwood Section 96* [released 29/9/99, tabled 12/10/99]
34. DV No.102 *Heritage Places Register* (released 22/11/99, tabled 24/11/99)
35. DV No. 96 *Northbourne Avenue Precinct* [released 12/11/99, tabled 24/11/99]
36. *Warrants for Traffic Calming Measures* [24/11/99, govt response 9/3/00]
37. *Motor Traffic (Amendment) Bill (No. 4) 1998 and circulated amendments* [25/11/99, govt response 17/2/00]
38. *1998-99 Annual Reports - Department of Urban Services* [released 16/12/99, tabled 15/2/00, govt response 11/5/00]
39. *Long Service Leave (Cleaning, Building and Property Services) Bill 1999* [7/12/99]
40. DV No.100 *Telecommunications Facilities Policies* [15/2/00]
41. *Betterment (Change of Use Charge)* [incorporating a dissent] [2/3/00, govt response 28/3/00]
42. DV No.113 *Kingston Foreshore* [7/3/00]
43. *The Draft 2000-01 Budget for the Department of Urban Services (DUS)* [28/3/00, govt response 23/5/00]
44. *An Appropriate Tree Management and Protection Policy for the ACT* [released 2/5/00, tabled 9/5/00]
45. DV No.114 *relating to a proposal to add the Red Hill Precinct to the Heritage Places Register* [incorporating a dissent] [11/5/00]
46. DV No.110 *relating to a proposal to add to the Heritage Places Register the following three places: Northbourne Avenue, Braddon; Ainslie Public and Primary Schools, Braddon; Ginninderra Village precinct, Nicholls* [released 5/5/00, tabled 9/5/00]
47. DV No.145 *Heritage Places Register* [released 5/5/00, tabled 9/5/00]
48. *Draft Plans of Management for Urban Parks and Sportsgrounds in Inner Canberra and in Tuggeranong* [released 5/5/00, tabled 9/5/00]
49. *Activity in 1999-2000* [23/5/00]
50. DV No. 144 *Molonglo River Corridor: the Defence Force Collocated Staff Colleges site including other land within this area of Weston Creek* [released 22/5/00, tabled 23/5/00]
51. *Utilities Bill 2000* [released 25/7/00]
52. DV No. 139 *Proposed additional uses in B11 North Canberra* [released 25/7/00]

BACKGROUND

1. This is a report by the Standing committee on Planning and Urban Services to the Legislative Assembly of the ACT. The report is an account of the committee's attendance at the 2000 Conference of parliamentary Public Works and Environment committees, which is held annually. This year's conference was hosted by the Northern Territory's parliament and in particular, by the NT's Sessional Committee on the Environment. The conference took place over three days (17 July-19 July 2000).

2. The committee expresses its appreciation for the excellent arrangements, and hospitality, of the Speaker of the NT Parliament (Hon T.R.McCarthy MLA), the chair of the Sessional Committee on the Environment (Dr Richard Lim MLA), their parliamentary colleagues, and the staff of the NT Parliament. The committee particularly thanks the Clerk Assistant (Mr Graham Gadd) for his careful and thoughtful attention to detail throughout the three days of the conference.

3. The format of the conference continued the practice established by this committee's predecessor (the Standing Committee on Planning and Environment) when it hosted the annual conference here in Canberra in 1996, namely: two keynote addressees (one for the public works side of the conference and one for the environment side), oral reports by each committee about their activities in the year since the last conference, talks by local experts about issues of interest to the visiting parliamentarians, site visits, and a conference dinner.

4. The committee was honoured to be asked by the host committee to chair the proceedings of that portion of the conference in which delegates reported on their activities in the past year (with respect to public works).

5. The conference site visit was to the new East Arm port facility at Darwin which will be the terminus of the new north-south railway line, whose construction is expected to start later this year. It is a BOOT project [build, own, operate, transfer]. Estimated to cost \$1.2 billion, the new line and expanded port at Darwin is expected to significantly affect the Australia-Asia trade route. It will enable a four-day movement of freight from southern Australia to Asia compared to eight or nine days at present. This should make the venture attractive to high value, time-sensitive goods such as perishables and car parts.

6. As always, members of this committee found the opportunity to share ideas with colleagues from parliaments all around Australia to be valuable and productive. The committee found the following aspects of the conference particularly interesting and so draws them to the attention to members of the ACT's parliament.

THE NT PARLIAMENT

7. The committee was impressed by the ‘inclusive’ nature of the NT’s parliament building. The building appears to welcome visitors in a way that the ACT’s parliamentary building does not. The parliamentary building includes—as well as the legislative chamber itself and offices for all MLAs—the reference section of the NT Public Library, a craft shop selling Territory-made wares, a cafe, and a large public space which, it seems, is used for public and private receptions (including weddings). It also includes various historical momentos about the buildings and activities formerly existing on the site.

8. As a result, there is a constant movement of visitors through the building; in essence, it appears that the public ‘is drawn into’ the building in a way that does not happen in the ACT. Of course, the glorious setting of the building assists in this regard.

9. The committee was also impressed by elements of the committee rooms in the parliamentary building. These include overhead microphones (thus eliminating the need for microphones on the tables) and flexible tables. The latter can be arranged in the traditional horseshoe or square pattern for committee hearings or can be split into several working-group areas. The tables also have removable legs, which then are secured beneath the table itself; this means that the tables can be easily stored in an upright position. These features are relevant to the Assembly’s own examination of the needs of our committee rooms which is taking place at the moment.

10. Also of interest was the availability of personal computers to members in the chamber. One NT member, Dr Lim MLA, told delegates that he regularly prepares his own speeches on his PC in the chamber, then expands the size of the font to make it easy to read while addressing the chamber and, at the conclusion of his speech, he then e-mails the speech to Hansard.

11. Finally, the committee notes that the NT parliament consists of 25 members, three of whom are women (including the Leader of the Opposition). There are approximately 180,000 people in the NT.

MANAGING THE WORKLOAD OF PARLIAMENTARY COMMITTEES

12. The committee was interested to learn how other parliamentary committees manage their workload. There was general surprise at the number of reports produced by the ACT Planning and Urban Services committee but, even so, at least one other state committee reports as often. This was the SA Public Works committee, which has produced 25 reports in the past year, met on 35 occasions and conducted 15 site inspections. (By way of contrast, the ACT Planning and Urban Services committee produced 26 reports and met on 57 occasions in the past year.¹)

¹ See Report No.49 of this committee *Activity in 1999-2000* (May 2000)

13. Another committee producing a considerable number of reports is the Commonwealth Public Works committee which tabled 14 reports in the year since the last conference, with a further three reports in the pipeline; it also has nine inquiries underway. The Commonwealth committee is different to some other committees (including the ACT committee) in that it must confine its examination of proposed projects to whether they deliver 'value for money' to the Commonwealth; it cannot inquire into the basic rationale for a proposed work.

14. Most reports by the Commonwealth committee take four-five months to complete, though some go for nine months. A particularly interesting inquiry at present is into the proposed replacement of the Lucas Heights Nuclear Reactor. The committee has requested six-monthly updates on the implementation of capital works at this site, which is an unusual step for that committee to take; this action reflects widespread public interest in the proposed capital works.

15. The Commonwealth parliament is one of the few parliaments with specific committees examining public works and the environment (another is SA, which has a Public Works committee and an Environment committee). Most parliaments rely on one committee covering **both** public works and the environment (such as NSW, QLD and the ACT) or one committee charged with examining **either** public works **or** the environment. Examples of this type are Victoria, WA and the NT (which have an Environment committee but no public works committee), and QLD and Tasmania (which have only a Public Works committee).

16. The QLD Public Works committee—whose style of reporting impressed members at last year's conference and which led to some experimentation in this committee's reports over the past year¹—told delegates to this year's conference that all of its reports are placed on the Net after they have been tabled in the House. This facilitates access by the public as well as reducing the committee's administrative costs (the cost of mailing out hard-cover versions of the reports was a problem in the past). The QLD committee is continuing to produce more concise reports than those associated with 'traditional' reports by parliamentary committees.

17. The committee was interested to learn that some committees occasionally produce reports which do not contain recommendations. One such report was by the NSW Public Works committee following an inquiry into procuring capital works in that state. The inquiry was a joint one with the Public Bodies Review Committee.² Because of the complexity of procurement issues in NSW, the Public Works committee found it expedient to report by way of an issues paper. This outlined the history of capital works procurement in the state and listed the policy documents relevant to procuring capital

¹ For mention of this reporting style, see this committee's report No.32 (dated 8/10/99) Report on Attendance of the Standing Committee for Urban Services at the National Conference of Parliamentary Public Works and Environment Committees in Hobart on 13-15 September 1999.

² The Public Bodies Review committee concentrated upon the procurement of goods and services, whereas the Public Works committee focussed on the procurement of capital works.

works. The report then outlined issues requiring further examination. The report was tabled in the House without recommendations—but it served to inform parliamentarians about a major issue and indicated further lines of inquiry which the committee is beginning to follow-up.

INTERESTING PARLIAMENTARY INQUIRIES

18. The national conference highlighted the range and diversity of parliamentary committee activity across Australia in the areas of public works and the environment. Some examples follow.

19. The WA Environment committee referred to the highly controversial nature of its inquiry into Regional Forestry Agreements in that state, as well as to its ongoing inquiry into the quality of Perth's water supply. It also referred to the looming issue of salinity in Australia which it believes will require a national action plan. It was stated that tree plantings alone are not the answer to the salinity problem; rather, the solution will involve total catchment management involving engineering solutions and requiring national coordination.

20. The NSW Public Works committee told delegates to the conference about its recent inquiry into office accommodation management by government agencies in the Sydney CBD. The NSW government leases 10% of office space in the CBD and the committee found that the government was not obtaining appropriate value from its lease arrangements. This was because agencies did not possess expertise in handling contracts for building leases and did not have a central referral body to go for advice. As a result of the committee's inquiry, the NSW government has improved the capacity of the Department of Public Works to oversight office leasing arrangements in the CBD (for **all** government agencies). The government is also examining moving some offices to locations other than the CBD in order to reduce the overall cost of housing public servants.

21. At the suggestion of the Minister for Works, the NSW Public Works committee has begun an inquiry into the acquisition and maintenance of asset infrastructure. The inquiry, in part, is intended to make suggestions about how to reduce instances of duplication among agencies.

22. Other inquiries of interest include that by the Commonwealth Environment committee into 'sick building syndrome', and that by the SA Public Works committee into the SA/Darwin railway.

THE ROLE OF THE PRIVATE SECTOR IN PROVIDING PUBLIC WORKS

23. The committee was again struck by the number of references by delegates to the perennial issues of the role of the private sector in providing public works and the degree to which legislators are able to scrutinise proposed capital works. Both issues are controversial across Australia.

24. In relation to the first issue, delegates again discussed aspects of BOO and BOOT schemes. The SA Public Works committee referred to its experience with the 'alliance' (or collaborative) method of project delivery, which is being used for an extension to Adelaide's Entertainment Centre. (This method of project delivery is also being used for the new National Museum project at Acton in the ACT.) There appeared to be general agreement with the observation by the chair of the QLD Public Works committee that 'the jury was still out' on the merit of private sector involvement in public works projects.

25. In relation to the second issue, delegates noted the problems associated with scrutinising 'off-Budget' capital works¹, problems with obtaining 'whole-of-life' costings for each proposed project, problems with ensuring that a 'net present value' financial analysis is used by all government agencies when proposing new works², and problems arising when senior public sector managers feel that anything other a cursory degree of legislative scrutiny leads to delays and uncertainties in delivering projects on time.³

26. An additional issue for many jurisdictions concerns the cut-off limit, in dollar terms, for legislative scrutiny and the degree to which large projects might be split up into component parts, each of which is below the financial figure that requires parliamentary attention.⁴ In this regard, the ACT is remarkably fortunate; for we have developed the practice of preparing a complete annual program of capital works **in draft form** which then is referred by the government to a parliamentary committee. This permits scrutiny of

¹ For example, the SA Public Works committee noted that the SA Premier argued that he did not need to refer a proposed capital work to the committee (event though it exceeded the committee's \$4m threshold figure) because it was being financed by a loan rather than by direct Budgetary allocation. The Tasmanian Public Works committee observed that it was permitted only to examine capital works funded directly by the Budget; hence, it could not examine capital works funded by lease-type arrangements.

² The committee was impressed with the statement by the chair of the SA Public Works committee that it has managed, over recent years, to convince most senior public sector managers – and even some Ministers – of the usefulness for sponsoring agencies to detail their net present value (and internal rate of return) assumptions. As a result, all projects coming before the committee now routinely include this information in their financial background.

³ For example, the Vice-chair of the Commonwealth Public Works committee referred to the view of some senior public sector managers that scrutiny by the committee was a nuisance because it risked delays that would add to a project's costs.

⁴ For example, the threshold figure for the Commonwealth Public Works committee is that a proposed project costs more than \$6m; for the SA Public Works committee, it is \$4m; for the Tasmanian Public Works committee, it is \$1m.

the whole program in advance of the Budget process. In the past, it enabled the scrutinising committee¹ to develop particular expertise in the assessment of projects; this is now disappearing as proposed capital works are divided among the relevant portfolio committees. This is an issue of on-going concern to this committee.

27. An interesting aspect of committee scrutiny was provided by the QLD Public Works committee, which told delegates that it relied upon the QLD Treasury Corporation for financial advice about the worth (in financial terms) of proposed projects. The QLD committee appears to have utter trust that the Corporation's analysis is impartial and expert. The committee is unaware of any similar arrangement by a parliamentary committee with respect to the financial elements of proposed capital works.

LAND DATA MANAGEMENT SYSTEMS

28. The final matter which members of the Planning and Urban Services committee bring to the attention of the Assembly concerns the manner in which information about land titles and holdings is stored and accessed.

29. At the 1999 national conference of public works and environment committees in Hobart, delegates were shown the Tasmanian LIST system. This is an Internet-based land information system which provides subscribers with Internet access to the following products: current Land Title information; property and valuation details; property sales information; electronic lodgement of priority notices; Registry of Deeds; dispatch inquiry; and purchasers index. The LIST also provides an electronic version of the Tasmanian Towns Streets Atlas at no cost and a Map Display option to view or search for properties.

30. Subscribers to LIST hold an account with the Department of Primary Industry, Water & Environment. They are required to provide a letter with information regarding the nature of the organisation's business and the purpose for which the information is wanted. Subscribers then receive a unique User ID and password, enabling them to access the nominated serviced. They are invoiced on a monthly basis.

31. This committee was very impressed by LIST and hence recommended, in our report on the Hobart conference:

that the government investigate the introduction of a land information system in the ACT similar to... LIST. The committee considers the investigation could be undertaken by a working party comprising representatives of PALM, the Registrar-General's Office, Environment ACT, and other interested bodies. It would be

¹ This has always been the relevant planning committee in each Assembly. In the Third Assembly, it was the Standing Committee on Planning and Environment; in the first year of the Fourth Assembly, it was the present committee.

useful if the National Capital Authority was also represented on the working party, in view of that organisation's responsibility for the National Capital Plan.¹

32. On the committee's return from Hobart, the committee asked to be briefed on the equivalent ACT system. This is called ACTMAP and is based on a graphic design system. This 'lacks functionality that users expect today'; hence, the Department of Urban Services is developing a new land information system that is based on a geographic information management strategy.² The new ACTMAP will 'maximise access to land information through the use of web-based technology'.³

33. However, the new system will not achieve all that the Tasmanian LIST already provides, particularly in the area of access by the general public and the capability to search by owner, by land title and by property sales.

34. At the Darwin conference, delegates were shown the NT land information system. This reflects 'a cooperative arrangement between NT government agencies—and potentially other governments and the private sector—that is designed to deliver better outcomes for government, the community and industry from the use of spatial data resources'.⁴ It links the following data sets: reference data; Cadastre; Land Tenure; topography; administrative boundaries; administrative interests; aerial photography; and development activity. Its coordination involved the following:

- a lead agency (nominated by Cabinet)
- role agreed by other agencies and endorsed by the government
- Memorandums of Understanding with other agencies
- nomination of a coordination group, with working groups for specific issues
- focus upon land information management
- cross-agency programs, and
- Intranet/Internet site.⁵

35. In developing its land information system NT is preparing policies for spatial data covering custodianship of corporate land information, information about data sets (Metadata), access to corporate land information, copyright and intellectual property, data

¹ Report No.32 *op cit*

² Briefings of the committee during 2000 by DUS officers

³ *ibid*

⁴ Briefings at the Darwin conference by officers of the NT Department of Lands, Planning and Environment

⁵ *ibid*

Standing Committee on Planning and Urban Services

supply agreements, commercial supply of data and management of liability. Some of these areas involve specific legislation (such as the way that privacy issues will be handled when information is made publicly available).

36. It appears to the committee that the ACT is lagging in the preparation of these types of policies—and yet they are essential if the various existing data holdings of the Territory (including those held by ACTEW) are to be coordinated and made accessible to all government agencies as well as to the public.

37. As a result, the Planning and Urban Services committee has commenced an inquiry with the following terms of reference:

to inquire into and report on a comprehensive, useable (for multiple purposes), publicly accessible and central Land Administration Information System for the ACT, and any related matter.

38. The committee has asked for a government submission and called for submissions from the public. These are due by 6/10/00 and public hearings will be scheduled thereafter. It is hoped that the inquiry will smooth the way for a comprehensive land administration information system for the ACT that incorporates the fine features of the existing Tasmanian LIST and NT systems.

Harold Hird MLA
Chair

August 2000