

STANDING COMMITTEE ON PLANNING, PUBLIC
WORKS AND TERRITORY AND MUNICIPAL SERVICES

**Report on Annual and Financial Reports
2010-2011**

MAY 2012

Committee membership

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Ms Caroline Le Couteur MLA	Deputy Chair
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Resolution of appointment

On 9 December 2008, the ACT Legislative Assembly agreed by resolution to establish general purpose standing committees to inquire into and report on matters referred to it by the Assembly or considered by the committee to be of concern to the community, including:

(e) a Standing Committee on Planning, Public Works and Territory and Municipal Services to examine matters related to planning, land management, proposed capital works projects in the public sector, including works undertaken by territory owned corporations, municipal transport services, heritage and sport and recreation.

The Assembly agreed that each standing committee can consider and make use of the evidence and records of the relevant standing committee appointed during the previous Assembly.¹

Terms of reference

On 22 September 2011 the ACT Legislative Assembly referred the annual and financial reports for the calendar year 2011 and the financial year 2010–2011 to Assembly standing committees, in accordance with a schedule. The reports had been presented to the Assembly pursuant to the *Annual Reports (Government Agencies) Act 2004*.

The reports, and parts of reports, referred to the Standing Committee on Planning Public Works and Territory and Municipal Services are:²

ACT Planning and Land Authority

ACT Public Cemeteries Authority

Environment and Sustainable Development Directorate: ACT Heritage Council

Land Development Agency

Territory and Municipal Services Directorate (including ACTION & Animal Welfare Authority)

¹ Legislative Assembly for the ACT, *Minutes of Proceedings No. 2*, 9 December 2008, pp14–18, <<http://www.parliament.act.gov.au/downloads/minutes-of-proceedings/08MoP02.pdf>>

² ACT Legislative Assembly, *Minutes of Proceedings No. 120*, Thursday 22 September 2011, pp1532–1533.

Acronyms

ACAT	ACT Civil and Administrative Tribunal
ACT	Australian Capital Territory
ACTPLA	ACT Planning and Land Authority
CLS	Canberra Linen Service
COL Act	<i>Construction Occupations (Licensing) Act 2004</i>
CSIRO	Commonwealth Scientific and Industrial Research Organisation
EDD	Economic Development Directorate
EPBC	Environment Protection and Biodiversity Conservation
ESD	Environment and Sustainable Development Directorate
GDE	Gungahlin Drive Extension
ICT	Information and Communication Technology
IPCC	Internet Protocol Contact Center
k/h	Kilometres per hour
LDA	Land Development Agency
MLA	Member of the Legislative Assembly
PCS	Parks and City Services
PCT	Perpetual Care Trust
PDA	Personal digital assistant
PPWTMS	Planning, Public Works and Territory and Municipal Services
QTON	Question Taken on Notice
RSPCA	Royal Society for the Prevention of Cruelty to Animals
TAMS	Territory and Municipal Services Directorate

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RECOMMENDATIONS

RECOMMENDATION 1

1.10 Where part of a question taken on notice falls within the purview of another minister, the minister to whom the question has been directed should either (a) ensure that a copy of the question is forwarded to the relevant minister to provide a direct response, and the Committee advised that this has occurred, or (b) seek input from the relevant minister and incorporate it in his or her response to the Committee.

RECOMMENDATION 2

3.56 The Committee recommends that details of the reasons for the Planning and Land Authority's decisions to adopt a single select or select tender process for its procurements be included in future annual reports.

STANDING COMMITTEE ON PLANNING, PUBLIC WORKS AND
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1 INTRODUCTION

- 1.1 On 22 September 2011, the ACT Government's annual and financial reports for the 2010-11 financial year and the 2011 calendar year were tabled in the ACT Legislative Assembly and referred to standing committees for inquiry and report. The Standing Committee on Planning, Public Works and Territory and Municipal Services had the following reports referred to it:

ACT Planning and Land Authority

ACT Public Cemeteries Authority

ACT Heritage Council (included in the Environment and Sustainable Development Directorate annual report)

Land Development Agency

Territory and Municipal Services Directorate (including ACTION & Animal Welfare Authority)

- 1.2 The inquiry process provides an opportunity for Assembly Members to seek clarification about issues raised in annual reports.
- 1.3 This report focuses on the issues raised and assessed during the Committee's public hearings for this inquiry. Full transcripts of the evidence taken by the Committee can be accessed via the Legislative Assembly's website.³

Conduct of the inquiry

- 1.4 To assist with the assessment process, and to clarify issues, the Committee held public hearings on 1, 8, 22 and 29 November 2011. A list of those who participated in the hearings is at Appendix A.
- 1.5 A total of 48 questions were taken on notice during the hearings. A list of questions taken on notice is provided at Appendix B. Following the hearings, a total of 117 supplementary questions were forwarded to the respective Ministers, a number with multiple component questions. A list is provided at Appendix C.

³ Transcripts available at: <http://www.hansard.act.gov.au/hansard/2009/comms/default.htm#planning>

- 1.6 Responses to supplementary questions and questions taken on notice are published on the inquiry website.⁴
- 1.7 The Committee notes that as at 9 May 2012, answers to only one question remained unanswered.

Redirecting questions

- 1.8 The Committee notes that in several responses to questions taken on notice, ministers advised that aspects of the questions should be referred to other ministers.⁵
- 1.9 The Committee considers that where a question or part of a question falls within the portfolio responsibility of another minister, the minister to whom the question has been referred should either:
- Seek the answer from the relevant minister and include in his or her response to the question; or
 - Advise in his or her response that the question or part of a question has been forwarded to the relevant minister for direct response.

RECOMMENDATION 1

- 1.10 **Where part of a question taken on notice falls within the purview of another minister, the minister to whom the question has been directed should either (a) ensure that a copy of the question is forwarded to the relevant minister to provide a direct response, and the Committee advised that this has occurred, or (b) seek input from the relevant minister and incorporate it in his or her response to the Committee.**

⁴ Responses to Supplementary Questions and Questions Taken on Notice can be accessed at:
<http://www.parliament.act.gov.au/committees/index1.asp?committee=113&inquiry=1027&category=15>

⁵ See for example answers to PPWTMSQTON 11/23 and PPWTMSQTON 11/26

Purpose and Intent of Annual Reports

- 1.11 Agency reporting requirements are set out in the *Annual Report (Government Agencies) Notice 2011 (No 1)*.⁶ This Notice includes the Chief Minister's Annual Reports Directions (the Directions) which are issued under the *Annual Reports (Government Agencies) Act 2004*. As key accountability documents concerning management performance, annual reports reflect on the year's performance, achievements and outcomes. They are also a concise way of accounting for the expenditure of public monies.
- 1.12 Agencies account for management performance through Ministers to the Legislative Assembly and the wider community. Since annual reports are tabled in the Assembly, they are historical documents on the public record, and are available for use by stakeholders, including educational and research institutions, the media and the public. Annual reports are also key reference documents, and documents for internal management.
- 1.13 As specified in the Directions, annual reports should be 'an objective account, primarily to the Legislative Assembly, of how the entity has performed during the reporting year.'⁷
- 1.14 The Directions also specify that an effective annual report will:
- provide a clear picture of the agency's purpose, priorities, outputs and achievements;
 - focus on results and outcomes – communicate the success or otherwise, including shortfalls, of the agency's activities in achieving government policy outcomes in the reporting year, while accounting for the resources used in the process;
 - discuss results against expectations - provide sufficient information and analysis for the Assembly and community to make a fully informed judgement on agency performance;
 - clearly identify any changes to structures or functions of the agency in the reporting period and explain changes in performance over time;

⁶ Accessible at: <http://www.legislation.act.gov.au/ni/2011-311/current/pdf/2011-311.pdf>

⁷ *Chief Minister's 2010-2011 Annual Report Directions*, p8

- report on agency financial and operational performance and clearly link with budgeted priorities and financial projections as set out in annual Budget Estimate Papers and the agency Statement of Intent and Corporate Plan;
- provide performance information that is complete and informative, linking costs and results to provide evidence of value for money;
- discuss risks and environmental factors affecting the agency's ability to achieve objectives including any strategies employed to manage these factors, and forecast future needs and expectations;
- recognise the diverse needs and backgrounds of stakeholder groups and present information in a manner that is responsive to the maximum number of users while maintaining a suitable level of detail;
- comply with any specific legislative reporting requirement; and
- comply with the Annual Reports (Government Agencies) Act 2004 and the Chief Minister's Annual Report Directions.⁸

Acknowledgments

- 1.15 The Committee thanks relevant ACT Government Ministers and accompanying directorate and agency officers for providing their time and expertise as witnesses at its annual reports hearings.
- 1.16 The Committee also acknowledges the contribution of departmental and agency officers who provided supplementary information to the Committee which assisted its understanding of the many issues being considered.
- 1.17 The Committee sought clarification on a number of issues at public hearings, some of which are expanded upon in the next chapters. The full transcript of public hearings is available on the Assembly website at:
<http://www.hansard.act.gov.au/hansard/2009/comms/default.htm#planning>

⁸ *Chief Minister's 2010-2011 Annual Report Directions*, pp6-7

2 TERRITORY AND MUNICIPAL SERVICES DIRECTORATE

- 2.1 The Territory and Municipal Services Directorate (TAMS) delivers a wide range of services including: recycling and waste collection, operation of public libraries and maintenance of municipal infrastructure.
- 2.2 TAMS is also responsible for road, footpath and cycle path maintenance and operating the city's public transport system (ACTION).
- 2.3 TAMS has responsibility for overseeing the ACT's parks and reserves, such as Tidbinbilla Nature Reserve, Namadgi National Park and the reserves that make up Canberra Nature Park.
- 2.4 Canberra Connect, the primary contact point for ACT Government information, services and payments, is also a part of the Directorate.
- 2.5 The Directorate also oversees the management of a number of the ACT Government's commercial operations, including ACT NOWaste, Capital Linen Service, ACT Public Cemeteries Authority, Yarralumla Nursery and ACT Property Group.⁹
- 2.6 The following changes to administrative arrangements impacted on the TAMS Directorate during 2010-11:
 - ACT Heritage moved from TAMS to the Chief Minister's Department on 1 July 2010;
 - The Events team moved from TAMS to the Chief Minister's Department during 2010-11;
 - Shared Services and the Territory Records Office moved from TAMS to the Treasury Directorate on 17 May 2011;
 - Transport Planning and support to the Conservator of Flora and Fauna moved to the Environment and Sustainable Development Directorate on 17 May 2011;

⁹ *Territory and Municipal Services Directorate Annual Report 2010-2011, Volume 1, p2*

- Transport regulation and road safety functions moved to the Justice and Community Safety Directorate on 17 May 2011;
- Territory Venues and Events, Exhibition Park in Canberra and Sport and Recreation Services moved to the Economic Development Directorate on 17 May 2011; and
- ACT Property Group moved from the former Department of Land and Property Services to TAMS on 17 May 2011.¹⁰

Risk management

- 2.7 The Committee sought further information on two risks relating to the costs of meeting demands of a growing city and ageing infrastructure and loss or unacceptable deterioration of physical infrastructure, including any quantification of the risks, the degree to which the risks are increasing and steps being taken to ameliorate the risks.¹¹
- 2.8 The Directorate advised that it had a ‘mature risk management program’ which ensured that strategic and operational risks were clearly identified.¹²
- 2.9 Mr Gary Byles, Director-General, TAMS, added that it was important that the Directorate ‘maintain the appropriate focus and priority in addressing infrastructure maintenance and allocate the resources to that end’. While recognising that this needed to be balanced with other priorities within the Directorate, the Director-General expressed confidence that the infrastructure and asset management program was appropriate and infrastructure deterioration is dealt with as a priority as it occurs.¹³
- 2.10 The Committee was interested in the Directorate’s infrastructure and asset management program and the approach used to achieve a balance between maintenance and new works.¹⁴
- 2.11 Noting that these are matters for which the government would set priorities, the Director-General also advised that the Directorate monitored community

¹⁰ *Territory and Municipal Services Directorate Annual Report 2010-2011*, Volume 1, p vii

¹¹ *Transcript of Evidence*, 1 November 2011, p2

¹² *Transcript of Evidence*, 1 November 2011, p2

perceptions and engaged with the community about its areas of concern. By way of example, the Director-General submitted that the Directorate had a 'very good footpath maintenance program' towards which a significant amount of budget funding is allocated.¹⁵

2.12 Given that two of the three risks identified relate to the maintenance of physical infrastructure, and that the Government's priorities are in part based on advice from departmental officials, the Committee sought further information on how the Directorate was advising the Minister about maintenance requirements.

2.13 The Minister, Mr Simon Corbell MLA, informed the Committee that:

The directorate regularly advise me on their assessment as to the adequacy of existing maintenance programs and areas where there are pressures in terms of the upgrade or maintenance of a variety of built assets, whether that is roads or land management functions. ... These assessments are made at a directorate level and are fed into the government's thinking as it develops its budget proposals for each financial year.¹⁶

2.14 At the request of the Committee, the Directorate provided a complete list of the risks identified under the risk management program. The risks, confirmed by the TAMS Audit Committee on 20 November 2011, are:

- Loss of life;
- Failure to meet statutory and legislative compliance;
- Inability to meet Government priorities;
- Loss or unacceptable deterioration of infrastructure within TAMS' portfolio;
- Loss of reputation;
- Increasing risk of personal injury and property damage caused by hazardous trees in the ACT;
- Harm or potential harm to a person as a result of TAMS action or inaction;

¹³ *Transcript of Evidence*, 1 November 2011, p2

¹⁴ *Transcript of Evidence*, 1 November 2011, pp2-3

¹⁵ *Transcript of Evidence*, 1 November 2011, p3

¹⁶ *Transcript of Evidence*, 1 November 2011, p3

- Inadequate Workforce capability;
- IPCC Telephony failure; and
- Business ICT System Failure.¹⁷

Infrastructure upgrades

Majura Parkway

- 2.15 An update was sought on when work would commence on the project and whether it would be managed jointly with a federal agency or solely by the Territory.
- 2.16 The Committee was advised that the final design of the road was out to tender, with tenders for the construction of the road to be released in the second half of 2012. Following the award of contracts it was expected that construction would commence towards the end of 2012. The Director, Roads ACT, Mr Tony Gill, added:
- At this point in time, the current program is for us to undertake the detailed design and documentation of the road over the next eight months. We are just about to let that contract. It has been tendered and it is being evaluated at the moment. We are working towards a program that would see the construction program going out to tender in April 2012, for a construction contract to be let by August 2012 and for the construction program to be completed by June 2016.¹⁸
- 2.17 The Directorate advised that there was a shared funding arrangement for the construction of the parkway between the Commonwealth and the Territory, with the Territory having day-to-day management of the project, while there would be Commonwealth involvement through a steering and governance process.¹⁹

¹⁷ Answer to PPWTMSQTON 11/01

¹⁸ *Transcript of Evidence*, 1 November 2011, p9

¹⁹ *Transcript of Evidence*, 1 November 2011, pp9-10

- 2.18 The two sources of funding for the Majura Parkway project – from the ACT Government and the Commonwealth – would be managed by the Territory on behalf of the Commonwealth.²⁰

Bridge strengthening

- 2.19 The Directorate advised that the bridge strengthening program was an ongoing one. Noting that some 70 per cent of bridges were built prior to the 1970s, the Committee was advised that as a consequence of both the ageing infrastructure and the substantial increase in the freight carrying capacity of new vehicles, certain routes required bridge upgrades on an ongoing basis.²¹
- 2.20 The bridge strengthening program, which is jointly funded by the Territory and Commonwealth governments, had been achieving its target of the number of bridges that meet the required standard for the last few years.²²

Bridge safety program

- 2.21 In response to questions about the installation of additional bridge screens, the Minister advised the Committee that:

...bridge screening is being put in place at selected locations based on a risk assessment to help deter or prevent rock throwing activity, basically, or the throwing of projectiles from bridges that have the potential to cause serious harm to motorists and other road users.

Regrettably, we do see this behaviour in the territory. It is potentially a lethal action that people take when they behave with that sort of reckless behaviour. So regrettably we have had to put in place safety screens on a number of bridges across major roads in the territory. That has been done on the basis of a risk assessment, recognising the potential both for pedestrian access to those bridges and for the volume and speed of traffic that passes beneath.²³

²⁰ *Transcript of Evidence*, 1 November 2011, p10

²¹ *Transcript of Evidence*, 1 November 2011, p11

²² *Transcript of Evidence*, 1 November 2011, p10-11

²³ *Transcript of Evidence*, 1 November 2011, p10-11

- 2.22 The Directorate advised that as well as on Parkes Way, bridge safety work was also being undertaken on Adelaide Avenue, Carruthers Street and Chandler Street, near the community bus interchange.²⁴

Waste

Contaminated remediation material

- 2.23 The Committee noted that the Territory was receiving increased revenue from the acceptance of contaminated remediation material and questioned the Minister as to whether this was a profitable enterprise.
- 2.24 The Directorate responded that it was not a question of profitability but 'of what the polluter has to pay for the disposal of those wastes into an appropriate acceptance facility.'²⁵ The Committee was advised that the fee for the acceptance of general waste was typically \$66 a tonne, while the acceptance of contaminated waste was over \$120 a tonne.

Recycling estates

- 2.25 Concerns about the potential fire risks associated with the stockpiling of recyclable waste were raised with the Minister.
- 2.26 The Minister advised that it was revising its policy in relation to the conditions attached to the issuing of licences to ensure that there are no inappropriate levels of stockpiling.

That stockpiling is of concern to the territory where we see businesses that do not have a good business model basically just seeing more and more material dumped on their sites with no viable means of moving it through some sort of reuse or recycling program. What the territory anticipates doing is establishing new conditions in licences that have limits on the amount of material that can be stockpiled at any one time. This will provide an incentive to those who are looking at taking up these

²⁴ *Transcript of Evidence*, 1 November 2011, p11

²⁵ *Transcript of Evidence*, 1 November 2011, p12

licences to make sure that they have a business model that is able to move materials through in a timely manner and stay within the stockpile limits.²⁶

Information and education on recycling

2.27 Officials outlined the information and education programs conducted by ACT NOWaste to increase recycling and ensure recycling services are used correctly.

2.28 The Committee was advised that ACT NOWaste conducts tours of the material recovery facility at Hume and the landfill at Mugga Lane. Mr Chris Ware, Senior Manager, ACT NOWaste added that a lot of face-to-face education is undertaken, which is:

...generally focused around how to use their recycling bins at home more effectively, what to put in and what not to put in—and that is probably the most appropriate or the most crucial point, what not to put in their recycling bin—and also what people are putting into their waste bin that should not be going in there that can be put into their recycling bin. That, of course, lowers the contamination rates of both bins and drives up the recycling rates.²⁷

Roads ACT

2.29 Roads ACT is responsible for managing the construction, operation and maintenance of roads and associated infrastructure including bridges, community paths, driveways, street signs, line marking, traffic signals, street lighting and stormwater.²⁸

²⁶ *Transcript of Evidence*, 1 November 2011, p13

²⁷ *Transcript of Evidence*, 1 November 2011, p16

²⁸ *Territory and Municipal Services Directorate Annual Report 2010-11*, Volume 1, p26

Corrigendum

- 2.30 The Committee notes that a corrigendum to the *Territory and Municipal Services Directorate Annual Report 2010-11* was tabled in the Assembly along with the report on 18 October 2011.
- 2.31 In response to the Committee's concern that this error may have affected the accuracy of reporting on other operations, the Directorate advised that the error was in the way the data had been presented and not the data itself.²⁹

Road resealing

- 2.32 The Committee was advised that, while the costs were similar to traditional resealing products, the advantages of the new water-based, environmentally-friendly road resealing product are that it requires less bitumen and consequently less energy to heat, and is safer product for workers to handle. Roads ACT also advised that the ACT is the only jurisdiction that has moved to a 100 per cent adoption of the product and is considered a leader in the field.³⁰

Gungahlin Drive Extension (GDE)

- 2.33 In addition to the \$116 million for the completion of stage 1 of the GDE, Roads ACT advised the Committee³¹ that the total cost of stage 2, including landscaping, would be \$82 million, with expenditure to date being some \$70 million.³²

Landscaping

- 2.34 In response to community feedback following the completion of stage 1 of the GDE, Roads ACT advised that it would be tendering for a landscaping contract to cover the road from the Barton Highway to Glenloch interchange.
- 2.35 Additionally, Roads ACT would maintain the landscaping for two years, rather than the normal 13 week period, before handing the responsibility over to Parks and City Services (PCS). Roads ACT advised the Committee that it

²⁹ *Transcript of Evidence*, 1 November 2011, pp4-5

had consulted with PCS and the Government Architect to identify appropriate landscaping and other ways to enhance the appearance of the route, including Glenloch interchange.³³

Speed limit

- 2.36 Roads ACT advised the Committee that there were three considerations when setting the speed limit: concerns raised by nearby residents of Kaleen and Aranda, the standard of the road, and consistency of the speed limit along the full route. Given the proximity of the road to nearby residences, the 80 kilometre an hour (k/h) speed limit had been set to mitigate traffic noise.³⁴
- 2.37 The Committee was advised that the Territory does not have the technology to support variable speed limits at this time, but that it is part of the Majura Parkway project.³⁵

Wire rope barriers

- 2.38 The Committee discussed safety concerns that have been raised by the Motorcycle Riders Association regarding the installation of wire rope barriers along the sides of roads.³⁶
- 2.39 The Minister, Mr Simon Corbell MLA, responded that :
- I am advised that the barriers meet the relevant Australian standards and they are a very effective measure in terms of preventing traffic from crossing from one side of the roadway to the other, and, therefore, causing more serious accidents.³⁷
- 2.40 The Director, Roads ACT added that:

³⁰ *Transcript of Evidence*, 1 November 2011, p28

³¹ *Transcript of Evidence*, 1 November 2011, p28

³² As at 1 November 2011

³³ *Transcript of Evidence*, 1 November 2011, p29

³⁴ *Transcript of Evidence*, 1 November 2011, pp29-30

³⁵ *Transcript of Evidence*, 1 November 2012, p30

³⁶ *Transcript of Evidence*, 1 November 2011, pp35-37

³⁷ *Transcript of Evidence*, 1 November 2011, p35

The reason why wire rope barriers have found favour across various jurisdictions is because they are easier to install, they are a comparative price and they are also easier to maintain. You can maintain sections of it. If a section of wire rope is taken out, you can repair it in sections, whereas if a section of guardrail is pulled out, it is more difficult to maintain. ... There is also a view that wire rope provides a better aesthetic outlook.³⁸

- 2.41 The Directorate noted that the motorcyclists' concerns related to lower body contact with the posts holding the ropes, rather than with the wire strands per se. The Committee was advised that Victoria is trialling the application of protection to the posts to soften any impact and, if this were seen to be effective, the Directorate would consider adopting the approach in the ACT. However, the Committee was advised that ACT Roads had no intention of putting further installations on hold until the completion of the trial, advising that there is no 'convincing reason' for it to do so.³⁹

Parks and City Services

Community gardens

- 2.42 The Committee was advised that a community gardens coordinator was about to be engaged to examine new release areas, how the community gardens might be designed and incorporated into these areas, and working with existing community garden groups to assist them with their projects. For groups who wish to establish new gardens in existing areas, TAMS will assess what assistance the Territory can provide and will examine the proposals in the light of what ESD is developing 'by way of the best or the most appropriate locations for new community gardens so that they best serve the

³⁸ *Transcript of Evidence*, 1 November 2011, p36

³⁹ *Transcript of Evidence*, 1 November 2012, p36. See also answer to PPWTMSQTON 11/06 regarding the cost of maintaining wire rope barriers in the ACT.

majority of the residents in those areas.’⁴⁰ Executive Director of the Parks and City Services, Ms Kay Steward, explained:

We have decided in the first instance to look at what is the demand for community gardens, where is the location and what sort of governance would sit appropriately over those. They often tend to be driven by the communities, or one community, as opposed to having an individual coordinating it. That can be something that can be looked at further down the track when we have got a better idea of the quantum and the need across the city.⁴¹

Libraries ACT

2.43 Libraries ACT comprises nine public libraries, two mobile libraries, the home library service and the ACT Heritage Library.⁴²

2.44 Issues raised by the Committee included:

- Libraries ACT’s development of a program for addressing poor literacy across the ACT;⁴³
- reasons for the increase in the costs of library visits;⁴⁴
- satisfaction levels with library return chutes;⁴⁵
- library service membership levels;⁴⁶
- the new Gungahlin library;⁴⁷ and
- data sharing arrangements with other areas of TAMS or other directorates with regard to information on library users.⁴⁸

⁴⁰ *Transcript of Evidence*, 1 November 2011, pp31-32

⁴¹ *Transcript of Evidence*, 1 November 2011, p32

⁴² *Territory and Municipal Services Directorate Annual Report 2010-2011*, Volume 1, p21

⁴³ *Transcript of Evidence*, 1 November 2011, p39

⁴⁴ *Transcript of Evidence*, 1 November 2011, pp39-40

⁴⁵ *Transcript of Evidence*, 1 November 2011, pp40-41

⁴⁶ *Transcript of Evidence*, 1 November 2011, p41

⁴⁷ *Transcript of Evidence*, 1 November 2011, p41

⁴⁸ *Transcript of Evidence*, 1 November 2011, pp41-42

ACT Linen Service

- 2.45 The Canberra Linen Service (CLS) provides and launders linen for a wide range of clients in the ACT, including public and private hospitals, health and aged care providers, hotels, restaurants, major tourist attractions, educational institutions and emergency services.⁴⁹
- 2.46 The Committee questioned the appropriateness of government-owned enterprises competing against the private sector for tenders.
- 2.47 The Minister stated that this was not a concern ‘so long as it is done in a competitively neutral manner’, and noted that the Independent Competition and Regulatory Commission had found no issues in this regard when it undertook a review in 2006.⁵⁰
- 2.48 CLS further advised that:
- ...when we talk about the private sector doing a lot of this work, in fact, particularly in the area of health, there is not an active private sector market. In fact, Capital Linen Service is the only laundry in the ACT—even, in fact, outside Sydney—that can handle the amount of work, for example, that Canberra Hospital does. Other areas, like the accommodation sector, have very active markets which are highly competitive. There are certain areas of the market, for instance, in the areas of uniform and industrial-type laundry that we are not involved with. The market is quite segmented. Some areas have significant competition; in other areas, effectively, Capital Linen Service’s presence creates that competition.⁵¹
- 2.49 The Committee commended the CLS for its 99 per cent order completion at the Canberra Hospital and noted the high level of customer satisfaction with its service.⁵²

⁴⁹ *Territory and Municipal Services Directorate Annual Report 2010-2011*, Volume 1, p32

⁵⁰ *Transcript of Evidence*, 1 November 2011, pp43-44

⁵¹ *Transcript of Evidence*, 1 November 2011, p43

⁵² *Transcript of Evidence*, 1 November 2011, p44

ACT Public Cemeteries

- 2.50 The ACT Public Cemeteries Authority (the Authority) is an independent statutory authority established under the *Cemeteries and Crematoria Act 2003* responsible for managing the Woden, Gungahlin and Hall cemeteries.⁵³
- 2.51 The Committee was advised that the issues of the lack of funds in the Perpetual Care Trust (PCT) Funds and the proposal to build a crematorium for Tuggeranong were not linked.⁵⁴
- 2.52 Mr Hamish Horne, Manager, Canberra Cemeteries, advised that the issue of lack of funds was a complex one, stating that it:
- ... relates principally to the inherited liability — that is, the level of maintenance that was not provided for when the cemetery became self-funding and the perpetual care funds were set up.⁵⁵
- 2.53 The Authority had reviewed the PCT in 2006 and concluded that:
- there is a significant burden in complying with the requirements under the *Cemeteries and Crematoria Act 2003*
 - the funds required to comply with the legislation cannot be addressed by increasing prices alone; and
 - a multi faceted approach is required to address the issue.
- 2.54 The funding regime had been reviewed by the TAMS Directorate, and the Authority was working with TAMS and the Government to address these issues.⁵⁶
- 2.55 Noting that the Authority had examined the environmental impacts of different end-of-life options including the option of natural burials, the Minister added that:
- ..the fact remains that different people will want a variety of different burial methods or cremation available to them. As a cemeteries authority and as a government, we should ensure that we provide an appropriate

⁵³ See *Canberra Cemeteries Annual Report 2010-2011*, ACT Public Cemeteries Authority, pp v 4

⁵⁴ *Transcript of Evidence*, 1 November 2011, p46

⁵⁵ *Transcript of Evidence*, 1 November 2011, p46

⁵⁶ *Canberra Cemeteries Annual Report 2010-2011*, ACT Public Cemeteries Authority, p7

range of services to people to manage and dispose of loved one's remains, whether that is through cremation or whether that is through burial—either traditional burial or natural burial. They are all legitimate choices.⁵⁷

Other issues

2.56 Other issues related to TAMS discussed at the hearing included:

- identification and maintenance of assets handed over from the federal government;⁵⁸
- progress on the Emu Inlet upgrade;⁵⁹
- presentation in the annual report of capital as 'own-source revenue';⁶⁰
- the risk management plan for the Parkwood estate;⁶¹
- plans for an off-road bike path on to Clarrie Hermes Drive, Nicholls;⁶²
- plans for new parks on old school sites at Holt and Cook;⁶³
- funding for the playground safety program and policy on installation of flying foxes;⁶⁴
- the implementation of recommendations made by the Commissioner for Sustainability and the Environment on the urban tree renewal program;⁶⁵
- the tree maintenance program and reasons for not meeting the customer satisfaction with the maintenance and pruning of trees target;⁶⁶
- the applicability of the Government's 40 per cent greenhouse gas reduction target for the Territory's transport sector;⁶⁷
- clarification of waste recovery statistics;⁶⁸

⁵⁷ *Transcript of Evidence*, 1 November 2011, pp46-47

⁵⁸ *Transcript of Evidence*, 1 November 2011, pp3-4

⁵⁹ *Transcript of Evidence*, 1 November 2011, pp6-7

⁶⁰ *Transcript of Evidence*, 1 November 2011, pp7-8

⁶¹ *Transcript of Evidence*, 1 November 2011, pp13-16

⁶² *Transcript of Evidence*, 1 November 2011, pp30-31; see also answer to PPWTMSQTON 11/03

⁶³ *Transcript of Evidence*, 1 November 2011, pp32-33; see also answer to PPWTMSQTON 11/04

⁶⁴ *Transcript of Evidence*, 1 November 2011, pp33-34

⁶⁵ *Transcript of Evidence*, 1 November 2012, p37

⁶⁶ *Transcript of Evidence*, 1 November 2011, pp37-38; see also answer to PPWTMSQTON 11/07 regarding the comparison between expenditure on maintaining existing and planting new trees

⁶⁷ *Transcript of Evidence*, 1 November 2011, p27

- the future role of ACT NOWaste with respect to organic waste collection and recycling;⁶⁹
- the public place recycling bin trial⁷⁰ and models for the collection of the rubbish;⁷¹
- implementation of, and compliance by supermarkets with, the *Litter (Shopping Trolley) Amendment Act 2010*;⁷²
- the timeline for the release of the Government's final waste strategy;⁷³
- measures to address the increase in waste generation;⁷⁴ and
- the new service funding agreement with the RSPCA.⁷⁵

ACTION

- 2.57 The ACT's public transport service (ACTION) runs bus services and dedicated school services throughout Canberra. It operates a special needs transport service for clients of the Education and Training Directorate as well as charter services for schools, sporting bodies and other organisations hosting events and festivals in the ACT.⁷⁶

Performance targets

- 2.58 The Committee queried ACTION about its failure to meet its timeliness and customer satisfaction performance targets.⁷⁷
- 2.59 ACTION advised the Committee that due to the inability to recruit enough drivers, there were a number of service failures during February and March 2011 which resulted in the timeliness indicator not being met for those months. The customer satisfaction levels which were based on a survey done over the

⁶⁸ *Transcript of Evidence*, 1 November 2012, pp17-18

⁶⁹ *Transcript of Evidence*, 1 November 2011, pp18-19

⁷⁰ *Transcript of Evidence*, 1 November 2011, pp19-22

⁷¹ *Transcript of Evidence*, 1 November 2011, pp22-25

⁷² *Transcript of Evidence*, 1 November 2011, p25; see also answer to PPWTMSQTON 11/02

⁷³ *Transcript of Evidence*, 1 November 2011, p25

⁷⁴ *Transcript of Evidence*, 1 November 2011, p26

⁷⁵ *Transcript of Evidence*, 1 November 2011, pp48-49; see also answer to PPWTMSQTON 11/08 and Letter, dated 17 November 2011, Minister for TAMS, Mr Simon Corbell MLA, correcting evidence provided to the Committee on 1 November 2011 regarding RSPCA funding, available at <http://www.parliament.act.gov.au/committees/index1.asp?committee=113&inquiry=1027&category=>
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same period were likely to have reflected these service failures. ACTION also advised that it was now at 'full recruitment'.⁷⁸

- 2.60 The Committee notes that data used to determine whether ACTION has been meeting its performance targets has been based on customer surveys and the perception of timeliness. The Committee also notes that previous accountability indicators on timelines referred to the time when buses left depots and was not a true reflection of whether buses were on time.⁷⁹
- 2.61 ACTION advised the Committee that from January 2012, through improved interrogation of MyWay data, it will be able to more accurately determine whether a bus has reached a bus stop at the stated time.⁸⁰
- 2.62 The Committee is encouraged by the anticipated improvement in the collection of timeliness and other data that will be facilitated by the enhancements to the MyWay ticketing system, and looks forward to receiving more accurate evidence-based data on the extent to which ACTION is achieving its performance targets at future hearings.
- 2.63 The Committee also referred to one of the goals in ACTION's 2009-2010 annual report to increase the number of people using ACTION buses. ACTION advised that the MyWay system recorded the number of people getting onto buses – whether they use a card or pay cash – providing the agency with a measure for the level of patronage.⁸¹
- 2.64 The Committee notes that the figure being measured relate to the number of journeys on a bus rather than necessarily the number of people using the bus service, and acknowledged that an increase in trips equated to an increased utilisation of the bus service.

⁷⁶ *Territory and Municipal Services Annual Report 2010-11*, Vol 1, p23

⁷⁷ *Transcript of Evidence*, 8 November 2011, p76

⁷⁸ *Transcript of Evidence*, 8 November 2011, p77

⁷⁹ *Transcript of Evidence*, 8 November 2011, pp77-78

⁸⁰ *Transcript of Evidence*, 8 November 2011, p78

⁸¹ *Transcript of Evidence*, 8 November 2011, pp78-79

Real-time passenger information system

- 2.65 The Committee was also interested in the implementation of the real-time passenger information system. The Minister stated that tender documentation was being prepared for the procurement of the technological solution for real-time passenger information, and advised:

The government has allocated \$12 million for this project, which will provide real-time arrival and departure information for passengers via digital displays located at high volume bus stops such as interchanges and other high volume stops, internet-based information, mobile phone or PDA-based or delivered information, touch screen displays and on-bus visual displays.⁸²

- 2.66 Access to this information will improve passenger confidence in planning their journeys, which would also be expected to increase patronage:

Real-time passenger information is all about improving perceptions fundamentally around reliability and journey planning so that passengers can plan their journeys with more certainty by being able to look up, say, from their desktop if they are in the office and they are wanting to plan when they can leave the office to get to the bus stop, get on the bus and when they are going to get home or when the bus is going to arrive to take them home. They can plan that with much more certainty ...

... Because people will feel more confident about their journey planning, there will be improvements in patronage. That has certainly been the experience in other jurisdictions where real-time information has been deployed.⁸³

- 2.67 In recognition of the importance of catering to all passengers, the Committee was told:

... that real-time information will be deployed through a range of platforms, so obviously if you are familiar with smart phones, if you are

⁸² *Transcript of Evidence*, 8 November 2011, p79

⁸³ *Transcript of Evidence*, 8 November 2011, p79

familiar with PDAs, if you are familiar with internet-based applications, you will be able to access the information that way. If you are not familiar with those types of applications and you are just fronting up at the bus stop, if it is a high volume stop you are going to have a very clear visual display which is going to tell you when the next bus arrives, how far away it is and so on. So it will depend obviously on the customer.⁸⁴

- 2.68 The Committee was advised that the real-time visual displays would be located at high volume bus stops such as bus interchanges, office precinct locations, shopping centres and group centres. Depending on the proposals submitted as part of the tender process, a range of different display options may be employed, for example a press button display at lower volume bus stops.⁸⁵
- 2.69 The Minister advised that, given the number of bus stops across the city, it would not be feasible for all stops to have real-time information. Instead the information would also be delivered through a smart phone application or other internet-based options.⁸⁶
- 2.70 In response to the Committee's concern that there is a greater need for this information in coverage areas, the Minister indicated that it was important to choose the most cost-effective option for the various types of bus stops.⁸⁷
- 2.71 The Committee notes that one of the functionalities being considered for the proposed system is advice on whether an approaching bus has disabled access; and also welcomes the Minister's remarks regarding the deployment of the same functionality for bike rack installed buses.⁸⁸
- 2.72 The Committee was also advised that ACTION had implemented a journey planner function which is delivered via a Google journey planner application

⁸⁴ *Transcript of Evidence*, 8 November 2011, p80

⁸⁵ *Transcript of Evidence*, 8 November 2011, pp79-80

⁸⁶ *Transcript of Evidence*, 8 November 2011, pp84-85

⁸⁷ *Transcript of Evidence*, 8 November 2011, pp84-85

⁸⁸ *Transcript of Evidence*, 8 November 2011, p80

on the ACTION website. The Minister stated that this has proven to be a very popular, effective and valuable tool.⁸⁹

- 2.73 The Committee recalled the Government's announcement of the real-time project in 2005 and queried how the proposal at that time differed from the current one. The Minister advised that due to problems with the ticketing system at the time, the funding had been withdrawn until those issues had been resolved. Referring to the current project, the Minister advised:

The government has outlined very clearly what its intentions are in relation to this project. It has provided budget funding for this project. It has undertaken detailed scoping and analysis for the project, supported by a very experienced interdepartmental steering group to deliver this project, and we are both on time and on budget currently in relation to the delivery of the project, with documentation currently being finalised to go to tender on the project.

...

... there is a very detailed scope that has been put together for this project, which is supported by a cross-government working group, that is focusing on making sure that all of the key questions have been addressed. The government has engaged expert outside advice on the development of the project and that has informed our decision making on the expected costs of the project. It gives the government the level of confidence it needs to ensure that this project can be delivered.⁹⁰

- 2.74 Following the hearing, the Minister advised the Committee that some \$192,738 had been expended on the real-time passenger information system in 2004/05, and that out of the \$12 million allocated in the 2010/11 budget for the implementation of the proposed system over three years, \$822,000 had been expended to date.⁹¹

⁸⁹ *Transcript of Evidence*, 8 November 2011, pp79-80

⁹⁰ *Transcript of Evidence*, 8 November 2011, pp81-82

⁹¹ See answer to PPWTMSQTON 11/09

MyWay ticketing system

- 2.75 The Committee was advised that a new reporting system is being developed that will interface with the MyWay ticketing system and enable ACTION to interrogate its databases more effectively.⁹² ACTION advised that the new netBI system would be introduced in two stages:

The first stage of that will be to incorporate the tag on and tag off data as of early December; the second stage will be to actually incorporate the bus stop, or on-time running component, of it, where the system will actually link with our HASTUS system, which is a system that does all the scheduling and service details for ACTION.⁹³

- 2.76 The Committee was interested in how the MyWay data would help to inform future transport policy. In addition to providing convenience to passengers, the Minister indicated that it was a valuable source of information on bus usage:

... it gives us the capacity to have up-to-date, contemporary information on where journeys are taking place in the network, where there is growth in the network and where there are particular demands in the network. This will allow us to plan our network on a much more reliable basis than we have ever been able to do before.

... MyWay delivers that reliability and that contemporary data which is so valuable for planning enhancements of services and improvements to bus stop infrastructure, because we understand where the demand is, when it is occurring and what needs to be done in response to that.⁹⁴

- 2.77 The Minister also advised the Committee that the MyWay system had been rolled out effectively. While there had been some 'teething problems' when first introduced, where other cities had encountered implementation delays and cost blow-outs, this has not been the case in the ACT. The Minister concluded:

⁹² *Transcript of Evidence*, 8 November 2011, pp70-71

⁹³ *Transcript of Evidence*, 8 November 2011, p71

⁹⁴ *Transcript of Evidence*, 8 November 2011, p71

We have delivered this system well; people are embracing it and recognising the benefits and the convenience of the new system.⁹⁵

Tagging off penalty

- 2.78 The Committee was told that 97.5 per cent of passengers are tagging off. While the percentage of those not tagging off was relatively small, a decision to not introduce the foreshadowed penalty charge for not tagging off could result in a drop in compliance. While previously the Government had been required to implement network changes without reliable data, the information provided through the MyWay system would ensure a better delivery of services in the future. An important part of this data is the tag-off data. The Minister explained:

If we are able to understand where people are getting on and off, particularly during the peaks, and if there are particular points of demand in terms of people getting on and people getting off at particular locations, we can provide potentially more services during those particular peaks to service that need—to make sure that buses are not overcrowded, to make sure that people do have more frequency and reliability for those little segments of journey where there is clearly demand.

We are only going to get that if we know not only where people are getting on but where they are getting off. Data about getting off is not an optional data set, really; it is just as desirable as the data about where people get on. It has to be viewed in that context.⁹⁶

- 2.79 The Committee notes that the penalty charge for not tagging off took effect from 1 January 2012.
- 2.80 An alternative to a penalty system proposed by the Committee was an incentive for those who do tag off. ACTION advised that the system already provides a discount for those who tag off. Additionally, the penalty—the tag-

⁹⁵ *Transcript of Evidence*, 8 November 2011, p72

⁹⁶ *Transcript of Evidence*, 8 November 2012, p73

off fare—would only apply in certain circumstances, for example if you forget to tag off when you leave your last bus for the day.⁹⁷

On-bus purchasing of MyWay tickets

2.81 ACTION advised the Committee that one of the advantages of the MyWay ticketing system was the reduction in the amount of cash handling by bus drivers resulting in a faster service for passengers.⁹⁸ In addition, as the MyWay system has been set up to validate concession entitlements, were a ticket to be purchased from a driver, the concession could not be applied and it would have to be done subsequently at a shopfront or MyWay centre after each trip.⁹⁹

2.82 The Committee suggested that for cash paying passengers, a marketing opportunity is being lost:

People that are paying cash, by and large, are either occasional users or tourists who have not received the message one way or another, or they have refused the message to go and purchase a MyWay card. Therefore, the captive place to get these people onto a MyWay card, therefore to gather their data, therefore to, in effect, encourage them to ride a bus again, is actually on board a bus, because that is where they are presenting, for the only time, to the ACTION authority as it stands at the moment.

To that end, does it not make sense to try to make the most of that marketing opportunity and to give them a card on board, albeit at the \$2.52 adult fare and then give them a brochure at the same time saying: “Here is a brochure. Here is how you can top it up. Here is how you can register for a concessional fare. Ride an ACTION bus again”? Is that not a great opportunity that is just being left begging?¹⁰⁰

2.83 The Committee notes the constraints on enabling occasional users and visitors the ability to purchase a MyWay card online. It is also conscious that

⁹⁷ *Transcript of Evidence*, 8 November 2012, pp74-75

⁹⁸ *Transcript of Evidence*, 8 November 2011, p74

⁹⁹ *Transcript of Evidence*, 8 November 2011, pp74-75

¹⁰⁰ *Transcript of Evidence*, 8 November 2011, pp75-76

occasional users may not wish to have a MyWay card and, while the suggestion has merit, there are costs associated with such a proposal.

Disability Compliance

- 2.84 The Committee sought details about the reasons for ACTION's failure to meet its target for disability compliance of its fleet. The Minister advised that this was due to delays in the delivery and commissioning of new vehicles as part of the new vehicle purchasing arrangements, with buses that were expected to have arrived by the end of the previous financial year not arriving until the following financial year.¹⁰¹

Reorganisation of network

- 2.85 The Committee was advised that the reconfiguration of the bus network for 2012 was focused on expanding services into growth areas by realigning some routes to better service demand and introducing new routes into new suburban areas; but it did not involve reducing existing services.¹⁰²
- 2.86 While acknowledging there were service delivery issues in the Weston Creek and Tuggeranong areas, the Minister indicated that the Government's first priority was to provide public transport services to those new residential areas which had no existing services:

It is about funding that is available and where those resources should go ... Given the funding that was available in the most recent budget, the priority has been given to newly established residential areas.¹⁰³

- 2.87 While there is some disagreement about the timing of the introduction of new services into newly established suburbs, the Minister advised:

The challenge of course is that suburbs commence occupation in time frames that may not directly align with when governments are making decisions about the appropriation for services for ACTION and the timing for the delivery of the services in terms of staffing and fleet

¹⁰¹ *Transcript of Evidence*, 8 November 2011, p83

¹⁰² *Transcript of Evidence*, 8 November 2011, pp92-93

¹⁰³ *Transcript of Evidence*, 8 November 2011, p93

availability. Other logistical factors have to be taken into account, but we endeavour to provide bus services into new residential areas as soon as we possibly can.¹⁰⁴

- 2.88 Given the lead times involved, and with additional MyWay data becoming available in early 2012, the Committee was informed that a complete reorganisation of the network would be implemented in 2013. The Minister advised:

Rather than just incrementally add bits here and there, which just leads to an increasingly complex network to manage, we will reorganise it from the base up, focusing on areas of demand, improving reliability, improving frequency and improving connection times and waiting times across the city. That is really a 12-month exercise to do that network planning, which is what we are currently doing.¹⁰⁵

Other issues

- 2.89 Other issues related to ACTION which were discussed at the hearing included:

- the reason for the failure to meet the fare box recovery performance target;¹⁰⁶
- the scheduling of disability-compliant buses;¹⁰⁷
- bus patronage based on geographical location;¹⁰⁸
- options for encouraging bus usage;¹⁰⁹
- the recruitment of bus drivers;¹¹⁰
- funding allocated in the 2011-12 budget to address staffing issues;¹¹¹
- buses that do not stop at all stops along a route because they are full;¹¹²
- liability for injury to passengers, insurance claim payouts, and ACTION's accident and claims database;¹¹³

¹⁰⁴ *Transcript of Evidence*, 8 November 2011, p95

¹⁰⁵ *Transcript of Evidence*, 8 November 2011, p93

¹⁰⁶ *Transcript of Evidence*, 8 November 2011, p79

¹⁰⁷ *Transcript of Evidence*, 8 November 2011, p83; see also answer to PPWTMSQTON 11/10

¹⁰⁸ *Transcript of Evidence*, 8 November 2011, p85; see also answer to PPWTMSQTON 11/11

¹⁰⁹ *Transcript of Evidence*, 8 November 2011, pp85-86

¹¹⁰ *Transcript of Evidence*, 8 November 2012, pp85-88; see also answer to PPWTMSQTON 11/12

¹¹¹ *Transcript of Evidence*, 8 November 2011, p88; see also PPWTMSQTON 11/13

¹¹² *Transcript of Evidence*, 8 November 2011, pp88-90

- funding for special needs transport;¹¹⁴
- the fitting of bike racks on new buses;¹¹⁵
- progress on the development of a new bus interchange at Woden;¹¹⁶and
- public transport infrastructure for the Gungahlin town centre.¹¹⁷

¹¹³ *Transcript of Evidence*, 8 November 2011, pp90-92; see also answer to PPWTMSQTON 11/14 and PPWTMSQTON 11/15

¹¹⁴ *Transcript of Evidence*, 8 November 2011, pp95-97

¹¹⁵ *Transcript of Evidence*, 8 November 2011, pp97-98; see also answer to PPWTMSQTON 11/18

¹¹⁶ *Transcript of Evidence*, 8 November 2011, pp99-100

¹¹⁷ *Transcript of Evidence*, 8 November 2011, pp99-100

3 ENVIRONMENT AND SUSTAINABLE DEVELOPMENT DIRECTORATE

3.1 Following changes to administrative arrangements that came into effect on 17 May 2011, the Environment and Sustainable Development Directorate (ESD) was created as a single administrative unit incorporating:

- the former Department of the Environment, Climate Change, Energy and Water;
- transport and conservation planning functions from the former Department of Territory and Municipal Services;
- heritage functions from the former Chief Minister's Department; and
- the functions of the ACT Planning and Land Authority (ACTPLA).¹¹⁸

Heritage

Review of the Heritage Act

3.2 The Committee questioned the Minister about the timing of the Government's response to the Marshall Report (review of the Heritage Act). The Minister advised that the Government was expecting advice from the Heritage Unit in relation to the proposed Government's response and anticipated introducing revised legislation in mid-2012.¹¹⁹

Manuka Oval

3.3 The Committee sought clarification of the heritage status of Manuka Oval and the implications for any development plans.¹²⁰

3.4 The Minister advised that the Manuka Circle precinct including Manuka Oval and the site of the Canberra Services Club, had been identified for its heritage values. To facilitate improvements to Manuka Oval, a master plan for the

¹¹⁸ *Environment and Sustainable Development Directorate Annual Report 2010-11*, p vi

¹¹⁹ *Transcript of Evidence*, 8 November 2011, pp50-51

¹²⁰ *Transcript of Evidence*, 8 November 2011, p52

entire Manuka Circle precinct has been commissioned by Territory Venues and Events which would be presented to the Heritage Council. Upgrades to the stands and lighting would be able to proceed, but 'the broader curtilage of the oval, the caretaker's cottage and so on are important and they have been recognised in the values of the site.' The Minister noted that planning and development proposals for Manuka Oval, and their timeframes, were the responsibility of Territory Venues and Events who are the custodians of the Manuka Oval site. The role of the Heritage Council is to 'ensure that any development proposals are consistent with the heritage values of the site.'¹²¹

3.5 The Minister noted that:

... it is desirable, given that all these sites sit within the Manuka Circle precinct, that there is an integrated response, because any redevelopment on the Canberra Services Club site should be in sympathy with the overall heritage context of the adjacent properties. I think it is sensible and pleasing that the private owners of the Canberra Services Club are collaborating with the other owners in the precinct in terms of the ultimate development outcome.¹²²

Blandfordia 5 garden city heritage precinct

3.6 The Committee drew attention to the substantial demolition of 13 Bass Garden in Griffith and sought clarification from the Heritage Unit as to whether it conformed to the Blandfordia 5 garden city precinct heritage regulations.¹²³

3.7 Officials advised that the development application was considered to have been in accordance with the precinct guidelines which permit partial demolition. While the Council had considered undertaking a periodic review of the guidelines, no specific time for doing so had been determined.¹²⁴

¹²¹ *Transcript of Evidence*, 8 November 2012, p53

¹²² *Transcript of Evidence*, 8 November 2011, p54

¹²³ *Transcript of Evidence*, 8 November 2011, p56

¹²⁴ *Transcript of Evidence*, 8 November 2011, p56

Transport Planning

- 3.8 The Committee sought clarity about the delineation between transport planning and the provision of transport services, and the coordination between ESD, TAMS and ACTION to develop an integrated transport strategy.¹²⁵
- 3.9 The Minister advised the Committee that it was desirable to have transport and land planning functions together which guided the transfer of the transport planning function from the former Department of Territory and Municipal Services to the Environment and Sustainable Development Directorate. Secondly, in relation to the coordination with service delivery, TAMS's role is to deliver the services and 'to a significant extent' the associated physical infrastructure based on the planning undertaken by the transport and land use planners in ESD.¹²⁶ The Minister provided an example to illustrate the coordination between the two directorates:

... in relation to the Northbourne Avenue corridor work that is currently being undertaken, that has elements of transport planning, land use planning, service delivery functions and road management functions. So that is both TAMS and ESD. That is being coordinated through a joint working group, a task force, that meets regularly. It is chaired by the director-general of ESD but it has representatives at a high level from TAMS, Roads ACT and ACTION. Yesterday, for example, I was at a workshop where we were looking at issues around development yields on Northbourne Avenue. That had representatives from ACTION, ACTPLA and other agencies from government such as Treasury, economic development and so on.¹²⁷

¹²⁵ *Transcript of Evidence*, 8 November 2011, p68

¹²⁶ *Transcript of Evidence*, 8 November 2011, p68

¹²⁷ *Transcript of Evidence*, 8 November 2011, pp68-69

Transport for Canberra Plan

Modal share targets

- 3.10 The Committee raised the issue of modal shift targets and the reason for not updating them in the light of the 40 per cent greenhouse gas reduction target. In response the Minister advised:

... the modal split targets are consistent with our understanding of the potential that can be achieved and in terms of improving the delivery of public transport services, and are consistent with modal split targets in other jurisdictions in that they are at the higher end of what can be achieved across the board.¹²⁸

- 3.11 On the issue of greenhouse gas reduction in the transport sector, the Minister responded that achieving an overall 40 per cent greenhouse gas reduction for the Territory did not mean extrapolating 40 per cent to every element of emissions reduction. He added:

Different areas of abatement will deliver different levels of abatement. Some will be more cost efficient and effective to deliver than others. You will get greater yields in one sector over another. In viewing the entire emissions abatement task, you have to look at all sectors from which emissions come and make an assessment about the most appropriate mix of responses to deliver the emissions abatement required to meet the target. It is not a straight apportionment of 40 per cent to each sector; that does not make any sense and it is not a rational way to go about it.¹²⁹

- 3.12 In a written response to a supplementary question regarding the need for major road planning to factor in likely changes to greenhouse gas emissions generated by traffic, the Minister for Territory and Municipal Services advised the Committee that:

Transport represents about 24 % of the ACT greenhouse gas emissions and while planning for major roads can assist in reducing emissions, this

¹²⁸ *Transcript of Evidence*, 8 November 2011, pp58-59

¹²⁹ *Transcript of Evidence*, 8 November 2011, p58

may not be directly proportional to the 40 % greenhouse gas reduction target.¹³⁰

3.13 The Minister's response added that planning associated with the design and assessment of the impact of major roads aims to reduce emissions by, inter alia:

- providing, where appropriate, facilities which provide public transport, walking and cycling; and
- encouraging use of more efficient vehicles and by providing a road network that enables the efficient movement of people and goods.¹³¹

Coverage of services

3.14 The Committee was advised that the one-hour coverage service was a minimal level of service delivery and did not reflect the general standard of coverage that is expected to be delivered for most areas.¹³²

3.15 The Minister advised that a review of the network is currently being undertaken and the government is planning for a substantial redevelopment of the bus network.¹³³

3.16 As part of the Transport for Canberra Plan, the Government is proposing new service guarantees about the maximum time commuters should have to wait for connections between coverage and frequent services. The Minister advised that:

... there is a real need to focus on the connectivity within the coverage service area and allow people to undertake their journeys in a more connected fashion with less waiting times.¹³⁴

3.17 The planning for the new public transport network is being informed by the coverage study, the objective of which was to identify where people of different income levels are living and the level of services they are receiving.¹³⁵

¹³⁰ Answer to TAMS Supplementary Question No 10, dated 13 February 2012

¹³¹ See answer to TAMS Supplementary Question No 10

¹³² *Transcript of Evidence*, 8 November 2011, p65

¹³³ *Transcript of Evidence*, 8 November 2011, pp66-67

¹³⁴ *Transcript of Evidence*, 8 November 2011, p66

Other issues

3.18 The Committee also discussed with the Minister and officials a range of other issues, including:

- the Canberra tracks program and the location of the additional 27 interpretive signs;¹³⁶
- work being undertaken on the blacksmith's workshop in Ginninderra to improve the quality of the heritage site;¹³⁷
- the process by which development applications for heritage-listed properties are considered by the Heritage Council;¹³⁸
- community response to, and attendance levels for, the annual heritage festival;¹³⁹
- the status of heritage listing for the former Flynn Primary School;¹⁴⁰
- whether light rail features in the Transport for Canberra Plan;¹⁴¹
- results of the Make Walking Count benchmarking survey;¹⁴² and
- the expansion of park and ride facilities.¹⁴³

ACT Planning and Land Authority (ACTPLA)

3.19 Following the change in administrative arrangements in May 2011, ACTPLA ceased operations and its functions were transferred to the Environment and Sustainable Development Directorate (ESD).¹⁴⁴

3.20 While its functions are incorporated into the ESD, ACTPLA remains the chief planning executive under the *Planning and Development Act 2007*. The legal

¹³⁵ *Transcript of Evidence*, 8 November 2011, pp66-67

¹³⁶ *Transcript of Evidence*, 8 November 2011, p51; see also answer to PPWTMSQTON 11/19

¹³⁷ *Transcript of Evidence*, 8 November 2011, p54

¹³⁸ *Transcript of Evidence*, 8 November 2011, pp56-57

¹³⁹ *Transcript of Evidence*, 8 November 2011, pp57-58

¹⁴⁰ *Transcript of Evidence*, 8 November 2011, pp55-56

¹⁴¹ *Transcript of Evidence*, 8 November 2011, p59

¹⁴² *Transcript of Evidence*, 8 November 2011, pp63-64

¹⁴³ *Transcript of Evidence*, 8 November 2011, p64

¹⁴⁴ *ACT Planning and land Authority Annual Report 2010-11*, p15

entity of ACTPLA is the chief planning executive and those who work to the chief planning executive.¹⁴⁵

Greenhouse gas reduction target

- 3.21 The Committee discussed ACTPLA's role in achieving a low carbon future. The Minister advised that in the areas of transport and land use planning, the policies and programs for addressing greenhouse gas reduction were contained in the draft planning strategy and the Transport for Canberra plan.¹⁴⁶
- 3.22 In relation to the built environment's contribution to the 40 per cent greenhouse gas reduction target, the Committee was advised that in addition to the implementation of a range of improvements to building energy efficiency standards, the contribution would be outlined in Action Plan 2 of *Weathering the Change*.¹⁴⁷

East Lake

- 3.23 The Committee was interested to hear about the partnership between ACTPLA and the CSIRO for the project at East Lake aimed at identifying directions, opportunities and policy settings to achieve a best practice sustainability project at the site.¹⁴⁸
- 3.24 The Committee sought an update about the costs to remediate East Lake and progress of discussions with the Commonwealth Government about assistance with funding the cleanup of the waste.¹⁴⁹ The Minister advised:

That is a broader question. It does not necessarily apply to East Lake, although it may. It is more a question as to the commonwealth's obligations as the manager of land in the territory in the period up to self-government. Obviously, we have had a number of other sites of public land where there has been contamination discovered which has not been

¹⁴⁵ *Transcript of Evidence*, 22 November 2011, pp128-130

¹⁴⁶ *Transcript of Evidence*, 22 November 2011, p101

¹⁴⁷ *Transcript of Evidence*, 22 November 2011, pp101-102

¹⁴⁸ *Transcript of Evidence*, 22 November 2011, pp102-103

¹⁴⁹ *Transcript of Evidence*, 22 November 2011, pp103-104

previously identified—for example, the remnants of, again, builders’ waste, including asbestos products, at the Lyneham playing fields. There is an ongoing discussion between the commonwealth and the Chief Minister’s Directorate as to whether or not an agreement can be reached between the two jurisdictions that recognises the contribution the commonwealth have and the legacy the commonwealth have left us in relation to these sites and whether there is an obligation on them to help pay for the remediation of pollution that occurred on their watch. That is a discussion that is ongoing.¹⁵⁰

3.25 Another issue that has been under discussion is the redevelopment of the rail network including proposals to move the Kingston rail facilities.

3.26 The Committee was advised that a workshop, held in October 2011, examined the future of rail in the East Lake precinct and how to integrate it into the public transport system as part of the long-term development in the area:

The theme emerging from that was that we want to seek to future-proof the public transport options at East Lake so that it can adapt to changing patronage and technologies, and other modes that go in there. So there is still an active body of thinking going into the heavy rail connection and the potential for long-term transport connections, with integration with the bus and public transport system in East Lake. This is work we are doing at the moment. We have captured some advice recently and had some conversations with the minister about that.¹⁵¹

3.27 The Minister added:

... I have sought to make sure that the decisions around the location of the railway station in East Lake do not compromise effective integration with other public transport modes and provide the opportunity for an integrated public transport oriented development around the railway station site. The planning authority has given me advice on a number of options around that ... I am confident that, whatever final decision is made there, we will ensure that, first of all, we recognise the capacity for

¹⁵⁰ *Transcript of Evidence*, 22 November 2011, p104

¹⁵¹ *Transcript of Evidence*, 22 November 2011, p105

regional rail connections to grow into the future and the important role that the station at Kingston will serve and, secondly, we recognise how that terminus for regional and interstate rail services potentially interconnects with other public transport provision in the territory.¹⁵²

- 3.28 As any proposed changes to the East Lake precinct would impact on existing Causeway residents, the Committee sought assurances that residents were being kept updated on the progress of the redevelopment plans and the alternative accommodation options available to them. Noting that the Community Services Directorate is responsible for and has been conducting consultations with residents about the impact on tenancies as a result of the East Lake redevelopment plan, ACTPLA advised the Committee that it provides updates by way of information sheets to be circulated to residents and attends bimonthly Causeway residents meetings.¹⁵³
- 3.29 In terms of a timeline for relocation, while the residents were advised 12 months ago that they would have two to three years to find alternative accommodation, the Committee was advised that due to the geotechnical issues that had arisen in the interim, the work required on the transport proposals and some complex financial analysis to be settled with the Treasury, there was likely still a further two to three years of planning to be undertaken. Notwithstanding these timeframes, ACTPLA advised that once the issues had been resolved, the move to vary the Territory Plan would happen quickly:
- That is a 12-month process ... The territory plan variation process is setting out the land use planning, statutory planning controls, and from there it would be just moving into the development process. That said, there are also some site availability issues in terms of other occupants of land in that area that the Economic Development Directorate is turning its mind to as well.¹⁵⁴

¹⁵² *Transcript of Evidence*, 22 November 2011, p105

¹⁵³ *Transcript of Evidence*, 22 November 2011, pp105-106

¹⁵⁴ *Transcript of Evidence*, 22 November 2011, p106

Parking provision rates in developments

3.30 An issue raised during public forums to discuss the proposed redevelopment of the Jamison Inn site was the issue of the adequacy of parking at the development. The Committee asked the Minister about the Government's position regarding onsite parking.¹⁵⁵

3.31 The Minister responded that:

... the government is proposing to recognise that in some instances, ... , there may be value in development proponents cashing out their parking obligations in relation to their developments and that money instead being spent on the provision of centrally owned, potentially government-owned, parking structures as an alternative to requiring parking provision on the site of a development. That is to address issues such as the cost of providing significant levels of parking in a development site which can add significantly to the cost of housing. ...

Of course, the other issue with parking provision is that often you are converting land which was previously public car park into a private car park which is not accessible to everybody. Whilst you might have sufficient parking in a development for the people who live, say, in an apartment complex, that comes with a net loss of public spaces for people to use because the parking becomes a secure car park. So in those circumstances, again, a parking provision fund such as that outlined in the transport for Canberra draft is a mechanism that the government believes should be further developed and considered.¹⁵⁶

3.32 The Minister emphasised that:

The current parking provision rates are quite clear. It depends on the number of units, it depends on the number of bedrooms in the unit. It depends on the specific proposal, which I think reinforces the point I am making. But the important thing is to make sure we look at what development means in terms of existing parking provision and future parking provision and, importantly, that we look at whether or not that

¹⁵⁵ *Transcript of Evidence*, 22 November 2011, pp108-109

¹⁵⁶ *Transcript of Evidence*, 22 November 2011, p109

parking provision is adequate to meet existing and future demand and we have regard to whether it is public provision or private provision.

These are all factors that have to be taken into account.¹⁵⁷

- 3.33 In relation to parking provisions for the city as a whole, the Minister advised that the Government's strategic directions were contained in the Transport for Canberra Strategy. The strategy includes the Government's proposals for managing parking provision which aim to ensure the reliable supply of parking but which also recognises the changing demand for land, particularly in town centres, and the relative economic value of the land.¹⁵⁸
- 3.34 The Minister stated that, while the Government's proposed new parking strategy was outlined in the draft Transport for Canberra Plan, current parking provision rates were set out in the Territory Plan, which provides certainty to developers and residents about the requirements in the interim.¹⁵⁹

Master Planning

Erindale

- 3.35 The Committee questioned the Minister about the Southern Canberra Gymnastics Club's concerns regarding the need to balance longer-term planning for the area—through master planning—and addressing existing problems in the short-term.¹⁶⁰
- 3.36 The Minister acknowledged the concerns of traders and indicated that the Government would be 'looking very closely at all of the options that are available to us as a result of consultant and technical studies before making final decisions and engaging in further consultation with those groups.'¹⁶¹
- 3.37 In recognition of the range of complex issues that need to be resolved, the Government had extended the time required to draft the master plan.¹⁶²
- 3.38 Referring to the value of the consultation process to date, ACTPLA indicated that it was important to take extra time to ensure that the traders' concerns are

¹⁵⁷ *Transcript of Evidence*, 22 November 2011, p109

¹⁵⁸ *Transcript of Evidence*, 22 November 2011, p108

¹⁵⁹ *Transcript of Evidence*, 22 November 2011, p110

adequately addressed. ACTPLA had also proposed that there be an extended public consultation period for comments on the draft master plan once it is finalised.¹⁶³

Gungahlin

- 3.39 The Committee was interested in the planning-related studies being undertaken for the remaining future urban areas of Gungahlin, namely Throsby, Gungahlin, Moncrieff, Jacka, Taylor and Kenny.¹⁶⁴
- 3.40 Mr Ben Ponton, Acting Deputy Director-General, Planning Policy, advised that the usual heritage, contamination and ecological studies would be undertaken, and noted that in relation to Kenny, these studies were underway and the Planning and Land Authority had commenced consultations with the community to develop a planning and design framework and planning requirements for the area.¹⁶⁵
- 3.41 The Committee observed that the community consultation session for Kenny had not been well-attended in comparison with a similar forum held in the Weston Creek area.¹⁶⁶
- 3.42 The Minister responded that:
- ... people are more likely to be interested in a proposal that directly affects space where they live and work or shop every day compared to a new suburban development front where there are not any existing residents. Most people would probably view it as a bit of undeveloped bush or a paddock, depending on the state of the land. That is not surprising.

¹⁶⁰ *Transcript of Evidence*, 22 November 2011, pp110-112

¹⁶¹ *Transcript of Evidence*, 22 November 2011, p112

¹⁶² *Transcript of Evidence*, 22 November 2011, p111

¹⁶³ *Transcript of Evidence*, 22 November 2011, p112

¹⁶⁴ *Transcript of Evidence*, 22 November 2011, p114; see also answer to PPWTMSQTON 11/23 regarding the status of environmental, cultural and heritage studies for Jacka

¹⁶⁵ *Transcript of Evidence*, 22 November 2011, p114

¹⁶⁶ *Transcript of Evidence*, 22 November 2011, pp114-115

... we are attempting, though, to give everyone who does have an interest the opportunity to be engaged. We do, for example, make it clear to groups and organisations that have a particular interest in, say, ecological and conservation outcomes, that we are undertaking a process and that there is an opportunity for them to be engaged in particular with the issues that affect new suburban developments, such as sites at Kenny.

So we make it clear that those opportunities exist....¹⁶⁷

- 3.43 The Minister also confirmed that all new suburban development in Gungahlin would require an EPBC referral.¹⁶⁸

Solar installation approvals

- 3.44 The Committee queried why approval of solar panels may take up to four months from the date of their installation. The Minister advised that two factors contributed to the delay: the Commonwealth government's decision to reduce the up-front subsidy for the installation of solar panels which led to an increase in people entering contracts to install photovoltaic panels, and the Territory's 100 per cent inspection regime. Noting that there is a significant failure rate on the first inspection, the requirement for a follow-up inspection adds to the waiting times.¹⁶⁹

- 3.45 The Minister stated that while the delays may cause some frustration, it was important to put safety first:

We do not want to see house fires or electrocutions. We want to make sure that systems are safe before they go live, and we want to make sure that those systems are safe for a 20-year period. So whilst there is a period of delay of some months, we think that is better for the longer term, for the 20-year-plus operation of these systems, and also for the obvious safety benefits that flow from that.¹⁷⁰

- 3.46 However, conscious of the increase in demand for solar panels, the Government had employed additional electrical inspectors to increase the Directorate's capacity to address delays. The Minister added that the

¹⁶⁷ *Transcript of Evidence*, 22 November 2011, p115

¹⁶⁸ *Transcript of Evidence*, 22 November 2011, p115

inspections could not be expedited through the payment of an additional fee.¹⁷¹

Energy rating assessors – licensing regulatory regime

- 3.47 The Committee sought an update on the transition to the new licensing regime for energy rating assessors.
- 3.48 Part 3 of the *Civil Law (Sale of Residential Property) Act 2003* includes a requirement that before entering into a contract, a property seller must give a prospective buyer a copy of an energy efficiency rating statement—as defined by section 123AC of the *Construction Occupations (Licensing) Act 2004* (COL Act)—for the habitable parts of the premises.
- 3.49 In early 2011, the COL Act was amended to include energy rating assessors as a new occupational class to which the licensing regime applies. Following the introduction of a new class, the Committee was advised that operators are given a period of time to adjust to the new scheme before the law is fully enforced.¹⁷²
- 3.50 Acting Executive Director, Regulation and Services, Mr John Meyer, advised the Committee that in the early stages of a new regulatory system, auditing is undertaken for educative purposes prior to moving into a ‘more enforcement oriented role’.¹⁷³
- 3.51 In response to Committee questioning about the efficacy of initial desk audits, the Acting Executive Director advised:

As you start to push the system and as you sort of start to squeeze it to see what is happening, in those early stages, it can take some time before you actually see the outcome. So we are very much in an early phase about how we see people’s behaviour change. And often times it is not until we get to some enforcement and people see the consequences of

¹⁶⁹ *Transcript of Evidence*, 22 November 2011, pp118-119

¹⁷⁰ *Transcript of Evidence*, 22 November 2011, p119

¹⁷¹ *Transcript of Evidence*, 22 November 2011, p119

¹⁷² *Transcript of Evidence*, 22 November 2011, p123

¹⁷³ *Transcript of Evidence*, 22 November 2011, p123

actually being subject to a regulatory regime that we see a stepped change in behaviour and performance. It is probably one of the more complex areas that we have got in terms of how this is going to play out, because there are so many points at which the energy performance of a building can be impacted between the design and the point at which the assessment is being made.¹⁷⁴

Tender processes

- 3.52 The Committee noted that a total of \$1.2 million worth of contracts had been procured via a single select tender process.¹⁷⁵
- 3.53 The Committee sought the Minister's assurance that the Territory and the community had achieved value for money in relation to these contracts.¹⁷⁶
- 3.54 In response the Minister expressed his confidence that 'at all times the then chief planning executive will have exercised their discretion appropriately', adding:

The law does provide for exemptions and discretion to be exercised to proceed to single select in certain circumstances. Those are matters for judgement on the part of the relevant chief executive. I am confident at all times the relevant chief executive has exercised a discretion appropriately. It is the case that, from time to time, there is a need to proceed to single select, either due to the urgency of the matter or because of specific expertise, knowledge or previous understandings or, indeed, previous work undertaken by that consultant on behalf of the government that warrants a continuation of using that particular contractor. So these are matters that are dealt with on a case-by-case basis.¹⁷⁷

- 3.55 The Committee notes that the *Chief Minister's 2010-2011 Annual Report Directions* require agencies to report on its procurement and contracting

¹⁷⁴ *Transcript of Evidence*, 22 November 2011, p124

¹⁷⁵ *Transcript of Evidence*, 22 November 2011, pp136-139

¹⁷⁶ *Transcript of Evidence*, 22 November 2011, p138

¹⁷⁷ *Transcript of Evidence*, 22 November 2011, p138

activities including compliance with the *Government Procurement Act 2001* and the *Government Procurement Regulation 2007* and to include for each contract (or group of contracts) the ‘reason for use of Select Tender procurement process, if applicable, for contracts of value greater than \$200,000.’¹⁷⁸

RECOMMENDATION 2

- 3.56 **The Committee recommends that details of the reasons for the Planning and Land Authority’s decisions to adopt a single select or select tender process for its procurements be included in future annual reports.**

Other issues

- 3.57 The Committee also discussed other issues relating to the Planning and Land Authority, including:

- clarification as to where supermarket policy fits within the planning and development system;¹⁷⁹
- progress on the Virtual ACT project;¹⁸⁰
- changes to the pre-development application consultation process;¹⁸¹
- the forthcoming review of the Building Act;¹⁸²
- comparison of overdue invoices between ACTPLA and other areas of the Directorate;¹⁸³
- the integration of Time to Talk 2030 feedback into the draft ACT Planning Strategy;¹⁸⁴
- status of the development of the Jamison Inn site and the appeal before ACAT;¹⁸⁵
- the reasons for failing to achieve the forecasted revenue for the change of use charge;¹⁸⁶

¹⁷⁸ *Chief Minister’s 2010-2011 Annual Report Directions*, C.14 Government Contracting, p40

¹⁷⁹ *Transcript of Evidence*, 22 November 2011, pp119-121

¹⁸⁰ *Transcript of Evidence*, 22 November 2011, pp121-122

¹⁸¹ *Transcript of Evidence*, 22 November 2011, pp107-108

¹⁸² *Transcript of Evidence*, 22 November 2011, p102

¹⁸³ *Transcript of Evidence*, 22 November 2012, p103; see also answer to PPWTMSQTON 11/21

¹⁸⁴ *Transcript of Evidence*, 22 November 2011, pp106-107

¹⁸⁵ *Transcript of Evidence*, 22 November 2011, p107; see also answer to PPWTMSQTON 11/22

- the location of public service departments in town centres;¹⁸⁷
- the decision to remove third-party appeal rights for Kingston Foreshore developments;¹⁸⁸
- outcomes from the Building Quality Forum;¹⁸⁹
- the costs of, and energy efficiencies generated by, upgrades to Dame Pattie Menzies House in Dickson;¹⁹⁰
- the Tune Up Canberra program and the reasons for the lack of take up of grants available;¹⁹¹
- the implementation of the building application model e-development system;¹⁹²
- the circumstances surrounding the departure of the former chief planning executive;¹⁹³
- the location of all planning approval processes within a single directorate;¹⁹⁴
- the application of the gateway review process to, and progress with, the north Weston Pond project;¹⁹⁵ and
- status of rural leases in the Naas and Majura valleys.¹⁹⁶

¹⁸⁶ *Transcript of Evidence*, 22 November 2011, pp127-128

¹⁸⁷ *Transcript of Evidence*, 22 November 2011, pp129-131

¹⁸⁸ *Transcript of Evidence*, 22 November 2011, pp131-132; note this was subsequently modified via a resolution in the Assembly which retained third-party appeal rights in relation to the Kingston Foreshore Arts precinct

¹⁸⁹ *Transcript of Evidence*, 22 November 2011, pp122-123

¹⁹⁰ *Transcript of Evidence*; 22 November 2011, pp134-135

¹⁹¹ *Transcript of Evidence*, 22 November 2011, pp139-140; see also answer to ESD Supplementary Question No 9 included in combined response to ESD Supplementary Questions Nos 7-32, dated 5 March 2012

¹⁹² *Transcript of Evidence*, 22 November 2011, pp140-142

¹⁹³ *Transcript of Evidence*, 22 November 2011, pp142-143

¹⁹⁴ *Transcript of Evidence*, 22 November 2011 pp143-144

¹⁹⁵ *Transcript of Evidence*, 22 November 2011, pp144-145; see also answer to PPWTMSQTON 11/35

¹⁹⁶ *Transcript of Evidence*, 22 November 2011, pp146-147

4 ECONOMIC DEVELOPMENT DIRECTORATE

4.1 Following the changed administrative arrangements which took effect from 17 May 2011, the newly created Economic Development Directorate (EDD) brought together various business units and statutory entities, including:

- the former Department of Land and Property Services (excluding ACT Property Group);
- Australian Capital Tourism, Special Events Unit and Live in Canberra from the Chief Minister's Department;
- Territory Venues and Events from the Department of Territory and Municipal Services;
- Sport and Recreation Services from the Territory and Municipal Services Department; and
- the Land Development Agency.¹⁹⁷

Sport and Recreation

4.2 Issues raised by the Committee included:

- the management of sports grounds;¹⁹⁸
- access to sport and sporting facilities, including by low income families;¹⁹⁹
- policies and practices to address litter generated by sporting events;²⁰⁰
- the rationale for placing sport and recreation in the Economic Development Directorate²⁰¹ and the reporting on the sport and recreation annual grants program;²⁰²
- community infrastructure upgrades;²⁰³

¹⁹⁷ *Economic Development Directorate Annual Report 2010-11*, p6

¹⁹⁸ *Transcript of Evidence*, 29 November 2011, pp148-150

¹⁹⁹ *Transcript of Evidence*, 29 November 2011, pp159-160

²⁰⁰ *Transcript of Evidence*, 29 November 2011, pp150-151

²⁰¹ *Transcript of Evidence*, 29 November 2011, pp151-157

²⁰² *Transcript of Evidence*, 29 November 2011, pp163-165

- strategies to address demand for indoor sport facilities;²⁰⁴
- progress on the design of the Throsby multisport complex;²⁰⁵
- the Active 2020 Strategic Plan, including multisports usage;²⁰⁶ and
- an update on the Lyneham sports precinct, including asbestos removal and costs.²⁰⁷

Territory Venues and Events

4.3 Issues raised by the Committee included:

- the redevelopment of Manuka Oval and Canberra Stadium;²⁰⁸ and
- the estimated economic return from hosting the world solo mountain bike championships in October 2012.²⁰⁹

Land Development Agency

4.4 The Land Development Agency (LDA), established under the *Planning and Development Act 2007*, is responsible for the development and release of Government-owned land for residential, commercial, industrial and community purposes.

4.5 Following the administrative changes which came into effect on 17 May 2011, the LDA was transferred to the Economic Development portfolio. While the LDA Governing Board has been retained, the roles of the Chief Executive Officer of the LDA and the Director-General of the EDD have been combined.²¹⁰

4.6 The Committee covered a range of issues relating to the LDA, including:

²⁰³ *Transcript of Evidence*, 29 November 2011, pp158-159

²⁰⁴ *Transcript of Evidence*, 29 November 2011, pp160-161

²⁰⁵ *Transcript of Evidence*, 29 November 2011, pp161-163

²⁰⁶ *Transcript of Evidence*, 29 November 2011, pp165-166

²⁰⁷ *Transcript of Evidence*, 29 November 2011, pp167-170; see also answer to PPWTMSQTON 11/42

²⁰⁸ *Transcript of Evidence*, 29 November 2011, pp170-175

²⁰⁹ *Transcript of Evidence*, 29 November 2011, pp171-172

²¹⁰ *Land Development Agency Annual Report 2010-11*, pp2-3

- progress in discussions with Community Housing Canberra in relation to the Downer Local Centre redevelopment²¹¹
- the proposal for the Government to buy back the Downer shops site and return it to community use;²¹²
- maximising economic, social and environmental return from land release;²¹³
- the proportion of land rent blocks that are concessional;²¹⁴
- reduction in land sales revenue;²¹⁵
- progress with urban renewal opportunities;²¹⁶
- progress on carbon neutrality in the land release program;²¹⁷
- an update on identifying land for new Canberra Seniors Centre;²¹⁸
- the pay out for the former head of the Land Development Agency;²¹⁹
- parking and transport arrangements for the newly released multi unit sites on Flemington Road;²²⁰and
- progress with the development of the National Arboretum in Canberra.²²¹

Mary Porter AM MLA

Chair

May 2012

²¹¹ *Transcript of Evidence*, 29 November 2011, pp176-178

²¹² *Transcript of Evidence*, 29 November 2011, p178

²¹³ *Transcript of Evidence*, 29 November 2011, pp179-181

²¹⁴ *Transcript of Evidence*, 29 November 2011, pp182-183

²¹⁵ *Transcript of Evidence*, 29 November 2011, pp183-186; see also answer to PPWTMSQTON 11/46

²¹⁶ *Transcript of Evidence*, 29 November 2011, pp186-187 and 189-190

²¹⁷ *Transcript of Evidence*, 29 November 2011, pp190-191

²¹⁸ *Transcript of Evidence*, 29 November 2011, pp191-193

²¹⁹ *Transcript of Evidence*, 29 November 2011, pp193-195

²²⁰ *Transcript of Evidence*, 29 November 2011, pp196-197

²²¹ *Transcript of Evidence*, 29 November 2011, pp187-189

APPENDIX A: List of Witnesses

1 November 2011

Mr Simon Corbell MLA, Minister for Territory and Municipal Services

Territory and Municipal Services Directorate

Mr Gary Byles, Director-General

Ms Fay Steward, Executive Director, Parks and City Services

Mr Stephen Alegria, Acting Director, Parks and Conservation, Parks and City Services

Ms Fleur Flanery, Director, City Services, Parks and City Services

Ms Jane Carder, Manager, Place Management, City Services, Parks and City Services

Ms Vanessa Little, Director, Libraries ACT, Parks and City Services

Mr Tony Gill, Director, Roads ACT

Mr Phillip Perram, Executive Director, Business Enterprises

Mr Chris Ware, Senior Manager, ACT NOWaste

Mr Michael Trushell, General Manager, Capital Linen

Mr Hamish Horne, Manager, Canberra Cemeteries

8 November 2011

Mr Simon Corbell MLA, Minister for the Environment and Sustainable Development and Minister for Territory and Municipal Services

Environment and Sustainable Development Directorate

Mr Ben Ponton, Acting Deputy Director-General, Planning Policy

Mr Alan Traves, Executive Director, Policy

Mr Gerhard Zatschler, Manager, Heritage

Mr Kuga Kugathas, Acting Senior Manager, Transport Planning and Projects

Territory and Municipal Services Directorate

Mr Gary Byles, Director-General

Mr Paul Peters, Executive Director, Roads and Public Transport

Mr James Roncon, Director, ACTION

Mr Michael Lawrence, Senior Manager, Public Transport Systems

22 November 2011

Mr Simon Corbell MLA, Minister for the Environment and Sustainable Development

Environment and Sustainable Development Directorate

Ms Penny Farnsworth, Deputy-Director-General Policy, Corporate and Regulation

Mr Ben Ponton, Acting Deputy Director-General, Planning Policy

Mr Chris Murray, Acting Executive Director, City Planning, Transport Planning
Branch

Mr Adrian Walsh, Senior Manager, Corporate, Human Resources and Corporate

Mr John Meyer, Acting Executive Director, Regulation and Services

Mr Craig Simmons, Director, Construction Services

29 November 2011

Mr Andrew Barr MLA, Minister for Economic Development and Minister for
Tourism, Sport and Recreation

Economic Development Directorate

Mr David Dawes, Director-General

Ms Cathy Hudson, Deputy Director-General, Economic Development, Policy and
Governance Division

Mr Neale Guthrie, Group General Manager, Territory Venues and Events

Mr David Jeffrey, Manager, Facility Projects and Planning

Ms Elisabeth Judd, Senior Manager, Land and Affordable Housing

Mr Ross McKay, Director, Sustainable Land Strategy

Mr Hamish McNulty, Executive Director, Infrastructure and Capital Works

Mr Shane O'Leary, Executive Director, Tourism, Events and Sport Division

Ms Jenny Priest, Acting Director, Sport and Recreation Services

Mr Chris Reynolds, General Manager, Land Development Agency

Mr Ian Thomson, Acting Executive Director, Land Strategy and Finance Division

APPENDIX B: Questions Taken on Notice²²²

NUMBER	TOPIC	DATE OF HEARING
Territory and Municipal Services		
PPWTMSQTON 11/01	Risks for the Directorate	1/11/11
PPWTMSQTON 11/02	Shopping trolley offences	1/11/11
PPWTMSQTON 11/03	Nicholls off road bike path	1/11/11
PPWTMSQTON 11/04	Plans for parks on former Cook/Holt school sites	1/11/11
PPWTMSQTON 11/05	Playground safety program	1/11/11
PPWTMSQTON 11/06	Wire Rope Barrier costs	1/11/11
PPWTMSQTON 11/07	Maintenance vs planting trees	1/11/11
PPWTMSQTON 11/08	RSPCA additional funding	1/11/11
PPWTMSQTON 11/09	Cost breakdown of developing real-time ACTION public transport system	8/11/11
PPWTMSQTON 11/10	Access to DDA-compliant ACTION buses	8/11/11
PPWTMSQTON 11/11	Data on ACTION bus patronage	8/11/11
PPWTMSQTON 11/12	Breakdown of FT/PT ACTION bus drivers	8/11/11
PPWTMSQTON 11/13	Budget funding to address ACTION staffing issues	8/11/11
PPWTMSQTON 11/14	ACTION fault insurance claim payments	8/11/11
PPWTMSQTON 11/15	Searchable information in ACTION accidents and claims database	8/11/11
PPWTMSQTON 11/16	Study on future use of two ACTION depots	8/11/11
PPWTMSQTON 11/17	Frequency of ACTION service to Forde and Bonner	8/11/11
PPWTMSQTON 11/18	Steer tag exemptions	8/11/11
Environment and Sustainable Development		
PPWTMSQTON 11/19	Canberra tracks program	8/11/11
PPWTMSQTON 11/20	Make Walking Count survey report	8/11/11
PPWTMSQTON 11/21	ACTPLA overdue invoices – (a)comparison with other areas; (b)breakdown by overdue period	22/11/11

²²² Answers are available on the Committee's webpage at

<http://www.parliament.act.gov.au/committees/index1.asp?committee=113&inquiry=1027&category=15>

NUMBER	TOPIC	DATE OF HEARING
PPWTMSQTON 11/22	Jamison Inn Redevelopment – legal fees	22/11/11
PPWTMSQTON 11/23	Jacka – (a) environmental and cultural heritage studies and when they will be made public; and (b) tender approval process.	22/11/11
PPWTMSQTON 11/24	ACTPLA advice on supermarket floor space for Crace	22/11/11
PPWTMSQTON 11/25	Sale of premises - new ER software	22/11/11
PPWTMSQTON 11/26	Land rent scheme – (a)30 year loans and interest revenue stream; (b)no. of contracts exchanged; no handed back by quarter; and (c)no. initially on discount rate now on standard and vice versa by quarter.	22/11/11
PPWTMSQTON 11/27	Development applications and time frames since 1 July 2011	22/11/11
PPWTMSQTON 11/28	Departments in town centres, Mr Papps’ comments (<i>unanswered as at 9 May 2012</i>)	22/11/11
PPWTMSQTON 11/29	Appropriation variance arising from payment of compensation to leaseholders	22/11/11
PPWTMSQTON 11/30	Dame Pattie Menzies House – (a)total spent on energy efficiency measures and breakdown in costs; (b)reason for single tender; (c)lighting upgrade process; and (d)savings in electricity bills.	22/11/11
PPWTMSQTON 11/31	Molonglo spatial plan evaluation and urban form scenarios tender process	22/11/11
PPWTMSQTON 11/32	Moncrieff stage 2: cultural heritage investigations, \$99,000 tender process	22/11/11
PPWTMSQTON 11/33	Reasons for all listed single tender processes in annual report	22/11/11
PPWTMSQTON 11/34	Mr Savery – payout	22/11/11
PPWTMSQTON 11/35	North Weston Pond project – (a)costs; and (b)completion date.	22/11/11
PPWTMSQTON 11/36	2010 Act of grace payment	22/11/11
Economic Development		
PPWTMSQTON 11/37	Funding for community sports fields and related infrastructure	29/11/11

NUMBER	TOPIC	DATE OF HEARING
PPWTMSQTON 11/38	Participation by low income families in sport	29/11/11
PPWTMSQTON 11/39	Cost pressures faced by sports clubs	29/11/11
PPWTMSQTON 11/40	Level of junior participation in sports	29/11/11
PPWTMSQTON 11/41	Impact of actively ageing programs and participation in sport by over 60s/70s	29/11/11
PPWTMSQTON 11/42	Lyneham precinct – cost of asbestos removal	29/11/11
PPWTMSQTON 11/43	Canberra stadium	29/11/11
PPWTMSQTON 11/44	Land rent blocks – (a)concessional vs higher rate; (b)builders vs owners	29/11/11
PPWTMSQTON 11/45	Molonglo land hand backs	29/11/11
PPWTMSQTON 11/46	Land revenue reduction – impact on dividend	29/11/11
PPWTMSQTON 11/47	LDA sustainability framework goals – greenhouse gas reduction	29/11/11
PPWTMSQTON 11/48	LDA – Mr Robertson – amount of executive payout	29/11/11

APPENDIX C: Supplementary Questions²²³

NUMBER	TOPIC	DATE OF HEARING
Territory and Municipal Services		
1	Risk management	1/11/11
2	Net cost of services	1/11/11
3	2010-11 expenditure	1/11/11
4	Material downloaded by users	1/11/11
5	Cost of public library services per visit to branch	1/11/11
6	Heritage Library collection	1/11/11
7	MyWay cards	1/11/11
8	Fix My Street	1/11/11
9	40km/h speed trial in town centres	1/11/11
10	Sustainable transport – 40% GHG reduction rate	1/11/11
11	Sustainable transport – impact of wet weather	1/11/11
12	Wheelchair accessible taxis	1/11/11
13	Methane harvesting at West Belconnen	1/11/11
14	Waste to landfill	1/11/11
15	Waste recovery	1/11/11
16	Waste targets	1/11/11
17	Light globes and batteries – recycling systems	1/11/11
18	Government response to urban forest renewal program	1/11/11
19	Tree audit	1/11/11
20	Accountability indicator – land management	1/11/11
21	Playgrounds	1/11/11
22	Animal welfare	1/11/11
23	RSPCA	1/11/11
24	Drinking fountains	1/11/11
25	Fluorescent lighting replacement program	1/11/11
26	Removal of abandoned vehicles – target review	1/11/11
27	Triple bottom line	1/11/11
28	Stationary energy gains	1/11/11

²²³ Answers are available on the Committee's webpage at

<http://www.parliament.act.gov.au/committees/index1.asp?committee=113&inquiry=1027&category=15>

NUMBER	TOPIC	DATE OF HEARING
29	Weed removal on Molonglo River banks	8/11/11
30	Weed control funding	8/11/11
31	Wild animal management	8/11/11
32	Kowen commercial harvesting operations	8/11/11
33	Woodland and Wetland Trust	8/11/11
34	Reserve management funding	8/11/11
35	Structure of PCL	8/11/11
36	Role of ESD in developing management plans	8/11/11
37	Role of ESD in post-fire monitoring at Namadgi	8/11/11
38	Post-burn biodiversity evaluation	8/11/11
39	BOP - Fire trail & road maintenance in Namadgi	8/11/11
40	Biological assets	8/11/11
41	Bikes on buses (<i>formerly No.35</i>)	8/11/11
Environment and Sustainable Development		
1	Heritage backlog	8/11/11
2	Aboriginal heritage	8/11/11
3	Heritage capital works upgrade program	8/11/11
4	Bass Gardens development	8/11/11
5	Planning and heritage	8/11/11
6	Aboriginal heritage backlog	8/11/11
7	Molonglo storm water quality	22/11/11
8	Eastern Broadacre planning	22/11/11
9	Tune Up Canberra	22/11/11
10	Development application numbers	22/11/11
11	Concessional leases	22/11/11
12	Uriarra Village	22/11/11
13	Low carbon future	22/11/11
14	Kenny	22/11/11
15	Molonglo land release	22/11/11
16	Molonglo River Park	22/11/11
17	EIS exemptions	22/11/11
18	Commercial Codes review	22/11/11
19	Residential Codes review	22/11/11
20	DHCS multi-unit sites review	22/11/11
21	National Capital Plan	22/11/11
22	NCA	22/11/11
23	Legal fees increase	22/11/11
24	Waivers – categories	22/11/11
25	Compensation payments	22/11/11

NUMBER	TOPIC	DATE OF HEARING
26	Building quality	22/11/11
27	PV inspections	22/11/11
28	Availability of studies – assessment of temperature increase on human settlement /testing of urban form changes	22/11/11
29	Lease compliance	22/11/11
30	Retail modelling	22/11/11
31	Scrivener Dam – upgrade feasibility study	22/11/11
32	Availability of report <i>Planning for the Non-Government School Sector</i>	22/11/11
33	Bus Priority for Canberra Avenue	8/11/11
34	Erindale bus station	8/11/11
Economic Development		
1	Government office accommodation strategy	29/11/11
2	ACT Property Group	29/11/11
3	Government Office Building	29/11/11
4	Land delivery	29/11/11
5	Land release	29/11/11
6	Sites for aged care	29/11/11
7	City Area Action Plan	29/11/11
8	Hawker shops	29/11/11
9	Narrabundah long-stay caravan park	29/11/11
10	Well Station Drive extension	29/11/11
11	Improving housing affordability	29/11/11
12	OwnPlace	29/11/11
13	Affordable Housing Action Plan	29/11/11
14	First home buyer concessions	29/11/11
15	Low income housing	29/11/11
16	Community Access Network	29/11/11
17	Increased supply of community housing	29/11/11
Land Development Agency		
1	Community land release	29/11/11
2	Wright land release	29/11/11
3	Wright – Home Sustainability Advisor	29/11/11
4	Coombs land release	29/11/11
5	Mingle Program - Molonglo	29/11/11
6	Crace – lease conditions	29/11/11
7	Government Land Organisations	29/11/11
8	Englobo land releases	29/11/11
9	Land release targets	29/11/11
10	Fast-tracking release of land	29/11/11

NUMBER	TOPIC	DATE OF HEARING
11	Bonner – environmental issues	29/11/11
12	Bonner – sustainability showcasing	29/11/11
13	Kingston Foreshore harbour	29/11/11
14	Kingston Foreshore land release	29/11/11
15	Triple Bottom Line land release	29/11/11
16	Jacka land release program	29/11/11
17	Mixed-use land release	29/11/11
18	Ngunnawal 2C	29/11/11
19	Yarralumla Brickworks	29/11/11
20	Southside Farmers Market	29/11/11
21	OwnPlace	29/11/11
22	Decrease in infrastructure sales	29/11/11
23	Rental income	29/11/11
24	Legal claim costs	29/11/11
25	Habitat – nesting boxes	29/11/11