ESTIMATES 2006

Question on Notice

Table of Contents

10 Minister for Planning Deb Foskey

Childcare centre planned for Yarralumla

Dr Foskey MLA: To ask the Minister for Planning in relation to a childcare centre planned for Yarralumla:

It was mentioned at the hearing on 20 June 2006 that a site was being prepared for a childcare centre in Yarralumla. Could you please indicate:

1. Where the land is located;
2. Under what terms is it being offered; and
3. Please describe the stage at which the process is at currently, including what has already occurred.

SIMON CORBELL: The answer to the Member's question is as follows:

1. The site is in MacGillivray Street, Yarralumla. It is Block 2 Section 77 Yarralumla.

2. The Land Development Agency (LDA) will auction the site, currently proposed for August 2006, subject to all the necessary planning work being approved. The land use of the site will be restricted to the purposes of a childcare facility.

3. Planning work is currently underway to prepare the land for release. The LDA distributed of a newsletter to surrounding residents on Monday 28 May 2006. Lease and development conditions are being prepared for approval by the ACT Planning and Land Authority.

24 Minister for Planning Deb Foskey

Sustainable Transport Plan

DR FOSKEY : To ask the Minister for Planning – In relation to the Sustainable Transport Plan:

1. When is the Sustainable Transport Plan due to be updated?

2. In particular, when will the Plan's targets be updated?

SIMON CORBELL: The answer to the Member's question is as follows:

1. A draft status report on the Sustainable Transport Plan's progress has now been prepared, recognising the Plan has now been in place for 2 years. I am currently considering this draft report. As with the Canberra Spatial Plan, it is envisaged that the Sustainable Transport Plan may be reviewed comprehensively after being in place for 5 years.

2. The targets are expected to be reviewed along with the comprehensive review of the Sustainable Transport Plan, unless it becomes evident that an earlier review is warranted.

25 Minister for Planning Zed Seselja

ACTPLA advertising budget

MR SESELJA: To ask the Minister for Planning – In relation to the ACTPLA advertising budget:

1. What was the advertising and marketing budget allocation for ACTPLA for 2005-06.

2. How much was actually spent on advertising and marketing in 2005-06.

3. How much does ACTPLA expect to spend on advertising and marketing in 2006-07.

SIMON CORBELL: The answer to the Member's question is as follows:

1. $140,000

2. $55,000 (to 31 March 2006)

3. It will be lower than the budget allocation for 2005/06.

26 Minister for Planning Zed Seselja

ACTPLA changes to Appropriation

MR SESELJA: To ask the Minister for Planning – In relation to the ACTPLA changes to Appropriation (BP4 page 272). A saving of $700,000 over the next four years in expected by rationalising boards and committees.

1. Which boards and committees will be rationalised and how.

2. How will the savings be achieved and what is the break up of those savings.

SIMON CORBELL: The answer to the Member's question is as follows:

1. The ACT Planning and Land Council was discontinued as of 30 June 2006 by amendment to *the Planning and Land Act 2002.*

2. The savings will be achieved through the discontinuation of the Council. Savings are in members' remuneration, travel and administration costs, Council secretariat costs and Authority staff time in support of Council business.

27 Minister for Planning Zed Seselja

ACTPLA Staffing and estimated employment levels

MR SESELJA: To ask the Minister for Planning – In relation to Staffing of ACTPLA and estimated employment levels in 2006-07
(BP4 page 272)

1. How many qualified planners are/were employed by ACTPLA
   a. At 1 July 2005?
   b. At 1 July 2006?
2. How many qualified planners are expected to be employed by ACTPLA at 1 July 2007.
3. Will the proposed staff cuts affect the timing of Development Application Approvals.
4. What services will be cut or affected by the proposed reduction in staffing.

SIMON CORBELL: The answer to the Member's question is as follows:

1. Apart from formal planning qualifications, ACTPLA employs staff who possess a wide range of other skill-sets (allied professionals), which contribute to the effective planning of the city, including urban design, landscape architecture, architecture, engineering and social planning. Against this background:
   a. At 1 July 2005, 38 qualified planners and 57 allied professionals.
   b. At 1 July 2006, 36 qualified planners and 62 allied professionals.
2. At July 2007, the number of qualified planners and allied professionals as a proportion of total staffing is expected to remain approximately the same at about one-third of the total, or 90.
3. Staff reductions on their own are not expected to affect the timing of development application approvals.
4. Staff reductions are being managed in such a way as to minimise impacts on the delivery of the organisation's core statutory obligations and there will be relatively little effect on leasing, development assessment and compliance functions.

   Various strategies will also be put in place to help minimise impacts on service delivery. For example, the outcomes from the Planning System Reform Project and a rationalisation of processes including the electronic lodgement of documents will see services provided in a different way but without significant customer impact. In other areas there will be structural changes in the way services are delivered. This includes a restructure of the ACT Land Information Centre and the use of improved technological options including GIS will enable a rationalisation of the work of the current Commissioner for Surveys.

28 Minister for Planning Zed Seselja

Preliminary Assessment for the Belconnen to City busway

MR SESELJA: To ask the Minister for Planning – In relation to the Preliminary Assessment for the Belconnen to City Busway:

1. How much has been spent on this project so far.
2. How much of the total spent has been spent on advertising and marketing exercises.
3. Has there been a cost benefit analysis of the Busway project.
4. If so:
   a. What were the results of the analysis including results relating to projected usage (passengers), and total project cost; and
   b. What was the expected increase in passages as a direct result of the construction of the proposed Busway.
5. Does ACTPLA still have functional responsibility for the Busway project.
6. If no:
   a. Who has functional responsibility;
   b. For what reason was responsibility transferred; and
   c. Was the Chief Planning Executive consulted on the transfer and if so, what reasons were given for the transfer.

SIMON CORBELL: The answer to the Member's question is as follows:

1. $2,996,218. (to 31 May 2006)
2. $94,560
3. Preliminary costings were undertaken on the various route options that were originally proposed. A detailed cost benefit analysis cannot be undertaken until a decision has been made on the preferred route and detailed design has been undertaken. The Government has not allocated funds in the 2006-07 budget for the detailed design on a preferred route that will be determined from the Preliminary Assessment.
4. See 3 above.
5. Yes, up until the completion of the Preliminary Assessment and Territory Plan Variation.
6. See 5 above

29 Minister for Planning Zed Seselja

Land Management Function transfer

MR SESELJA: To ask the Minister for Planning – In relation to the transfer of:

1. The Land Management Function transfer from ACTPLA to the Chief Minister's Department and to the Department of Territory and Municipal Services:

    a. What rationale was used to justify this transfer;

    b. What were the identified problems with the previous arrangement;

    c. What are the associated costs of moving transferring this function;

    d. At what level of Government was the decision made to transfer this function and which Agencies/Officials advised the decision maker;

    e. Was there agreement by all concerned that the transfer should occur;

    f. What are the identified position outcomes expected from this transfer; and

    g. How will the Land Management function be split between the two Departments of the Chief Minister and Territory and Municipal Services?

    h. How will authority be exercised between the two Departments or will the two Departmental heads defer to the Minister on each occasion of difference and if so, which Minister will exercise final authority.

2. Management of Leased and Unleased land, infrastructure Planning and Transport Policy for ACTPLA to the Department of Territory and Municipal Services:

    a. What rational was used to justify this transfer;

    b. What were the identified problems with the previous arrangement;

    c. What are the associated costs of moving transferring this function;

    d. At what level of Government was the decision made to transfer this function and which Agencies/Officials advised the decision maker;

    e. Was there agreement by all concerns that the transfer should occur; and

    f. What are the identified positive outcomes expected from this transfer.

SIMON CORBELL: The answer to the Member's question is as follows:

1. In relation to the Land Management Function transfer from ACTPLA to the Chief Minister's Department and

    a. There is no land management function from Chief Minister's Department, only to the Department of Territory and Municipal Services (TAMS). In terms of rational for this, the response is provided under 2a below.

    b. See 2b.

    c. See 2c.

    d. See 2a.

    e. See 2a.

    f. See 2c.

g. There is no split as CMD will not have a role in land management.

h. See 1g.

2. In relation to Management of Leased and Unleased land, infrastructure Planning and Transport Policy for ACTPLA to the Department of Territory and Municipal Services:

a. The only thing that has transferred from this list of issues is the management of unleased Territory land, which in respect to ACTPLA occurred in 2005 as an administrative initiative of the Chief Executives of ACTPLA and DUS, supported by both the Ministers for Planning and Urban Services. This step was taken to improve the administrative efficiency of this function.

In respect to other matters, ACTPLA continues to undertake infrastructure and transport planning and TAMS will be responsible for implementing projects that arise out of these planning initiatives.

b. Split responsibilities, duplication of effort and disaggregation of resources.

c. The transfer of this function involved the transfer of two FTEs from ACTPLA to TAMS and the Authority's operating costs, in total approximately $330,000.

d. See 2a.

e. Yes.

f. Simplification of managing contracts, a single management and maintenance regime, improved coverage of both Bushfire and Weed management programs through greater aggregation of resources and reduced costs.

30 Minister for Planning Zed Seselja

Planning System Reform Project

MR SESELJA: To ask the Minister for Planning – In relation to the Planning System Reform Project:

1. How much has been spent on advertising/promotion of the Planning System Reform Project:
   a. In total; and
   b. Individually, for specific advertising or public information material including printing and circulation charges.

SIMON CORBELL: The answer to the Member's question is as follows:

1. a. Total amount spent was $76,687

   b. The financial system does not separate expenditure into individual advertising or promotional projects. Payments are recorded by expenditure type, such as printing, publications, advertising or professional services. In relation to the amounts spent on advertising/promotion of the Planning System Reform Project the totals for each expenditure type are:

   - Printing costs: $21,468
   - Publications: $862
   - Advertising: $3,785
   - Professional Services*: $50,573

   *the item 'Professional Services' expenditure relates to the preparation of written material for publication.

31 Minister for Planning Zed Seselja

Development of A10 Guidelines

MR SESELJA: To ask the Minister for Planning – In relation to the development of A10 Guidelines:

1. When will the review of A10 Guidelines be completed and what is the target date for presentation of the guidelines.

2. Has money been allocated in the 2006-07 Budget for the development of the A10 Guidelines;

    a. If so, how much has been allocated?

SIMON CORBELL: The answer to the Member's question is as follows:

1. For the purpose of responding it is interpreted that the review of A10 guidelines is actually the preparation of character guidelines for inner north and south Canberra, which is separate from the evaluation of the Garden City provision. It is anticipated that this guideline will be completed for my consideration towards the end of this calendar year.

2. The Government has allocated $30,000 to the development of the character guidelines.

32 Minister for Planning Zed Seselja

LDA costs associated with human resources

Mr Seselja MLA: To ask the Minister for Planning in relation to the LDA costs associated with human resources:

1. How much of total LDA income is spent annually on staff wages expressed as a percentage?
2. What ratio is used to determine expenditure on staff wages against income?
3. How is this ratio measured and maintained?
4. What is the industry benchmark for staff wages to income ratios?
5. What is the year to date expenditure on consultants for the LDA?
6. What is the breakdown of all contractors engaged by the LDA in 2005-06 and what services did they provide?
7. What is the total and individual cost of the Board of Directors of the LDA?

SIMON CORBELL: The answer to the Member's question is as follows:

1.The estimate for salaries and wages for 2005-06 is $4,587,000. This is 2.5% of total LDA income.

2. The staffing level is based on specific project requirements.

3. See the answer 2 above.

4. The only industry benchmark that LDA is aware is sale revenue per person, which LDA has sourced from annual reports. This indicates that LDA compares very favourably with other government land development agencies and private sector developers.
For example, the expected outcome for 2005-06 indicates $2,801,000 sales revenue per staff member for LDA, whereas LandCorp (the Western Australian Government's land development entity) in 2004-05 achieved $1,829,000 sales revenue per staff member and the private sector firm Stockland achieved $1,414,000 per staff member in the same year.

Care must be taken in making these comparisons, to ensure that figures are compared on the same basis. However, this data shows LDA compares very favourably with other land development entities, whether public sector or private sector.

5. The expenditure on consultants used by LDA on projects to
31 May 2006 was $8,055,000.

6. The consultants employed were predominately engaged in the areas of project management and development management. The 2005-06 Annual Report will provide further details.

7. As at November 2005, the ACT Remuneration Tribunal has determined the following remuneration in respect of LDA Directors:

- Chair $56,035
- Deputy Chair $44,830
- Member $33,620

With seven paid Directors the total annual remuneration cost is $268,965.

33 Minister for Planning Zed Seselja

LDA sales and marketing activities

Mr Seselja MLA: To ask the Minister for Planning in relation to sales and marketing activities of the LDA:

1. What is the benchmark gross profit margin for the LDA?
   a) What gross profit margin was achieved in 2005-06?
   b) What is the projected gross profit margin for 2006-07?
2. What is the average gross profit margin on land sales in the private sector?
3. Did the LDA gross profit margin for the LDA in 2005-06 include value added programs such as the $10,000 voucher program run in the Ginninderra Ridge program?
4. What were the total advertising and marketing costs for the LDA in 2005-06?
5. How much did it cost to build the site office at Wells Station?
6. An LDA pre movie advertisement has been running at Cinemas in Canberra
   a) how much did the advertisement cost
      a) To produce?
      b) To run?
   b) How many times has the advertisement run and at what theatres?
   c) Is the contract current or has it expired?
   d) What specific products were marketed in that campaign?
   e) How much of the program was dedicated to
      a) Marketing?
      b) Branding?
7. What measurable marketing benefits were achieved through the Epicentre signage and did the successful bidder or any other bidders specifically refer to the signage as being significant in drawing their attention to the sale of the site?

SIMON CORBELL: The answer to the Member's question is as follows:

1. (a) The estimated gross profit margin for 2005-06 is 35.2%.
   (b) The projected gross profit margin for 2006-07 is 28.1%.
2. LDA is aware that larger development companies may be targeting margins in the order of 18% - 22%.
3. No. The gross profit margin is not after selling expenses have been deducted. The gross profit margin is the gross revenue less the development costs and land costs.
4. In 2005-06 the marketing and advertising costs is $2.723m.
5. The cost to build the new site office at Wells Station was $123,615.
6. (a) The cost of production of the cinema commercial was $55,360 (ex GST) and the cost of media placement for the cinema campaign was $60,200 (ex GST).
   (b) The commercial ran 188 times in total. The cinemas showing the commercial were the following:
   Hoyts Belconnen – total 48 times
   Greater Union Civic – total 24 times
   Hoyts Tuggeranong – total 36 times
   Greater Union Manuka – total 24 times
   Hoyts Woden – total 48 times
   Batemans Bay Cinema – total 8 times
   (c) The contract expired in March 2006.

(d) Wells Station, Civic and Gungahlin Town Centre were marketed.

(e) The focus was on raising the awareness of LDA’s development projects.

7. The EpiCentre sign located on the corner of Hindmarsh Drive and Canberra Avenue was of assistance in the marketing of the EpiCentre site.

34 Minister for Planning Zed Seselja

Sale of land at Ginninderra Ridge

Mr Seselja MLA: To ask the Minister for Planning in relation to sale of land at Ginninderra Ridge:

1. Why was a value added campaign of $10,000 vouchers introduced to support the sale of land at Ginninderra Ridge?
   a) How many blocks of land have been sold at Ginninderra Ridge?
   b) How many of the blocks sold, included a $10,000 voucher as part of the sale?
   c) Who authorised the value added voucher campaign?
   d) Why was the value added voucher not included in the contract for sale of land?
   e) What was the total cost of the campaign?
   f) Where does the cost of the program appear in the accounts of the LDA?
   g) What measures were used to determine the effectiveness of the campaign?

2. Was there an agreement with Valley Retravision that goods identified as included in the voucher campaign would be offered at the wholesale price? And if so:
   a) What checks were undertaken by the LDA to ensure that Valley Retravision honoured the wholesale pricing agreement?
   b) Did the LDA become aware of pricing anomalies between the wholesale price for goods offered by Valley Retravision and retail prices offered for the same goods at other Retravision stores?

3. What discussions occurred with Valley Retravision after it became apparent that there were problems requiring at least one purchaser to be paid $950 by the LDA in lieu of accessing the voucher redemption contract?
4. If the voucher was advertised as being for ‘energy efficient’ appliances, why were purchasers allowed to use the voucher for TV’s, yet not allowed to use the voucher for solar heating equipment?

SIMON CORBELL: The answer to the Member’s question is as follows:

1. The voucher program was an incentive to promote land sales.
   a) There have been 101 sold to date.
   b) 26 blocks.
   c) LDA.
   d) It was a sales incentive.
   e) The total cost of the campaign was $260,000.
   f) In Selling Expenses.
   g) Sales enquiries.
2. Yes.
   a) Valley Retravision provided tax invoices to LDA showing the normal price of the goods purchased and the discount provided.
   b) No. LDA was not provided with any formal quotation indicating lower prices.
3. LDA contacted Valley Retravision who confirmed that the scheme was being administered within the agreed terms.
4. As part of the promotion purchasers were encouraged by Valley Retravision to buy energy efficient appliances, including fridges, dishwashers, stoves, cook tops, microwaves, ovens, washing machines and clothes dryers.

48 Minister for Planning Richard Mulcahy

Payments to small business

Mr Richard Mulcahy MLA : To ask the Minister for Planning – In relation to payments made by the Minister's department to small business:

For 2004-05, (a) how many, and (b) what proportion of payments made by the Minister's department to small business were not made within:

I. 30 days of receipt of the goods or services and a proper invoice in accordance with Government procurement policy
II. 60 days of receipt of the goods or services and a proper invoice in accordance with Government procurement policy

Mr Simon Corbell: The answer to the Member's question is as follows:

The Department's financial systems are not configured to identify which payments are made to small businesses versus other businesses, or the proportion of invoices paid within payment terms.

Answering the Member's question would necessitate individual checking of all invoices. This would be a time consuming and uneconomic exercise, and an unreasonable diversion of resources.

75 Minister for Planning Deb Foskey

Suburban planning process

DR FOSKEY: To ask the Minister for Planning – In relation to the suburban planning process:

1. Please provide details of where the planning process is at for the following suburbs;
    - Franklin;
    - Forde;
    - Wells Station;
    - Bonner;
    - Harrison; and
    - Throsby

   Please provide design documents, (at whatever stage of development currently exists) for these suburbs, where available.
2. Regarding the Real Time Information Capital Injection mentioned on p.280 of Budget Paper 4:
   (a) Has the $6 million allocated for this program been returned to Treasury?
   (b) If not, where is it being deployed?
   (c) On what grounds was the decision made to cut the funding for this program?
3. Strategic Indicator 2 (on p.274 of Budget Paper 4) includes "contribution to the achievement of sustainability". What is ACTPLA's definition of 'sustainability'?
4. Strategic Indicator 2 (on p.274 of Budget Paper 4) includes "appropriate opportunities for community engagement in the planning process":
   (a) What community engagement processes were employed in regard to the Goodwin Homes expansion?
   (b) How does ACTPLA decide when community engagement in the planning process is appropriate?
   (c) What developments will occur in the 2006-07 financial year which ACTPLA anticipates will, or may, require community engagement processes to take place?
   (d) Please identify and/or provide copies of any manuals or other documents containing interpretations, rules, guidelines, practices or precedents including, but without limiting the generality of the foregoing, precedents in the nature of letters of advice providing information to bodies or personas inside or outside ACTPLA's administration providing guidance on how and when ACTPLA should engage in community consultation?
5. What form of community consultation has taken place regarding the Belconnen to Civic Busway project?
6. On page 272 of Budget Paper 4 it is stated that the Land Supply Strategy will "provide a framework to consider the allocation of land for community purposes and the delivery of various social policy outcomes":
   (a) Where can the public learn about the community purposes and social outcomes that ACTPLA is aiming to establish or enhance?
   (b) What expertise and consultation procedures does ACTPLA have in identifying what are appropriate community purposes and social outcomes?

7. What is the Minister's and ACTPLA's current thinking on what Government should do when the ACT's 99-year leases expire?

8. What will the $1.5 million earmarked for the Sustainable Transport Initiative in 2006-07 financial year be spent on?

9. Regarding the Childers Street redevelopment (seep.281 of Budget Paper 4):
   (a) Is it true that there will be no trees in the completed streetscape?
   (b) What is the environmental, economic and social basis for this decision, if it is true?

SIMON CORBELL: The answers to the Member's questions are as follows:

1. (a) Franklin:
Concept plan has been endorsed by the ACT Planning and Land Authority. The Estate Development Plan for Stage 1 has yet to be formally lodged with the Authority for approval.

(b) Forde:
Concept plan has been endorsed by the Planning and Land Authority. The Estate Development Plan for Stage 1A has been lodged with the Authority for approval.

(c) Wells Station:
(or Harrison 2) – see response to (e) below.

(d) Bonner:
A concept plan for Bonner has been endorsed by the Planning and Land Authority and is available on the Authority's web site (www.actpla.act.gov.au).

(e) Harrison:
Harrison 2 (Wells Station) is a public sector land development (Land Development Agency) project and is largely complete. In terms of planning, the Territory Plan Map and Maps of Canberra Suburbs and ACT Districts, both available on the Authority's web site, identify the estate's planning. The estate is under construction. An Estate Development Plan has been approved for Harrison 3.

(f) Throsby:

Final Variation to the Territory Plan No. 231 (East Gungahlin, suburbs of Kenny, Throsby and part Harrison and Goorooyarroo Nature Reserve) has been tabled with the Legislative Assembly. This Variation contains information on the planning of the suburb of Throsby.

Copies of available plans have been provided to Dr Foskey's office separately. Plans publicly available can be accessed from the Authority's website or if a member require copies they can be provided on request.

2. (a) Of the total budget of $6.670 million allocated in the 2005-06 Budget, $0.451 million was expended and the balance was returned to Treasury.

The project was delayed due to the need to resolve interface issues with ACTION's ticketing system.

(b) See (a) above.

(c) The Government determined that there were higher budget priorities for 2006-07. Future funding will be considered in the context of the 2007/08 budget.

3. The Planning and Land Authority's definition of 'sustainability' is as defined in Section 53 of the *Planning and Land Act 2002* – 'sustainable development'. An extract from the Act is as follows:

Meaning of *sustainable development*

For this Act:

sustainable development means the effective integration of social, economic and environmental considerations in decision-making processes, achievable through implementation of the following principles:

(a) the precautionary principle;

(b) the inter-generational equity principle;

(c) conservation of biological diversity and ecological integrity;

(d) appropriate valuation and pricing of environmental resources.

the inter-generational equity principle means that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations.

the precautionary principle means that, if there is a threat of serious or irreversible environmental damage, a lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

4. (a) The community engagement process employed for Goodwin Homes expansion in Ainslie is summarised as follows:

- applicant undertook consultation prior to lodging the Development Application (DA);
- DA was publicly notified in accordance with the *Land (Planning and Environment) Act 1991* (the Land Act);
- proposal was referred to the North Canberra Community Council;
- North Canberra Community Council held a public meeting to discuss the proposal.
- A further public meeting was held.

(b) All Development Applications are publicly notified unless exempted by the *Land (Planning and Environment) Regulation 1992.*

The relevant Community Council or Councils is/are notified of a Development Application if the DA falls within the following criteria:
- residential buildings intended to be higher than 3 storeys and consisting of more than 50 units
- buildings where the total floor space of which is intended to be more than 7,000m2
- buildings or structures intended to be higher than 25m;
- applications to change concessional leases into leases that are not concessional leases.

As part of the community engagement arrangements that the Planning and Land Authority has entered into with ACT Community Councils, the Authority also advises the Councils on a weekly basis, by email, of development applications that have been lodged and have been publicly notified.

Consultation with community representation organisations in the locality is also required for multi-unit residential developments and non-residential developments greater than 1,000 sq metres gross floor area.

Public consultation on policy and strategic planning is not a statutory process, however, the Authority invests significant resources into these exercises that are tailored to suit the different projects. Recent examples include the planning system reform project, Belconnen to City Transitway, Molonglo structure plan and the Hackett Urban Design Guideline.

The Land Act also outlines the statutory consultation processes for Territory Plan Variations, however the subject matter for many of these has typically been the subject of extensive community engagement.

(c) It is not possible to anticipate what developments requiring community engagement will occur in the 2006-07 financial year.

(d) The Authority is bound by its legislation and companion regulations to undertake a range of formal consultation processes (as outlined in 4 (b) above).

In other areas the Authority operates in accordance with the Department of Disability Housing and Community Services' whole of government community engagement guidelines available on that Department's website at: http://www.dhcs.act.gov.au/engagement.

5. The consultation regarding the Belconnen to Civic Busway project completed to date includes three newsletters (the most recent distributed to 45,000 households), three public displays, and meetings with over 50 community and public groups, and adjacent lessees.

Information about the public displays was widely circulated and included posters at local shops and advertisements placed in the Canberra Times and Chronicles. A number of organisations and individuals have made public submissions, and these will be acknowledged in the Preliminary Assessment.

The Preliminary Assessment will be available for public inspection following lodgement with the Planning and Land Authority. Another newsletter will be issued at that time, to coincide with newspaper advertisements.

6.(a) The public can learn about these matters from the Residential, Commercial and Community Land Supply Strategy which is published on the Planning and Land Authority's website: http://www.actpla.act.gov.au/publications/land-supply/strategy.pdf and from other documents such as the Canberra Spatial Plan and Social Plan. The 2006-2007 to 2010-2011 strategy has not yet been released by Government.

(b) The Planning and Land Authority has a number of qualified and experienced staff who undertake analysis of demographic change and community needs in order to inform the release of land for community purposes. This analysis is undertaken in consultation with relevant service provision agencies and community sector service providers. Changes to land use policy and development applications are subject to statutory consultation processes.

7. The draft Planning and Development Bill, which has been released for public comment, proposes to maintain the Crown lessee's rights currently under sections 171, 171A, 172, 172A and 172B of the Land Act

In summary these sections permit the leaseholder to apply to the Planning and Land Authority for the grant of a further Crown lease for a term not exceeding 99 years upon payment of the applicable administrative fee.

8. The $1.5 million budget allocation will see the completion of the Preliminary Assessment for the two route options for the Transitway and the subsequent Territory Plan Variation process to reserve the corridor for future development.

The planning studies for the Belconnen Town Centre bus system improvements and the proposed new operating system for the City Centre will also be completed.

9. (a) The street character of the central portion of Childers Street, the stage currently under construction, will not feature street trees.

(b) The use of shade structures and lighting art works in this section of Childers Street will provide a unique streetscape that will enable the area to be used as an art and performance space as well as a public street.

The provision of rain gardens in this section provides for interception of pollutants before entering the stormwater system and eventually Sullivan's Creek will offer the opportunity for greater utilisation of stormwater from hard paving street areas, reduce the need for watering of trees in the street verges and allow for reductions in capacity of the stormwater infrastructure. The rainwater gardens also increase the area of permeable surfaces in the urban public realm.

The urban design concept for Childers Street offers benefits in the consolidation of costs for water sensitive urban design, public amenity, safety and ongoing city management and maintenance.

The completion of the northern and southern sections of Childers Street in the future will see the establishment of mature street trees and will also feature a new community park at the northern end of Childers Street with established trees retained.

124 Minister for Planning Deb Foskey

Sales incentives for land purchasers

ESTIMATES 2006-2007

Select Committee on Estimates 2006-2007

Question Taken on Notice

Mr Seselja MLA: To ask the Minister for Planning in relation to the sales incentives for land purchasers:

1. What was the process that the provider or supplier was selected for the voucher scheme?

2. How many bidders did you have for the tender?

3. I understand there has been some problems with it. I understand, and you can correct this if I'm wrong, but at least one purchaser was paid out about $950 because they didn't feel that they were getting value. Have you had any wider concerns about the administration of this scheme?

4. Have there been any instances when purchasers have come back to you and said, "Well we're not satisfied with this, this isn't what was advertised and we're not getting what we actually paid for" ?

5. Have you had any concerns put to you about the prices at Valley Retravision not being competitive with other providers?

6. What about trade rates? Is the $10,000 voucher for goods at trade prices?

7. We have had put to us by purchasers, that they weren't able to buy solar heating equipment, but they were able to buy TVs.

SIMON CORBELL: The answer to the Member's question is as follows:

1. The process was a select tender.

2. Four suppliers submitted tenders.

3. LDA has had no concerns about the administration of the scheme.

4. There were two related instances and LDA has endeavoured to satisfy the clients expectations.

5. None, apart from the two related parties referred to in 4 above.

6. The terms and conditions provided to purchasers were for goods purchased as a lump sum package discount, to at least trade prices or better at the discretion of Valley Retravision.

7. As part of the promotion purchasers were encouraged by Valley Retravision to buy energy efficient appliances, including fridges, dishwashers, stoves, cook tops, microwaves, ovens, washing machines and clothes dryers.

125 Minister for Planning Deb Foskey

Sale of section 48 Fyshwick

ESTIMATES 2006-2007

Select Committee on Estimates 2006-2007

Question Taken on Notice

Mrs Dunne MLA: To ask the Minister for Planning in relation to the sale of Section 48 Fyshwick and related lease and development conditions:

1. How many prospective purchasers came and asked you about the appropriateness of direct factory outlets on that site before the auction in December last year?

SIMON CORBELL: The answer to the Member's question is as follows:

1. LDA has no record of any bidder registered for the auction making a direct approach to LDA on this matter. In accordance with the sales documentation prospective purchasers were required to make their own inspections and evaluations of the site.

126 Minister for Planning Deb Foskey

Family friendly staff policies

ESTIMATES 2006-2007

Select Committee on Estimates 2006-2007

Question Taken on Notice

Mr Gentleman: To ask the Minister for Planning in relation to the family friendly staff policies:

1. Can you tell the committee what family friendly provisions the LDA undertakes to assist their staff with parenting responsibilities?

2. What percentage do you think the take up has been?

SIMON CORBELL: The answer to the Member's question is as follows:

1. The LDA has a family friendly policy in accord with the certified agreement under which it operates. LDA seeks to promote, within that, arrangements like flexible working hours, part-time work, job sharing and home based work. From time to time, a number of staff have pursued the arrangements that have been offered to assist in managing their work/life balance in relation to parental and other commitments.

2. There is currently one permanent staff member with a formal arrangement for part-time work to meet their parenting responsibilities. However, in the past a number of staff from time to time have also used flexible working arrangements to undertake their responsibilities.

127 Minister for Planning Deb Foskey

Expansion of retail price

ESTIMATES 2006-2007

Select Committee on Estimates 2006-2007

Question Taken on Notice

Mr Smyth MLA: To ask the Minister for Planning in relation to the expansion of retail space:

1. Is the government planning any expansion of retail space in the ACT on any of those sites or in the near future?
2. In relation to Woden Plaza, do you want to define moderate?

SIMON CORBELL: The answer to the Member's question is as follows:

1. The 2006-07 Statement of Intent provides for growth in the release of commercial land, which includes retail space. The indicative commercial land release program for 2006-07 is detailed below:

Table 1. Indicative commercial land release program 2006-07

Loacation and Site Area	Estimated Achievement 2005-06 m^2	2006-07 m^2
Commercial		
Civic	1,173	5,475
Central Canberra	-	-
Woden/Weston	2,900	363
Belconnen	-	1,981
Tuggeranong	13,257	19,893
Gungahlin	-	-
Other	-	6,008
Sub Total	17,330	33,720
Industrial Estates		
Fyshwick	85,936	14,742
Hume	-	38,647
Mitchell	16,176	55,101
Sub Total	102,112	108,490
Total	**119,442**	**142,210**

The commercial property market is highly cyclical and should market conditions change the actual land supply and sales program will be adjusted accordingly.

2. There are no concrete figures as yet.

128 Minister for Planning Deb Foskey

Staffing level

ESTIMATES 2006-2007

Select Committee on Estimates 2006-2007

Question Taken on Notice

Mr Smyth MLA: To ask the Minister for Planning in relation to the staffing level:

1. How many consultants work full-time within the LDA?

2. I notice if you do a search on LDA in the government directory, there are actually 80 staff listed. How many of those are part-time?

3. Is there a large amount of job sharing going on within the LDA?

4. If there's 52 or 58.9 at the end of this month, 58.9 Full Time equivalents (FTE) and there's actually 80 people listed on the directory as of about 9.30 this morning, does that mean that there are up to 20 consultants working in the LDA?

5. When you determine the consultants, can you determine what the annual cost of these consultants are to LDA?

6. In summary the number of consultants you have had this year and what they have cost.

SIMON CORBELL: The answer to the Member's question is as follows:

1. The very nature of projects necessitates that LDA engages a wide range of consultants to execute the projects. While the figures for 2005-06 are not yet finalised, in 2004-05 LDA employed some 132 consultants with a total cost of $8,705,326.

2. The Government Directory includes staff no longer with the LDA. The figures provided to the Committee on staffing are accurate. There is currently one permanent officer working part-time.

3. There are presently no job-share arrangements in place in LDA.

4. No (see response to question 2).

5. Yes.

6. See response to question 1. 2005-06 figures are being finalised and will be available in the 2005-06 Annual Report.

129 Minister for Planning Deb Foskey

Housing affordability

ESTIMATES 2006-2007

Select Committee on Estimates 2006-2007

Question Taken on Notice

Mr Smyth MLA: To ask the Minister for Planning in relation to the housing affordability:

1. So what sort of income do you need to sustain the purchase of a block at $150,000 and then put a house on it?

2. How many blocks have been made available for this third quintile in the last year?

3. When did the program commence?

SIMON CORBELL: The answer to the Member's question is as follows:

1. The moderate income land program provides blocks for $150,000 or less, to households with incomes of $100,000 or less (with an adjustment for households with dependent children), who have not owned property in the last two years.

2. In 2004-05 53 blocks were made available under Moderate Income Land Ballots. Since the program commenced, 101 blocks have been sold.

3. The program was commenced as a Budget 2004-05 initiative.

134 Minister for Planning Deb Foskey

Lyons petrol station site

ESTIMATES 2006-2007

Question taken on Notice

DR FOSKEY: To ask the Minister for Planning – In relation to the approved Development Application for the former Lyons Petrol Station site and the length of time taken to redevelop the site:

1. What steps are currently being taken by the ACT Planning and Land Authority to ensure the site is developed.
2. Expected length of time taken to develop this site.

SIMON CORBELL: The answer to the Member's question is as follows:

1. No Development Application has been lodged with the ACT Planning and Land Authority. The Authority met with the Lessee in 2005 concerning the redevelopment options for the site and advised the developer of the need to consider the ACT Policy on Service Station Sites.

   This Policy was introduced by the former (Liberal) Government and was aimed at retaining existing service stations where possible. The Lessee has not yet satisfactorily demonstrated that there are 'exceptional circumstances' in terms of that policy that prevent the retention of a viable service station on the site.

2. The expected length of time to develop this site is largely dependant upon the Lessee demonstrating exceptional circumstances acceptable to the Authority to redevelop the site to another use.

135 Minister for Planning Vicki Dunne

Block 19 section 2 Hall

ESTIMATES 2006-2007

Question taken on Notice

MRS DUNNE: To ask the Minister for Planning – In relation to Block 19 Section 2 Hall:

1. Have there been orders issued in relation to the development by the Authority or by the Minister.

2. Does the Minister currently have powers to issue orders.

SIMON CORBELL: The answer to the Member's question is as follows:

1. No. There have not been orders issued over this development. A stop notice was issued under the Building Act 1972 in October 2003. A plan seeking retrospective approval was submitted in November 2003. A Prohibition Notice was issued under the Land (Planning and Environment) Act 1991 in 2004. A plan seeking retrospective approval was submitted in April 2004.

   The nominee and the builder for the project are both currently subject to disciplinary proceedings under the Construction Occupations Licensing Act. The proceedings are directly impacted by the current appeal to the AAT. The proceedings with respect to the project will be completed once the AAT has determined the outcome of the appeal.

2. No. Orders are issued by delegates of the Authority.

168 Minister for Planning Brendan Smyth

Land Development Agency activities - Hotels

Mr Brendan Smyth MLA: To ask the Minister for Planning:

1. Has the Land Development Agency undertaken on its own behalf an evaluation of the potential to develop five star or higher standard hotels in Canberra?

2. If not, has the Agency funded any other parties to undertake an evaluation of the potential to develop five star or higher standard hotels in Canberra?

3. If such an evaluation has been undertaken, will you make a copy of that evaluation available to the Estimates Committee; if not, why not?

SIMON CORBELL: The answers to the Member's questions are as follows:

1. No.
2. Yes; and
3. Yes, a copy of the report from Jones Lang LaSalle Hotels is attached.

(with attachments)

204 Minister for Planning Zed Seselja

Sale of block 8 section 48 Fyshwick

MR SESELJA: To ask the Minister for Planning – In relation to the sale of Block 8 Section 48 Fyshwick:

1. Did ACTPLA receive a Counsel's advice from any interested party prior to the purchase of Block 8 Section 48.

2. If yes to Q1 above:
   - (a) What was the content of that advice;
   - (b) Was the Council's advice referred to in any correspondence received by the ACTPLA in November 2005;
   - (c) Did ACTPLA respond to this Council's advice on 8 December 2005;
   - (d) What was the content of that response;
   - (e) Are copies of the Council's advice and ACTPLA's response available for members of the public through the FOI process; and
   - (f) Did ACTPLA send a copy of the advice to any other ACT or Commonwealth Government agencies.

3. If yes to Q1 above, does ACTPLA still have a copy of the Council's advice on its files?

4. If no to Q 3 above:
   - (a) Why not;
   - (b) What happened to the advice; and
   - (c) What is ACTPLA doing to obtain a copy of the advice to complete their files.

SIMON CORBELL: The answer to the Member's question is as follows:

1. Yes. The document, however, is the property of a commercial organisation who provided it to the Authority on a commercial in confidence basis.

   The document attracts legal professional privilege in the hands of its owner. As the document was provided in confidence the organisation expects that it be kept in confidence.

   This document was the subject of an FOI request and has been exempted accordingly under the provisions of the FOI Act.

   That FOI request is now a matter being pursued before the AAT.

2. See answer to Question 1 above
   - (a) The content of the document is legal advice;
   - (b) Yes;
   - (c) Yes;

(d) All documents relating to the Counsel’s advice are the subject of an FOI request that is now being pursued in the AAT. An exemption under the FOI Act was claimed in relation to this document.

(e) The FOI provides a mechanism through which members of the public can access information provided that an exemption under the Act does not apply to the information. See answer to Question 1 above; and

(f) A copy of the legal advice has been provided to the Authority’s legal advisors.

3. Yes.

4. Not applicable.

205 Minister for Planning Zed Seselja

Draft variation 175

MR SESELJA: To ask the Minister for Planning – In relation to: Draft Variation 175:

1. What were the recommendations of the Synectics report commissioned by the Planning and Land Management with respect to:

(a) Bulky goods retailing; and
(b) General retailing.

2. Did the explanatory statement to DV175 include a clause removing or changing any restriction on the land use ‘shop’.
3. Did PALM inadvertently delete or inadvertently amend the land use control in DV175 that limited the 3,000m² per block restriction on the land use ‘shop’.
4. What was the PALM response to NCA consultation in regard to land use restrictions for shop use in Fyshwick.
5. Does ACTPLA possess a document by PALM in respect to DV175 which states “following consideration of the submission received and further review by PALM, the draft variation release in May 2002 bas been amended as follows;… it is agreed that except for ‘Bulky Goods retailing’ the control the limits retailing in Fyshwick to a maximum of 3,000m² per block should be retail. The Land Use restriction for ‘shop’ has been amended accordingly”.
6. Was the land use in Fyshwick in DV 175 amended accordingly.
7. In relation to valuations received by the LDA prior to the sale of Block 8 Section 48 Fyshwick:

(a) what was the land use identified as the basis for those valuations;
(b) was there any suggestion in the valuation(s) that more than a maximum gross floor area of 3,000m² of ‘shop’ use on block 8 Section 48 Fyshwick was identified as an appropriate land use;
(c) what site did the valuation(s) use to compare with this site for an appropriate valuation; and
(d) what were the land uses described on that or those sites.

SIMON CORBELL: The answer to the Member's questions are as follows:

1. The recommendations of the Synectics report referred to at the Estimates hearing ('ACT Industrial Land Supply - Issues and options discussion paper', 1998) included:

   (a) In relation to bulky goods retailing:

   Current land use policy permits significant retail development in industrial areas. The level of floorspace which has become allocated to retailing in industrial areas, particularly Fyshwick, is a response to market demands, however, it has the twofold result of reducing the available land for actual industrial uses and reduces the viability of the town, group and local centres accordingly. A loose cluster of bulky retailing has emerged in Fyshwick providing a central comparative shopping location to ACT residents.

   It is recommended bulky retailing continue to be permitted in Fyshwick, however, general retailing be directed to town, group and local centres rather than industrial areas.

   Consideration could be given to removing the provisions for all retail in Mitchell with the dual function or retaining its role as a mixed service area for Gungahlin and to support retailing in the Gungahlin Town Centre, group centres and local centres.

   (b) In relation to general retailing (in industrial areas):

   Without some forms of intervention it is unlikely the levels of retail floorspace in industrial areas, in particular Fyshwick, will reduce in absolute or percentage terms. One reason retail is attracted to these areas is the generally lower costs of accommodation, compared to town and group centres ad the higher levels of round-the-clock access.

   Economic incentives and disincentives could be developed to encourage retail operations to locate outside industrial areas, if this was a policy of government. Initiatives could include reduced stamp duty, application fees and a rates and land tax liability holiday for those retail owner occupiers who sell their business property in industrial areas and purchase another at and relocate to a group or local centre or the Gungahlin Town Centre, within a given time frame. Similar benefits could be hypothecated to tenants who relocate or to start-up businesses.

   Similarly, disincentives could include a higher rate for retail space rating purposes or the establishment of a Retail-Related Assessment where capital or recurrent charges are levied on the owners of retail space in industrial areas with all funds raised used to enhance and improve group and local centres via the Precinct management program.

   Phil Ruthven, a leading future thinker … observed Australia's top earning industries over the period 1960 to 2005 as energy-based mining, tourism and hospitality, IT&T, health, education, agriculture, financial services and outsourced business service. His outlook for

2006 to 2040 is for outsourced household services, property and business services, knowledge services (databases, other online and interactive media), IT&T, health, energy-based mining, and a 'new era' agriculture rather than a revamped old one.

Local centres are well placed to provide affordable accommodation to many of these industries, particularly outsourced household services. It is recommended that new start-up and existing home and business service industries – such as cleaning, lawnmowing and food deliveries, repairs and servicing of consumer appliances, and local telecommunications facilities currently located in Canberra's industrial areas, be especially encouraged to locate in existing local centres. Clustering of compatible industries may increase the available community benefits.

Incentives, in addition to those noted above could include government sponsored training of staff to improve customer service and the provision of guidelines for local centre improvement covering the aspects outlined in Main Street NSW, Mainstreet USA *and* Postcode 3000*.*

2. Yes.

3. The Draft Variation released left the landuse restriction open. Subsequent comments and consultation were taken into consideration of the final version presented to the Assembly.

4. PALM did not agree that the large site on the corner of Canberra Avenue and Newcastle Street was better suited for industrial uses rather than bulky goods retailing.

5. Yes.

6. Yes.

7. (a) The valuations provided to the Land Development Agency by Knight Frank and Jones Lang LaSalle for Block 8 Section 48 Fyshwick were provided to the Select Committee on Estimates on Wednesday 12 July 2006.

   (b) See 7 (a) above.

   (c) See 7 (a) above.

   (d) See 7 (a) above.

211 Minister for Planning Vicki Dunne

Expired rural leases

Select Committee on Estimates 2006-2007

Question taken on notice

MRS DUNNE: To ask the Minister for Planning – In relation to the expired rural leases for Frank & Olive Coonan, Evan Tully and Robert Tanner:

1. At what stage is the current AAT hearing at;
2. Who are the parties involved;
3. Why is the Commonwealth part of those proceeding.
4. What documents requested under the FOI are in contention.

MR CORBELL: The answer to the Member's question is as follows:

1. There have been two AAT matters with respect to two separate FOI requests, one in the ACT jurisdiction and one in the Commonwealth. The ACT appeal related to the imposition of processing charges, which has now been concluded with both parties reaching agreement before the matter went to a full hearing.

   The Commonwealth appeal is yet to be heard.

2. Messrs Coonan and Tanner and ACT Planning and Land Authority were the parties to the ACT matter. Mr & Mrs Coonan, the Australian Taxation Office, CB Richard Ellis and the ACT Planning and Land Authority are the parties to the Commonwealth matter.

3. The applicant, Mr & Mrs Coonan, has appealed a decision made regarding their Commonwealth FOI application to the Australian Taxation Office. The ACT Government Solicitors office has an arrangement in place for the Australian Government Solicitors Office to represent the Territory in these matters.

4. No documents were in question in the ACT FOI Application. That appeal related purely to processing charges.

   Documents relating to the valuation methodology of the Australian Valuation Office are in contention in the Commonwealth AAT appeal.

296 Minister for Planning Steve Pratt

Intersection of Canberra Avenue and Hindmarsh Drive

MR PRATT: To ask the Minister for Planning – In relation to the intersection of Canberra Avenue and Hindmarsh Drive:

1. Is an over pass to be built at the intersection?
   If yes:
   (i) what will it cost;
   (ii) when will it be constructed;
   (iii) when will tenders be called;
   (iv) who will pay for the overpass; and
   (v) why is the overpass not listed in the budget documents.

   If no:
   (i) Was it ever recommended by Roads ACT, and if it was recommended;
   (a) when was it recommended; and
   (b) why is the project not going ahead.

2. Was a traffic study done?
   If yes, could you please supply the documents to the Committee?

SIMON CORBELL: The answer to the Member's question is as follows:

1. There is no proposal to build an over pass at the intersection of Canberra Avenue and Hindmarsh Drive.

   (i) Roads ACT has not recommended an overpass or grade separated intersection.

2. A traffic impact study was carried out by the Land Development Agency for Stage 1A - Epicentre of Fyshwick Section 48 in February 2006.

(A copy of the report is attached.)

390 Minister for Planning Deb Foskey

Development application - Philip

DR FOSKEY : To ask the Minister for Planning – In relation to the development application for Blocks 56, 57, 60 and 61 Section 8 Phillip (DA 20021105):-

1. What were the circumstances behind the removal of the trees and the AAT decision?

SIMON CORBELL: The answer to the Member's question is as follows:

1. A Development Application (DA) to demolish an existing building, Guardian House, and construct a new office complex of 12000m2 including, landscaping and off site works was lodged with the then Planning and Land Management (PALM) on 11 March 2002. PALM was the predecessor to the ACT Planning and Land Authority (the Authority).

2. The DA was publicly notified and attracted 22 objections. The DA was referred to the then Commissioner for Land and Planning (the Commissioner) for a decision, which was the practice at the time for DA's that attracted objections.

3. The RAIA and the Woden Valley Community Council subsequently appealed the decision to the ACT Administrative Appeals Tribunal (AAT). The AAT affirmed the Commissioner's decision on 13 April 2003 with a minor change to the wording of one condition relating to the requirement for a heritage report to be undertaken. The majority of the AAT case revolved around the heritage significance of Guardian House and whether it should be entered on the Interim Heritage Register. There was no mention in the AAT decision relating landscaping or retention of trees.

4. A condition of the DA required a Tree Management Plan be prepared by a suitably qualified aborist to make recommendations for:
    a. The retention in a healthy state of the Chinese elm (tree 57) in the north-western corner of the site;
    b. The relocation of the Magnolia (tree 37) from the north-eastern corner of Block 60 to another suitable location on public land subject to the approval of the then Canberra Urban Parks and Places;

5. It has since been determined that the Magnolia tree cannot be transplanted due to underground services within the root zone. Negotiations between agencies resulted in a waste collection strategy that would reduce the size of the waste hoppers and save the Magnolia tree.

6. Further amendments to the DA were lodged with the Authority in August 2005 requesting the minor redesign of various elements of the building, including a

redesign of the basement to accommodate new transformers, a substation and internal garbage and waste handling facilities. The redesign of the basement impacted on the root systems of the adjacent elm trees within the public domain. Subsequently a new DA was lodged with the Authority and approved on 17 August 2005 to remove the elm trees. The elm trees will be replaced with a more suitable species that meets the requirements of Parks and Places. It is intended that the new trees will be planted once construction work is complete. The new trees will be advanced grade trees.