

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: NCA 01

Division/Agency: National Capital Authority

Topic: ACT Factory Outlet

Hansard page: 25 (01/11/05)

Senator Carr asked:

Senator CARR—Was the NCA consulted about the approval of a discount goods warehouse?

Ms Pegrum—A direct factory outlet?

Senator CARR—Yes.

Ms Pegrum—That was put before us for approval and we gave Works Approval to that outlet. We are just checking the exact date, but it was recent; it was this calendar year.

Answer:

Prior to the lodgement of a Works Approval application (in April 2005) for the Factory Outlet Centre, the Canberra International Airport lodged a separate application (on 19 January 2005) for new road works and land subdivision infrastructure works for the Aeropark precinct.

Works Approval for the factory outlet was granted on 6 July 2005.

Question no: NCA 02

Division/Agency: National Capital Authority

Topic: ACT factory outlet traffic assessment

Hansard page: p. 25 (01/11/05)

Senator Carr asked:

Senator CARR—When did you approach Urban Services?

Ms Pegrum—Prior to giving the Works Approval.

Senator CARR—When?

Ms Pegrum—I would have to go back to the dates and give those on notice.

Answer:

The National Capital Authority (NCA) contacted Roads ACT to seek its views on the proposed road and infrastructure works on 24 February 2005. Their advice, received on 1 March 2005, was also taken into consideration in the assessment of the factory outlet application.

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Question no: NCA 03

Division/Agency: National Capital Authority

Topic: ACT factory outlet consultancies with Roads ACT

Hansard page: p. 26 (01/11/05)

Senator Carr asked:

On what dates were those consultations held?

Answer:

See response to **NCA 02**.

Question no: NCA 04

Division/Agency: National Capital Authority

Topic: Canberra Airport traffic flow

Hansard page: 26 (01/11/05)

Senator Heffernan asked:

CHAIR—Can you table any traffic flow report flowing from that?

Ms Pegrum—We can table what advice we received from the Territory and I can ask the Territory Government whether they would like to provide you with anything additional.

Answer:

Please see **attached** correspondence from the ACT Department of Urban Services dated 1 March 2005.

[NCA 04 attachment]

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Question no: NCA 05

Division/Agency: National Capital Authority

Topic: Road works into Canberra

Hansard page: Written question

Senator Heffernan asked:

What controls does the NCA have on road works being done for a major project on the major access road into and out of Canberra from the South even before a Development Application (DA) for the project has been lodged?

Answer:

The major access road into and out of Canberra from the South is the Monaro Highway which is an Approach Route to the National Capital and as such, comes under Designated Areas in the National Capital Plan (the Plan). Designated Areas includes areas of land that have the special characteristics of the National Capital.

As a Designated Area, all works proposed within the Monaro Highway road reserve require works approval from the National Capital Authority (NCA). The NCA's consideration of any such works proposal is based on the provisions of the Plan.

The NCA's consideration of an application lodged for Works Approval (in a Designated Area) is quite separate to the assessment of a Development Application by the ACT Planning and Land Authority (ACTPLA) on land located outside the Designated Areas (for example on land fronting the Monaro Highway).

Question no: NCA 06

Division/Agency: National Capital Authority

Topic: Gaol

Hansard page: Written question

Senator Heffernan asked:

Is the NCA aware of what is happening with the gaol?

What part does the NCA play in the Development Application (DA) process?

Is it possible for the gaol to go ahead without a DA being approved?

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Answer:

The site for the gaol in Hume is Territory land located outside the Designated Areas of the Plan. Due to the site's location along the Monaro Highway, Special Requirements of the Plan apply including the preparation of a Development Control

Plan (DCP) to be prepared and agreed to by the National Capital Authority (NCA). A DCP was prepared for the gaol site and submitted to the NCA for approval. It was approved on 21 January 2005. However, the NCA is not responsible for approving the Development Application (DA).

ACTPLA is responsible for assessing and approving the DA for the gaol. ACTPLA, in considering the DA, would need to ensure that the development proposal complied with the relevant provisions of the Territory Plan and the approved DCP. The NCA has no particular involvement in the DA process.

Access and infrastructure upgrade works proposed within the Monaro Highway road reserve, which is in a Designated Area, require works approval from the NCA. The NCA's consideration of such works would be based on the provisions of the National Capital Plan.

Question no: NCA 07

Division/Agency: National Capital Authority

Topic: Gaol

Hansard page: Written question

Senator Heffernan asked:

What options will be available to the residents of Jerrabomberra (which is in NSW not ACT) who reside adjacent to the proposed site?

Answer:

The National Capital Authority (NCA) understands that ACT Planning and Land Authority (ACTPLA), in assessing the Development Application (DA), will take into consideration submissions received during public consultation/notification (including any from the Jerrabomberra residents).

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Question no: NCA 08

Division/Agency: National Capital Authority

Topic: Gaol

Hansard page: Written question

Senator Heffernan asked:

Why has the more suitable site which is available north of the airport not been selected for the gaol?

Answer:

The National Capital Authority (NCA) is not aware of all the factors which the ACT Government considered in making a decision on the Hume site.

Question no: NCA 09

Division/Agency: National Capital Authority

Topic: Information technology outsourcing arrangements

Hansard page: Written question (Senator Conroy's Q 1 and 2)

Senator Conroy asked:

Please provide details of total departmental/organisational spending on information and communications technology (ICT) products and services during the last 12 months.

Please break down this spending by ICT function (e.g. communications, security, private network, web sites).

Answer:

The National Capital Authority's (NCA's) total departmental spending on ICT outsourcing products and services arrangements in 2004-05 was: \$322,300.

Functional Breakdown:

Network and Helpdesk Services	= \$231,000
Communications	= \$49,000
Security	= \$37,800
Website Outsourcing	= \$4,500

All costs include GST.

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Question no: NCA 10

Division/Agency: National Capital Authority

Topic: Information technology outsourcing arrangements

Hansard page: Written question (Senator Conroy's Q 3)

Senator Conroy asked:

Was this spending in line with budget forecasts for this 12-month period?

- a. If not, please provide details of:
 - i. The extent that information and communications technology (ICT) spending exceeded budget forecasts for this 12-month period;
 - ii. Details of specific ICT contracts which resulted in the department/organisation spending in excess of budget forecasts for this 12-month period;
 - iii. The reasons ICT spending exceeded budget forecasts for this 12-month period.

Answer:

Information technology spending was in line with budget forecasts.

Question no: NCA 11

Division/Agency: National Capital Authority

Topic: Information technology outsourcing arrangements

Hansard page: Written question (Senator Conroy's Q 4)

Senator Conroy asked:

Please provide details of any information and communications technology (ICT) projects that have been commissioned by the department/organisation during the past 12 months that have failed to meet designated project time frames (i.e. have failed to satisfy agreed milestones by agreed dates).

- a. For such projects that were not completed on schedule, please provide details of:
 - i. The extent of any delay;
 - ii. The reasons these projects were not completed on time; and
 - iii. Any contractual remedies sought by the department/organisation as a result of these delays (e.g. penalty payments).

Answer:

Nil response.

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Question no: NCA 12

Division/Agency: National Capital Authority

Topic: Information technology outsourcing arrangements

Hansard page: Written question (Senator Conroy's Q 5)

Senator Conroy asked:

Please provide details of any information and communications technology (ICT) projects delivered in the past 12 months that have materially failed to satisfy project specifications.

Answer:

Nil response.

Question no: NCA 13

Division/Agency: National Capital Authority

Topic: Information technology outsourcing arrangements

Hansard page: Written question (Senator Conroy's Q 6)

Senator Conroy asked:

Please provide details of any ICT projects that were abandoned by the department/organisation within the last 12 months before the delivery of all project specifications outlined at the time the project was commissioned.

- a. For such abandoned projects, please provide details of:
 - i. Any contractual remedies sought by the department as a result of the abandonment of these projects;
 - ii. Any costs of re-tendering the ICT project.

Answer:

Nil response.

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Question no: NCA 14

Division/Agency: National Capital Authority

Topic: Travel

Hansard page: Written question (Senator Fielding's Q 1)

Senator Fielding asked:

How much money has the portfolio spent on **domestic** airfares for each of the last three financial years?

Answer:

2002-03	\$43 627.99
2003-04	\$34 868.54
2004-05	\$27 089.92

Question no: NCA 15

Division/Agency: National Capital Authority

Topic: Travel

Hansard page: Written question (Senator Fielding's Q 2)

Senator Fielding asked:

How much money has the portfolio spent on **overseas** airfares for each of the last three financial years?

Answer:

The National Capital Authority (NCA) has spent the following on overseas airfares for the last three financial years:

2002-03	\$15 530.13
2003-04	\$13 929.76
2004-05	\$ 3 361.93

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Question no: NCA 16

Division/Agency: National Capital Authority

Topic: Travel

Hansard page: Written question (Senator Fielding's Q 3)

Senator Fielding asked:

How much money has the portfolio spent on **economy class domestic** airfares for each of the last three financial years?

Answer:

2002-03	\$31 850.35
2003-04	\$26 108.36
2004-05	\$18 489.24

Question no: NCA 17

Division/Agency: National Capital Authority

Topic: Travel

Hansard page: Written question (Senator Fielding's Q 4)

Senator Fielding asked:

How much money has the portfolio spent on **business class domestic** airfares for each of the last three financial years?

Answer:

2002-03	\$11 777.63
2003-04	\$ 8 760.18
2004-05	\$ 8 600.68

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Question no: NCA 18

Division/Agency: National Capital Authority

Topic: Travel

Hansard page: Written question (Senator Fielding's Q 5)

Senator Fielding asked:

How much has the portfolio spent on **first class domestic** airfares for each of the last three financial years?

Answer:

Nil response.

Question no: NCA 19

Division/Agency: National Capital Authority

Topic: Travel

Hansard page: Written question (Senator Fielding's Q 6)

Senator Fielding asked:

What would be the estimated financial year dollar-saving if all public servants in the Portfolio travelled economy class for flights of less than one and a half hours duration?

Answer:

All National Capital Authority (NCA) staff already travel economy on all flights. The only travel arranged by the NCA involving domestic flights over one and half hours was for a Board Member, who is not a public servant.

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Question no: NCA 20

Division/Agency: National Capital Authority

Topic: Contract negotiations

Hansard page: Written question (Senator Murray's Q 1)

Senator Murray asked:

What guidance is provided to staff with responsibilities for contract negotiations specifically about the requirements of the Senate Order? If relevant guidance is not provided, please explain why this is the case.

Answer:

Guidance is provided to staff as follows:

- (a) The National Capital Authority's (NCA's) Intranet includes a portal on Contract Management with links to the Department of Finance and Administration's procurement guidelines including *Guidance on Procurement Publishing Obligations* (Advice No 15—January 2005).
- (b) The NCA's *Chief Executive Instruction on Procurement* outlines the relevant reporting obligations (AusTender, Murray Motion and Annual Report).
- (c) Specific training on the Government's procurement framework and the NCA's procurement processes is provided regularly to staff.

Reporting responsibilities for contracts is centrally managed in the NCA by the Records Management Unit.

When changes occur to the NCA's procurement processes, the Intranet Contract Management portal is updated and staff are advised of the revised arrangements by e-mail.

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Question no: NCA 21

Division/Agency: National Capital Authority

Topic: Training

Hansard page: Written question (Senator Murray's Q 2)

Senator Murray asked:

What training and awareness sessions are provided, either in-house or through other training providers (e.g. DOFA, APS Commission or private firms) in respect of the Order? Please provide a list of the dates, the identity of the training providers and the content of the training that staff attended in 2005. If training and awareness sessions are not provided, please explain why this is the case.

Answer:

The National Capital Authority (NCA) contracted the Australian Public Service (APS) Commission to conduct the workshop "Getting that Contract Right" for 15 NCA staff on 31 August and 1 September 2005.

Contract confidentiality clauses were discussed at this training. The training provider was Shane Carroll of Shane Carroll and Associates.

The workshop explored:

- the Commonwealth competitive tendering and contract framework;
- why contract planning is essential;
- selecting the right tender process;
- Commonwealth standard clauses and schedules;
- Intellectual property, copyright and indemnity issues;
- risk management;
- measurements for monitoring contract performance and service quality;
- dispute resolution;
- freedom of information and commercial-in-confidence status;
- APS contracting and e-procurement; and
- Administrative law implications and recent case law.

Additional in-house training on the NCA's procurement processes was provided to relevant staff in October 2005. The training outlined:

- the *Commonwealth Procurement Guidelines* framework;
- internal contracting procedures including contract management portal access and contents, file management, templates and delegations;
- annual procurement plans; and
- reporting obligations.

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Question no: NCA 22

Division/Agency: National Capital Authority

Topic: Commonwealth procurement guidelines

Hansard page: Written question (Senator Murray's Q 3)

Senator Murray asked:

Has the department/agency revised its procurement guidelines to incorporate the new Commonwealth Procurement Guidelines that took effect from 1 January 2005, particularly with respect to the confidentiality elements contained in those guidelines? If so, when did this occur and can a copy be provided? If not, what is the cause of the delay and when will the revision occur?

Answer:

The National Capital Authority (NCA) has adopted the new *Commonwealth Procurement Guidelines* and provides a link to the Department of Finance and Administration's Procurement Guidelines from the Agency's Intranet under 'Contract Management Procedures and Guidelines'.

Question no: NCA 23

Division/Agency: National Capital Authority

Topic: ANAO audits

Hansard page: Written question (Senator Murray's Q 4)

Senator Murray asked:

ANAO audits for the last three years have revealed a consistently low level of compliance across most Agencies with DOFA's confidentiality criteria (February 2003) for determining whether commercial information should be protected as confidential. The ANAO's latest Report on the Order (No.11 of 2005-2006, September 2005) states that departments and agencies need to give higher priority with this important requirement of the Senate Order.

- What specific measures have been or will be taken to address this problem, give it higher priority and raise compliance levels?
- What guidance and training are provided to staff about the confidentiality criteria and the four tests employed to determine whether information should be protected?
- What internal auditing or checking is performed to test compliance in this area? If none is performed, why not and is the Agency considering the adoption of internal controls and checks?

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Answer:

The National Capital Authority (NCA) has not withheld the publication of any contract information on AusTender or on our website on the grounds of confidentiality.

Reporting responsibilities for contracts is centrally managed in the NCA by the Records Management Unit.

Regular training is provided to the staff responsible for complying with the NCA's various reporting obligations.

The NCA's Governance Unit conducts six-monthly checks of the publication of contract information on AusTender and our website.

A check list has been provided to staff for quick reference when developing contracts.

Any confidentiality clause has to be cleared by the Governance Unit where it is assessed against the DOFA Guidelines.

Question no: NCA 24

Division/Agency: National Capital Authority

Topic: The Senate Order

Hansard page: Written question (Senator Murray's Q 5)

Senator Murray asked:

What problems, if any, have the agency and/or relevant staff experienced in complying with the Senate Order? What is the nature and cause of any problems? What measures have been, or could be, adopted to address these concerns?

Answer:

Nil response.