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REPORT OF PROCEEDINGS BEFORE

COMMITTEE ON CHILDREN AND YOUNG PEOPLE

**INQUIRY INTO CHILDREN, YOUNG PEOPLE AND THE BUILT
ENVIRONMENT**

At Sydney on Tuesday 13 June 2006

The Committee met at 10.40 a.m.

PRESENT

Ms B. M. A. Perry (Chair)

Legislative Council

The Hon. J. C. Burnswoods
The Hon. K. F. Griffin
Ms S. P. Hale
The Hon. M. J. Pavey

Legislative Assembly

Mr S. R. Cansdell
Mr M. J. Daley

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PRUDENCE ANN WALSH, Play Environment Consulting, Abbotsford Road, Bowen Hills, Brisbane, sworn and examined:

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CLEONIE DOROTHY QUAYLE, Policy Officer, New South Wales Aboriginal Land Council, 33 Argyle Street, Parramatta, and

JASON CHRISTOPHER FIELD, Senior Policy Officer, New South Wales Aboriginal Land Council, 33 Argyle Street, Parramatta, affirmed and examined:

CHAIR: Our next witnesses before the inquiry—we are pleased to welcome them today—are Cleonie Quayle and Jason Field from the New South Wales Aboriginal Land Council. Thank you for appearing today at our inquiry into children and young people and the built environment. We have received a submission from you. Is it your wish that the submission be made public and included as part of your sworn evidence?

Ms QUAYLE: Yes.

Document tabled.

CHAIR: Do you wish to make an opening statement?

Ms QUAYLE: I am quite happy with however the inquiry wants to run it. I am under the impression that you have read the submission that we put forward.

CHAIR: Would you like to highlight some things in the submission?

Ms QUAYLE: Okay. The New South Wales Aboriginal Land Council is the peak body and represents 121 local land councils throughout New South Wales. They are urban as well as regional, rural and remote communities. In our submission I suppose that we have focused mainly on young people more so than children. I notice that we did not give much consideration to child care. We are more concerned with how teenagers or youth are perceived as accessing public space. We have noticed that, especially around Aboriginal children or youth, there is more of a punitive approach and laws impact on those people in regard to antisocial behaviour, crime and authority figures as to how they perceive Aboriginal young people and how they use or access public space.

We have noticed particularly in regard to public space that it is mainly used to consume. It caters to young people who shop rather than young people who just want to hang out in public space. This is in conflict with indigenous young people, who like to hang out because often their parents come from socioeconomic backgrounds that prevent them from consuming. We have noticed that places such as Timezone are put aside for young people and youth centres are put aside for young people, but not always in rural communities. So there is a real issue in regard to Aboriginal young people and how they access public space. I honestly believe that they are not entitled to access public space. We have photocopied the footnotes in our submission so

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that you can read the evidence further. We have not just plucked things from the air.

CHAIR: We will formally table them.

Document tabled.

Ms QUAYLE: We also contacted the Youth Association Action Policy Plan, which has added to it young people accessing the State's rail system and how there has been an increase in security guards. Often young people are given horrendous fines of up to \$500, which they cannot pay or which impact on their families. The association wanted that included in the submission as well. At the moment there is a real competition going on in regard to the commercial use of public space impacting on young people's access to public space.

We also found that in regard to the inquiry the information that was collected did not reflect the issues that are impacting on indigenous young people. The inquiry mentions an increasing dependency on family and more young people residing with their parents. Unfortunately, it neglected to look at the increasing number of homeless young people who are living on the streets and the lack of refuges or other facilities for young people. There was evidence about children owning cars, which is not often a reality for indigenous young people. I suppose one of the concerns we noticed in regard to the inquiry is that even though they tried to include Aboriginal people, the exercise excluded Aboriginal people because the issues paper did not raise things that directly impacted on indigenous young people.

CHAIR: Do you wish to add anything?

Mr FIELD: No.

Ms QUAYLE: We are happy to answer any questions you want to ask rather than go through the entire paper. We have made a submission and added further evidence.

CHAIR: We did try to include Aboriginal people, but you are correct in saying that the issues paper did not focus on that. That is a fair point. You have already raised some of the key differences between the issues paper and what you perceive. Do you want to be more specific about any other differences that you see between the inquiry's terms of reference and indigenous children and young people?

Ms QUAYLE: Often because you leave indigenous young people out of the mainstream and because there are already many cultural differences with accessing public space, automatically that comes into conflict. We find that open space is getting smaller. Many flats are going up and shopping centres are being built that exclude young people. That automatically impacts on society's views about how young people should behave. Because we are

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probably at the other extreme and do not behave in that way automatically there are notions that Aboriginal people are more likely to get up to criminal activity when it is more to do with how society views Aboriginal people and their behaviour and criminalising that behaviour. I pointed that out in the Ballina and Moree report under the children and responsibility legislation, where that legislation actually impacted on how the local council saw young people roaming the streets and introduced laws that then criminalised their behaviour. We often see that.

Many Aboriginal people live on missions, reserves or in Department of Housing accommodation. Often these areas are criminalised because there is a large population of Aboriginal people. Instead of services being provided to these communities—and most of those communities have very few services—very little urban planning is provided to assist them. People then get frustrated and a lot of issues come out of it. You have probably seen it in the media today. Often the behaviour is criminalised rather than examined to provide solutions or to determine how the built environment can best serve the community.

The Hon. MELINDA PAVEY: On that point of solutions, do you know of any negotiations or discussions taking place with the land councils or any other Aboriginal group such as, for example, the National Parks and Wildlife Service? You talk about the built environment and more flats going up and so on. We heard evidence this morning that the far west of New South Wales—which I would argue is not overdeveloped—there are many social issues. Your own submission refers to the dreadful representation of Aboriginal people in juvenile justice facilities, prisons and so on. In terms of going forward and solutions, is there any talk of consultations about how to improve access, whether that be transport access or a feeling of ownership of, for example, national park areas, which include rivers and oceans, and even in quite close proximity to Sydney, but particularly in regional areas, as a means of re-establishing ownership and cultural connection? Is anyone examining that sort of answer or solution? Is there any talk of moving towards a consultative relationship with government?

Mr FIELD: With respect to the relationship with the National Parks and Wildlife Service, I assume you are talking about some of the cultural opportunities, cultural offsets or the impact development on Aboriginal communities. There is already a fairly systematic and structured approach in place for handing back national parks for Aboriginal communities to be able to own and manage in partnership with the service. Some of those opportunities are in place, although I suggest that operationally they are probably not moving as quickly as many Aboriginal people would like. It is certainly an important component in terms of giving recognition to the traditional culture and also the evolving culture that is arising in Aboriginal communities by virtue of having to live in two worlds. I am not entirely sure that those issues can be combined in terms of development and the cultural offsets, for use of a better term. There is certainly important recognition that the built environment does have implications. However, access to open space

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is also important for Aboriginal people to maintain culture and also pass on knowledge and language.

Ms QUAYLE: What we have seen is hit and miss with urban planning. Some local councils have their act together and include Aboriginal people. They have advisory bodies and so on and will often consult with Aboriginal people. Some local councils work well and others do not. Unfortunately the majority do not include Aboriginal people in policy development. That is across the board. Honourable members are probably aware that there is meant to be a whole-of-government approach involving everyone coming together and sitting down with Aboriginal people and discussing design. That would come about with urban planning and so on to an extent.

Unfortunately, especially in built-up areas, certain interests are determined to be far more important rather than the people being invited to participate when they are designing the urban environment. I agree about rural communities. While I understand that it is an indigenous issue, it is an issue full stop with regard to rural and remote towns. Many of them are dying and services are not being provided. Places like Wilcannia have very limited services. The majority of the population is unemployed, but that is just the circumstance of the town because it is dying and there is not much farming. If the residents want to do their shopping, they pay \$5 to catch the community bus to Broken Hill. They might be allowed to carry back only three bags of shopping. It then costs another \$5 to get back. They have a whole access problem.

Services in those communities are very limited. Often they rely on the Royal Flying Doctor Service and circuit courts. They have problems out there, but that is typical of the bush in general. In some communities such as Walgett, the non-Aboriginal community relies on Aboriginal services such as the Aboriginal Medical Service and the safe houses that have already been established. The communities are probably accessing each other's services because they have very limited services on the ground.

CHAIR: You talked about including Aboriginal people in discussions about the built environment. I take it that you mean including children and young people in those discussions?

Ms QUAYLE: Yes. I would like to see people having more say in services because they probably have a better understanding. Although I agree that young people should be represented, they often view a situation from their standpoint and do not necessarily take all the issues into account. They see only what is impacting on them. Perhaps there should be a couple of voices rather than only one voice and people who work in the area who can see the bigger picture should also be included. They have to represent themselves but, like everyone else, they draw only on their own experience and might not necessarily have an understanding of the bigger issues. I would like to see more representation of Aboriginal people and organisations when it comes to advisory bodies.

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CHAIR: You were present when Prue Walsh gave most of her evidence?

Ms QUAYLE: Yes, it was very good.

CHAIR: Do you want to comment on her evidence in relation to your policy areas?

Mr FIELD: I want to add to one point Prue made. Developing a good evidence base for policy is really important but more research is required. There is quite a good body of research out there at the moment but one of the problems is the use of the data, or the collection of data, so that when policy makers and decision makers are setting standards or developing policy they actually have got some data that represents the situation affecting Aboriginal children and young people. One of the points that we are trying to make in our submission is that a lot of times we are making assumptions based on related data, but not necessarily on specific data, and that can be a bit difficult at times. I would caution in terms of the use of data but also in terms of its collection as well.

Ms QUAYLE: I agree with Jason. When we were doing the working it out west, and it was looking at the safe houses, what we actually found was because women did not appear before court because of the issues that are raised why they will not go to court or will not ring the police, there is no data there but it does not mean that the need is not there. Often because we are relying on data we are presuming that the more data the larger the need, as opposed to if there is no data there is still definitely a need. It just means that people are not reporting it—and it raises concerns then—or do not have access to that service.

Ms SYLVIA HALE: In your submission you say that Aboriginal children are often stigmatised and excluded from public spaces. The committee has received evidence that that is applicable to young people in general. But I can understand that if there is going to be a focus it will often be upon the Aboriginal child. Have you any knowledge or experience of where that has been countered where you have been able to sit down with the management of a centre—I understand this was done in Brisbane—and work out some sort of mode of existence?

Ms QUAYLE: I suppose there are services like Legal Aid and the community legal sector.

Ms SYLVIA HALE: Short of legal solutions, is there any breaking down of those stereotyping of young people, Aboriginal young people in particular, or do you think it is getting worse?

Ms QUAYLE: I think it is by far getting worse. I think the media has a large responsibility, which was raised before in regards to how society perceives young people. I think the media are doing very poorly when it comes

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to stereotyping behaviour of young people and has performed terribly with the reporting of Aboriginal people in general. I think that has pretty much been the majority of times. Aboriginal people do achieve a lot out there in the community. Unfortunately it is the *Koori Mail* and the *Indigenous Times* that represent the positive side of news stories and messages and all that but you do not see that in the main. I mean there are very few Aboriginal people actually in the main in the media full stop, and advertising and all the rest of it. It is not that we do not want to represent. I mean certainly Cathy Freeman and other people have shown we do not want to be part of the Australian culture. Unfortunately, we are always put to the side and you do see a lot of negative media stories. I do think media has a large responsibility on how young people and Indigenous people are perceived in this society.

Law and order issues—I do not know whether you are aware of what happened in Redfern and the T. J. Hickey case? I think that really showed where young people and the police had a clash. Unfortunately what you saw was the media going in. There were certainly a lot of social issues going on, and you cannot just grab it and say "It is us against them". I think things like that do not serve the police department, do not serve the community and do not serve the Minister of the day. They did not show everyone sitting around trying to negotiate better outcomes and all the rest of it. So when you see the media often go in and certainly exaggerate the issues going on there, it impacts. What people then do see is that it is Aboriginal people in general. Like everybody presumes that every Aboriginal person lives in Redfern. The biggest majority or mixed population is actually out towards west. Society then does have these assumptions where people live, how you should approach them and it is a real "us" against "them" which is unfortunate.

The Hon. JAN BURNSWOODS: Following on from that last question, your submission talks about the problems at Broadway shopping centre and you mention there was a conference involving Aboriginal people and various other groups there. Do you want to say anything more about the current situation at Broadway? Is a conference like you mentioned in your submission a good way to deal with the issues? Will you update the committee?

Ms QUAYLE: There were quite a few groups that got involved in that conference. They certainly realised that the security guards needed further training in how they approach young people, particularly Aboriginal young people, and that young people do have the right to access public spaces and they do have the right to stand around, and what have you. So education programs actually went through with the security guards. The good thing about Broadway, about which I am really impressed, is that it is actually one of the shopping centres that said "Yes, we will employ two youth workers". I suppose most shopping centres need to have that in mind to employ youth workers and to also ensure that there is public space made available for young people.

I thought it was good that Broadway has a basketball court and a youth centre to the side. It probably needs to have facilities within the building as

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well because young people do like to sit around and hang out. It is quite ironic that shopping centres often target their consumer group as young people. You know, you walk into Westfields and it is all catered for young people, with the music blaring and what have you, and yet they are saying "You can consume but don't sit around". So that is where security was coming in conflict. The fact is they were using a lot of racist terms to the young indigenous kids, like, there were 80 complaints within two weeks from security to the police. The police were really frustrated and did not want to be called down there any more. I suppose it is about education. It did take place. They did do education, which was really good, and they educated young people about their rights to access public space, which is really good as well.

The Hon. JAN BURNSWOODS: Did that produce a big improvement?

Ms QUAYLE: I believe generally, because education was around the security guards, certainly their approach is slightly different. I would not say it is—

The Hon. JAN BURNSWOODS: Not a big improvement?

Ms QUAYLE: No, but it is getting there.

The Hon. JAN BURNSWOODS: That is sad because Broadway has been held up as an example of good work by shopping centre developers who actually consulted young people before they built the shopping centre. They included facilities and a policy in relation to young people.

Ms QUAYLE: I totally agree. I think the only thing that they should have included was to actually have young people within the shopping centre because whilst it was great to have the basketball court and the youth centre over to the side—because if you actually go there that is outside—you have got the music blaring and the shops and the videos and all the rest of it and they are sort of saying "No, but you stay over there. We have got all these great things you would like to buy. Unless you are going to access with money, stay over there."

I suppose it is also about creating space within the shopping centre for kids to hang around. The security guards did identify that they needed further training. It was great that they do that, but also that in the future they think about young people when it is cold and all the rest of it. But, yes. You are right.

Mr STEVE CANSDELL: I would like to make a comment and get a bit of feedback. You spoke earlier about Aboriginal youth walking the streets and hanging around in public spaces, and being criminalised because they are hanging around. You are probably well aware of that in my electorate of Clarence on the North Coast we have two towns very close together—Yamba and McLean. McLean has a structured Aboriginal community and the local Aboriginal group is run very well. There is a lot of support within the

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community for each other, and a lot of family support as well. At Yamba there is no real support and it is pretty dysfunctional. The leaders cannot seem to get control. The kids do run the streets there. The kids do use abusive language and engage in threatening behaviour and vandalism, and it is prolific. As much as we can create youth-friendly space, possibly there are areas where there needs to be more support from the LACs for that community and the families in order to get a better structure—whereas they have a strong support in McLean. It is very sad, it really is, that the family support and the local Aboriginal land council board support is not available for those families and the kids. We have kids that are not going to school, whereas at McLean the kids go to school. They have that strong community support within the LACs. Do you think that there definitely needs to be more support for families in order to help those kids?

Ms QUAYLE: For sure. You said LACs but you do not mean Local Aboriginal land councils, do you?

Mr STEVE CANSDELL: No, I mean the local clan, sorry.

Ms QUAYLE: I totally agree with you. In communities where you are more likely to see problems created is when those young people or the community do not have any services and, as you said, do not have the support mechanism. That happens throughout the State. The unfortunate thing is that if it is quite dysfunctional at home the kids tend to use public space as a way to get away from the environment at home. Often they are living in overcrowded situations as well. It is probably safer and more peaceful on the street. I think what then needs to happen is to try to create a space for these young people to hang out where they are less likely to vandalise. Some of those young people probably are quite angry. Heaven knows what is going on, if they have nothing available for them. It is about trying to get in youth support, youth centres and what have you, or workers to try to get that creative energy to be positive.

I think that is where you will see frustrations come to boiling point, when there is nothing and they are that what those kids can put in. I know, as a parent, when my young daughter is going to go out as a teenager I will say, "There is safety in numbers. Make sure you hang around with a large group." I think most parents do say that. You feel your child is much safer hanging around with a group of people. I personally worry about people could prey on my child and I am sure a lot of parents worry about those things, too. It is funny that as a society we encourage our kids to hang around in groups and to keep an eye out for each other, and yet, at the same time, there is this punitive approach that if there are two or more young people hanging around there is this notion that they are going to get up to no good.

Mr STEVE CANSDELL: That it is a gang and not a group.

Ms QUAYLE: That it is a gang. That is right.

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Mr STEVE CANSDELL: It is only a gang when they commit crimes.

Ms QUAYLE: You are right. I think the media exaggerates the notion of what a gang is. Usually a gang has a code of conduct, wears the same clothes and so on, as opposed to a group of kids hanging out. Kids do swear, but you have to look at the culture in which we live. There is swearing on television and in the movies and, to me, swearing is becoming part of our culture. I think kids tend to do it because it is all about the shock element and how you are going to react—whether or not you react. The whole question of offensive language is interesting. Most citizens are not offended by it and I think there has been only one incident when a person wanted another person charged for using offensive language. It is mainly the police who bring a charge of using offensive language and not Joe Blow off the street.

Mr STEVE CANSDELL: I am referring to offensive language towards other people.

Ms QUAYLE: Okay.

Mr STEVE CANSDELL: There is a problem. Unfortunately, some of the community elders are reluctant to accept help. They need help and there are people who want to help. People from McLean cannot go and assist in Yamba because they are not wanted there. There is a communication problem.

Ms QUAYLE: I think it is about empowering that community and listening to how the community wants to go about seeking solutions to their own problems—working in partnership with everybody else. One problem that often arises in indigenous communities is that you have one model and it is seen to be the model that solves all problems. Unfortunately, it does not solve all problems. I suppose it is a case of sitting down with that community and letting them find solutions. Look, I agree. Offensive behaviour does occur, but I think in the main often kids' behaviour is criminalised. There is a punitive approach towards young people, rather than trying to get them involved and seeking solutions.

Mr STEVE CANSDELL: My concern, and I am sure many people share that concern, is that we have had a stolen generation and we are now approaching a lost generation. They need help.

Ms QUAYLE: You are right. I think there is neglect of young people generally. I think we have grown into a society of people who say, "We know better and we know what is good for you," instead of getting young people involved in finding solutions.

CHAIR: You talked about getting young people involved in these things. Does the New South Wales Aboriginal Land Council have a specific advisory group dealing with young people?

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Ms QUAYLE: No, we do not. We want to get young people involved. The way the land council works is that they become members when they are of election age, which is 18 and older. We certainly do have land councils that have young people on board.

Documents tabled.

CHAIR: Thank you for your thoughtful submission and for the views you expressed today.

(The witnesses withdrew)

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JAMES DUNCAN McDOUGALL, Director, National Children and Youth Law Centre, 32 Botany Street, Randwick, New South Wales,

ELIZABETH ANNE MIFSUD, Volunteer Solicitor, National Children and Youth Law Centre, 32 Botany Street, Randwick, and

STEPHEN BRAY, Volunteer Solicitor, National Children and Youth Law Centre, 32 Botany Street, Randwick, affirmed and examined, and

KATHLEEN BRIDGIT FENNESSY, Volunteer Solicitor, National Children and Youth Law Centre, 32 Botany Street, Randwick, and

GABRIEL JOHN WATTS, Volunteer Law Student, National Children and Youth Law Centre, 32 Botany Street, Randwick, sworn and examined:

CHAIR: I welcome to the hearing James McDougall, Director, National Children and Youth Law Centre, and other witnesses who have come along with James. We would like to thank you for the submission that you have made to the inquiry under the name of Elizabeth Mifsud. As you are aware, this inquiry is into the built environment. Before we ask you about your submission, James, would you like to introduce Kathleen, Gabriel and Stephen?

Mr McDOUGALL: The National Children and Youth Law Centre relies extensively on volunteers. We also have pro bono placements from a commercial firm. Kathleen and Stephen have been placements with the centre at various times, and in such capacity have worked on the development of the submission or the ongoing work that we have undertaken in relation to the submission. Stephen is the current placement lawyer at the centre, and Liz and Kate are now here in the capacity as volunteers, as a continuation of their involvement with the work of the centre. Gabriel is a law student, who also volunteers at the centre, and has worked on the development of the submission and ongoing project work in relation to the centre and the subject matter of our submission.

CHAIR: We are very happy to hear from you all. Is it your wish that the submission be made public and included as part of your sworn evidence?

Mr McDOUGALL: Yes, it is.

CHAIR: Do any of you wish to make an opening statement?

Mr McDOUGALL: I would like to invite Liz to make the opening statement, with perhaps Gabriel adding to that, as they have been the two persons most involved in the preparation of the work.

CHAIR: Thank you. Go ahead, Liz.

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Ms MIFSUD: I would like to touch on the key themes and messages that we were trying to send through our submission. The first is that we have used as the basis of our submission the United Nations Convention on the Rights of the Child. That is both the background of the centre and the basis on which we make many of our submissions.

We really saw this paper as something of a brainstorm. We are not experts in planning, and we are not environmental lawyers, so we wanted to think about some ideas and ways in which we can factor young people into the current framework of New South Wales planning laws. One of the major messages that we want to send is that in New South Wales there is a current framework to enable us to factor young people into our built environment in a lot better way than we actually do. While a lot of our ideas are working ideas, to implement them we would need many more people with a lot more expertise than we have.

The other message that we want to send is that the United Nations, UNICEF and the Child Friendly Cities project have done much of the groundwork for us. We do not have to re-create the wheel; cities in all sorts of places in the world are building child friendly cities, and we can draw on the experience of some of the things that are already happening in New South Wales, such as the Growing up in Cities project taking place on the South Coast, in the Wollongong area. Our other message is that in respect of anything that we do in this area we need constructive and effective youth participation. That will be a key factor in the success of anything that New South Wales does.

CHAIR: Did you want to add anything, Kate?

Ms FENNESSY: I think that is a fair summary of our key points. We are curious to see the focus of the Committee's questions. We have read the transcripts. I think Gabe has done some work in some specific areas.

Mr WATTS: Just to reiterate what Liz was saying about things being done better than what they might be done now, there are the frameworks in place to get young people's ideas on questions about the built environment but the thing we really wanted to focus on in this paper was things like accountability structures to make sure that when young people are talked to that they are listened to and things happen. Basically, as a young person, that is the main concern. We will often get asked for our opinion but we really want to see things happen. That is why when we focus on things like Camden's strategic plan it shows structures like the short term, medium term, long term; it is how things are going to happen. They are the kinds of things we have tried to look at.

The Hon. KAYEE GRIFFIN: In part of your submission you recommend comprehensive changes to local government and planning regulations including the introduction of local government strategic plans and the inclusion of youth impact reports in development applications. Could you

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talk a little bit more about youth impact reports in development applications and the development of the youth specific environmental planning policy? What are your ideas on that, and how would you see this progressing?

Ms FENNESSY: There are two parts that we recommended. First was the State environmental planning policy, which is the SEPP, the statewide system. There are a number of SEPPs that are already in place and they apply generally to all developments in New South Wales. Our suggestion is that there be a youth specific SEPP, which will then identify the types of developments that this SEPP will apply to, being developments where youth are specifically impacted. It could be any number but examples might be shopping centres, large residential apartment buildings, transport, skate parks. We are not talking every house that is built.

And the same then applies for the specific youth impact report. The sort of thing we are thinking about is that in a development application the applicant provides this youth impact report, which shows that they have considered various factors against the SEPP, things that are outlined in the SEPP, and, where appropriate, have had youth consultation. That sort of thing is going on already but it is usually, I think, in shopping centres and in some skate park developments, but sort of making it more streamlined so that it is then a document that the council in assessing the proposal can go back— just like they have got for environmental impact statements and economic impact statements—and say, "Right, these factors are critical to this development and the developers considered them and said these are the things that are going to be put in place", and then they can include those things into the consent conditions so that it is an actual enforceable part of the development application process.

The Hon. KAYEE GRIFFIN: A number of councils have a youth council, for instance. In working through your submission and so on have you had any involvement with any representatives on youth councils or the things that those youth councils do? If so, do you think that the work youth councils do should be expanded in terms of some of the things that happen in local government?

Mr WATTS: What do you mean by "expanded"? Because my personal experience is being on youth councils with Wollongong City Council and they basically had a group set up there which, when there were decisions that might affect young people we would be asked to consider them, look at them and then give our ideas back to council. Then they disbanded that. So we have been working with people like me and we went up to Gosford and we actually made a documentary to do with this and we spoke to kids who were involved in speaking to councils through the mechanisms that have already been put in place. But yes, we are suggesting that they be expanded and just make sure that these things work and that the ideas of young people are given attention and that they are not closed down. That is our main point.

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Ms MIFSUD: I think that there is certainly a role for youth consultation committees like the council one and I envisage that when we talked about these local councils' strategic plans that part of that strategic plan would be having a consultation body of young people. But there is a risk that when you just have this—and you have probably heard it numerous times in this inquiry—there is a risk that when you just have one core group of people that you always go back to that and it is quite a limited group of opinions and it is often not necessarily a broad spectrum of youth issues. Effective youth consultation is often more than consulting a group of six young people again and again.

But more and more, particularly in New South Wales, there is such a diversity of young people, there is such a diversity of people generally, that it is very hard to effectively do youth consultation when you are only consulting with a small group of people. That said, there is definitely a role for them.

Mr McDOUGALL: I think there is a danger in being too prescriptive in the way that you engage with children and young people. I think, from reading the transcript of this Committee, there have been a number of witnesses who have identified that there is, in fact, a learning process taking place at the moment about what are the most effective methods for consulting with children and young people in different situations. I think, to some extent, we would, at least for the moment while we are all learners at this, like to preserve that capacity to try different methods and develop a better body of knowledge around what is the most effective way for consultation at different levels by different groups and in order to address the particular issues that arise for different communities.

Also recognising that children and young people themselves are not a homogeneous group, that there are lots of different issues that will arise for different communities of children and young people within any one specific community. So we have to preserve some flexibility.

Ms MIFSUD: That said, at the same time what we also have, and what the message is that we are trying to send in this report, is that we have experts out there. When it comes to the consultation we have the children's commissioner, which is an expert in consulting with young people. But there is an even greater level of specialisation: we have these UNICEF organisations and also the UN organisations that are specialists in the built environment and children, so they have some really good frameworks. There are some excellent resources out there when we start up. We do not need to reinvent the wheel. There are some really good building blocks; there are some great resources out there; there are experts based in Australia and throughout the Asia Pacific area on young people and consultation with young people and young people in the built environment. So as much as we do need some flexibility, the framework is there for us and it is just a matter of committing to it, committing to really wanting to push this forward and to really listen to young people and to improve our built environment for young people.

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If I could go back to the other part of your question, which was about the youth strategic plans, we certainly see that and the SEPP as two different levels of government. The youth strategic plans would be a local government idea and the idea behind those of them being the mechanics of how it would work on a day-to-day basis, and Gabriel has already referred to the one in Camden.

I think it is called Youth Strategic Plan 2005-2010. Although it is five years, within that plan there are short-term goals, medium-term goals and long-term goals. The goals are achievable and they have deadlines. There is accountability within that plan for who will be responsible for implementing each one of these. There is accountability back to young people. We like that because it is very concrete. It says it is important to have those motherhood statements about where we want to go and how we want to improve the built environment for young people. We see these local title strategic plans as a next step in detail. Once you get that next level of detail it is easier to implement those broad policies.

The Hon. KAYEE GRIFFIN: You are talking about the one at Camden. This is the first time they have done something like this?

Ms MIFSUD: For a youth strategic plan?

The Hon. KAYEE GRIFFIN: Yes.

Ms MIFSUD: I am unaware of whether they previously had a specific youth plan, whether there was one before 2005. Mr Watts, do you know?

Mr WATTS: No, I would not know anything before that. I would say youth issues were considered in the general strategic plan.

Ms MIFSUD: A lot of councils have that. When I was doing the research I found quite a few council strategic plans that had quite a few pages on youth issues. Some councils had a broad plan and then, sitting behind that, another policy on what they were going to do for young people in their area. But we recommend that every council have a youth specific plan. The other thing is that we do not think that is terribly onerous on a council in the sense that many councils already have youth liaison officers, youth workers and consultants generally on issues that affect young people in their council area. We would like to then require councils to turn their minds to the issues for young people in their area, achievable outcomes and deadlines for them.

CHAIR: A youth specific plan encompasses a wide range of policy-type issues?

Ms MIFSUD: That is right.

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CHAIR: And can be anything from youth wanting a PCYC, which is part of the built environment, to the built environment as people out there might understand it in a narrower term of development control plans. Do you foresee it as a youth plan, or do you believe that the youth plan you are thinking about is different to a development control plan, which would include issues about the built environment or physical buildings and things like that for councils, which would impact on you, or do you think that they could be meshed into one?

Ms FENNESSY: A development control plan [DCP] usually is more design oriented. Certainly, there is almost an element of that in the Department of Planning design guidelines, which we mentioned, and I think you spoke to someone from the Department of Planning. They are getting on a bit. They would be seven years old. But those sorts of design guidelines, when built upon, are more specific than the sorts of things that would go into a DCP. But the strategic plan that Ms Mifsud was just talking about was not just design specific but more a local area plan. I am sure they could be meshed together, but we are not just talking about design issues, we are talking about broader issues as well.

CHAIR: Most councils are now required to prepare what we call community strategic plans. Often they have sections related to young people specifically, but you are advocating a separate plan?

Ms FENNESSY: Yes. That is the sort of thing that councils, like Camden, Blacktown and Campbelltown—a lot of larger councils in the west—have done because they have such a large area and such a huge youth population. There are too many issues to try to fit into a general overview plan. Why not have a specific one?

Ms SYLVIA HALE: I particularly liked your notion of a State environmental planning policy [SEPP]. It is an excellent idea insofar as it would oblige councils, the community and proposed developers to address the needs of young people in a very specific way, which is excellent. But can I play devil's advocate for the moment and suggest that with the current Minister for Planning, the whole emphasis is upon speed, efficiency and cutting red tape? How do you account for those suggestions when to introduce another set might speed up or slow down the State's development?

Ms FENNESSY: Not an easy question to answer.

Ms MIFSUD: Not an easy question, but one of the things is that we put the onus on the applicant to produce its report, or that is what I envisage happening. Certainly so far as the speed and stuff goes that would be the applicant's responsibility and the applicant should foresee these issues. If you are developing a new residential area and you have subdivision rights to a massive amount of land in Sydney's south-west, and you are putting forward a proposal because the SEPP is in place you should envisage that you will have

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to produce a youth impact report. I suppose the reality is that if you do that then it should be a fast process.

CHAIR: Youth impact reports would require a degree of expertise from the developer, who would have to have someone. If there were a youth impact report you could not pay lip-service to it. Do you believe the expertise is out there for developers and governments to prepare such a report? Do you have any evidence of that?

Ms FENNESSY: It all goes back to youth participation—I think that is the basis of it—and youth consultation. There is a body of knowledge out there as to the benefit of youth participation in any decision that affects children and young people.

Ms MIFSUD: First of all, when you introduce anything there are unlikely to be experts when you start. Certainly, when financial impact statements were initially introduced there was no such thing as an expert consultant in environment or impact statements because they did not exist. If this were to be introduced that would be something that would be developed. There may not be specialists out there at the moment, but certainly there is infrastructure on how to consult with young people. There is a whole network of organisations out there. If you are developing a shopping centre or a new youth centre then there are organisations like Youth Safe and the Commissioner for Children and Young People as far as consultation goes.

If I go back to the building blocks and the infrastructure and the work the United Nations has done in creating this toolkit that is aimed specifically at government bodies of all different levels, that is one of the beauties of the infrastructure through the UN's work. Because the UN was targeting so many different countries with so many different types of government, it is a very broad kind of toolkit that can be applied to numerous situations. Thus we would develop expertise pretty fast and, like any process, I am sure that it would need refining.

Ms FENNESSY: It has already been done. Westfield at Bondi Junction certainly involved large youth participation and consultation by the developers there to make sure that they had some sort of input, so it is not that it has not been done before. The limited feedback that I have got, and it is just anecdotal, is that that was well received.

CHAIR: I think that is a fair comment. Some good work has been done at some of the large shopping facilities but I am concerned about medium to high-rise residential developments where only medium size companies operate and they would not know anything about the United Nations convention, so this becomes an education process as well, would you not agree?

Ms FENNESSY: Yes.

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Mr McDOUGALL: It comes down to a question of political will at the end of the day. It is also something that this Committee is clearly addressing by raising awareness about the place where you put children and young people into your environment. One issue that is particularly exciting, reading the transcript of the hearings of this Committee, is the crossing of professional boundaries and the fact that there are a large number of professional groups who share a common interest in wanting to put children and young people at a much more central place in planning and political development. I think that will take a while but it is an important step.

CHAIR: Thank you for making that great point.

The Hon. KAYEE GRIFFIN: When putting your submission together did you look at how early childhood, education, children's services and so on, would impact on what you think would be an appropriate way to allow children and young people to have a better and bigger voice in planning processes?

Ms MIFSUD: I have factored it in, in the sense of the youth strategic plans and I had envisaged that when local councils are making these kinds of plans that would be the one of the things that they would factor in, certainly in the sense of how fast is our local area growing and what are our needs for young people? I had not factored in issues as far as the physical dimensions of early childhood care centres as in the green space versus non-green space issues. I had not quite gone to that level but I think that it is something that could be worked into a State environmental plan certainly, but there are so many existing licence controls on early childhood.

The Hon. KAYEE GRIFFIN: There have been comments and evidence given in relation to whether or not some of those controls are actually appropriate and whether there are issues with early childhood services and education and whether levels of government are doing appropriate things in terms of funding. There are also liability issues and concerns that children are missing out because they are perceived to be risk takers, whether they are young children or moving towards teenage years. Do you have any comments on that?

Mr McDOUGALL: I would have thought it was an important part of the process of understanding the place of children and young people in an environment that we recognise that they are risk takers and that is part of the development process, if you like. There is a good body of knowledge in terms of child development and adolescent development that recognises that. We have to confront it and recognise it and factor it in as much as possible. There are some interesting debates that we probably have not had to the extent that we need to about what actually constitutes safety and security for children and young people. We need to recognise the ongoing role of adults in that process for children and that, to some extent, it is a changing role as the child develops.

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However, I am confident that there is a growing body of knowledge around that. It is going to be a challenge for us to keep pace with that but I come from a professional background where I used to be deeply involved in those liability issues as a plaintiff lawyer, so I recognise that there is a process by which we recognise and manage risk but I think it also needs to be seen as part of a broader process and that we are balancing risks and finding out a way to encompass that. That, unfortunately, does not provide any clear, practical solutions about how you might do that in a day-to-day sense, but good policy development needs to recognise and balance all those factors.

The Hon. JAN BURNSWOODS: The first witness, Prue Walsh, referred to national standards, rules and guidelines that exist for very young children, indeed she focused on 0 to 8-year-olds, at Federal, State and local government levels. It seems there is much less by way of regulation and guidelines for older children and adolescents. She had criticisms to make about some of the existing rules. Do you have an opinion of whether we need to give more attention, as a community, to looking at the needs of children of school age or children over the age of eight years, and I am curious as to why you think there is a relative lack of regulation and standards for those older children?

Ms MIFSUD: I suppose one of the reasons is that a lot of the spaces that we are talking about are not necessarily kid-specific spaces; we are talking about public spaces or privately owned public spaces.

The Hon. JAN BURNSWOODS: That is true for the very young children, to a large extent too, is it not? You are saying that the regulation applies to the more child-specific places?

Ms MIFSUD: The child-specific regulations. That would be the one of the reasons that there is less regulation.

Ms FENNESSY: Our focus is not just on the needs of children; it is the rights of children and this is access to their built environment and being able to have all the benefits that go with it is a child's right, so we are going from a rights base, not a needs base. I was not here this morning so I did not hear the witness but it sounded like your question was more from a needs base and that the legislation for younger children is focused at that level.

The Hon. JAN BURNSWOODS: It is more protective.

Ms FENNESSY: Yes.

The Hon. JAN BURNSWOODS: But we, as a society, do use legislation and regulation to protect rights too. I take your point that younger children are regarded as being more helpless and having greater needs and needing more protection.

Ms FENNESSY: Yes.

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The Hon. JAN BURNSWOODS: But, on the other hand, we do legislate and regulate to protect rights as well. Do you feel that, as over recent decades, protective and regulatory attitude to young children has developed, that there maybe an older group older that has been left out which should not have been left out or do you think it would be too prescriptive or too limiting, rather like the comment you just made about rights?

Ms FENNESSY: Yes.

Mr McDOUGALL: I think they have been left out. I think you are right. Unfortunately I think that, once again, it comes back to the fact that there is not a recognised political voice for that group. We see more of a voice for younger children and a developing voice for teenagers. Teenagers tend to make a bit more noise, so we notice them. I think it is a good point. I think, as Kate said it, that within the rights framework, and recognising perhaps in Australia we are a bit behind in some of the rights debates, internationally there is growing recognition that child rights mean rights that can be articulated and views that can be articulated and heard for relatively young children. It is about us developing the skills to find ways to hear what children of all ages have to say. I think that is a challenge for us all, but there is, I think, an increasing awareness that to some extent the law is little bit behind, and that is probably the area I am more experienced in.

But even within the framework of the law and the giving of evidence, there is a growing recognition that a child can speak the truth and that the evidence of a child is not inherently to be mistrusted. I think that is something that, as far as the legal system recognises it and there is a growing awareness of what the rights of the child might be, we will have to develop better mechanisms for in hearing the concerns of children. It is definitely an issue that kind of challenges us at the National Children and Youth Law Centre because there are an extraordinary range of situations and environments that children find themselves in where it is really very important that we find ways of hearing what their views are for the very reason that you have identified—so that we can more effectively provide protection and safe environments for them.

Ms SYLVIA HALE: Evidence earlier today and submissions in relation to Aboriginal and indigenous communities express the view that a punitive approach to the law in relation to young people is what we have seen developing over the last 15 or 20 years. Rather than the focus being on the rights of the child, it has been on the rights of, say, private property.

Ms FENNESSY: Yes.

Ms SYLVIA HALE: Is this your perception as well? The earlier submission was specifically focusing on Aboriginal communities. But would you say, from your experience from the legal centre or whatever, that that is more generally applicable?

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Mr WATTS: Well, you see, that is what I thought she was trying to get at. I see involving young people in the planning stages of their built environment more and asking their opinions more in a sense really goes to see that these problems do not arise later on between police and security guards. If young people have input into designing these privately owned public spaces, like shopping centres where they are at, they are just likely to make less trouble and be perceived as less troublesome by security guards. If a dialogue is opened up between them and young people, like we have seen in Gosford where security guards are actually forced or brought together with the troublesome young people, they actually develop a rapport and then these problems happen less.

If you take the ideas of young people and implement them further along the line, then the changes happen so that they are more comfortable being around each other. It is not so much about protection but it is so much more about being comfortable and understanding each other. Once those misconceptions that police might have about young people, and that the young people might have about police, can be eroded, it makes things a lot easier.

Mr McDOUGALL: I have observed over the last few years, particularly in New South Wales, that in fact police are better at dealing with young people. I think that is because there has been a concerted effort to look at more effective mechanisms—exactly what Gabe has just described: opening up dialogue and engaging relations that involve respect. I think it is interesting to see the growth of interaction between private security and children and young people and also to a lesser extent security guards engaged on public transport. But that greater engagement also indicates the areas where there is a greater problem in terms of conflict. I think there is a very clear demonstrable link now to the benefits of building better relationships between children and law enforcement agencies.

CHAIR: Are there any other questions? Is there anything you want to add, other than what you have said?

Mr McDOUGALL: I have one point which I think develops the idea that children's views are valid and worth considering. I notice the last submission does not make reference to what, from the legal point of view, is one of the more interesting pieces of research in that area, and that is the joint report of the Human Rights and Equal Opportunity Commission and the Australian Law Reform Commission, "Seen and Heard—Children in the Legal Process".

CHAIR: What date is that?

Mr McDOUGALL: It is 1997. It is now nine years old, but it is still a very important catalogue, if you like, of the various points at which children find themselves interacting with the legal process, and a good handbook of the type of reforms that could improve the outcomes. I just describe it

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generally is a document that, at least within a legal framework, sets some of the things that we had suggested into context in respect of the planning process.

The Hon. JAN BURNSWOODS: It just came to me, arising out of what you said about some evidence of improving relations between, say, police and young people that the Hon. Kayee Griffin and I are on a committee inquiry into disturbances at Macquarie Fields last year. One of the quite worrying pieces of evidence that has come out of that has been in relation to the role of the media. For instance, in some cases effectively the media paid young people to throw rocks or go into school property or private property—essentially to act as agitators, I suppose. I just wondered if you have any comments about the role of the media in demonising young people or portraying young people in very stereotypical ways. It is sort of related to this inquiry.

CHAIR: Yes, I can see that.

Ms MIFSUD: I think that that is very true. We particularly see it in shopping centres, which I think is the perfect example, that young people are demonised and that there is a bit of fear of the unknown, and the generation gap is a kind of scary thing. Also it results in us, rather than planning young people into the built environment, trying to plan them out, and that is what we see over and over again. People are planning them out. People are playing 1950s music over the loudspeaker because they think that young people will not come.

CHAIR: Barry Manilow!

Ms MIFSUD: Precisely.

The Hon. JAN BURNSWOODS: It will drive the baby boomers out as well.

Ms MIFSUD: As funny as it sounds—

Mr McDOUGALL: It has to be a breach of the convention against torture.

Mr WATTS: That is interesting. Actually it works both ways: one, to get young people out, but also as an idea by young people to get drug dealers away from particular stations. We have also thought of it ourselves, so we are not blameless in that sense. I speak as the voice of all young people.

The Hon. JAN BURNSWOODS: The Chair has asked me if I wanted to come back to that. Do you have any other comments to make about the role of the media? Presumably, if the media are portraying young people in a rather hostile way, it will make Government and the community less willing to do the kinds of things you are saying in your submission.

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Ms MIFSUD: On a very broad level it makes things a lot more difficult. Through my research for this paper and for other work that I have been doing, talking to young people, I have really found that when you actually go to a specific situation—and I am talking about a shopping centre—and look at the interaction between young people, management and security guards, they do not really mind what is in the media. Those kids are portrayed as thugs in the area. At a personal level they have built up good rapport with the shopping centre management through the nearby youth centre. They have built up an excellent rapport with the security guards. If you can get enough grassroots happening at those projects, you can overcome that stereotype.

The flip side of that is that it is harder to get the political momentum behind something. It probably sells more newspapers and it is a better story to portray someone as a thug rather than the feel-good stories of the great stuff that is happening at Erina Fair or Campbelltown. There are so many examples of people committing to changing something at the very grassroots level; and they are seeing real results. The results are not just a feel good, fuzzy, warm feeling. Commercial developers in some centres are saving themselves a lot of money through having good relations.

CHAIR: And preventative measures.

Ms MIFSUD: Yes. There are just so many win-win stories. Unfortunately, they do not necessarily make great headlines, not like throwing rocks in Macquarie Fields. The images are not quite as good.

Mr McDOUGALL: The relationship between the media and community attitudes is complex. It is part of our role to look at ways that we can more effectively engage with the media, so that they provide positive examples and create opportunities to see good news stories, as well as bad news stories, recognising that they work within a very binary universe. There are still opportunities, and I would be reluctant to lay the blame solely at the feet of the media. It is much more complex than that.

CHAIR: Thank you for coming and for your excellent detailed submission. The Committee looks forward to having ongoing contact with you.

(The witnesses withdrew)

(Luncheon adjournment)

CORRECTED TRANSCRIPT

MARCIA WALLER, Community Services Director, Willoughby City Council,

MARIA BENNETT, Children's Services Manager, Willoughby City Council,

JOHN JOSEPH HESSION, Strategic Planning Officer, Richmond Valley Council, and

JOANNE GAIL PETROVIC, Community Projects Officer, Richmond Valley Council, sworn and examined:

ANDY SAMMUT, Operations Manager, Business and Community Services, Canterbury City Council,

MEREDITH HARRISON, Youth Services Co-ordinator, Willoughby City Council,

KERRY RAE HUNT, Acting Assistant Manager, Community Development and Planning, Wollongong City Council, and

TRACY VENAGLIA, Children and Family Services Co-ordinator, Wollongong City Council, affirmed and examined:

CHAIR: Thank you all for your submissions. I know some extra information has come in today. I understand Richmond Valley Council gave us some further information which you would like to refer to in your opening. I also understand there is some further information from Wollongong council. Is that something you will make reference to in your opening statement?

Ms HUNT: Yes. It is the documentation we referred to in our previous submission.

CHAIR: Is it your wish that each of your submissions be made public—and any further information you have given us in the case of Richmond Valley and Wollongong councils—and be included as part of your sworn evidence?

ALL WITNESSES: Yes.

CHAIR: I think each of you has selected someone to make an opening submission. We might start with Wollongong council?

Ms HUNT: Basically, the submission we have previously presented highlights the work we are doing around children and the built environment, trying to look at mainstream and the inclusion of children and young people in the organisation's planning activities. Over the past six months we have been rolling out a community engagement framework that assists the division in mainstreaming that work. Previously, community and cultural services have tried to engage as much as possible on a regular basis with children and young people, both around our service delivery and our project development and planning activities.

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The engagement framework allows us to stretch that across the organisation so that a whole range of target groups, including children and young people, are considered when we plan our recreational parks, our other open spaces and certainly the built environment. The information that we have gathered shows that those things for children and young people certainly overlap. When we talk about the built environment we include our large recreational spaces and places. So whether it is playgrounds, just the local foreshore or those sorts of places, we certainly include children and young people in them.

We have undertaken a range of major projects that have been done through strategic planning, recreational natural resources, or by us in which we have identified children as a primary stakeholder. We have designed particular activities around and including children and young people in that design process. The documentation we have available outlines the process in more detail and refers to issues raised through those projects. Primarily, and speaking generally, the primary issues for children and young people in the Wollongong local government area tend to focus around safety and access.

On a local level, the details of what are particular safety issues might vary from one suburb or subregion to another. Again, some of those examples are included in the documentation we have. We are hoping to continue to expand how children and young people are involved in the organisation and work, not just on identifying issues but also on building some strategies around improving them. Some of our planning processes are certainly starting to do that. We are trying to include the feedback that children give us, for example, on access to public toilets and the fear they have around accessing them—let alone whether or not they are available—in some of our planning around parks. I have a map of a master planning project done in one park that is seen as a regional park. Children were involved in the consultation around that.

You can see through the design how we included some activities that will enable them to engage more appropriately with the space. Hopefully, it will also be a draw card. We are trying to combine those two aspects. As a division, 2005 was our second year in doing what we call the social data research project to assist us in establishing base measures for the issues facing target groups as well as places. So we are looking at a people, place and issue type model. The research we have done allows us to start building on that. Not only do we do specific consultation around young people and children; we also are able to draw on base line information that is available relating to the details about issues facing children and young people in our area. They will also assist us in developing our social plan in which we are involved at the moment. That pretty much is it at this point.

Mr HESSION: Joanne and I thank the parliamentary Committee for the invitation to attend today. As I said earlier, we are from Richmond Valley Council, which is located in the northern rivers region of New South Wales.

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Collectively, Joanne and I are more than half of a strategic planning team involved in our council. Together with staff such as our economic development officer and other planning staff we prepare a range of documents such as urban land release strategies focusing on a range of information from the three sectors to produce what we target as ecologically sustainable development outcomes.

During this process, and in Joanne's preparation of council's social plan, in addition to the preparation of locality plans and council's corporate plan, we have undertaken extensive consultation and communication with community groups, individuals and residents. This has been undertaken in order to gain information on their requirements and the priorities of each resident. In each of the strategies and levels of communication it has become extremely evident that there are specific needs of children and young people relating to the built environment. I will highlight some of them. Firstly, it is hard to retain young people in rural areas as they are unable to get jobs. There is a high unemployment rate in our region and very few post-school educational facilities nearby.

Secondly, council is beginning to notice a trend for families to move to the fringe of rural areas—just outside villages or townships. Where it is affordable, people are making what we call a tree change. That is happening also to a larger extent with people from metropolitan areas moving into the northern rivers area. With this come additional requirements for bus routes, bus shelters and standards of rural roads when there was not such a high demand before. So council is being placed under extreme hardship and difficulty in trying to keep up with these new levels of demand.

Thirdly, parents seem to want better entertainment options for young people—complex playgrounds, or playground equipment that is up to modern day Australian standards. Again this comes at a time when it places high financial burdens on council. Sporting groups and other organisations set up for young people are having trouble with insurance, public liability and other issues, which means that the adult volunteer base that has in the past maintained these types of organisations is falling or dropping off because of changes in their lifestyle and the difficulties associated with gaining that level of insurance and producing suitable Australian standard facilities on these sites.

As the population ages, the push from Federal and State governments is often to plan for the aged population—an important demographic with us as it is anywhere else. Often that is done to the detriment and at the expense of planning for children. There is also a big demand for more flexible child care arrangements in our area, which has been hard to meet. It puts more pressure on grandparents to take up the primary responsibility of raising grandchildren. Those are the main points that we would like to highlight. Out of each of those there are a whole range of other points that we would be happy to discuss.

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CHAIR: Mr Sammut, would you like to make an opening statement on behalf of Canterbury council?

Mr SAMMUT: I would. Thank you for the opportunity to speak today. The city of Canterbury is a large and diverse multicultural community of almost 140,000 residents in the south-west of Sydney, with a significant range of socioeconomic disadvantages for families with youth and children. As a council we naturally play a key role in controlling and developing a built environment for our diverse community. Canterbury's experience in balancing the needs of children and youth in both the private and public domain is reflected in our strong record of achievement and success in this area.

With respect to your key terms of reference, I aim briefly to outline our experience and, with other councils, highlight the need for better-targeted resources that engage youth, families and children in supporting our considerable efforts at the local level to deliver better facilities and infrastructure not just relevant to them but focused on their needs and aspirations. Let me begin by outlining our role in the planning, co-ordination and delivery of services to the built environment that most directly affects children and youth at the local level. I will then briefly talk about mechanisms that we use to engage this target group in facilitating improvements in their interest and, finally, I will touch on how a better partnership with the New South Wales Government can be developed to more effectively address this issue.

Local government holds a significant level of responsibility for the development of the built environment, which affects the ordinary lives of children and youth in our community. In recognising this responsibility we appreciate that there is a potential for us to create child and youth friendly environments while balancing their unique needs with the wider community. At Canterbury we are proud to support environments for children and youth that promote their wellbeing and maximise the quality of their life experience locally. In all, we manage community assets worth over \$400 million and play a key role in regulating and controlling transport and private development critical to the welfare of the whole community.

Just a sample of some of our key responsibilities include: our extensive work in providing sportsgrounds and playing fields; infrastructure projects; the regulation of premises and backyard pools that affect children's welfare; development applications; and managing private development in a wide range of areas. We manage over 700 child care places every week and support 200,000 visits to our aquatic centres and 800,000 visits to our libraries each year.

We provide 35 youth and community facilities. So clearly there is quite an extensive involvement with local government at our local level. Given the complexity and scope of our responsibility at Canterbury, we have taken steps to develop an integrated approach to planning which places the development and implementation of our social plan directly within the context of our wider

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Sydney and strategic planning processes. This model focuses on the need for all areas of the organisation to review their role in the delivery of services to identify target groups, including children and youth, and to highlight the impact of program outcomes across the organisation in addressing their needs.

Strategically, our social planning process provides us with excellent opportunities to engage with community and State government partners to coordinate our resourcing efforts. There is great scope for using these processes for better outcomes for children and for youth where they are needed most, at the local level. All councils are required under the Local Government Act to develop a social plan that recognises the needs of children and youth and to report annually on their access and equity activities to the New South Wales Department of Local Government. For our part, in Canterbury, our integrated access and equity program enables us to match community needs and expectations with corporate-wide program priorities. In implementing this program we also call on nine community advisory committees, including two committees with specific interest in youth. On a practical level this means that our youth councillor, for example, is engaged in discussions about the development of youth and community facilities and has been consulted on issues as diverse as environmental programs, road safety initiatives, community and recreation facilities and bike path planning.

More strategically, though, through biennial youth summits our youth have opportunities to raise issues of concern and initiate discussions about gaps in local infrastructure and facilities for young people in our area. Engaging young people in discussions about the design of town centres, housing and transport issues, however, is a more difficult and intensive exercise, one in which young people themselves feel limited in their capacity to influence policy. The challenge for planners at all levels is to recognise the value of youth input and to engage youth at the local level to gain their understanding and their experience. The challenge for the Commission for Children and Young People we believe is to foster and support initiatives which promote best practice amongst councils and demonstrate successful and tangible model outcomes for these efforts.

When consulted about issues concerning the built environment such as transport safety young people are often stereotyped as the perpetrators and not often the victims of crime. Our experience is that, when asked, they raise legitimate concerns and solutions about ways to address the issues. In another example, the management of public open space, our youth have consistently demonstrated to us a balanced and considered understanding of the need to protect community safety and manage the fear of crime while promoting reasonable limits on the scope of police powers to move along loiterers in public places. With respect to children our process is less consultative but no less concerned to address their needs, through partnerships and initiatives generated by families and local representative organisations. And through our consultations with families we know that parents are concerned that today's children have less freedom than previous

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generations. They are more likely to play indoors, to be driven to sports activities and they may have no backyards or open space in which to roam free. It is vital for children's development to have a sense of space to be able to explore the neighbourhood. In 1991 24 per cent of children were driven to school; yet these days the figure is more like 61 per cent.

In cities such as Sydney high-density housing and traffic have impacted on the environments for children and young people by reducing the availability of access to recreational options such as parks and playgrounds. Parents in every community are fearful of children's safety, not just because of the fear of child abuse or youth violence in isolated urban environments, but because of more tangible urban environmental problems such as traffic safety or ageing and deteriorating parks and infrastructure. This is compounded by the fact that many parents work full time and have limited leisure time to take children out to playgrounds and parks. The lack of free play in the open, outdoors, can have a negative influence on physical and social development, the development of independence and decision making, and health and fitness, particularly in terms of childhood obesity.

Beyond delivering an enormous range of services and facilities within our resources, our planning response as a council includes improved consultation and engagement with stakeholders in need assessment, policy development and priority setting. The engagement of the community in monitoring our performance through the use of planning processes and advisory committees to review and generate proposals has resulted in improved road safety facilities and family friendly, purpose-built child care centres with stimulating and attractive outdoor and indoor environments to encourage children to play, learn and explore their creative potential in all of our developments. Community centres incorporate quality space for children and youth on a domestic scale, modern library facilities with designated youth and children's areas and a diverse range of quality, specific interest recreation facilities such as skate parks and indoor sports facilities.

I will conclude with a comment on the role of the Commission for Children and Young People. The role of the commission in focusing attention on children and young people has been invaluable in keeping all stakeholders focused on their needs and up to date on issues as they relate to planning and policy making for children and young people in the built environment. Last year the commission organised a workshop to bring together key speakers to discuss these issues. This provided a valuable opportunity for community and local government workers to become aware of how they influence planning and policy making at a local level. This information role should be extended to include advocacy to the Federal Government in particular to co-ordinate information from national databases on community facilities so that, for example, data on children's centres collected by the Federal Department of Family and Community Services and Indigenous Affairs can be obtained at State and local level for better planning and the development of services.

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We believe the commission should foster the participation of State government representatives in locally managed planning processes, backed by the commitment of capital resources to pilot initiatives that can demonstrate the significant benefits of youth-generated solutions and the development of child friendly public spaces. Finally, we would encourage the commission to seek a commitment from the New South Wales Government to support local government in co-ordinating partnerships and planning at the level that most directly affects the lives of young people. This includes better recognition of the financial limitations councils face in meeting the community facility demands we face and the need for recurrent capital programs to implement local plans. In particular this would include financial support for capital works programs that specifically focus on the social infrastructure needs of children and youth.

CHAIR: Thank you very much, Mr Sammut. Who is going to make the opening statement from Willoughby?

Ms WALLER: I am Marcia Waller from Willoughby Council at Chatswood. I have not prepared a formal speech but I do have some words. I thank my colleagues from other councils. Issues across councils are similar and we have the same issues that have been brought up by the other three speakers. Willoughby City Council covers a highly urban area in the northern part of Sydney based around Chatswood. We have a population of 60,000 and another 70,000 visit Chatswood each day. So there is a lot of pressure from people visiting and working in the city and using our child care and such. Our social planning, cultural policy planning and audit of community facilities—all those three documents that had massive consultation across the city—have informed what we call our property plan, which has been adopted by council. It sets out a strategy of how we can redevelop most of our infrastructure for the future. Children's services such as child care, out-of-school-hours care, libraries, branch libraries, the youth centre—we wish to do a master plan for the youth centre—and our community centres will all aid youth in the future. We also have planned a huge development of our civic place, which is a redevelopment of our major library, concert hall and theatre to provide a new facility across the whole block, which has been developed in consultation with our youth council as was the rest of the population.

Our civic place development has its own financial planning but the point I want to make—this picks up on what my colleague just said—is that our other property plan developments have to be fully funded by council. That is where the difficulty lies. We have section 94 funds and other assets that we may sell to redevelop a library or our youth centre, but the whole plan is certainly not funded. It is something for the future. One of the points I want to make is that section 94 funds from developers will probably decrease as the economy decreases. As Chatswood has built as many high-rise buildings as it can fit, we probably will not get the massive amounts of section 94 funding that we have had in the past that have allowed us to carry out redevelopments. With the State Government's own developments in Willoughby we have been denied section 94 funding. We were denied section

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94 funding for the police station as well as for the private development of the Chatswood transport interchange. There will be 500 private apartments and 1,300 new residents but we did not get any section 94 funding—it should have been about \$20 million—to put into our community facilities.

That will make it more difficult when those developments are built: all those people will want to use our parks and they will have children who will want to use our child care centres, before- and after-school care, vacation care and preschools, which are not something that the private sector wish to do because there are not as many funds and profits in anything other than long day care. We see that as something in the future that will be of grave concern to us—the infrastructure being built by the State Government, where we do not get the funds to help us provide the facilities that those people will need. Notwithstanding that, we will still try to do it. We have got a plan to improve our child care and our youth centre. We will shortly be starting a master plan to redevelop our youth centre. That is all I wish to say at the moment.

CHAIR: I will ask for questions from the floor. Questions can be either directed to a specific person or council or general questions that all of you may wish to answer.

The Hon. MELINDA PAVEY: Mr Sammut, you were highly praiseworthy of the Commission for Children and Young People and you mentioned that it had pulled together a forum for councils to discuss issues affecting children and youth. What other involvement have you had with the Commission for Children and Young People that has been beneficial?

Mr SAMMUT: Through the youth council we have had a number of different contacts with them. We have had involvement in some of the committees that they have established specifically for youth—consultations on new projects and policies that they were developing. We get regular feedback and information through newsletters that come through the council and are distributed through our networks. They have been the main two areas. But, as I said, I think the main benefit from a local government perspective has been the focus, and the clear generation of ideas about the need to focus, on the needs of youth and children and to look at things from their perspective. When we have so many broad target groups it is easy to lose sight of the specific interests of those groups.

I think, from a local government perspective, we should be looking to building a partnership more with the State Government about ways in which we could do that more effectively together. That is why we have put the case about the need to look at it from the perspective of children and youth to try to look at ways in which local planning processes can be better supplemented by better co-ordination through the commission and through State government departments to deliver more effective capital assets and infrastructure to children and youth.

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The Hon. MELINDA PAVEY: Is that also the experience of Willoughby, Wollongong and Richmond Valley councils?

Ms PETROVIC: We do not have a lot of involvement directly with young people in planning, probably for the reason that you were talking about: there are so many target groups that we have to be responsible for. We have youth groups that meet from time to time and I go to them whenever they meet. But I rely on existing projects—whether they be school representative councils or projects run by the local youth worker—to co-ordinate them and bring them together. We just do not have the capacity to pull something together in an ongoing way, but we try.

Mr STEVE CANSDELL: I do not know whether this is relevant but some councils represented here have 140,000 people and a small area base and other councils, such as Richmond Valley Council, may have 40,000.

Ms PETROVIC: About 20,000 people.

Mr STEVE CANSDELL: Okay. It has 20,000 people and no public transport for the youth to travel from one place to another. So you almost have to duplicate all those facilities in every little community. Is that a real challenge for the smaller communities?

Ms PETROVIC: For example, in Richmond Valley Council there is no youth centre in Casino, Evans Head or Coraki. There are a number of smaller rural towns, but they are the biggest three towns in the area. We have a four-day-a-week youth worker one in Casino. That covers a population of 10,000. That is all we have. In Evans Head we were recently really lucky. We got some funds and got a five-day-a-week youth worker.

Mr STEVE CANSDELL: Is the neighbourhood centre running that?

Ms PETROVIC: Yes, that is Evans Head neighbourhood centre. When I say "we", I mean the whole council area. It would be amazing if the council got those funds itself! That is basically all we have. So for the whole of Richmond Valley I think we have a sum total of under \$150,000 worth to put into young people, youth centres, youth workers, renting premises—the whole lot. That is the reality. There is no transport. For example, if you want to get to TAFE from Evans Head it is \$17 return to the nearest TAFE. That is simply to get an education beyond year 12, and university would be even further away.

Mr STEVE CANSDELL: I asked those questions to highlight the problems faced in small rural communities compared with Sydney.

Ms PETROVIC: That is exacerbated 100-fold by simple things like if you cannot afford a car or the petrol many places do not have bus routes or public transport systems at all. In Aboriginal communities the number of people with licences is very low so you cannot even grab a lift. Most young people in our areas hitchhike.

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Mr SAMMUT: In terms of the fundamental issue you have raised about affordability of access to services, the same applies in the inner city as in rural areas. There are many low-income families in Sydney and, similarly, young people do not get access to facilities because, as much as we would like to think there is a youth centre in every community, there is not. Even in an area as small and as densely populated as Canterbury we have just one youth centre for the whole local government area. So the affordability of access by people, whose pocket money in a low-income area is not that great, is a big issue, whether it is in rural or city-based areas. It is about affordability. It is about access. If we are really going to improve the lives of young people and children we must put those facilities where they can reach them. I think that is the real pressure for local government.

Ms PETROVIC: To add to that, I was talking to John Hession over lunch about the amount of money that is put into running youth centres. It probably costs more to put three young people in gaol for a year than we get to run youth centres. That is the reality of the comparison of the money available.

CHAIR: Witnesses, please feel free to comment. That is the whole point of the roundtable.

Mr MICHAEL DALEY: John, you commented in your opening statement that at times planning for aged people compromises outcomes for children. Could you tease out that statement a little more for me and tell us how that is the case? If you want—you do not have to—you can provide specific examples of where that has happened.

Mr HESSION: I have just completed an urban land release strategy for the town of Evans Head. The Evans Head township has an overall population of about 3,000. The median age group would be 50 years plus. People would have us determine that it is as an aged hamlet and sea-change area, where people are coming to retire et cetera. But you can drive around the place at night-time and see people of all ages playing sport under lights—touch football, netball, basketball and anything else. So although sectors of the aged community might place an emphasis on their needs and requirements we have got to be very careful when we, collectively—local government, State Government and Federal Government—push planning for the aged demographic. The median age group might be 50 now but in 25 years the median age will be about 60 plus.

We do not necessarily agree with that. We tend to plan for outcomes where there will be support for those age demographics. We attempt to plan for jobs, transport, and social and economic issues that collectively weave together and perhaps change some of those demographics. So although there could be a danger of compromising one or other age group, we are definitely planning for right across the board. Although there is that push from certain

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sectors, we are determined not to plan specifically for one age group at the loss of another. Joanne, would you like to add anything to that?

Ms PETROVIC: On page 5 of the documentation that we have handed over I did a quick screen capture for the Australian Local Government Association. Aged issues are at the forefront on the front page of that. That is a good example. Within the then Department of Infrastructure, Planning and Natural Resources—it is now two different departments—there was a fairly strong push to look at population changes and demographics. I think most of us know that the population in Australia is ageing.

However, unfortunately often when you hear that it is played off against young people and children. My parents always thought that their best investment in the future was their children, but that concept has not flowed through. For example, when we are asked to plan for aged-care facilities there is a request for scooter ways and disability access with on and off ramps in preference to youth or child-care centres. Sometimes they can work together; for example, a scooter way can also be a bikeway. We would be unlikely to win a skate park at Evans Head, or the second stage of a skate park. We would be much more likely to win some sort of recreational activity for aged people. That is the planning struggle we always face.

Ms SYLVIA HALE: We heard some evidence this morning about councils and child-care facilities. There is a tendency with many councils, because they are strapped for cash, to prefer to lease out child-care centres that they may previously have run or to lease out council facilities of some sort to the private sector. As a result, the quality of child care being provided is often inferior both in terms of the built environment and the range of experiences available to children. Is that true or do you believe that is what is happening across the State, not only within your council areas but also from your communications with other councils?

Ms BENNETT: Our council does not lease out child-care services to private operators. That is not to say that we do not get approached to do so. This is probably the same with most councils. It comes down to the fact that many councils have to decide whether they will go for the greater income or whether they want to maintain some control over the level of choice available to their community. It is very difficult to say that because it is run by a private provider that the quality is automatically less than a council service would provide. We like to think that we provide very high quality care, but I do not think there is any documentation to say that because a facility is run by a private provider that it will automatically be of a lower quality. Our council has chosen to keep that control to be able to offer the community greater choice. Our council runs two long-day-care centres and the rest of the long-day-care centres in our area are privately owned. Some are excellent and some are not as good. We feel that offers the community a bit more choice.

Ms WALLER: To follow on from that, I must admit that at each budget time I am asked by some councillors why we cannot make a profit in our

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child-care centres and if we did we could use it for the youth centre or other facilities. There is always pressure. The argument of choice and the quality that we provide has so far won the day and we have managed to keep our long-day-care centres. However, it will be more difficult as time goes on to put up those arguments when there are so many pressures on our other facilities and the private sector is doing so well. It depends on who is on council at the time and how many votes you get. It has always been the minority who say, "Why can't we lease that out and get a lot of money?" There will be that pressure each year to examine that option.

The Hon. MELINDA PAVEY: What percentage of parents or families accessing day centres in your council area would be attending the council-run long-day-care facilities? It is a tricky question.

Ms WALLER: We run only two long-day-care centres.

Ms BENNETT: It is hard to say because we get so many people coming in. I do not know the figures in terms of how many live in the area or how many are coming from other areas.

The Hon. KAYEE GRIFFIN: The Canterbury council submission contained a comment about shopping centre developers acknowledging that young people need a place to meet and to socialise. This issue probably affects at least three councils here. The major shopping centre in Canterbury is Roselands. Has council been involved in supporting young people being in that shopping centre, or have there been concerns about young people wanting to hang out in shopping centres such as Roselands? If so, have there been any resolutions?

Mr SAMMUT: No direct concerns have been raised either by the community or by council on that issue. There is certainly a lot of anecdotal information about young people wanting to congregate in those places. Our submission referred to that as the basis for examining further development of those facilities and the need for section 94 contributions and other development contributions to include facilities that are welcoming to young people rather than providing only public spaces from which they are often moved along. We are looking to encourage those sorts of spaces in future developments. There have been some concerns about young people leaving those facilities. For example, a cinema complex was being proposed for a development and concerns were expressed about what would happen to groups of young people as they left the shopping centre complex. Measures have been put in place to prevent those problems. It has been a matter of management in partnership with the police rather than blanket exclusion of young people from that type of development.

The Hon. KAYEE GRIFFIN: Evidence has been given about discussions with security guards who operate in shopping centres and a better rapport between them and young people.

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Mr SAMMUT: Local research has been undertaken recently in Sydney examining strategies such as those developed at Broadway shopping centre that involved young people being engaged in developing model codes of conduct. Processes were put in place to welcome young people into the centre as part of the development. In fact, the developer provided funding for a worker—not necessarily a security guard—to work with young people and to find acceptable ways for them to access the facility rather than moving them along and not giving them access to public space. There is a fair bit of local research on that.

Ms HARRISON: I would like to reiterate what my colleague has said about the way that public and community spaces are managed, whether they be privately or publicly owned, for example, shopping centres. There is always concern about private ownership and the briefings given to security guards. Public space is generally regulated by hired security guards or police. There is always the need to manage those types of tensions, and that often needs to be done at a local level. The tensions might be the same in different locations throughout New South Wales or, indeed, the country. The way they are managed must be worked out between the different parties as and when they are happening and they must specifically address those tensions and whether people think that public space protocols or codes of behaviour work. Often they seem to be effective while they are being developed, but they might be shelved after the project is finished. When new shopping centres and commercial spaces, in particular, are being developed and there is potential tension, I would encourage the employment of local youth workers to mediate or to work specifically with young people and the different stakeholders in developing appropriate relationships.

Ms PETROVIC: Could I just add to that point as well? At Richmond Valley we have a caravan park that is owned by the council. It is called Silversands Caravan Park and it is a very major holiday location. There were a lot of issues around young people utilising that public space. We had similar issues happening with security guards and a lot of the local residents at the caravan park wanted basically to put up a fence because they considered that as the only solution to stop having their equipment stolen and their night's sleep ruined. We took on the employment of youth workers and that made a pretty big difference but in the long term we think probably the only thing that is going to make a difference is actually training up young people as security officers as well.

That way young people are able to mediate around the issues with a sensitivity on both fronts so there is a reality that a lot of organisations will not consider ongoing funding for youth workers but whether or not these contractors could be asked to consider employing security firms that do have young people employed as security officers, or in our area Aboriginal people employed as security officers is also really a big deal. Those things make a big difference because there are going to be security officers employed anyway and we may as well ask that they have specific skills when we develop those contracts.

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Ms HARRISON: Could I just add something? In previous employment also with local government we have tried to look at the inclusion of components of security guard training specifically dealing with: How do you communicate with young people? How do you intervene with a young person without inflating the tension? Previously we have had difficulties inserting those units into security guard training but the reality is that that type of information, whether it be around young people, whether it be dealing with people with mental health illnesses, identifying different personal circumstances that an individual might be in which appears in the built environment to be creating problems for other people, or have the potential to do so, that type of training for privately engaged people to the same extent as I think that the police area already provided with, is quite important in trying to head off key disputes or elevating tensions between different users of different spaces.

Mr SAMMUT: May I make a final comment on that as well? I guess my concern would be that as much as raising sensitivity and awareness of trained security officers to the needs of youth is important, I do not think they come at this issue from the same paradigm and that is the fundamental problem. Essentially having youth work training is the most valuable skill in being able to liaise with young people at their level, I think if we are looking at a long-term sustainable relationships between private providers of shopping centre facilities, or whatever, there needs to be a stronger commitment to actually engage in employing people with the right sort of skills. May be not have as many security guards and may be have youth workers, just as much as a key part of a core complement of staff as security staff, because they do come at it from a different paradigm. They would have a much better way of actually relating to them and achieving positive outcomes in an ongoing sense. We talk about them doing it on a temporary basis, training up certain people, but unless they come from that particular paradigm the long term benefit of that and long term commitment to engagement of young people at their level, is just not going to be there.

Ms HUNT: Just to add to that. I think we also need to recognise that groups of young people come and go as well, and without some of those long-term commitments you are constantly going back to the same issue. As young people come through, you build relationships with them, you engage with them and the other stakeholders are engaged as well. When they grow up or move on you have another group of young people with which you need to re-establish that connection so it is quite important that those projects are not time limited just to deal with a particular problem because underlying all of that is relationships and engagement. I think that also involves other parts of the community as well. So we are finding that the research that we do at a local level shows us that older people, for example, might talk about fear of crime but it is generally based on perception, not experience. Young people are actually reporting the same types of fears in terms of their use of public space, so sometimes it is around intergenerational discussion and debate and

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getting to know people, so it is around community connections. So all of those things are tied into that as well.

Mr STEVE CANSELL: The submission of Richmond Valley Council states it has 14 playgrounds that have to be removed and replaced, five of which are urgent and are barricaded now. Earlier today it was mentioned that children want to take risks, take on challenges, develop independence and make decisions. With the fear of litigation are councils erring on the side of caution of putting in playground equipment and rather than giving kids challenges they take a softly-softly approach? In the past the equipment was monkey bars or kids could climb trees but, quite rightly, that is a no-go zone for a lot of councils. Does litigation decide which way councils go with their playground equipment and by not providing that equipment the challenges are not there for kids to develop so they look for challenges elsewhere?

Ms HUNT: Wollongong council identifies a priority listing each year. Generally it covers all of the wards within the local government area to keep people happy but it is basically identified in terms of risk and safety in terms of replacement. So not necessarily to get rid of them altogether but in terms of what new products are available that do create interesting places that actually draw people to them. So if they are unsafe in the beginning they go straight up the top of the priority list. However, it is huge in terms of our local government area. It is a priority in terms of identifying where resources should be allocated. In terms of what we then replace, I think that that is a constant work, so the division that handles that for us is constantly looking at new and safer alternatives that are basically the market, and trying to balance the risk of litigation but also around creating spaces and places that people use and engage with.

CHAIR: For your edification underpinning the question of Mr Steve Cansdell is the fact that the committee heard from Prue Walsh who is a play consultant. I do not know whether you are aware of her work in the area but she said we have gone too far one way and we are not allowing children an opportunity to explore et cetera. Therefore that feeds into ongoing issues in that it has impacts on education, the ability of kids to develop, obesity issues and those sorts of things. The transcripts of this hearing will eventually be on the web site and you may be interested in reading her evidence. I know the people from Richmond Valley heard her evidence. Having heard her evidence, does Richmond Valley have any differing views of how it might approach those five playgrounds?

Ms PETROVIC: There are actually 14 playgrounds that have been removed—four were removed urgently in June and the rest have already been removed. In total we only had 27 playgrounds so that gives you some idea of more than half the playgrounds have been removed from Richmond Valley in the past year. The cost that it costs us to cover those playgrounds for insurance claims is more than what it would cost us to replace that equipment. That is an unfortunate reality, and it is a reality, like Wollongong council, we are trying to start prioritising which ones will be put back in

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basically, and at what level they will be put back in. It causes me great concern because I am the community projects officers, responsible for social planning, but that is the reality of the way that decisions are being made at the council level, and that is the way that the budgets are swinging.

The Hon. JAN BURNSWOODS: Are you saying that the concern is not so much safety as insurance?

Ms PETROVIC: Litigation.

The Hon. JAN BURNSWOODS: Prue was talking about that maybe as a community we have gone a little bit too far in worrying about safety?

Ms PETROVIC: For Richmond Valley it is litigation even more than safety. I think there is a reasonable sense amongst council staff and councillors that children need the opportunities to be able to explore and take risks. However, the risks that council are taking are literally that the equipment is not up to Australian standards, which means that we would lose in any litigation without a question. We would be very lucky if we did not. That, from the point of view of council, is the risk.

The Hon. JAN BURNSWOODS: Whereas if it were up to Australian standard, you would have a reasonable chance of winning a case?

Ms PETROVIC: We would have a chance of winning a case, but the equipment was put in some time ago. As a number of other people here have mentioned, section 94 contributions are very small in our council area. Unlike Queensland, for example, where developers can be made to pay for impacts that are not directly caused by them, that is not the case in New South Wales. We then have to try to demonstrate to them that they should have to pay for that park because the people that have come into their estate will be using it, which is always a good challenge. That is why those playgrounds have been removed. It is not based on whether or not children should be given opportunities to explore and experiment; it is whether or not we can afford that risk because we cannot meet the Australian standards.

Ms VENAGLIA: I think there is a lot of documentary evidence around about the fact that we are removing risk in children, and that their ability to make good decisions and practise risk-taking is really important, whether it be in playgrounds or how they get to school and home. We are seeing lots of things around that that make us stop and say, "Maybe we are removing the risk and actually giving them much greater hurdles later on in life." Some of the parks that I have seen work quite well are ones—because parks are very good at bringing people out and giving a connection for people. I think that that is a really important thing to have in the community. Obviously, as a council, you have to worry about risks and standards, but, often, playgrounds that are set within a natural environment work very well because children engage in the playground equipment for a period of time, lose interest in that and find the tree roots or perhaps the sand dunes interesting.

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In Wollongong we have a lot of coastal parks. If you observe what children are doing there you will see that they spend time, get their social group together, start their play and then they often move out of that playground and look for their challenges and their interest a little bit outside the park. That has certainly been my observation. Another thing people are asking for is fencing around parks. That issue comes up now and then. That brings up the issue of access and how children can come in and go out of play areas. I think there is real concern about making playgrounds safe beyond the point children can go in and use them. They are just some observations we have made.

Ms PETROVIC: In relation to that statement, there was a particular park that was mentioned in our submission where the playground equipment was removed. Children then moved to play on the road. It is a very low socioeconomic population in this particular suburb and the children now draw hopscotch on the road and play on the road. That has been the cause of massive concern for the school buses travelling through that area. But litigation in respect of that does not fall under the lap of council; it is the responsibility of parents not to allow their children to play on the road. The reality is that children have lost out, because they are going to play anyway. They are going to find somewhere to play. The challenge, I would suggest, would be a lot greater if they are playing amongst the cars than in the playground equipment.

CHAIR: Just following on from what you have said, you have the foreshore master plan. Is it under implementation or at the draft stage?

Ms HUNT: The foreshore master plan is still in draft stage.

CHAIR: Some of the principles that Tracey referred to are included in that plan, such as access issues and all that sort of thing—Prue Walsh type principles, so to speak. Are you able to elaborate on that?

Ms VENAGLIA: I do not think it has got to that level of design stage.

Ms HUNT: Not quite. I think some of those things are on the table but it is about striking a balance with everything else that is on the table and how they inform that, rather than necessarily just appear.

The Hon. MELINDA PAVEY: My question is probably relevant to the youth officers. I find that an increasingly important issue is that of entertainment for young people at night. Have you had any success or discovered ways to handle problems related to youth issues, particularly at night, which might be relevant to the Committee's inquiry?

Ms HARRISON: We have a youth centre, which is located within the central business district shopping centre, so it is accessible by public transport. We find it difficult to run things at night because we do not have

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external lighting. We have a fantastic basketball court upstairs, but the cost of lighting that space and so forth prohibits use for night-time programs. We run videos and so forth and we are looking currently at programming for those times. Our centre is open until 10 o'clock but there is the cost of employing staff for a period later than that. If we were to open later than that there is the question: Are we encouraging young people to be out late? If local government is providing activities at 12 o'clock or whatever, are we contributing to the problem or resolving it? There is always that debate.

There are a number of different models, like all-night movies and late night basketball programs, where a basketball program can go through all night and those sorts of things. But that are time intensive to organise. The quick answer would be no, there is no real solution. But a lot of it comes from the private sector. If there were to be solutions there would be a high dependency on the private sector rather than local government to implement those, particularly the types of things that young people might be interested in. We are not saying that we are not in a position at all to be able to offer them, but the level of stimulation or the types of activities young people are looking for might fall outside the types of facilities that we have, or the equipment that we have access to.

Ms PETROVIC: At Richmond Valley recently some money came in from Aboriginal Child, Youth and Family Strategy, which is the Department of Community Services funding. What happened is that the money came to the Jumbung Elders, which the local Aboriginal organisation. They only got \$27,000, so it is not a lot of money, but the Elders thought that that was the specific issue. They have a youth centre and are running youth activities—they have not yet started, but they will, and they are simply doing it on Friday night and that is it, because they thought that that was the time that they wanted to address. That chews up money very quickly. Because the SACs award changes after hours, the centre will close at 11.30. At 11.30, to address the issue of whether we are actually encouraging these young people to come out rather than trying to get them to go home, the youth worker literally gets a bus, shoves all the kids on the bus and drives them all home. That is the way that they are addressing that issue.

Mr STEVE CANSDELL: Did council contribute some money towards the centre?

Ms PETROVIC: Richmond Valley Council put in \$5,000 towards the rent of that building.

Ms SYLVIA HALE: The Committee heard evidence earlier from the National Youth Law Centre that suggested it might be useful if a youth State environment planning policy were introduced. I realise that most of you are not planners, but, under such a requirement, for example, any development application—depending on its size—would need to have a youth impact statement, as opposed to, say, an environmental impact statement. Do you think that that would be feasible or would produce useful outcomes?

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Ms HUNT: Specifically a youth impact as opposed to a social impact?

Ms SYLVIA HALE: Youth impact.

Ms HUNT: That is probably my starting point.

CHAIR: I think I know where Kerry is starting from. All councils are required to do social plans and within the social plans there is an appropriate section.

Ms SYLVIA HALE: Yes, but this would be a specific impact in terms of that development.

Ms HUNT: In terms of development I guess my question would be why not look more holistically at the social impact assessment, rather than just one target group. While the needs of young people and children are as important as any other, there is a whole range of needs that could possibly be considered in development.

Mr HESSION: I would have to agree. If you are going to put funding towards a worthwhile facility, be it a neighbourhood centre or community hall, there has to be scope for use right across the board, rather than just focussing on any particular demographic, if you like. There is no reason why those facilities cannot accommodate right across the whole range.

The Hon. JAN BURNSWOODS: They were proposing that if a DA for a subdivision—such as a block of units, or whatever, and I do not think they went into the specifics, and I certainly do not think they specified how small it might be—created a need for youth facilities, or would have an impact on young people, there should be a youth impact statement with it.

CHAIR: We will hear from Andy first and then Joanne.

Mr SAMMUT: The extent to which the youth impact statement leads to the need to provide resources to ameliorate impacts is really the question. It is fine for us to know that developments will have youth impacts, but what resources are available to address them? Whose responsibility will it be to implement the outcome? Given that it is a DA, I assume we are talking about the provision of some kind of contribution to the capital work, but not for ongoing programs and services that might be engendered as a result of the provision of that capital facility. A youth impact statement on its own will not be enough. It needs to be resourced. What is missing is an overarching plan for an area to which everybody has a commitment. To meet the basic requirements of children and youth at a local level, there needs to be a planned network of facilities that are reasonably spread across a local government or city area, and there need to be commitments to planning policies, facilities provision and resource allocations from State, local and Federal governments to make the facilities work.

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That is why our submission continually goes back, even in terms of some of the things being talked about here, to the question: Who resources them? Who has responsibility to implement the outcome? Having an impact statement is a fabulous idea, but who will then do something about the impacts that have been assessed? It is then a matter of balancing resources and having somebody co-ordinating measures to address the impact. I believe that should be done at the local level, because that is where young people and children are most affected. Local councils are often in the position of being hit by their communities about the delivery of those services in a co-ordinated way. We can, and we need to, work in partnership with other levels and the private sector to make it work. But, having an impact statement on its own, with the greatest respect, will not solve the needs of children and young people.

Ms SYLVIA HALE: In giving this example, I hope I am not putting words into the youth centre's mouth, but if there was a shopping centre proposal, such an impact statement might lead to a requirement that security guards and youth workers be employed, to draw attention to that specific need. If a major subdivision were proposed, there might be a requirement that a childcare centre be established, and that it be located in an area accessible to transport. I think they saw it having those sorts of ramifications and the controls that a council imposed upon a particular development.

Mr SAMMUT: It would depend on the teeth that the legislation has. Much will depend on whether or not the legislation can go as far as requiring certain outcomes, and who has responsible to make those happen. In terms of a development application, we are talking about a building, a capital impact. If we are talking about a section 94 contribution, for example, on a building, that cannot be used for ongoing services. For example, a shopping centre will provide a space in which to run youth activities, but then who has responsibility for the ongoing maintenance and the development and delivery of those services? Unless we have a clear partnership with State government funding bodies and councils for the provision of ongoing maintenance of the resource, or building, or whatever it might be, it will not work. It will not have the long-term benefit that we would hope for. I like the principle, but it is about what teeth the legislation has to make it work.

Ms HARRISON: Particularly after a number of years. Often, some of the privately owned spaces developed in residential areas revert to control and maintenance by councils. So there is the maintenance of the physical infrastructure as well as the delivery of services within those facilities. There are a number of levels.

CHAIR: I think Joanne wanted to say something.

Ms PETROVIC: In addition to the comments that were made by Kerry, John and Andy about social impact assessment, I would like to say that I think there should be a social impact assessment that requires a youth impact

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statement as part of the social impact assessment, so that you have a social impact assessment at the top and then you have a youth or children's impact assessment as part of that. The reason I would argue that is that, for example, a local shopping centre is about to be built in Casino, we hope. If I look at the social impact of that centre from the point of view of youth, I may not necessarily consider issues that would come up within the disability access committee, or within the transport working party committee, or within the Aboriginal interagency. There are a number of different interest groups. Young people are often Aboriginal, or have a disability or are transport affected. While we talk about a social impact assessment, if we get together a youth committee, for example, and say to them, "What do you think about this shopping centre?" I can guarantee you that the youth in my town would say, "We want a cinema in there because there is no cinema." Maybe they would say something about security guards. But young people may not say anything about disability ramps, or transport, or access to and from that centre for Aboriginal youth, because the youth on the committee may not be Aboriginal, or they may be Aboriginal but not be privy to information that elders would have that that was originally men's space or women's space and young people would not be allowed to go there. So there has to be a social impact assessment put together from a whole lot of different angles, because all of those things impact on young people, and to ensure that young people are not isolated in that process.

CHAIR: Are there any other questions? No. Meredith, you wanted to say something.

Ms HARRISON: Joanne triggered a point that I had written down—consultative mechanisms. I am not necessarily making a comment on the social impact statement or youth-specific impact statement, but Joanne's comment triggered a memory about consultative mechanisms. Often, they need to be quite innovative. They cannot necessarily be verbal. My experience has been that young people need to be able to contribute their ideas, sometimes in quite innovative and creative ways that might not necessarily be obvious to a person developing policy or planning a space. The latter might not give a damn that the information is presented to them in an art work or something like that, but the consultative mechanisms need to be innovative in and of themselves. Young people need to be clearly briefed about the potential timeframes on information that they have provided. Quite often they want instantaneous feedback on whatever information they have contributed. Whether it be on a shopping centre, housing development or a new park, there need to be instantaneous or short timeframes on feedback and an acknowledgment of their time and their ideas and contributions towards whatever the development is.

CHAIR: Are there any other questions from members? Are there any other comments that anyone else would like to make? I would like to thank you all for appearing today. It was very interesting. I think this was the first time this Committee has taken round-table evidence like this, and I think it

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worked very well. I thank you for your submissions and your time. I believe you are going to leave those documents with us.

Documents tabled.

(The witnesses withdrew.)

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CHAIR: I would like to acknowledge some people who are with us here today for these proceedings. Firstly, there are two trainees who are with the commission at the moment: Pia Birac and Kim Stewart. Thank you for being in attendance today and we hope you get something out of this process. Also, Jacob Leung, who is on the Commission for Children and Young People's Young People's Reference Group and has two roles: he is also doing work experience with the commission. I hope this has been interesting for you, Jacob, and I hope that you see that there is also a further life to the Commissioner when she has got to come and give evidence to us.

GILLIAN ELIZABETH CALVERT, Commissioner, NSW Commission for Children and Young People, Level 2, 407 Elizabeth Street, Surry Hills, affirmed and examined:

CHAIR: We thank you for appearing today. Thank you for the commission's submission in relation to our inquiry. Is it your wish that the submission you have prepared for the Committee be made public and included as part of your sworn evidence?

Ms CALVERT: It is.

CHAIR: Would you like to make an opening statement?

Ms CALVERT: I would. I am pleased to have this opportunity to appear before the Committee. Although they tend not to use the term "built environment", children and young people have been telling me for a number of years that their built environment is an important issue to them. I am delighted to be able to further explore their thoughts and experiences with you. I think this inquiry is an invaluable opportunity to bring together a range of stakeholders to express their points of view, concerns and, hopefully, solutions about the built environment.

I think the built environment is a complex and challenging area for investigation. At one level it is something we can all relate to because it is an everyday experience for us and, at the same time, it is quite multifaceted because of the many disciplines and decision-makers and other factors which all play a part in shaping our built environment. I think we still have a lot to learn though about the built environment and how it is affecting our children's and, indeed, our own health and wellbeing. Through that complexity of the built environment it can be hard to find a way forward. And that is certainly something that we struggled with at the Commission as we organised our thoughts and prepared our submission. We hope our recommendations assist the Committee with some practical ways that the Commission and others in New South Wales might contribute to a more positive environment for children and young people.

In preparing our response to this inquiry we spoke with about 125 children and young people aged between four and 18 years living in both urban and regional settings. The consultations were in small groups and we

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used a variety of age-appropriate ways to get information from them. For example, we asked the children to draw maps and pictures of their neighbourhoods and places where they enjoyed spending time. For another group of young people we gave them disposable cameras and asked them to take photos of the places they like to go and where they are allowed to go by themselves and what they do not like. I think the kids' work speaks quite clearly of their experiences, perceptions and concerns about the environment. I have brought some of the works with me to illustrate some of the key points that I wish to talk about. I will just circulate those for you to have a look at.

CHAIR: Did you want to table those as part of today's inquiry or do you want them back?

Ms CALVERT: Can we get back to you on that? We will need to look at consents, that is the only thing. I would like to give you a brief summary of what children and young people told us during this process before I move on to our conclusions. It probably will not come to you as a surprise that when children and young people talk about their environment they quickly start to think about and talk about it in terms of their neighbourhoods and their communities and the people that are found within those neighbourhoods and communities. This focus on relationships always comes through strongly: relationships on how children understand their world and their place in it. And when they talk about the built environment it comes through in their desire to be part of neighbourhoods and communities where the people are warm and friendly, where the adults are welcoming and are always willing to share their space.

The importance of a need for relationships is also evident in the concerns children express about their safety and public spaces. They told us they do not feel very safe in public spaces, and that anxiety about their safety largely relates to fear of traffic and to stranger danger. It is expressed by kids of all ages and also by their parents. It is probably the most telling factor in children's loss of independent mobility.

The kids we spoke with talked a lot about design measures that would enhance their safety, and you will see that in the work that is being handed around, things like fences around playgrounds, good lighting and placing facilities, like toilets, in locations where there are plenty of people around rather than in isolated spots. Their other preferences for the built environment are for good facilities with a high level of amenity. They want places where they can pursue their interests, both structured and unstructured, and they want to be able to get around easily, cheaply and safely so that they can participate in what their communities have to offer. Finally, they want to be able to participate in decisions that are made about their community and their immediate environment. When you think about it, it is very consistent with what adults want, too, so what is good for your children and young people is probably also good for adults. It is a bit of a win-win scenario. It is useful to keep that in mind as you ponder how to improve the built environment for

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children and young people, because the changes we make for children and young people will, in all likelihood, also benefit us as adults.

The other thing I think we need to keep in mind when we ponder the built environment for children and young people is the interplay between things. In focusing on one aspect of the built environment, for example safety, we can inadvertently diminish another aspect of children's lives, for example freely moving about and engaging in wild play, resulting in less exercise and weight gain in children. We really need to think about the interplay between these things, not just the one-off thing that we happen to be talking about.

In organising our thinking we eventually developed three areas for action that the Commission might contribute to for a more positive environment for children and young people. I summarise these as, first, what can we do to foster a child-friendly environment; second, how can change be put into practice; and, third, how do we monitor the impact of the built environments on children and young people over time? I will talk briefly about each of those three, starting with how to foster a child-friendly environment. Having heard what children and young people told us, we think one of the most important things that we can do is to work towards the development of child-friendly environments. I know this point has been made by a number of other witnesses before the Committee as well.

Rather than pushing children and young people into spaces on the fringes of our neighbourhoods and communities, child-friendly environments have room for all citizens and allows for multiple uses. That point was made by local council members earlier when they talked about social impact incorporating youth impact. There are spaces that belong to the whole community, and they give different groups within the community a place to intermingle without being right in each other's faces. You can be connected, but separate. It is important to note spaces where accessibility and physical safety have been carefully attended to. Our first principle is that the built environment should promote the inclusion, not isolation, of children and young people. That is a really important principle. Perhaps one of the most obvious barriers to inclusive design, planning and management is that many decision makers and built environment professionals just do not stop to think of kids' needs. They are not sure, or they are not sure how to build kids in, or to include kids in their decision making. This is an area where the Commission can help.

Our submission makes a number of recommendations aimed at developing knowledge amongst the built environment professions and decision makers about child-friendly environments and, importantly, how to involve children in decisions about the built environment. We can do this through promoting our Taking Participation Seriously resource—we have talked about holding a seminar to build knowledge and showcase best practice; exploring the need for new resources; and approaching universities that offer architectural planning degrees to consider including in their curriculum a component on how to involve children and young people in planning.

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However, it is not just built environment professionals who can create more child-friendly environments. Adult attitudes to children can exclude kids from the public domain, just as effectively as the actual physical environment.

There have been some recent examples of this reported in the media. For example, the Marrickville resident who lives next to a park who collects children's balls that are thrown over the fence into his backyard. Instead of throwing them back over the fence, he has handed them to Marrickville Council, arguing that kids who want to make a racket, and kick and throw balls around should use a bigger park in another part of the suburb. As a result, Council has put up a sign telling users that they cannot play ball games until this situation has been sorted out. Another example involves inner-west suburban residents who complained about lights being used at a local oval for kids when they were doing their sport training at night. These are examples of how a community can be intolerant of kids and their needs. Kids need to have fun, to play and to have exercise. But, more fundamentally, they are citizens and, just like adults, they are entitled to use the public domain. These examples point that the physical environment is important but, equally, attitudes are important as well.

The second area for action I would describe as putting change into practice. As I said earlier, one of the things that can be confounding about the built environment is its complexity, and the question of how to begin to effect positive change in one area without, at the same time, create negative change in another area. We look for opportunities to bring about change, not just in the way people think about children but also at the macro level, through planning or consent authorities. In Sydney, where the population is growing and new areas of land are being developed on the outskirts of the cities, we came to the conclusion that it would be better to try to get it right in the first instance than to fix up the problems later. That is why we also approached the Growth Centres Commission to explore the possibility of taking children's needs into account in the development of Sydney's new growth areas. It is also why we are thinking of partnering with a local council to see how we could work towards creating more child-friendly environments in a particular local government area to demonstrate best practice.

The third area for action is monitoring the impact of the built environment on children and young people over time. We need to know how well we are or are not doing. Currently we are working on a wellbeing framework for children that will be used to monitor how well kids are doing in their lives across a range of activities, one of which is physical environment. The indicators under that scheme could include quality built environments, indicators for child-friendly communities, the level of access to personal-private space, the natural environment and so on. While we are clear that one of the themes of the wellbeing framework will be physical environments, the actual indicators we will use to measure that are still being developed. There is a role for the Commission in bringing together a range of experts who are already collecting data in the area of health and the environment, and trying

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to improve on the indicators that currently exist around the physical environment from the child's point of view.

The world that we are living in is very different from the one I grew up in, and I suspect the one that some of you grew up in. While many of these changes are very positive for children and young people there have also been some negative effects, some of which have taken us, as a community, by surprise. But what is clear is that all of us have a role to play in improving the built environment and in creating more child-friendly communities. We have had the fortune to live in a prosperous State and country, and we are likely to have the capacity to invest in the quality of our built environment. It is up to us as leaders of that community to make the most of that opportunity. I believe this inquiry has already encouraged, and will continue to encourage, greater discussion and awareness of how the built environment affect us all and in particular children, and how we, as a community, can move towards creating the best built environment that we possibly can for us and our children to live in.

CHAIR: Thank you for that very detailed opening address, as well as the insightful and visionary thoughts.

Ms SYLVIA HALE: I notice in your report that you say it is not only parents but children who often have a perception of danger, a perception that is not borne out by reality. It seems to me that those perceptions persist. I know that even my 35-year-old daughter perceives places as being much more dangerous than I do. What do you think can be done in terms of the built environment to lay some of those perceptions to rest or are we helpless victims of the media, as it were?

Ms CALVERT: Certainly, the perceptions are influenced by the media and I frequently talk about that to the media and in the media. It does concern me that we have the perception that stranger danger is the problem when, in fact, the reality shows that it is the people you know who are the danger. I think that is a problem that is going to remain for some time.

I think there are a number of environmental things that can be done to reduce the perception of danger. Certainly, increasing multiuse space is one thing we can do. If we always hive off people into their separate areas we add to the "us" and "them", inside-outside sense of danger. I think multiuse space is something that we should really be encouraging because that breaks down some of those barriers.

Then I think there are practical things to do with traffic management and traffic flow. Kids talk a lot about fear of traffic and we know from statistics that traffic is a major cause of deaths of children, either as passengers, as bike riders or as pedestrians. I think that the way in which we manage traffic and the capacity to create safe ways to move around our neighbourhoods is another thing that we can do to perhaps not only deal with the perception of danger but the reality of the risks children face.

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Then things like lighting and where facilities are located can also add to that as well. If you have a skate park in a dark area to the edge of a populated area then you are creating the elements of a risky skate park. If you have skate park that is more in the view of people passing by, it is well lit, it is part of where kids want to be because there are other people around, then you are less likely to have difficulties with that skate park. They are some of the things that we need to take into account when we are looking at the perception and the reality of risk and safety.

The Hon. JAN BURNSWOODS: I was going to raise the same point because in your submission I noticed how strong the perception is, but it does not necessarily fit the reality. I was going to go the other way and say: what ways can we address the perception and the fear without seeming to blame the built environment when there seems a level of agreement that a lot of the fear actually is not based in those realities?

Ms CALVERT: I think the built environment can enhance the perception. If we remain a community of car drivers where we do not have a lot of interaction with other people, I think inevitably that plays on those we know versus those we do not, "us" and "them" and "they are the ones that could hurt me in some way". What happens in the built environment can add to the perception of risk and, equally, it can add to the perception of safety. If you have well lit areas where there are a lot of people and it is inclusive, it does feel a safer place to kids. Kids talked about it being a safer place; one, because there are people around that they can turn to if they get into trouble and, two, because there are adults around who are, in a sense, keeping the action under surveillance and so hopefully will intervene if something happens.

The Hon. JAN BURNSWOODS: I was thinking also not only about the perceptions, but I think you were here for part of the evidence from the local government people when they were talking about what they have had to do in removing playground equipment. They used the word "safety", but when you unpick it a bit, in fact, it is a fear of losing legal cases relating to liability. They do not necessarily think that equipment is unsafe but they know very well that if it does not meet certain standards they will lose a court case and they and their ratepayers will be up for a fortune. I wonder whether the built environment is carrying a load in terms of safety that we should be addressing in other ways. I am not trying to suggest that the built environment is perfect—not by any means—but maybe there are other areas we should focus on.

Ms CALVERT: I think that is right and certainly in the last 20 to 30 years in New South Wales there has been a focus on children's safety; sexual safety, emotional safety and physical safety. That has created a level of anxiety in parents and in the community which, inevitably, children will pick up on and will reflect back to us. When I talked about the need to think very carefully about the interplay between things, because in focusing on that

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safety, which is a positive thing, we may have inadvertently created conditions that give rise to another problem that we then have to deal with.

It is thinking through the interplay of the various parts of our lives and children's lives and the things that impact on us that becomes the challenge. Having said that, I also agree that the built environment perhaps is carrying the can for something else rather than just the built environment. Certainly I think liability is carrying the can for some other things. I was interested to hear the conversation when it turned out that it was not that there was a problem with liability legislation but that the equipment did not meet Australian safety standards.

If it had met Australian safety standards then questions of liability would have been greatly reduced, particularly in the light of the changes that have been made in recent years to personal liability and the sorts of things councils can now do to remove liability from them and place it, in a sense, onto the individual to some extent. Something that we tend to do is perhaps to hide behind things like "It's liability", or "It's the insurance" or "It's the built environment", rather than searching through to some other sorts of causes as well.

Ms SYLVIA HALE: In relation to the evidence from the Richmond Valley Council the other consideration in the closure of 5 of the 14 playgrounds was the fact that the equipment had not been maintained; it was rusted through, it was physically extraordinarily dangerous. We also had evidence about councils withdrawing from the provision of childminding facilities because it was very expensive.

Ms CALVERT: Yes.

Ms SYLVIA HALE: One can see that pressure on councils from one direction being played out in a whole range of community services that they might be expected to provide.

Ms CALVERT: Another example of how other changes get played out through the built environment is to look at the increase in working hours within Australia in particular, parents working increased hours and both parents now more likely to work. What you have got is far less availability of adults within the local environment to provide the support and surveillance and do the sorts of things that might have been done in the past to make that environment safe—that low level surveillance because you are hanging out over the front fence chatting to your neighbour. Who has time to do that these days? Those sorts of social changes also impact on the perception of safety and how we might view the built environment and, in a sense, require the built environment to do things that it was not required to do 20, 30 or 40 years ago.

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The Hon. JAN BURNSWOODS: You would certainly argue that in terms of councils having to provide the facilities because they need to be council-provided because they are in not home-provided or family-provided?

Ms CALVERT: Yes.

The Hon. KAYEE GRIFFIN: One organisation spoke about having included youth impact reports in development applications and also the development application [DAs] of a youth specific State environmental planning policy. Representatives from local government saw a number of concerns with youth specific things with respect to DAs, new developments or master plans for certain areas. What would be your view of councils including youth issues in their social plans? How could they better incorporate aspects with respect to youth and the other aspects that local government said they needed to consider in DAs and master plans?

Ms CALVERT: We are certainly supportive of including children and young people's needs and interests in the built environment. It is always a tension, is it not? You do not want to ignore the complexity and diversity of people in the community by focusing only on one group, but on the other hand we know that if you talk about social issues, they tend to be adult social issues rather than the social issues that impact on children and young people. Adults are generally the ones who respond to the social issues or those impact statements, and they tend to think of it from their own point of view and forget about children and young people.

I certainly take the point that the witness from Canterbury Council made about the need to have your master plan or your overarching plan specifically looking at children and young people's services and facilities for the whole of your local government area. Incorporating kids views at a master planning level is something that I would be very supportive of and that I would encourage. I thought he also made a very good point when he said that that, too, is contingent upon the teeth that the legislation has to implement and, if you like, to enforce that master plan's implementation.

In relation to the youth impact project or youth impact statements in respect to specific development applications [DAs], I would probably reserve judgment on that partly because I have seen those sorts of youth impact statements being just a series of, in a sense, bureaucratic processes rather than a real process of engaging in and understanding what it is that children and young people need, so I would be concerned about them. Regardless of whether you do it at a DA level or at a master plan level, two things need to happen. One is that you have to have people who have a commitment and capacity to actually consult with children and young people and seek their views and then translate it into action. I think the second thing you have to have are clear criteria about what a child friendly community is because you will not know whether you have achieved your master plan unless you have some sense of what it is, and how do we know how to measure whether we have got it.

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CHAIR: Following on from that, I think that most councils would not have those resources. If that is the case and generally the community was minded to have something like this, that is one of the biggest issues. That expertise just is not there. Other than by the Commission, which could not do it for the whole State, how could we develop the body of expertise?

Ms CALVERT: Some of the things we could do is work in partnership with other agencies, if you like, to build up their expertise. We were looking at architecture courses, including modules on how to consult with children and young people as well as perhaps using some of our kit, Taking Participation seriously, and the work that we have done. You need gradually to build up expertise. If the Commission or some other body was clearer about what is a child-friendly community and gives them the 10 things that are part of the way to meeting that, then you have given them a framework that they can apply to the community. Doing some work around that gives people a tool that they can apply to the community, and that might be another way we could spread it.

CHAIR: Are you familiar with Prue Walsh's work?

Ms CALVERT: Yes.

CHAIR: She discussed that we had gone past the point, once we have passed 0 to 8, if we have not catered for the early needs in the early days in their childhood and development, and it becomes almost too late to do anything. I think that is a fair point, but I made the comment that the expertise in her area is not out there. Development and planning on things like that is not throughout courses that are in universities or in early childhood. I was just wondering whether you have any comment to make on what you know about early childhood in that sense, and what education stuff is out there, or whether you think you have a role to play in early childhood.

Ms CALVERT: Yes, we do think we have a role to play in early childhood. I probably would qualify a little bit what Prue was saying. I do not think it is too late. I think it becomes much more difficult and more expensive to fix if the groundwork has not been laid in the first place. If you have good groundwork, then you can top it up. It is much easier to top it up through the rest of the life course. If you do not have the groundwork laid down, then it becomes more difficult and more expensive to top it up as you go through the life course. Certainly the early years are very important.

In terms of early childhood we have regulations and standards around facilities in early childhood centres for child care settings. We have a number of facilities like PlaySafe and kids' Safety House that look at ways in which we can be building safe environments for younger children. That is not to say there are not a range of other things that could not be done. Again, they would be things like modules at universities, revisiting whether the regulations and standards are appropriate, and so on. In some ways I think that what is more

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difficult to tackle is building tolerance for the need for children to have play spaces and to make noise and to engage in dirty play and wild play.

When you have an environment where parents are working long hours, where both parents are working and where you are relying on other people a lot of the time to move children back and forth or to look after children when you are stressed yourself, then providing opportunities and time for children just to have unstructured free play in dirty environments, becomes a more difficult challenge than whether or not we have a particular type of base on our play centres or on our playgrounds versus another type of base on our playground centres.

CHAIR: I know in my local area that councils forever, within their own zoning controls, do not allow for that type of childhood centre. They are plonking them in the middle of residential areas where people are complaining or perceive that they will have noise from little kids next door and all those sorts of things. Do you have any comments in relation to that?

Ms CALVERT: Probably the only comment I would have is that the attitude towards children in our community and our tolerance for children being children is less than when we as adults are stressed. We have limited or less capacity, perhaps, for tolerating these sorts of things when we are stressed and feeling pressured ourselves.

The Hon. MELINDA PAVEY: One of our prepared questions is quite an important one. In relation to the private sector, which is instrumental in shaping the built environment, has the Commission been able to engage appropriate private sector organisations with their ideas and input? Ultimately I think that is where we need to go to work hand in hand so they have a better, more successful development, which creates a better community.

Ms CALVERT: I agree with you. I think the private sector is a key player in this. That is why in some of our recommendations we indicate we want to work in partnership, often with the private sector. For example, the board of the Growth Centres Commission has members from both public and private sectors. We would like to engage with them at the early stages to harness their expertise and build some bridges with the other parts of the private sector through them.

I think the private sector can do it well. I understand that Lend Lease, in partnership with Gosford City Council, included a community facility in its master plan for Erina Fair. Each month they are now getting something like 4,500 kids through that youth centre. There are examples of where the private sector and public sector partnerships have worked well. If you had any doubt about whether you needed to engage the private sector, Erina Fair is probably a clear example of why you need to.

We are building relationships with the private sector through an organisation called Businesses Initiating Social Impacts, in which we are a

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key player. We are learning and developing our skills and capacity in working with the private sector. We hope to extend that to people who are involved in planning and the built environment.

The Hon. MELINDA PAVEY: The Committee discussed Richmond council during the interchange. It has only so many resources as it is a very small council. You seem to put it at the back of the queue, in front of aged care services. With the tree change-sea change that is happening in regional New South Wales, the growth centre is Western Sydney. However, we need to think about bringing young people to those aged care facilities in some capacity, for the betterment of the whole community. A lot of people are moving to the North Coast and I suppose the South Coast, away from their traditional family base. They do not have that association with older people. That could be useful for everyone.

Ms CALVERT: I think you have raised two points there, Melinda. First, one wonders how much the aged care people like being segregated from the rest of the community. The same issues about inclusiveness for children may well apply to aged care facilities. Secondly, it is the attitudes and the people within the built environment that are as important as the built environment itself at times. If you have a positive attitude and positive feeling between aged people and young people, you will be better off than if they are antagonistic.

The Hon. MELINDA PAVEY: And the antagonism can be created when they are separated?

Ms CALVERT: That is exactly right; whereas if it is an inclusive environment it tends to break down a bit. It behoves us to remember that a lot of aged people are grandparents. Perhaps we need to call on that a little bit more than we have in the past. Aged people are dependent upon young people to continue to provide the tax base and care that they will require as they move from being sea changers or tree changers to very old people

The Hon. MELINDA PAVEY: I have a question on your well-being index, or monitor, which is interesting. Are you working that off something international, or reinventing the wheel?

Ms CALVERT: We have undertaken an in-depth research project in which we asked more than 100 children how they understood wellbeing and what things they felt made up their wellbeing. We are in the process of writing that up. One thing we hope will come out of it is to look at what indicators may be used to measure what children have identified as being important to their wellbeing.

The Hon. MELINDA PAVEY: That research will be available for private sector developers, for example?

Ms CALVERT: Absolutely.

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The Hon. KAYEE GRIFFIN: You talked about the definition of a child-friendly environment. When you do reviews with children and young people about what they want in the built environment or anything else, how often do you review that? How do you incorporate recommendations for some of the groups that would include children and young people with disabilities, Aboriginal children, children from very diverse cultural backgrounds? Have you included that in your process when dealing with groups of young people?

Ms CALVERT: The things that we handed around may well have been from Aboriginal kids or kids from non-English-speaking culturally and linguistically diverse backgrounds or kids with disabilities. We have found that kids identify themselves as "kids", not as "a kid with a disability". We tend to approach them in that way; as kids. The challenge for us is to make sure that we always have a diversity of kids who are present and who we talk with. Unless there is some specific aspect that relates to, say, a physical disability or a cultural background, we probably would not identify them as coming from that group. The challenge is getting councils to (a) consult with children and young people and (b) to then consult with all children and young people, not just those who may be easily accessed.

CHAIR: Do you have a specific opinion about councils that have youth advisory councils or youth councils, as to how they operate? Are they broad enough in their dealings at a local government level? Should those youth councils or advisory councils be able to broaden their input to local government?

Ms CALVERT: That is interesting. I hear quite different things, depending on the youth council. Some youth councils that are very active and vibrant say that they have never had any development application or development question referred to them. It is pretty much social things that are referred to youth councils. On the other hand, some weeks ago I was at Orange and attended a forum organised by Orange City Council where they were consulting with the community about their master plan. They had set up a specific consultation group with young people to try to get young people's views about the master plan. Local councils could make much better use of the youth councils around the built environment. I think it is untapped resource for local councils, around the built environment. Some councils use them, a lot of councils do not.

Ms SYLVIA HALE: I was very much taken up by one drawing that you handed to the Committee. I wondered whether it was Pete Seger's "little boxes" epitomised? Is it a child commenting on the enormously stultifying uniformity of the suburb, each with its swimming pool, or is it a critical comment? Have you interpreted evidence like that which seems open to multiple interpretation?

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Ms CALVERT: It is an aerial view so clearly it's a child who flies. We tend to be a bit careful about interpreting those unless we have a child's comments. In some of them we have included the child comments.

Ms SYLVIA HALE: There is no comment on this one.

Ms CALVERT: That is correct. We would step back a bit from interpreting that drawing, but when the child has made a comment and we have recorded that comment—and we do try to talk to kids about their drawings—because it helps us make sense of it. It is a tool to help kids explain things to us. As you know they like to draw, so it becomes a way for us to engage with kids. Some comments we have included and some we have not.

The Hon. JAN BURNSWOODS: The section that leads up to recommendation (6) refers to using facilities and buildings that are available in public schools for a wide range of community activities out of hours, a concept I very much agree with. You have considered multiple uses of other premises—and I take your point that a youth centre instead of being a separate youth centre is much better if co-located or part of the same building as the broader community centre. Related to that series of little boxes, if you like—like an education box, and it probably even applies to child care centres and preschools, and so on—where a bureaucracy runs them and therefore it is theirs, it seems incredibly hard to share. I think a related issue that is striking me more and more lately in other inquiries is the way in which three levels of government seem increasingly to be funding non-government organisations on a short-term basis or an expression of interest model.

So, the process of atomisation in many ways is getting worse rather than better. So, you can have a community with some difficulties, and Redfern Waterloo was an example, with just over 100 agencies providing more than 200 programs, and the problems of co-ordination are massive on the physical level and also on the staffing and conceptual level. I do not know whether this is a speech or a question but I am being increasingly struck by the difficulties. In some ways very good Federal programs and initiatives are making problems worse because they are adding another layer and sometimes operating with separate staff and in separate buildings. It is probably a plea for help. How do we start to turn these things around so people get together more and plan more and co-ordinate more, in the shared use of buildings and also sharing staff, expertise and knowledge?

Ms CALVERT: I think it is difficult. I think you are right about the different levels of government. What you end up having are non-government agencies who are not funded or have the capacity to do planning, but the burden of planning falls on them because they are the only ones that each level of government is talking to. The Commonwealth does not talk to State, does not talk to local, but they all talk individually and separately to the non-government agencies. That places the non-government agencies in the role of having to be the local town planner

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or the local co-ordinator of services. That is difficult because they are not funded to do it and they often do not have the expertise to do it.

How do you solve it? I am not sure how are you to solve Federated systems of government. I am happy to give some ideas. In my experience where you have regionally based planning or local planning, where Commonwealth and State governments come to the table and join with the local planners and jointly plan, you do get much better service systems and therefore you get much better outcomes for children and young people. It is problematic, but the planning has to be done at the regional or local level, with the Commonwealth and State governments coming to that table rather than the other way around.

The Hon. JAN BURNSWOODS: You are certainly right about the NGOs. Some of the major NGOs—Mission Australia and Salvation Army and some others—the sheer number of programs and the funds from different sources that these organisations have, they have never been funded to plan or co-ordinate, they are funded to do this or to do that.

Ms CALVERT: That is right, and they have no capacity and no experience in planning service systems.

The Hon. JAN BURNSWOODS: Some of them are bigger on the ground than local government and sometimes even the local representatives of State and Federal government. It is a little bit off the track but I think as this problem increases it also affects the places where services are offered.

Ms CALVERT: It is a problem in terms of facilities, because facilities are being developed without reference to other programs or other activities, and I think that is problematic.

CHAIR: It is problematic, but how do we include them? You may not have any ideas. It is a difficult question.

Ms CALVERT: Yes, it is a difficult question and it is quite a serious question. I do not think there is an easy answer to it because of the tensions that inevitably exist in federated political democracies like ours.

CHAIR: The other difficulty is that the type of funding that is given is specific to programs without the planning.

Ms CALVERT: And it is short-term. The Federal Government does not appear to have a commitment to providing ongoing recurrent funding. It provides short-term, pilot funding that it then withdraws from, having created the expectation in the community that that service will be there. So someone else has to pick up that funding or there are a lot of disappointed people around. It is to do with the way in which the delivery of services and taxation systems, and so on, operate in Australia. They create unique sets of problems that you see the effect of in a series of disjointed, duplicative, unthought-

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through, perhaps unco-ordinated range of services and facilities. I think it is an outcome of the particular democracy and the way in which we have arranged our federated governments in Australia.

The Hon. KAYEE GRIFFIN: It then becomes important in the thing we are talking about, if something has to happen from master plan level about where the facilities are going and obviously the argument about who is going to fund these things as well. So, if you are going to have children and young people as an important part, as they should be, of the local environment a lot of those things have to be worked out earlier in the process.

Ms CALVERT: Yes, or you have to accept a level of failure, if you like.

The Hon. KAYEE GRIFFIN: And the assumption would be that whatever happens in the future the NGOs could still play an important part, because if you had a youth centre, for instance, that was hopefully set side-by-side with other community facilities, an NGO might support that centre, but if you did not decide that further back in the planning process it would not happen.

Ms CALVERT: Yes.

The Hon. JAN BURNSWOODS: An example would be a visit we made to the Liverpool area. The youth centre is only funded and staffed to operate, effectively, from nine to five, whereas the local young people need the services at night, and unless the workers do so out of the goodness of their hearts this relatively expensive facility provided by the council is not used. Nearby there are different sorts of problems with the PCYC, where different people have different views of the purposes it should be serving. As an outsider you can think there is a great investment in bricks and mortar and a great investment in staff, and in caring staff, but if they are not getting the whole picture right a lot of that goes to waste.

Ms CALVERT: Yes, and that feeds back to my comments on the interplay. It is not just the interplay between safety and risk but the interplay between the various levels of government, and government versus non-government services.

Ms SYLVIA HALE: In the case of Liverpool PCYC there was a different conception of what the purpose of the centre was, with the PCYC moving towards a corporate model, where they wanted to exclude the difficult children, children with background, because if they used the centre that would deter other parents from sending their well-behaved offspring there.

Ms CALVERT: The skewing of goals over time is always a problem in services. You start off by saying this is what it is established for and then other things intervene and you find it has skewed away from its original purpose to something else. That might be appropriate if it is a conscious

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decision and a planned decision. It is problematic if it is a de facto decision for some other reason.

The Hon. JAN BURNSWOODS: The Macquarie Fields inquiry has similar sorts of problems in relation to youth centres. Obviously, funding them to operate all hours of the day and night is prohibitively expensive.

Ms CALVERT: I would have thought that the damage created by the riot was fairly extensive too. So it really is a question of when you pay. It is expensive either way. It really is a question of whether you pay up-front or whether you pay later.

The Hon. JAN BURNSWOODS: The council pays for the youth centre. I guess it would argue that the State Government should pay for the damage caused by the riot.

Ms CALVERT: Earlier I talked about the three levels of government and the particular challenges faced by our form of government, which other countries do not necessarily have.

The Hon. KAYEE GRIFFIN: Young people said that the times they wanted to be able to access the youth centre were not the times at which the youth centre was open to them. They felt that they had a youth centre that would have been great if they were able to access it but, in their opinion, it was never open when they wanted it and nothing else was available to them.

Ms CALVERT: That is right.

CHAIR: I noted your comment about the different levels of government, which other countries do not have. That is true. Bearing that in mind, after you conducted your research who would you say is doing best practice in that sort of area?

Ms CALVERT: I think some countries are doing well in some areas. I think the United Kingdom is doing some quite good work around child-friendly cities, materials and so on. I think other countries do well around attitudes towards children and recognising the place of children in their community. For example, some of the Scandinavian countries do very well acknowledging the importance of children, planning for children and providing for them in their arrangements. So it really depends on what part of the world you are talking about. Does Utopia exist on Earth? No.

CHAIR: No. Some of the recommendations you made in your submission are excellent. Thank you for appearing before the Committee today. I thank those members of your staff who are present and who helped put together your submission. I hope you find that the Committee's report does it justice. I also thank all those young people who attended and participated in the Committee hearing today.

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Ms CALVERT: Thank you, Madam Chair.

(The witness withdrew)

(The Committee adjourned at 4.13 p.m.)