

**STANDING COMMITTEE ON
ENVIRONMENT AND PUBLIC AFFAIRS**

**PETITION 151 — CLOSURE OF THE
DENMARK CENTRE FOR SUSTAINABLE LIVING**

**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
WEDNESDAY, 16 MAY 2012**

SESSION ONE

Members

**Hon Brian Ellis (Chairman)
Hon Kate Doust (Deputy Chairman)
Hon Phil Edman
Hon Colin Holt
Hon Lynn MacLaren**

Hearing commenced at 10.39 am

DUXBURY, DR LOUISE

Manager, Centre for Sustainable Living, sworn and examined:

POLINI, MR PETER

Chairperson, Save the CSL Alliance, sworn and examined:

The CHAIRMAN: I would like to welcome you to the hearing today. Before I begin, I have to ask you to take either the oath or the affirmation.

[Witnesses took the oath or affirmation.]

The CHAIRMAN: Can you please state your full name, your contact address and the capacity in which you appear before the committee?

Mr Polini: The capacity in which I appear before the committee is as a community member, a community representative and I am also now on the executive of the DEIC; I am the treasurer.

Dr Duxbury: I am here in the capacity of helping to write the business plan for the Centre for Sustainable Living, writing all the applications for the \$1 million refurbishment for the centre and have been one of the dual centre managers for that time, but my organisation is the managing body Green Skills Inc, which has managed the centre since its inception.

The CHAIRMAN: You will have signed a document entitled "Information for Witnesses". Have you read and understood that document?

The Witnesses: Yes.

The CHAIRMAN: These proceedings are being recorded by Hansard. A transcript of your evidence will be provided to you. To assist the committee and Hansard, please quote the full title of any document you refer to during the course of this hearing for the record. Please also be aware of the microphones and try to speak into them. Ensure that you do not cover them with papers or make noise near them. As there are two of you, can you speak one at a time for the ease of Hansard? I remind you that your transcript will become a matter for the public record. If for some reason you wish to make a confidential statement during today's proceedings, you should request that the evidence be taken in closed session. If the committee grants your request, any public and media in attendance will be excluded from the hearing. Please note that until such time as the transcript of your public evidence is finalised, it should not be made public. I advise you that publication or disclosure of the uncorrected transcript of evidence may constitute a contempt of Parliament and may mean that the material published or disclosed is not subject to parliamentary privilege.

Before I ask you to make an opening statement to the committee, I will just introduce a committee members. To my left is Hon Lynn MacLaren, the Deputy Chair Hon Kate Doust and Hon Col Holt. I, Hon Brian Ellis, am Chair. We are here to gather information and hear from you as you are the petitioners and I am really opening it up to you to give us an opening statement of what you expect from your petition.

Mr Polini: Thank you very much, Chair. I have been given a statement to read out by the convener of the Denmark Education and Innovation Centre, they will be referred to as DEIC. It is fairly long; it could take up to 10 minutes. Would you prefer read out or just tabled?

The CHAIRMAN: I think you may as well read it out actually and you can fill us in.

Mr Polini: I will read the statement —

The Denmark Centre for Sustainable Living is an iconic community asset and a unique facility in W.A. Without any real consultation with the community the Education Department is determined to close this facility effective June 30 2012 with no form of compensation being offered. This act is causing enormous ongoing disruption to the CSL enterprise at significant cost and enormous angst in the community.

In 2003 the Minister for Education agreed to lease the vacated Denmark Agricultural College buildings on South Coast Highway to the Denmark Education and Innovation Centre (DEIC), on behalf of numerous community groups, for fifteen years. This lease was specifically for the purpose of operating a Centre for Sustainable Living to foster education in social, economic and environmental sustainability. The lease accommodated an initial 5 year term and 2 x five year options ending on 1st December 2018.

On the basis of this lease, the DEIC worked with the Denmark community to secure the funds to renovate the dilapidated buildings, and to establish a facility to provide demonstrations of sustainability in action, including passive solar heating, onsite wastewater management systems, constructed wetlands, active solar space heating, use of low toxic materials, sensitive landscape design, and recycling.

In addition to a \$1M investment through grants for refurbishment, fit out and furnishings, the centre has benefitted from considerable investment of 'in-kind' support from the Denmark community.

In 2003 the DEIC entered into a management agreement with Green Skills Inc. under which Green Skills would manage the operation of the Centre for Sustainable Living. This management agreement was entered into with the endorsement of the then Principal of the Denmark High School. The current principal moved the motion which renewed this management agreement in mid-2011.

In October 2011 the DEIC received a letter from the Principal of the Denmark High School advising that the school had received \$7M funding for school development; had reviewed the lease with the DEIC, had determined that the lease had lapsed, and that the DEIC was now a 'tenant at will'. The Education Department thus determined that it could terminate the lease without providing 18 months' notice and not return a proportion of the sum expended in building refurbishments as per the lease.

The grounds on which the Education Department reached their decision that the lease had lapsed was that the DEIC had failed to provide formal written advice that they intended to take up the first five year option on December 1 2008. They seek to retrospectively take advantage of this procedural technicality even though all parties had been acting for over 2 years on the clear intention for the CSL —

That is the Centre for Sustainable Living —

to operate for its full 15 year lease period and beyond.

The DEIC disputes this interpretation as payments and correspondence entered into between the DEIC and Department since 2008 constitute advice and/or recognition that the first five year option had been exercised.

No prompt was provided by the Education Department as lessor that such a formal written advice was required, nor any notification that it had not been received. It should also be noted that the Principal of Denmark High School, Ms Diane Cole, has represented the Denmark High School on the DEIC during management committee discussions and resolutions in respect of continuance into the first five year option; and paying the increased annual lease payments attached to that option period.

In her role as the representative of the Education Department, Ms Cole had every opportunity to advise the DEIC that arrangements made to exercise the five year option, and endorsed by her as a DEIC committee member, were not acceptable to the Education Department. Such arrangements included the DEIC being represented to funding bodies as having secure lease tenure for CSL, and renewing the Green Skills management agreement in 2011.

The Education Department were under no illusion that the investment by the Denmark community in these buildings needed to be protected from any arbitrary termination of the lease. The lease recognised the value of this investment by State and Federal government agencies and the community with a clause explicitly detailing arrangements for any early termination. These conditions included 18 months' notice to vacate; and a formula for returning a proportion of the sum expended in refurbishing the premises. As of 1st December 2011 this sum is calculated at over \$600,000.

Up until the letter of October 2011 and the belated challenge to the lease's validity, preliminary plans and discussions had indicated that an expanded High School and the CSL would co-exist, there had been no consultation that any difficulty existed, and there had been no suggestion of any early termination. And DEIC asserts that terminating the lease is neither necessary nor desirable for optimal education outcomes in the Denmark Shire. DEIC has committed to finding mediation beyond the legalities of the lease, which allows a win/win for both expansion of the High School and ongoing effectiveness of CSL.

The DEIC is incorporated under the Associations Act, with membership drawn from the community, including the Shire, and from agencies engaged in the delivery of education and training in Denmark. It has no paid staff and no assets other than the lease. Under the Act, the association is duty bound to protect its assets, in this case the CSL lease.

[10.50 am]

To this end, the DEIC membership has twice written to the Minister seeking to have the Department respect the lease agreement. This request was unsuccessful, with no acknowledgement of the issues raised.

Given legal advice of the leases validity, and five months having passed with no opportunity for dialogue with the Department, DEIC is in the process of determining whether an interlocutory injunction restraining the Department from closing the CSL is required. It has also written to the State Ombudsman with 11 points where the Department has not followed appropriate administrative procedures.

Beyond the legal and administrative issues, however, lies the question of good faith and the best outcome for the community. Many hundreds of petition signatures, letters of support from community-representative organisations such as the Denmark Chamber of Commerce and Regional Development Australia Great Southern, and dozens of support letters from sustainability academics, environmentalist, educationalists and community members attest to widespread angst at the threat to the CSL.

Perception is of a large departmental bureaucracy giving no opportunity to a small rural community association to rectify procedural requirements, instead seeking to take advantage to close the CSL and resume the refurbished building and its expensive fittings, to the detriment of the Association and wider community.

DEIC fully supports the expansion of the Denmark High School, and also affirms that the continuation of CSL in its current guise, accommodating the High School expansion but not compromised by it, is the best outcome for education in the shire.

DEIC invites the committee to visit Denmark to see the Centre for Sustainable Living and all it offers. DEIC would be very grateful for this committee to look into the Education

Ministers attempt to close the Centre for Sustainable Living and take over the building. DEIC also asks this committee to consider the validity of that action and recommend all parties enter into meaningful discussions in an effort to satisfy the needs of the High School and the community.

...

Donald Clarke

Convenor

The CHAIRMAN: Thank you for that submission. I understand that things have moved on a little since the original petition and possibly from that submission. Is that the case? Have you been having communications with the education department?

Mr Polini: Yes, we have had a meeting. The first meeting was on 7 May in the offices of our solicitors. That was followed up with a meeting at the high school on 16 May. For the first time we have now been given a clear understanding of the requirements of the high school when it comes to the Centre for Sustainable Living. It has become clear from that that there is no opportunity for the Centre for Sustainable Living to continue to operate in its present form of business enterprise that the education department will accept as satisfactory. Their main issue is the fact that the model that we operate from the Centre for Sustainable Living has accommodation facilities for live-in students and for four or five-day conferences where people live in and do the work. It has been stated clearly that that is just not going to be accepted moving forward.

The CHAIRMAN: Do they give you a reason why?

Mr Polini: They stated safety for children.

Hon LYNN MacLAREN: I have been down there for one of these conferences and as far as I know there were no school kids around there. Are they always conducted outside of school hours or are they sometimes during school hours?

Dr Duxbury: Definitely. We have had a lot of people coming and many of them are during school hours. The Centre for Sustainable Living has been operating as a not-for-profit community enterprise. We have tried to have it funded by the usage of people because we did not have other funds to run the centre. It has had to pay its way. We are also trying to maximise the number of people who have used it for getting education on all sorts of aspects of sustainability.

Hon LYNN MacLAREN: Is there any opportunity to be quite separate from school activities during school hours?

Dr Duxbury: That is part of what we are discussing with the education department. Perhaps if I just backtrack a small amount to talk about it from the point of view of the vision for the centre from its inception and how it has grown. The centre was going to be demolished. A letter I had from the education minister at the time said, "We are planning to proceed with the demolition of the buildings later this year". That was in 2000. The education department said that it was unable to identify an acceptable viable means by which the buildings can be brought to a proper standard and be maintained in the long term. It was at that point that the community said, "Well, that would be a shocking waste for us to have not only the Centre for Sustainable Living but also the building next door, which is now the Great Southern Institute of Technology, demolished." The community banded together, led by the historic society, which said, "These are 1947 buildings that have real importance to this community, to all the people who were housed there and lived there since 1947." It was through that initiative that we came together.

Fifty-odd people had an ideas conference facilitated by the Department of Commerce and Trade at the time. They came together and said, "Denmark is all about sustainable living. We could have this as a fantastic centre for the local community, the regional community and the wider community. We can do programs for people to get that education so that they can develop sustainable living

practices.” That meant using it for accommodation as well as for local people. In order to do that, we did a scoping study and then a business plan. They were all government funded. Then we had to get the lease, which we argued about for four years. We had a select committee hearing in 2000, so we have been here before too. It was the Standing Committee on Constitutional Affairs. All of that means that there is this whole community support for that concept and for it to be viable, which has meant trying to do our very best to run it as a community development enterprise and to use that effectively as being about accommodation. That is one of the key sticking points that we now have. The very vision for the community is that community enterprise model and the willingness to share the community facility. From the education department’s perspective, it needs to limit that accommodation and proximity to people coming and staying. Not only that but they will modify the buildings because, from their perspective, they need the buildings to meet some of the needs that will not be met by the current expansion. It is a growing school and they effectively want to take back what they consider to be something that was worth demolishing.

The CHAIRMAN: Are there any conditions on accommodation in your lease? When you originally signed off the lease, was anything mentioned about accommodation in the lease?

Dr Duxbury: No.

Hon COL HOLT: How long have people been staying there? How long have people been using it as a residential training facility?

Dr Duxbury: We opened the doors in December 2004.

Hon COL HOLT: So plenty of people have stayed there?

Dr Duxbury: They have.

Hon COL HOLT: What is changing between now and the school being next door to what is being proposed in the redevelopment? What has changed for them to say that the residence is no longer a viable option?

Dr Duxbury: I am sure that Diane will be able to fully express their feelings about it. They have expressed to us that the building expansion has brought their facilities even closer to the centre. We had a constructive wetland out the back. It has been cleared and filled. That is where some of the buildings will be placed.

Hon COL HOLT: So proximity is the difference?

Dr Duxbury: Proximity is obviously one of them. The other thing is that they have needed the space.

Hon COL HOLT: That is only there because you guys saved it.

Dr Duxbury: Correct.

Hon COL HOLT: As an organisation and a way of moving forward, have you discussed any of the ways that you might be able to manage the risks that concern education?

[11.00 am]

Dr Duxbury: We went into this in quite some detail at the last meeting we had. There are regulations about working with children. The Green Skills managers all have working with children coverage for our staff. We can certainly adopt the same policies as the Department of Education for things like signing in people as they come in. We know who comes in because we sign them on as either a workshop participant or as a person who is staying at the facility. I think you will need to ask that question of the education department.

Hon COL HOLT: I am asking you how you will manage the risk. I will ask them the same question.

Dr Duxbury: We already have in place ways of managing that risk for our own purposes. Green Skills is a registered training provider that meets the Australian quality training framework, and that framework has quite a lot to say about those sorts of risks that we have to meet.

Mr Polini: If I can add to that, one of the suggestions that was put forward was some form of physical barrier for the grounds of the leased premises from the dividing roadway, which is between where the Centre for Sustainable Living is and where the school is being expanded into.

Hon COL HOLT: So, a fence?

Mr Polini: They said that was not an option.

Hon KATE DOUST: Are the training programs you are running being run during weekdays, school time or on weekends and evenings, or all of the above?

Dr Duxbury: All the above. I will outline a few of the things we do. We have run hundreds of workshops. Some of the clients that we have are the local community, and they can be in at any time of the day or evening. At the moment we are running a Small Property and Harvest Festival, which has 25 family friendly events. Every day we will have three workshops during this week and end with an expo where we have local produce and local service providers and hundreds of people coming. We also have kids' activities and music—the whole shebang. Some of the other client groups that we have are university groups. For example, Murdoch University has a specially written unit based at the centre. Its sustainable program course at Murdoch is called resilient regions: people and practice, and is run from the Centre for Sustainable Living. Murdoch University says —

The facilities available at the CSL make this unit possible. The CSL is a unique combination of excellent accommodation, kitchen and conference facilities, as well as a working example of how to retrofit an existing building for sustainability, and how a community organisation can run a business based on a social enterprise model. To our knowledge there are no comparable centres that combine these characteristics in the South West of WA.

That is another group. Another one is school groups. We have regular groups such as Rockingham Senior High School and a school from Margaret River. We have a program that has been run over the last three years called the Gondwana Youth Arts Project, which is run by a local education person. That project has included Cranbrook Primary School, Bridgetown District High School, Ravensthorpe District High School, North Albany Senior High School and Denmark High School students.

The CHAIRMAN: So there is a program going pretty much every day and on weekends.

Dr Duxbury: Not yet, but that is what we are leading to.

The CHAIRMAN: When you say "not yet" —

Dr Duxbury: We do not have it full time at the moment. Part of the angst that is being produced is because any enterprise takes time to build up. We have been operating since 2004 with some glitches and we are gradually making it more sustainable. The managers—Green Skills—have actually sustained a loss every year, bar one, over its lifetime with a view to building the enterprise and being able to pay ourselves back. We will not be able to do that now.

Hon COL HOLT: I need to ask about the lease. Help give me an idea of the construct of the organisation of the committee. The lease, which was not signed for the take-up option over the next five years, was that a responsibility of the steering committee, the oversight committee or the manager? How do you see that being played out? Why was it missed and who was responsible for missing it?

Dr Duxbury: Without pointing any fingers anywhere, this is about a community organisation, and it was their responsibility to write a letter to the minister saying we want the second five years. It should have been pretty obvious that we wanted the second five years because everyone sitting

around the committee kept on agreeing to all sorts of things and we were billed by the education department on the second option amount. It was a peppercorn lease but it was raised to the level of the second option.

Hon COL HOLT: As if it was ongoing?

Dr Duxbury: As if it had already been signed.

Hon COL HOLT: It is a community organisation with a membership and an executive. Were there representatives from the department of education on that committee of representatives?

Dr Duxbury: There were several. There was the principal of the high school, the primary school and the agricultural college and, at the time, I think the TAFE. It was a combined—although that comes and goes, so I cannot be sure at which period they were there also.

Hon LYNN MacLAREN: Was anybody aware of the application from the school to expand the application for royalties for regions funding? Did no-one raise at a committee level that this was going to happen?

Dr Duxbury: Lynn, in the principal's defence, she did not know that either. The royalties for regions application was, from what they have expressed to us, a surprise to them as well.

Hon LYNN MacLAREN: So nobody knew about that application? That is quite a long process for funding, as I understand.

Dr Duxbury: Yes.

Hon COL HOLT: It was through the education department, not through a local application. It was done through a general allocation to the education department. The education department decided the priorities.

Dr Duxbury: One of the issues that we have had is that the Centre for Sustainable Living is a wonderfully clear example of a project that meets all the royalties for regions objectives, so it is ironic that a royalties for region funded project will potentially see the demise of a community initiative of this kind.

Hon KATE DOUST: Since this process started and these petitions were tabled, have there been any discussions between your organisation and the Department of Education to resolve this matter?

Dr Duxbury: I am pleased to say that we have, within the last fortnight, Kate. Before that there were not, even though we requested on numerous occasions to meet. We did have one Department of Education person visit in April. Milan Trifunovic came down following a request for a meeting with the minister.

Hon KATE DOUST: I note in a document we have that you actually made an offer to the Minister for Education to visit. Has there been any interest from the minister?

Dr Duxbury: No, she has declined.

Hon KATE DOUST: Given that you have this 30 June deadline for closure, or to move on, have there been any discussions with the education department about some sort of resolution such as an extension, or some way forward that would enable you to stay there?

Dr Duxbury: We are in those discussions. We are intending to have another meeting with the Department of Education this afternoon. It is great that we are now talking at least. It is a real shame that that did not happen eight months ago. I think we could have progressed it and we would not have had to be sitting around this table. I think part of the reason why we are here is that it is not just about this project; it is about any project of this kind that the community develops. We are talking about what is the ethical process for a department and the government to actually deal with the community and community initiatives. We are not in a powerful position. Sitting in Denmark we have developed this project by pulling together \$1 million of community money to put into a

building that would otherwise have been demolished and been of no value at all. As a result, the TAFE has been able to establish a fantastic facility when it would have otherwise had nothing in Denmark. That has both educational and community development outcomes. There is an inequity in the power of those organisations to see justice done in these sorts of circumstances. That is why we are here. This is one of the only forums available to us, through a petition. We are very grateful that you saw fit to hold this hearing so that we can at least state our position. Hopefully, we can take it from here and get some sort of resolution. It does not sound like the centre will remain in its current state. That would be our preference and we believe that if we could do that, 50 years down the track people would say, "That was a good decision."

The CHAIRMAN: But you have also acknowledged that there is a need for the school to expand.

Dr Duxbury: We have.

The CHAIRMAN: You are saying to us that you are prepared for some sort of compromise. If that can be arranged, you will get a win-win situation.

Mr Polini: If I can respond to that, to find out what the main concerns are and how the Department of Education was planning to use the Centre for Sustainable Living has only come out of our meeting on 7 May to give us a much clearer understanding. From a community perspective, it is quite concerning to have to wait until May to find out that we are being evicted when the eviction notice was originally handed out in October. As a new resident to Denmark, I found that quite disappointing. What we found out in that meeting was that the expansion of the high school is actually not creating one extra classroom. It will cost over \$7 million. It is all about creating better service rooms, or service classrooms or service facilities for the students, and we are absolutely thrilled with that. DEIC is totally in favour of that expenditure. Denmark is growing. We are going to become a stronger, bigger community over the next 10 to 15 years. We have a fabulous educational facility that is so unique that we have people who come from not only in and around Denmark, but also Perth to do university study, and people who come from the eastern states and overseas because they can see that learning about how things are done sustainably is part of the future. To lose the centre and the way it is operating is going to be an absolute shame. To finish on that point, we can see that the education department has a need for schoolrooms. We can see that the education department has an issue with the year 7s coming in and joining the high school student list in 2015. We can also see that the education department ran into a huge problem with this expansion because of the wetlands. It is not really a sound area to be building on. Because of all of that we can see that the education department will need to, at some stage, take back the leased premises that the Centre for Sustainable Living is on. A part of what I am looking at as a community person is we would like the education department to recognise the benefits that have come from the Centre for Sustainable Living and the education that it provides, to not only young people, but also people like me; I am retired and I have absolutely enjoyed doing courses there. As an aside, in our taxi this morning, our taxi driver pulled out a photo of a lady and said, "How old do you think she is?" I said she was in her 80s and Louise said she was in her 90s. The lady is actually 103 and is studying at university. He is her taxi driver who takes her back and forth. Education should not be just for the youngsters. We are all here to learn forever. I do not want to see the business enterprise of the Centre for Sustainable Living lost, and that is why I got involved.

Hon LYNN MacLAREN: I just want to say that I totally agree and I am very impressed with how the Denmark community has been able to deliver such invaluable outcomes through the use of what was once a dilapidated building. I think we can all see the tremendous value that has contributed to the community and the state in our role to educate people. I, too, am concerned that you have had to go to the extreme length of petitioning to Parliament. I notice that you sought help from the local member. Was that help not forthcoming?

[11.15 am]

Dr Duxbury: No, and we have met with Terry Redman a couple of times. He understands and values the centre. Nobody has ever said that the Centre for Sustainable Living was not a valuable facility, but he felt that he was not willing to—that the education was also a very valid need, so he did not want to sort of cross the one with the other.

Hon LYNN MacLAREN: So he gave you some advice about the petition, or how did he assist you?

Dr Duxbury: He certainly is prepared to support us if we want to go for royalties for regions funding. It is public knowledge that he would certainly support us because if it is not in its current building, where is the Centre for Sustainable Living? So that is really the other question for us.

Hon LYNN MacLAREN: Secondly, you did sit down with the minister in December, from your submission. How did you find that meeting?

Dr Duxbury: That was pre—the submission and the minister at the time had two of her staffers, who were both lawyers, and I was going there as a manager of the centre and not there to talk about the legal situation. I was there to talk about education.

Hon LYNN MacLAREN: So it was just —

Dr Duxbury: It was not very helpful.

Hon LYNN MacLAREN: It was not very helpful. So in December you had a chance face-to-face with the minister, but you could not get anywhere?

Dr Duxbury: Yes.

Hon KATE DOUST: If for whatever reason you are not able to continue in that location, where else in Denmark can you be located in the same sort of format?

Dr Duxbury: There is no other facility currently available. Even finding an office for the Green Skills office staff is very difficult, so it is not something that just is available in a growing community. It is not like one of the inland small country towns where sometimes you do have buildings lying vacant for some time; Denmark is a growing community. No, there is not something else at the moment.

Hon KATE DOUST: I do not know whether you have given any thought to this: what would it cost to sort of have a purpose-built facility for all of the things that you are doing?

Dr Duxbury: This is a 920-square metre area building. If you try and calculate that at per square metre, we have done a rough calculation—probably \$3 million.

Hon LYNN MacLAREN: Plus all the land around it that you are using, I assume.

Dr Duxbury: Yes, that is right.

Mr Polini: Yes.

Hon COL HOLT: Just a bit of an operational thing, Green Skills have got their office there now.

Dr Duxbury: They do.

Hon COL HOLT: Is someone there, like, every day?

Dr Duxbury: Yes.

Hon COL HOLT: There are people there every day to take responsibility for signing in and signing out, so there is always a presence there during the whole day and school hours and all that sort of thing?

Dr Duxbury: Yes.

Hon KATE DOUST: In your submission to us today, you made reference to the Ombudsman. Have you actually written to the Ombudsman or are you considering doing —

Dr Duxbury: Yes.

Hon KATE DOUST: So you have actually written to the Ombudsman already?

The Witnesses: Yes.

Hon KATE DOUST: Have you had any response?

Mr Polini: When I spoke to Donald yesterday he said, "No response as yet." They have acknowledged receipt of the letter, but no response.

If I can just touch on the issue of replacement of the Centre for Sustainable Living, one of the biggest issues of finding a purpose-built building is that a lot of time and energy back in 2002–2003 went into designing the way the building could be modified to suit the business model that was put into place. As part of that, it is a very unique building. We have over 5 000 people visit the centre on an annualised basis. The thing to come from all of that is that because we are only now starting to talk about the future, we have had to look at the worst case that on 30 June there is no Centre for Sustainable Living. As a consequence, our managers have had to not take any bookings and essentially it has been not past 15 or 16 June, for the simple fact that you cannot make promises to people that you cannot keep. As much as we believe that the lease should be held as operating correctly and to use the legal term, the lease is on foot—I always thought it was strange, but that is what they say—we do also recognise the absolute need of the school to accommodate the expansion and to do it in a practical way. So we are hoping that our discussions will, if the worst comes to the worst and the Centre for Sustainable Living just cannot operate from where we are presently doing our business—that at least the education department will come to the party with some kind of financial recompense, having regard for the amount of money that has come from community sources and the amount of volunteer hours that the community has given in that time frame.

The CHAIRMAN: In your view—I want to get it clear in my head; I do not know the facility and how much space you have—is there an option or a possibility of you both using the same centre and, rather than recompense, could that money could be spent to make it for both?

Dr Duxbury: That is a fair question which we have been exploring in the last couple of meetings and it also helps to answer the question that Colin just had about Green Skills and its office space. I would like to be clear about the fact that we have two things here. Green Skills is the managers. As part of the discussions that we have recently had, the education department has suggested that there could be an opportunity for those offices to remain in the building while the Denmark environment centre, which was burnt down in 2009, where Green Skills, all of our staff, used to be housed before all of them moved in with me at the centre, where we would go and relocate there. That would certainly be of assistance, so hopefully that will be the case. On the other side of it, there is the Centre for Sustainable Living that then is able to house all of those community events and training courses and so on. There will be some access to the building. The education department has now made it clearer that they are prepared in the same way as they do with all of their buildings in fact. They have a policy on shared community use once all education uses are fulfilled. That limits the extent to which you could use it. For example, if you have modified rooms to be practice rooms for music—one of the potential uses for some of the centre is for music areas and practice rooms and so on—they are then not available for VETs. You just cannot do that. So there will be some potential use, but it will all be limited and it will certainly not be the way it was originally envisaged by the community or the capacity to actually be a fully blown Centre for Sustainable Living.

The CHAIRMAN: I thank you for coming in and giving us that insight into the issues you have. I will end the hearing now and we will move on to the next one, but thanks very much.

Dr Duxbury: Thank you very much and I greatly appreciate the ability. It is our opportunity to try to, I think, protect the \$1 million of community investment and volunteer time and that community vision that went into it.

The CHAIRMAN: Thank you.

Hearing concluded at 11.23 am
