

Parliamentary Standing Committee on Public Works

REPORT

relating to the

COMMONWEALTH LAW COURTS BUILDING, MELBOURNE

(Twenty-fifth Report of 1995)

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
1995

The Parliament of the Commonwealth of Australia
Parliamentary Standing Committee on Public Works

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**COMMONWEALTH LAW COURTS
BUILDING, MELBOURNE**

(Twenty-fifth Report of 1995)

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**MEMBERS OF THE PARLIAMENTARY STANDING COMMITTEE
ON PUBLIC WORKS**

(Thirty-first Committee)

Mr Colin Hollis MP (Chair)
Senator Paul Henry Calvert (Vice-Chair)

Senate

Senator Bryant Robert Burns
Senator Shayne Michael Murphy*

House of Representatives

Mr John Neil Andrew MP
Mr Raymond Allen Braithwaite MP
Mr Russell Neville Gorman MP
Mr Robert George Halverson OBE MP
Hon Benjamin Charles Humphreys MP

* replaced Senator John Devereux on 10 February 1995

SECTIONAL COMMITTEE

COMMONWEALTH LAW COURTS BUILDING, MELBOURNE

Mr C Hollis MP (Chair)
Senator P Calvert (Vice-Chair)
Senator B Burns
Hon B Humphreys MP

Committee Secretary: Peter Roberts

Inquiry Secretary: Mike Fetter

Secretarial Support: Helen Collins

EXTRACT FROM THE VOTES AND PROCEEDINGS OF
THE HOUSE OF REPRESENTATIVES

No. 150 dated Tuesday, 27 June 1995

5 PUBLIC WORKS - PARLIAMENTARY STANDING
COMMITTEE - REFERENCE OF WORK -
COMMONWEALTH LAW COURTS BUILDING,
MELBOURNE

Mr Walker (Minister for Administrative Services), pursuant to notice, moved— That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed works be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Commonwealth Law Courts building, Melbourne.

Paper: Mr Walker presented plans in connection with the proposed works.

Question - put and passed.

PARLIAMENTARY STANDING COMMITTEE ON PUBLIC WORKS

COMMONWEALTH LAW COURTS BUILDING, MELBOURNE

By resolution on 27 June 1995, the House of Representatives referred to the Parliamentary Standing Committee on Public Works for consideration and report the construction of a Commonwealth law courts building, Melbourne.

THE REFERENCE

1. To overcome problems associated with the use of leased premises for Commonwealth law courts in Melbourne, it is proposed that a purpose-built Commonwealth court facility be provided. The scope of works provides for the construction of a building of 36 000m² of gross floor area which will provide accommodation for the High Court of Australia, the Federal Court of Australia, the Industrial Relations Court of Australia and the Family Court of Australia.

2. The site for the proposed development is located on the corner of William and Latrobe Streets, Melbourne, directly opposite Flagstaff Gardens. The estimated total cost of the building, including fitout costs and rise and fall, has been agreed at \$108.4m.

THE COMMITTEE'S INVESTIGATION

3. On 31 August 1995 the Committee appointed a Sectional Committee comprising Mr C Hollis MP (Chair), Senator P Calvert (Vice-Chair), Senator B Burns and the Hon B Humphreys MP to undertake this inquiry.

4. The Committee received a written submission from the Attorney-General's Department (Attorney-General's) and the Sectional Committee took evidence from its representatives at a public hearing in Melbourne on 14 September 1995. On 13 September the Sectional Committee inspected existing court accommodation in Melbourne and the site for the proposed court building. On 4 September 1995 a number of Committee members inspected the Commonwealth law courts Building in Brisbane.

5. At the public hearing evidence was also taken from the following:

- the Victorian Government
- the Community and Public Sector Union

6. Written submissions regarding the proposal were also received from the following and are incorporated on the Committee's proceedings:

- Michael Pearce (Barrister)
- Energy Conservation Systems
- Department of Primary Industries and Energy
- Families at Work
- Secretary-General - Law Council of Australia
- Environment Protection Agency
- Department of Transport
- Australian Federal Police
- Legal Aid Commission of Victoria

7. A list of the witnesses who gave evidence at the public hearing is Appendix A. The Committee's proceedings will be printed as Minutes of Evidence.

THE NEED

Background

8. Attorney-General's is responsible for the provision of court accommodation for Commonwealth law courts, including the High Court of Australia, the Federal Court of Australia, the Family Court of Australia and the Industrial Relations Court of Australia.

9. In 1987 the Government decided to provide clearly identifiable, and purpose-designed Commonwealth law courts buildings in each capital city to accommodate the courts and associated staff and facilities. Attorney-General's aims to provide the judiciary, legal practitioners, court staff and the public with court facilities which meet the requirements of security and access and have a positive impact on the social and physical environment.

10. The Commonwealth/State Law courts building and the Family Court building in Sydney, the High Court in Canberra, the Canberra Family, Federal and Juvenile Court and the Hobart, Perth, Brisbane law courts buildings accord with this policy.

11. In Melbourne and Adelaide the needs of the Commonwealth jurisdictions are provided for in leased office premises which have been adapted for court purposes. The exception is part of the Federal Courts Melbourne operations which are housed in the old High Court building.

12. The Commonwealth acquired a site on the corner of Latrobe and William Streets opposite Flagstaff Gardens in 1990, for the purpose of constructing a courts building. Acquisition of the land was part of a Land Exchange Agreement between the Victorian Government and the Commonwealth.

13. The decision to pursue construction of a new building on the Flagstaff site was made after detailed assessment of a number of options to provide purpose-designed courts facilities for the jurisdictions including leasing of commercial premises and purchase and fitout by the Commonwealth of a suitable existing building. The construction option was the most economically viable.

14. In any event the accommodation of important public institutions such as courts in leased premises is considered undesirable unless those premises have been specifically designed for court use, long term tenure is assured and a clear identity can be established. Locating courts in office accommodation, either leased or owned, makes it extremely difficult for the courts to operate efficiently and does not provide for some of the basic court requirements.

15. Security for the judiciary, staff, litigants, the legal profession and the public is an issue of increasing importance in all law courts facilities and is extremely difficult to provide in conventional leased premises.

16. Special requirements such as good acoustics in courtrooms, specific privacy requirements in other areas, soundproofing for interviewing and counselling facilities as well as special ceiling height needs for courtrooms can lead to significant re-design problems for leased premises.

Existing Facilities

17. The four jurisdictions currently occupy space at four separate city locations, with a total net lettable area of 10 524m². At all locations the accommodation does not provide adequately for the operational and growth requirements of the courts. In addition, the level of security achievable in these buildings does not provide acceptable protection for judges, staff and the public.

18. The High Court and the Family Court are currently located in commercial leased accommodation. The Federal Court is located in two buildings - an historic building constructed as a High Court building in 1928 and a

Commonwealth owned office building which it shares with the Industrial Relations Court and Auscript.

19. The scattered, non-secure, ad hoc nature of these facilities is outlined in the following paragraphs.

High Court

20. The High Court is currently located in leased accommodation at 200 Queen Street as there is not sufficient room for it to be collocated with the Federal Court at 450 Little Bourke Street. The existing registry is cramped and generally unsatisfactory. There is no courtroom in the building for the use of the resident justice. This has the dual problem of access to a courtroom at another location and associated security implications. Also there are no chambers in the building for the use of visiting justices and their staff when the Court sits in Melbourne.

Federal Court

21. The Federal Court has accommodation in two locations-450 and 451 Little Bourke Street. 450 Little Bourke Street was built by the Victorian Government as a High Court building in 1928. It was initially leased to the Commonwealth for 30 years with an option to purchase. In 1958 negotiations for purchase of the building commenced. However, these became very protracted and were not resolved until 1993, when a land exchange agreement, affecting several properties, was negotiated with the State Government. This agreement confirmed ownership of this historic building would rest with the Commonwealth.

22. The building at 451 Little Bourke Street was constructed as an office block in 1955-56. An investigation into the feasibility of converting this building to a courts building revealed that it would be more economical to demolish the existing building and build a new building. The site is, however, too small to construct a building that could house all the jurisdictions.

23. Although the premises at 450 and 451 Little Bourke Street are adjacent to each other, fragmentation of the court facilities in two buildings does not enhance court administration. These buildings are aged and generate high levels of repair and maintenance with indications of this increasing over time.

24. The court registry is currently spread over three locations at 450 Little Bourke Street with consequent inefficiencies.

25. There are insufficient courtrooms and hearing rooms for the current and projected workload of the Court. Some of the courtrooms are too small, have no airconditioning, minimal heating, poor sound attenuation and inadequate security. Overcrowding in courtrooms and waiting areas is a common occurrence. There are only minimal facilities for litigants and the public and there is no space available to develop them further.

26. Secure car parking for judges of the Federal Court is limited to two parking spaces in the basement of 451 Little Bourke Street. There is no secure parking available at 450 Little Bourke Street and no parking at either locations for the public. This situation is most unsatisfactory and compromises security.

27. The advent of the Industrial Relations Court has also placed additional demands on the existing courtrooms and hearing rooms and has ruled out any further expansion of the Federal Court in existing premises at 451 Little Bourke Street.

Industrial Relations Court

28. The Industrial Relations Court of Australia was established on 30 March 1994 as a consequence of the enactment of the *Industrial Relations Reform Act*. That Act conferred on the new Court a completely new jurisdiction at Commonwealth level to determine claims for unlawful termination of employment. The Court also inherited a range of powers previously exercised by the Federal Court.

29. The Industrial Relations Court is currently accommodated at 451 Little Bourke Street along with part of the Federal Court. This building is in poor condition and is unsuitable for court premises because of design constraints. Public access is restricted, movement between the eight levels is by means of two small lifts, and there are no internal stairs to courtrooms. Access for disabled persons is through the secure parking area, located in the basement, and fails to meet current occupational health and safety requirements for the disabled. It was designed in the 1950s primarily as an office building and is considered to be at the end of its economic life. Only two secure car parking bays are available for the Industrial Relations Court in the basement of the building.

Family Court

30. The Family Court, including chambers for the Chief Justice and the southern regional office, are located on nine non-contiguous floors of Marland House, 570 Bourke Street. The building was originally chosen in 1977 from amongst a limited number of commercial premises willing to house the Court, which has a

somewhat turbulent existence and ongoing security concerns. There are a number of features of the building that render it unsuitable for Court accommodation.

31. The registry and court rooms are spread over a number of floors within the building. The accommodation is not located on contiguous floors, with the registry manager and file management units serviced via a separate bank of lifts to the remainder of the facility. This arrangement seriously affects the efficiency of the registry, contributes to delays in meeting the needs of the Court's clients and alienates visitors at times of high stress.

32. The building is a commercial tower block constructed in the mid 1970s and despite attempts by the building owners to improve the overall appearance of the facility, it is now reaching an age whereby more extensive refurbishment is required, particularly of the building services and common areas. The extent of refurbishment required is not capable of being undertaken with the Court in occupation.

33. Marland House is constructed to normal commercial standards and as such does not include features that are required for a Commonwealth Law courts building. The most notable deficiency is that of the limited floor to ceiling heights which are too low to adequately accommodate Court rooms. The limited floor to ceiling height in conjunction with the limited ceiling void has also made maintenance of building services both difficult and expensive and has the potential to cause disruptions to the day to day operation of the Court.

34. The limited ceiling void has had an effect on the flexibility of the interior fitout of the courtrooms and associated facilities and has made it difficult to meet the demands of the specialist areas of the Court including the need for high levels of speech privacy.

35. Car parking for tenants and members of the public is available within the basement of Marland House. There are, however, no secure parking facilities for the Chief Justice and judges of the Court which seriously compromises their security. In addition, there is no secure entrance nor dedicated secure lift for the Chief Justice and judges which could result in a major breach of security if judges by accident arrive at the same time or occupy the same lift as litigants. The independence of the judiciary could also be compromised if judges are seen to be using the same lift as members of the legal profession appearing before them on that day.

36. The lack of effective passive security features within the building has placed a higher reliance upon active security measures which in part rely upon human response times to be effective.

Options Considered

37. During the development of this proposal Attorney-General's advised that several options were investigated These included:

- refurbishment of existing accommodation
- the fitout of leased premises
- acquisition of an existing building and converting it to a courts building
- building a purpose designed facility.

38. The evaluation of each option is set out in the following paragraphs.

Refurbishment

39. Attorney-General's advised the Sectional Committee at the public hearing that the existing facilities are not suitable for refurbishment. Independent advice and subsequent financial analysis indicated that it was less costly to demolish 451 Little Bourke Street and rebuild it than to refurbish. In any event the footprint of 451 Little Bourke Street is too small for an efficient or economically viable building to be constructed for all the jurisdictions. The building at 450 Little Bourke Street has a heritage listing and the extent of refurbishment that could be carried out on this building is limited. Refurbishment of Marland House accommodation would not overcome the deficiencies that are inherent in leased accommodation.

Fitout of Leased Premises

40. Attorney-General's advised the Sectional Committee that a financial analysis had indicated that if accommodation is required for 15 years or longer, the option of leasing is economically less attractive.

Acquisition of an Existing Building

41. The investigation into acquiring an existing building and fitting it out as a courts building identified some 19 buildings in the city area. Of these only one, a building 25 years old located at 199 William Street, was close to being of sufficient size to house all the jurisdictions in one location. The cost, however, to

purchase the building was \$15.0m and the estimate to convert it to a courts building was \$87.0m - a total of \$102.0m. These estimates did not take account of particular requirements which may have arisen upon closer inspection of the building, for example asbestos removal. In addition, if the building needed to be converted back to an office building at a later date, the cost of that re-conversion would also need to be included.

42. In addition the conversion of an existing building would be unlikely to be able to provide for the following:

- sufficient floor-to-floor heights to accommodate the ceiling height requirements of court rooms
- sufficiently large floor spans to allow column-free court rooms
- appropriate layouts for security considerations
- suitable building services configurations to ensure ease of maintenance and functional operation.
- efficient lift services to handle large population vertical transportation and suitably sized emergency egress and toilet facilities.

Construction of a Purpose Designed Facility

43. The comparison of the options provided to the Committee by Attorney-General's indicates a clear advantage to the Commonwealth of the construction of a new court complex on the Flagstaff site - see details of options at Appendix E.

Committee's Conclusions

44. **There is a need to replace existing Commonwealth law courts accommodation in Melbourne which is fragmented, does not meet current accommodation standards, is not purpose-designed for court operations and does not provide a sufficient level of security.**

45. **The construction of a law courts complex on the Flagstaff site is the most economical option for the provision of purpose-designed Commonwealth law courts in Melbourne.**

THE PROPOSAL

46. The net area of the proposed Commonwealth Law courts building in Melbourne is 21 000m². The building design will provide for flexibility in court operations. All parts of the building will be easily accessible by the four

jurisdictions and this will enable courtrooms to be shared as workload requirements and availability dictate. Also the building has been designed so that it may be extended southwards towards Little Lonsdale Street on each of the four court floors. Such an extension provides the potential to add an extra eight court rooms at a later date.

47. The building will have a design capacity to ultimately accommodate a total of 415 staff including judges. The number of staff (including judges) in each jurisdiction expected to occupy the building in 1999 is:

• High Court	14
• Federal Court	78
• Industrial Relations Court	38
• Family Court	<u>180</u>
	310

48. The accommodation to be provided is set out in the following paragraphs.

High Court

49. Space for the High Court includes:

- one courtroom
- four chambers for judges including two for visiting judges
- deputy registrar
- registry and general office accommodation
- library/conference room.

Federal Court

50. Space for the Federal Court will include:

- 12 courtrooms, including the main courtroom and one which has jury facilities
- three hearing rooms
- chambers for the Chief Justice of the Federal Court together with accommodation for support staff

- 17 chambers for judges including three chambers for visiting judges
- district registrar and eight deputy registrars
- registry and general office accommodation
- witness rooms
- mediation facilities
- conference facilities
- accommodation for the legal profession.

Family Court

51. Space for the Family Court will include:

- 17 courtrooms comprising one large court room to act as the main court for Full Court sittings, four medium size court rooms to accommodate large cases and 12 standard court rooms to be used by both judges and judicial registrars
- chambers for the Chief Justice of the Family Court including accommodation for legal advisers and support staff together with office accommodation for the chief executive officer of the Court
- chambers for the judge administrator for the Southern Region
- 15 chambers for judges of the Court including three chambers for visiting judges
- two chambers for judicial registrars
- five registrars and nine deputy registrars
- offices for director of court counselling, five case work supervisors, 28 counsellors and two duty counsellors
- counselling assessment area, specialist child assessment area, child minding facilities and parents room
- offices for 12 mediators together with administrative staff facilities

- registry and office support facilities
- interview and witness rooms
- conference and training facilities including an information session room
- accommodation for the legal profession including duty solicitor
- provision for the Australian Federal Police including holding cell facilities
- provision for the southern regional office of the Family Court including offices for the regional manager, regional registrar, regional director of court counselling and provision for support staff.

Industrial Relations Court

52. Space for the Industrial Relations Court will include:

- four courtrooms
- six hearing rooms
- three chambers for judges
- seven chambers for judicial registrars
- district registrar
- district registry
- conference facilities
- interview room.

Library

53. A library will be provided for the use of the judiciary, court staff and members of the legal profession.

Circulation

54. Separate circulation routes for judges, staff and members of the public will be provided. Circulation spaces within the building have been designed to maximise security.

Amenities

55. An amenities room for the use of all staff in the building has been included in the building design. In addition, tea rooms that contain the required facilities for making tea/coffee etc will be provided throughout the building. Also within the basement design is a room with change facilities that can be fitted out separately by the jurisdictions for exercise activities, if on occupation there is sufficient interest shown by the building occupants for this type of facility.

Court Reporting Facilities

56. A work court area will be provided to enable the transcripts of evidence to be processed and for the storage of recording equipment.

Energy Management

57. The building has been designed to minimise energy consumption through the use of energy efficient and energy managed mechanical and electrical systems.

58. The building services engineers have recommended the adoption of a number of energy saving systems for the project, including the use of an economy cycle for the air handling plant, the installation of variable drives on supply air fans, the use of an advanced lighting control system and low energy lamps, the installation of central gas fired domestic hot water systems and the selection of energy efficient glazing types and configurations.

59. Although these systems are in the process of being thoroughly evaluated to determine their economic viability, current indications are that the systems proposed will provide a targeted decrease in energy usage of approximately 10% in comparison to that recorded for the Brisbane law courts building.

60. In addition the building services engineers have investigated the use of solar energy. However, due to Melbourne's climatic characteristics such a system is not considered to be viable for this project.

61. The layout and control system for the building services has been designed to allow for appropriate zoning, so that energy usage by the jurisdictions can be monitored and individual areas can operate out of hours or function independently when there is a reduced building population requirement.

62. The atrium will allow the utilisation of natural light to many of the public areas of the building, reducing the need for supplementary lighting.

Car Parking

63. Secure parking for up to 60 cars will be provided in the basement. Parking for the public and staff working in the building, is readily available locally. After the existing carpark on site is removed, there will still be available 2 260 carparking spaces in multi-storey carparks and 110 spaces in an open lot carpark within 400m of the site.

Secure Holding Facilities

64. Police rooms and holding cells will be provided for custody of prisoners brought before the courts. Additionally, holding rooms will be provided on courtroom floors of the Federal Court and the Family Court for prisoners prior to appearance in court.

Childcare Facilities

65. Child minding facilities which include a counselling assessment area and a parents room will be provided for children associated with litigation in the Family Court. Facilities for children accompanying their parents and other adults who are attending the other courts or registries and children of staff working in the building cannot be accommodated due to cost constraints and site limitations.

66. The availability of off-site childcare facilities is currently being investigated. Advice from the Childcare Centres Association of Victoria confirmed that a private organisation is currently looking at several sites in the area with a view to setting up a privately operated childcare centre.

67. Initial discussions with this organisation have established that it would be prepared to consider reserving a number of positions exclusively for the courts. However, as these facilities will not be required by the courts until the building is completed in 1999, the situation will be closely monitored and further discussions

held with the proposed childcare centre owner, (see paragraphs 84 and 87 for further discussion regarding childcare).

Cafeteria

68. A cafeteria to seat approximately 120 people will be provided, with fitout limited to base building services. Competitive tenders will be sought for the lease of the cafeteria with the successful tenderer required to fitout the area.

Court Workload.

69. Projections for court workloads and usage for the Federal Court and the Family Court have been based partly on population projections (see Appendix D) as well as other factors specific to the respective courts operations. The Industrial Relations Court has based its projections on a consistent sitting pattern that has been established since the beginning of 1995, together with an expected rise of 3% per annum.

Design Layout

70. The arrangement of accommodation within the building seeks to achieve the following objectives:

- ease of movement through the building for the public and staff
- public functions to be kept as close as practical to the ground floor
- the location of all four jurisdictions to be easily identified within the building
- the number of floors containing courtrooms to be minimised to contain costs
- efficiency of operation for staff
- achieve private and secure circulation for the judiciary.

71. The building will provide full access for people with disabilities in accordance with Australian Standards. Separate toilets for use by people with disabilities will be provided throughout the building. There will be consultation with ACROD during the design development phase.

72. The net to gross building area gives an efficiency of 58%. This compares favourably with buildings of similar type which generally fall into the range of

50% to 55%. In contrast, commercial office buildings can achieve an efficiency of 70% in some instances, largely due to the less complex floor layouts required.

73. The building is divided into three primary components, public areas, staff areas and judicial areas as follows:

- the public areas include courtrooms, hearing rooms, interview and witness rooms, conferencing and mediation rooms, registry receptions and a cafeteria (9 463m²)
- the staff areas include registries, counselling, mediation, library and staff amenities (6 788m²)
- the judicial areas are comprised of chambers and associated support facilities (4 789m²)

Project Development

74. During the initial development phase of the project three value management sessions were held. The first was to ensure there was shared understanding of the major overriding objectives, criteria and assumptions for the project and to maximise value for money for the Commonwealth. During this session the user requirements brief and the functional and design brief were reviewed and agreed.

75. The purpose of the second value management session was to obtain an understanding and acceptance of the concept design and to ensure it satisfies the agreed objectives. This session considered concept design options, including their advantages and disadvantages and cost implications. The outcome was that a preferred concept design was agreed and this was to be developed along with a range of opportunities and ideas established at the session.

76. The third value management session reviewed the concept design, the cost plan and identified opportunities where some \$4.5m of cost savings could be achieved to contain costs within budget and to maximise value for money for the Commonwealth. A further value management session will be held prior to the engagement of the building contractor at which time the design will be vigorously challenged and tested to ensure it satisfies the functional requirements of the Commonwealth at the lowest cost.

77. The concept design has been developed through a rigorous process of site analysis, understanding the functional needs of the jurisdictions and the testing of various options. During this process the following design parameters were clarified:

- a low rise development is less costly than a tower
- interference with the structure of the railway station is to be avoided
- the structure is to be kept simple by not mixing courts with office accommodation
- the building layout is to maximise the use of the views to the north and east
- the open areas of the site are to be landscaped for visual appearance and security control.

78. The Sectional Committee was assured by Attorney-General's that there will be no noise and vibration impacts on the buildings from the underground railway. The building will have a sense of light, provide natural light into the courtrooms and meet the special needs of the jurisdictions.

79. The design has been reviewed in consultation with the Victorian Department of Planning and Development and the Melbourne City Council. Both bodies are satisfied that the design is consistent with their objectives. Also the Public Transport Corporation has given 'in principle' agreement to the matters required under the terms of the lease and indicated that provided construction does not disrupt the operation of Flagstaff Station it has no objection to the project proceeding as documented. (see paragraphs 85 and 86)

Victorian Government

80. The submission from the Victorian Government related to the planning issues associated with the area around the proposed Commonwealth Law courts building, an area that can be broadly described as Melbourne's law precinct. Within this area there is a range of State and Commonwealth courts.

81. The Victorian Government believes that planning for this major Commonwealth court investment must enhance cultural, professional and historical associations within the wider legal area and contribute to achieving relevant state aspirations.

82. The Victorian Government believes that the development should be conceived in terms of:

- a contribution to developing a new central legal working library which would combine the functions of a Commonwealth legal library, a State law library and the library of the Law Institute of Victoria. This concept

goes beyond inter-library access using information transfer technologies. Historic law book collections would remain at the Supreme Court library. Sites for a new shared working library might include the former Australian Broadcasting Corporation site (ABC) at the corner of Lonsdale and William Streets opposite the new Magistrate Court

- the design of the Commonwealth Law courts building should not be architecturally dominated by internal security concerns. The design must provide a high level of pedestrian amenity to the plaza which should provide small scale useful spaces for the recreational enjoyment of city users
- the proposed site is a landmark site and the building should reflect its spatial context. The site is a visual and commuter gateway to the Central Activities District. The development will significantly define the environmental context of Flagstaff Gardens and the historic former Royal Mint. The building should also contribute significantly to extending a more vibrant street character to both William and La Trobe Streets.

83. In evidence to the Sectional Committee the Hon R Maclellan, Minister for Planning, raised a number of other issues. He suggested the closure of Bright's Lane, which is on the western boundary of the site. It is partially an access lane for motor vehicles and then narrows to a walkway. Mr Maclellan believes that the Committee should encourage the Victorian Government to take action with the Melbourne City Council to investigate the possible closure of Bright's Lane because of its security implications due to its proximity to the proposed courts building.

84. Mr Maclellan believes that the Commonwealth and the State should explore the possibility of a cooperative childcare arrangement on the former ABC site.

85. Mr Maclellan also raised the issue of alternative car parking arrangements for the staff of the Public Transport Corporation (PTC) responsible for opening and closing Flagstaff station.

Attorney-General's Response to Victorian Government

86. Attorney-General's indicated that it had been negotiating with the Public Transport Commission for some time and is on the point of signing a document which will encompass agreements in relation to the handling of the forecourts; the fact that the station will be on the forecourt; the provisions necessary for making sure it keeps working while the construction goes on; the car parking requirement and a number of other issues.

87. Attorney-General's has noted Mr Maclellan's interest in a childminding facility. However, while planning is at an early stage Attorney-General's believes there is potential for cooperative endeavour.

88. In relation to Bright's Lane, Attorney-General's indicated that it has already purchased a portion of Bright's Lane which intruded into the site. However, Attorney-General's will consult with the appropriate experts on the security issues that were raised by Mr Maclellan. Attorney-General's would need to balance any enhancement of security against the cost (if any) of the closure of Bright's Lane.

89. Attorney-General's indicated that there are clear needs for library facilities within the building and it has been necessary to plan to accommodate them. However, there was recognition during the planning process of technological advances in the provision of library type services that do not necessarily involve large book holdings.

90. Attorney-General's view, in relation to suggestions and possibilities of cooperative endeavour with Victorian agencies and Commonwealth agencies about the provision of library services, is that any suggestion of that kind would meet with a positive reaction but it would be a matter for the various jurisdictions coming to arrangements with the appropriate Victorian bodies.

91. Attorney-General's indicated that in the joint State/Commonwealth law courts building in Sydney there is a joint State/Commonwealth library, and both State and Commonwealth make contributions to its budget and are involved in its administration.

Community and Public Sector Union

92. The Victorian Branch of the Community and Public Sector Union (CPSU) was first advised of firm plans to construct the Law courts building through invitations to attend staff briefings on "schematic design and draft floor plans" in the third week of June 1995. These were brief sessions outlining the general design of the building and proposals for each jurisdiction.

93. Subsequently the CPSU was involved in a more detailed briefing about overall design on 20 July conducted by the project managers. Through the course of this briefing it became clear that many of the issues of concern to the CPSU, such as space allocation, building facilities and amenities, and work station design and layout, are specified in the brief prepared by Attorney-General's. The response from the project managers on a range of issues of this nature raised by CPSU industrial staff and delegates was that these matters were contained in the brief and that this was not subject to alteration.

94. The CPSU believes that this points to a fundamental problem in the consultative process adopted by Attorney-General's. If the basic characteristics of the building in terms of space, facilities and layout are constrained by the brief, union involvement should have been sought many months before that document was finalised. Ideally, joint union/management consultative committees on accommodation should have been operating in each jurisdiction, with a combined union/management committee dealing with aspects of the brief for the entire building.

95. In order to minimise the possibility of future industrial problems related to accommodation, the CPSU believes it is imperative that matters covered in the brief be open to negotiation.

96. In relation to space allocation in the proposed building, the CPSU recognises that the functional requirements of the Courts mean that considerable space is taken up in provision of chambers and offices for judges, registrars, counsellors, and managers. However, the CPSU believes that space for workstations in open-plan areas appears inadequate. It also believes that some offices may not be of adequate size, in particular for the work performed by Family Court counsellors.

97. In relation to proposed building amenities, the CPSU pointed out that the brief specifies that there be a staff amenities room of 60m², a medical and first aid room of 14m², a staff exercise room of 80m², staff changing rooms of 40m² and a cafeteria of 250m². Generally the CPSU believes that these facilities are inadequate and in relation to the cafeteria has concerns regarding security as it is open to the public. It also believes that the location of the medical first aid room is inappropriate due to noise and general traffic and that it would be better located in a quieter area.

98. The CPSU believes that a comparison between judges and other staff of average space per person for amenities/facilities shows a significant disparity in favour of the judges.

99. While not disputing the needs of judges for space and security, the CPSU believes it is important that adequate space and facilities be available to all staff.

100. While the CPSU strongly supports the proposed law courts building it is critical of the lack of consultation prior to the Attorney-General's brief being finalised. The CPSU believes that this has resulted in a number of concerns that should have been resolved at that stage still requiring attention and will be taking up these concerns with the respective employers via a log of claims.

101. The CPSU pointed out that the Commonwealth accommodation guidelines referred to by Attorney-General's were issued in 1986 and the CPSU regards them in some respects as no longer relevant. The CPSU also pointed out that responsibility for the provision and ongoing management of property resources has been devolved from the Department of Administrative Services to individual departments. The current system necessitates the development of guidelines and standards within departments that recognise the specific functions performed, the needs of management and staff and the latest technological developments in office layout, design and equipment needs.

102. The CPSU regards the 1986 guidelines as inadequate in many respects, particularly as space is allocated on a salary and classification level and not on functional needs and ignore space allocation required for many aspects of new technology.

Attorney-General's Response to CPSU

103. Attorney-General's indicated that the user requirements brief for the proposed new courts building has been developed over a number of years in consultation with the individual jurisdictions. Various consultative processes have been used by the jurisdictions to consult staff during development of their user requirements.

104. Copies of layout plans were passed to staff for comment as early as March 1995 and as the design developed, copies of the revised plans were also distributed to staff for comment.

105. It was considered appropriate by Attorney-General's to brief the CPSU and other interested parties when the initial design was at a stage suitable for presentation to those organisations for constructive comment. These briefings occurred in June, July and August 1995. Further meetings with the unions and staff are proposed as the design progresses.

106. In relation to space allocation, Attorney-General's indicated that the Commonwealth Office Accommodation Guidelines have been used as a base document for calculating space entitlements for staff. The CPSU's requirement of 8.7m² is in excess of these guidelines. The total aggregate space per person (excluding judges areas and Family Court Counsellors' offices) in the building exceeds the 23m² being sought by the CPSU.

107. The office sizes for Family Court Counsellors (18m²) is considered by the Family Court to be appropriate for its operational needs. This size is based on experience gained from the operation of other purpose-built court buildings. The

Family Court's Lionel Bowen Building in Sydney, the most recently completed courts building, has counsellors' rooms of 18m² and these are considered to be satisfactory.

108. The 'Code of Practice for the provision of amenities in Commonwealth employment' recommends a minimum of 124.5m² for 380 employees. The amenities room, exercise room and change rooms total 180m², however, this figure more than doubles if staff kitchens and staff conference rooms were included. The staff amenities room has been increased in size to 60m² in accordance with the original user brief.

109. The cafeteria in Marland House, where the Family Court is currently located, has been used by court staff, practitioners and litigants for the past four to five years without incident and Attorney-General's sees no reason why the same harmonious arrangement should not continue in the new courts building.

110. Staff kitchens are provided in all office areas and include a small area for staff to eat lunch if they so choose. It is not, however, expected that all staff will eat lunch at the same time.

111. Commonwealth guidelines recommend that in multi-tenanted Commonwealth buildings to the extent possible, facilities should be shared. These guidelines have been followed.

112. The first aid room has been located adjacent to the lifts and toilets to provide for ease of access and convenience to staff and is considered to be the most suitable location. The construction of the enclosing walls will be such that little or no disturbance will be heard once the door to the first aid room has been closed.

113. The CPSU comment regarding the relative sizes of the exercise room and the change rooms has been noted and will be further considered during the detailed design phase.

Committee's Recommendation

114. The Committee recommends that the Attorney-General's Department and the various jurisdictions consult with the Victorian Government, during detailed design development, regarding design issues, the possible closure of Bright's Lane, the provision of childcare and possible cooperation in the provision of library services.

Committee's Conclusion

115. The Committee recognises that the Attorney-General's Department undertook consultations with staff prior to the formal involvement of the Community and Public Sector Union in June 1995. However, the Committee believes that formal involvement of the Community and Public Sector Union should have occurred during the development of the user brief.

Committee's Recommendation

116. The Committee recommends that the Attorney-General's Department and the various jurisdictions continue consultation with the Community and Public Sector Union, during detailed design development, to resolve issues such as space allocation, building facilities and amenities.

THE SITE

117. The site of 6 688m² is located on the corner of William and Latrobe Streets, directly opposite Flagstaff Gardens. Approximately one third of the site is occupied by the underground Flagstaff Station, one of the railway stations serving Melbourne's underground rail loop. This portion of the site is leased to the Public Transport Corporation for 99 years.

118. In addition to the amenity of Flagstaff Gardens, the site is well served by commercial carparking within its vicinity. The site is also well served by trams and buses. All essential building services are available at the site including electricity, telephone, water, natural gas, stormwater and sewer.

119. The site offers excellent views to the north and to the east and the design concept maximises the advantage of these to the users of the building.

Committee's Conclusion

120. The Flagstaff site is suitable for the construction of the proposed law courts building.

CONSTRUCTION

121. Construction details are outlined in Appendix C.

ENVIRONMENTAL AND HERITAGE CONSIDERATIONS

122. The Department of Planning and Development has confirmed that an Environmental Effects Statement is not required for the project.

123. A contamination assessment has been undertaken of the site. This comprised a review of the site history and a sampling survey that was followed by an appropriate chemical analysis of the samples taken.

124. Based on the analytical results of the sampling survey, there are traces of metals, as well as evidence of petroleum products and other hydrocarbons associated with the fill and particularly the near surface fill in the area of the existing carpark. The concentrations of these contaminants, however, are in general considered by the analysts not to be of concern for the intended use of the site.

125. The site history review has identified that the majority of the site was used as a construction site for the Melbourne Underground Rail Loop. Construction activities included both excavation and filling. The fill is of variable depth.

126. There is a brick office building on the back corner of the site which fronts Little Lonsdale Street, next to Bright's Place. It was last used as a site office for the construction of the Underground Rail Loop. The building was constructed in 1915 for the Salvation Army. The Salvation Army archivist has indicated that the building is of no historical significance to the Salvation Army movement. The Australian Heritage Commission has also been consulted and has confirmed that the site has no historical significance. Written confirmation has been received from the Department of Planning and Development that this building is not listed as a notable building in the Melbourne Planning Scheme.

127. A detailed survey to identify any potentially hazardous materials, such as asbestos, will be undertaken within this building as part of the development of the contract documents for its demolition.

ECOLOGICAL CONSIDERATIONS

128. The bulk and location of the building on the southern side of Flagstaff Gardens precludes any overshadowing of these gardens. The height of the building in relation to neighbouring developments suggests that there will be no detrimental effects from wind. This aspect will be further investigated prior to documentation to ensure that there will be no localised climatic conditions induced, particularly on the planned forecourt and entry to the building.

CONSULTATION

129. Presentations and consultations have/will be conducted with all interested user groups and organisations during development of the proposal. These include:

- Auscript
- Community and Public Sector Union
- Media, Entertainment and Arts Alliance
- Australian Council of Trade Unions
- Transport Workers Union
- Australian Liquor, Hospitality and Miscellaneous Workers Union
- Australian Services Union
- Metal Trades Industry Association
- Australian Chamber of Commerce and Industry
- Australian Chamber of Manufacture
- Australian Council for Rehabilitation of the Disabled
- Law Council of Australia
- Law Institute of Victoria
- Victorian Bar Council
- Family Law Bar Association
- Court Network
- Australian Federal Police
- Legal Aid Commission Victoria
- Comcare Australia
- Commonwealth Fire Board

- Metropolitan Fire Brigades Board (Victoria)
- Australian Heritage Commission
- National Trust of Australia (Victoria)
- Melbourne City Council
- Department of Planning and Development, Victoria
- Public Transport Corporation, Victoria
- Australian Estate Management
- Australian Property Group.

PROJECT PROGRAM

130. The project program identifies the following key dates following Parliamentary approval:

- complete tender design documentation - April 1996
- call tenders to document and construct building - April 1996
- award contract - August 1996
- detailed design and construction - commence - August 1996
- complete - March 1999

PROJECT DELIVERY

131. It is proposed to use a document and construct contract method for the construction of the building. This is based on the same type of contractual arrangement that was used successfully for the construction of the Commonwealth Law courts building in Brisbane. On that occasion the project was completed ahead of time and within budget.

132. Under this arrangement the architect and the service consultants will, while contracted to the Commonwealth, prepare the initial design to a stage sufficient to ensure that the completed design reflects accurately the requirements of the jurisdictions. They will then be novated to the successful building contractor who will have responsibility for documenting the design and constructing the building. This contractual arrangement has been chosen as it places

responsibility and risk where it can best be managed and most effectively limits the Commonwealth's exposure to claims for increases in costs.

133. Attorney-General's advised the Sectional Committee at the public hearing that consideration is being given to the contract documents specifying that subcontractors must be paid before further payments are made to contractors.

PROJECT COST

134. Total expenditure of \$108.4m to construct the building is envisaged. The proposed cash flow is set out below:

1994/95	1995/96	1996/97	1997/98	1998/89	TOTAL
0.74m	3.50m	5.26m	60.00m	38.90m	108.4m

Committee's Recommendation

135. The Committee recommends the construction of the Commonwealth law courts building in Melbourne at a total cost of \$108.4m.

CONCLUSIONS AND RECOMMENDATIONS

136. The conclusions and recommendations of the Committee and the paragraph in the report to which each refers to are set out below:

	Paragraph
1. There is a need to replace existing Commonwealth law courts accommodation in Melbourne which is fragmented, does not meet current accommodation standards, is not purpose-designed for court operations and does not provide a sufficient level of security.	44
2. The construction of a law courts complex on the Flagstaff site is the most economical option for the provision of purpose-designed Commonwealth law courts in Melbourne.	45
3. The Committee recommends that the Attorney-General's Department and the various jurisdictions consult with the Victorian Government, during detailed design development, regarding design issues, the possible closure of Bright's Lane, the provision of childcare and possible cooperation in the provision of library services.	114
4. The Committee recognises that the Attorney-General's Department undertook consultations with staff prior to the formal involvement of the Community and Public Sector Union in June 1995. However, the Committee believes that formal involvement of the Community and Public Sector Union should have occurred during the development of the user brief.	115

- 5 The Committee recommends that the Attorney-General's Department and the various jurisdictions continue consultation with the Community and Public Sector Union during detailed design development to resolve issues such as space allocation, building facilities and amenities. 116
6. The Flagstaff site is suitable for the construction of the proposed law courts building. 120
7. The Committee recommends the construction of the Commonwealth law courts building in Melbourne at a total cost of \$108.4m. 135



Colin Hollis MP
Chair

20 November 1995

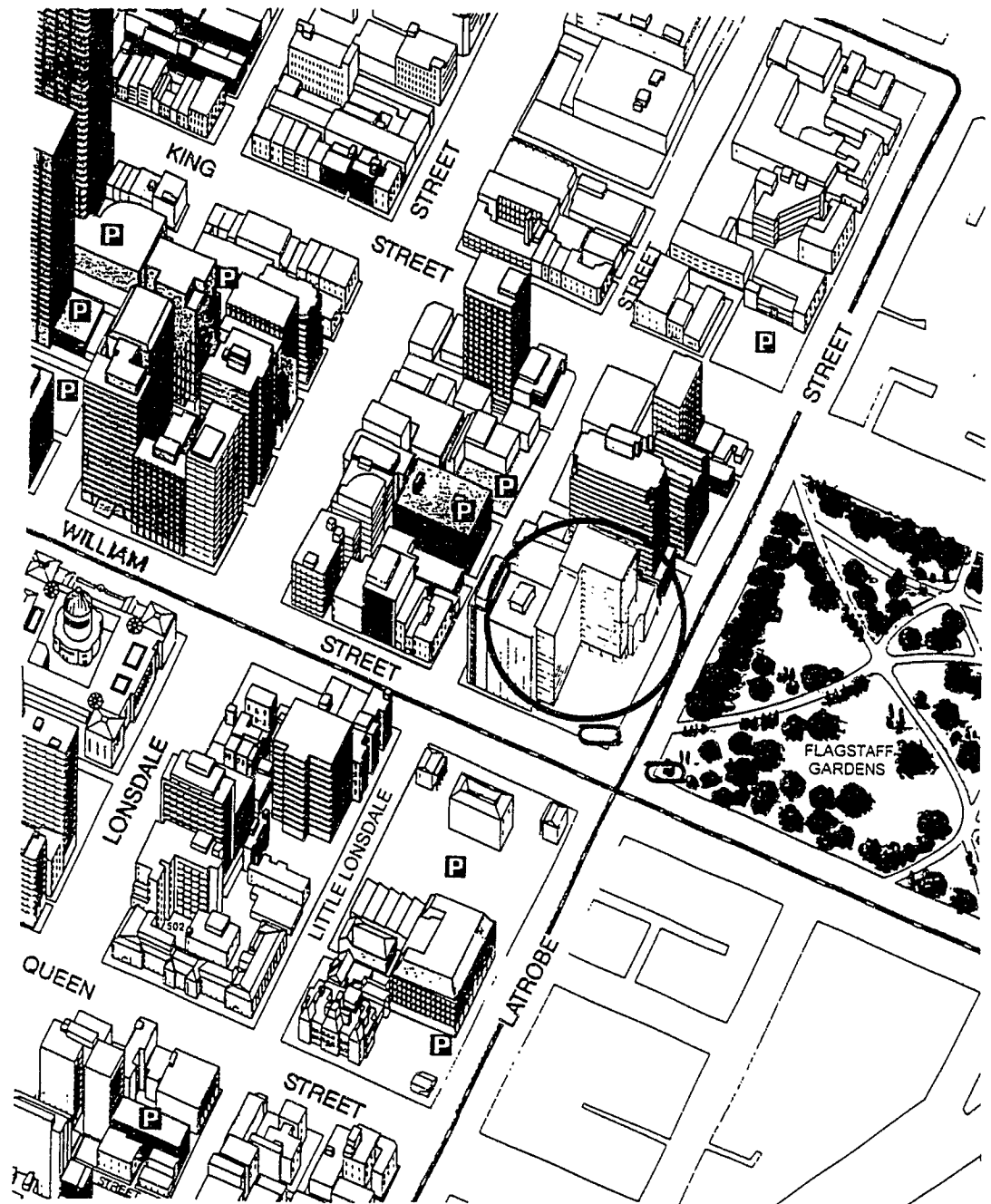
WITNESSES

- DOOGAN, Mr Christopher Matthew, Chief Executive and Principal Registrar, High Court of Australia, King Edward Terrace, Parkes, Australian Capital Territory
- EVANS, Mr Michael John, Industrial Officer, Community and Public Sector Union, 8th Floor, 390 Lonsdale Street, Melbourne, Victoria 3000
- FISH, Mr Michael Francis, Manager, Executive Branch, Attorney-General's Department, Robert Garran Offices, National Circuit, Barton, Australian Capital Territory
- GLARE, Mr Leonard George, Chief Executive Officer, Family Court of Australia, Lionel Bowen Building, 97-99 Goulburn Street, Sydney, New South Wales
- MACLELLAN, Hon Robert Roy Cameron, Minister for Planning, Parliament House, Melbourne, Victoria 3002
- NORRIS, Mr Bruce Thomas, Registry Manager, Melbourne, Family Court of Australia, Marland House, 570 Bourke Street, Melbourne, Victoria
- REABURN, Mr Norman Stephen, Deputy Secretary, Attorney-General's Department, Robert Garran Offices, National Circuit, Barton, Australian Capital Territory
- SECCOMBE, Mr Peter John, District Registrar, Victoria, Federal Court of Australia, 450 Little Bourke Street, Melbourne, Victoria
- SHANNON, Mr Timothy, Principal Architect, Hassell Pty Ltd, 120 Collins Street, Melbourne, Victoria
- SODEN, Mr Warwick, Registrar, Principal Registry, Federal Court of Australia, Queens Square, Sydney, New South Wales
- WALSH, Mr Barry Raymond, Registrar, Industrial Relations Court of Australia, 75-85 Elizabeth Street, Sydney, New South Wales
- WHEELER, Mr David Anthony, Project Manager, Carson and Associates, 462 Burwood Road, Hawthorn, Victoria

APPENDIX B

PROJECT DRAWINGS

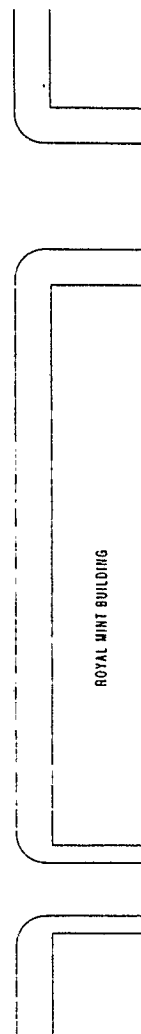
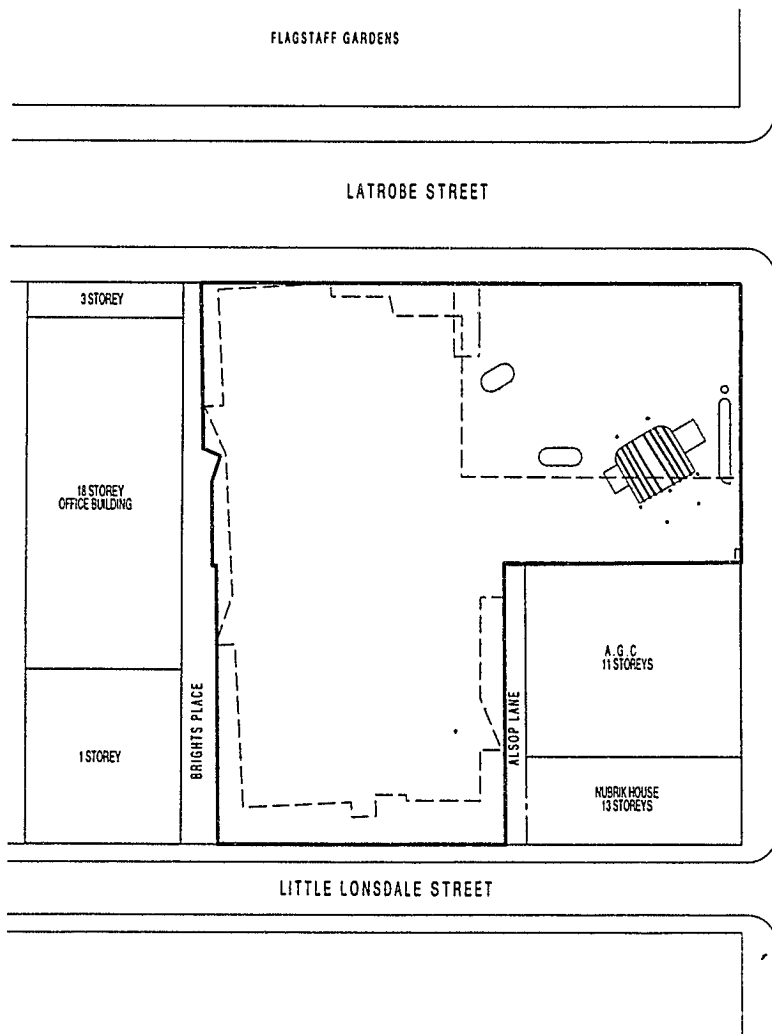
Locality Plan	B - 1
Site Plan	B - 2
Massing Diagram	B - 3
Perspective Views	
Section - East-West	B - 4



COMMONWEALTH
LAW COURTS
MELBOURNE

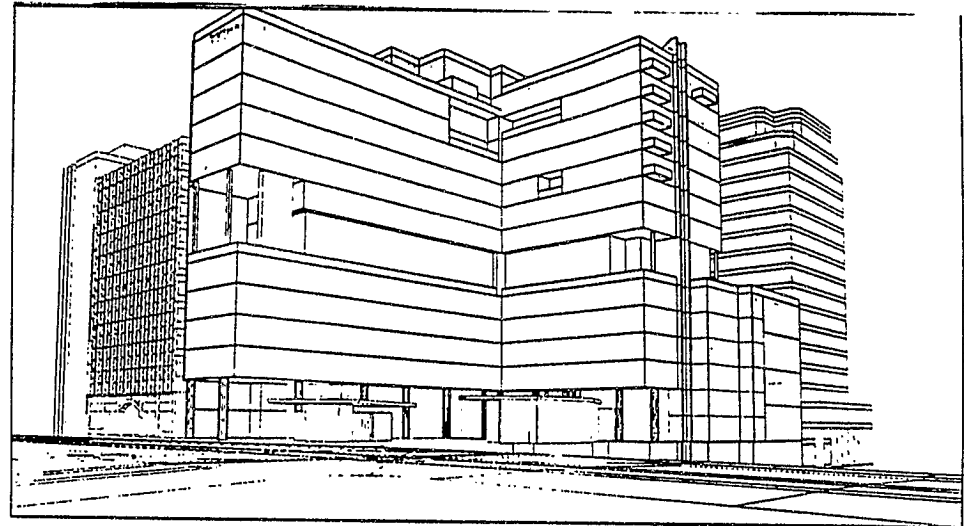
Locality Plan

B-1

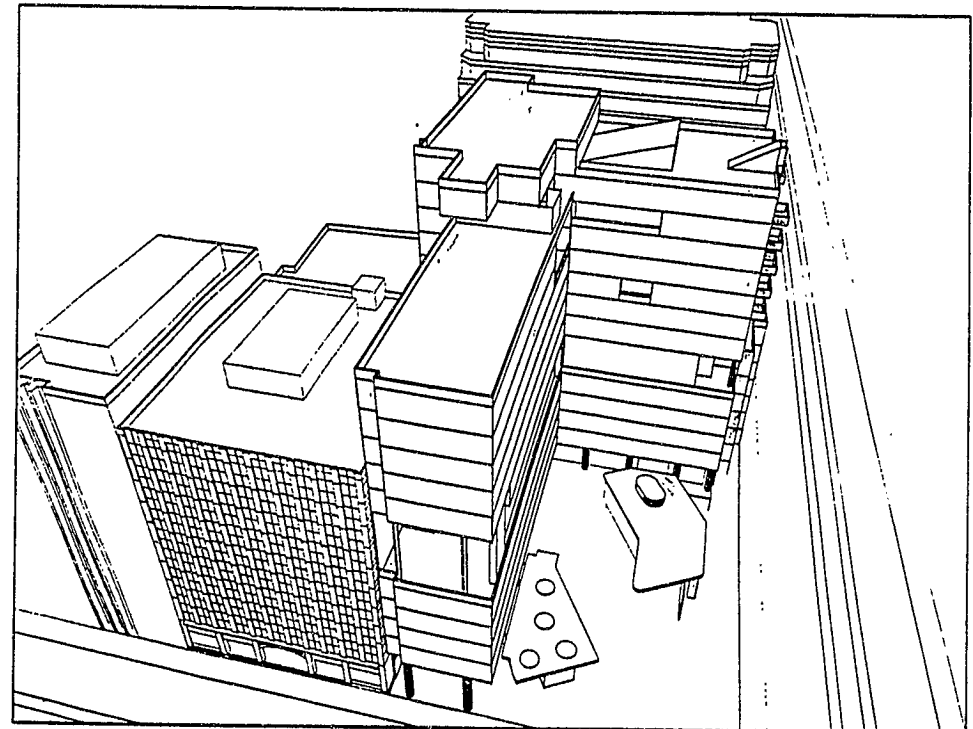


COMMONWEALTH
LAW COURTS
MELBOURNE

Site Plan



Looking from corner William and Latrobe Street



Looking from William Street

COMMONWEALTH
LAW COURTS
MELBOURNE

Massing Diagram

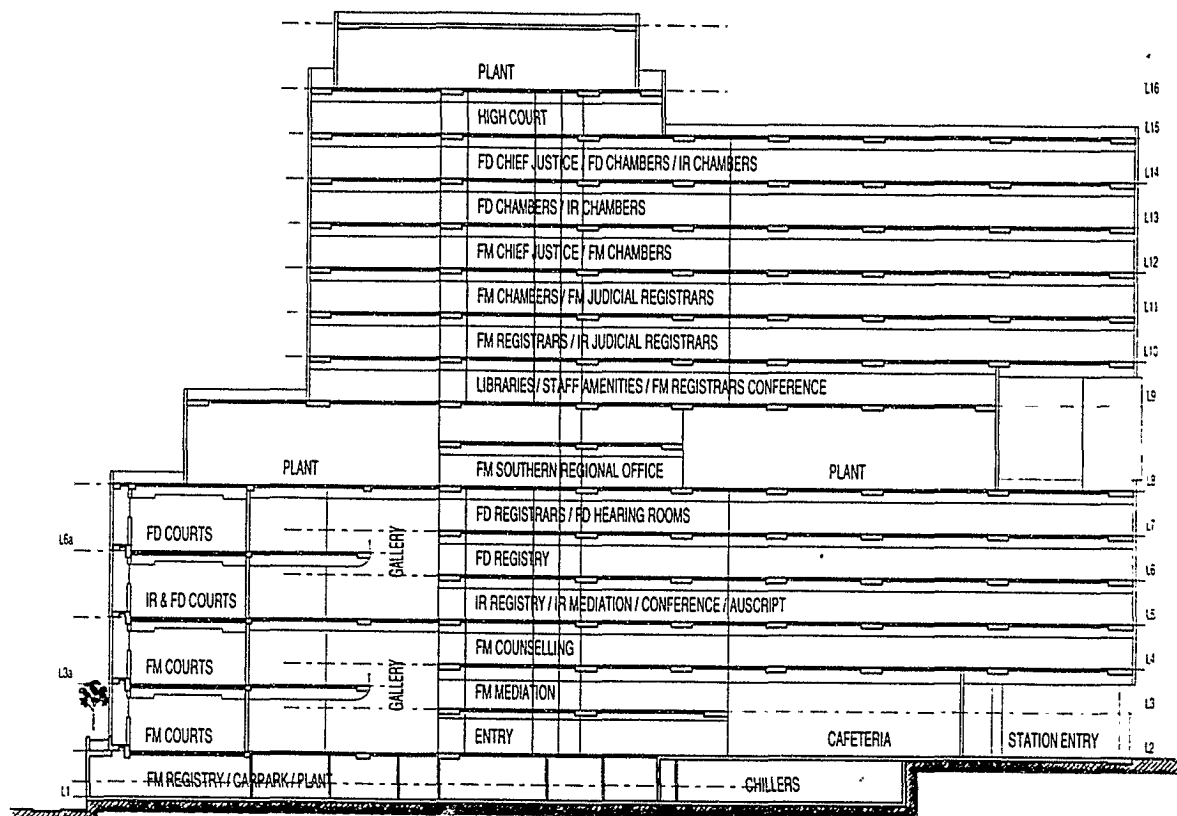
Perspective Views

PROPOSED FINISHES AND BUILDING MATERIALS

Materials and finishes are being selected for their durability and appropriateness to the character of a law courts building and are consistent with the design intentions. The exterior of the building will be treated as follows:

- **Walls** - Generally of precast concrete using an exposed aggregate finish, polished in some circumstances. Construction will be by the installation of prefabricated components, fully pre-finished and pre-glazed. Some natural stone detailing in significant public areas. Limited use of pre-coloured and finished aluminium.
- **Glazing** - Ground floor and public gallery glazing to be clear. Elsewhere it will utilise grey colour solar efficient double glazed units to achieve effective thermal performance.
- **Columns** - Off form precast concrete with limited stone detailing in public areas.
- **Roof** - Courtroom building roof to be treated with waterproof membrane and river pebbles. Upper level to be colour bond metal roof.
- **Plaza and Footpaths** - Generally to be paved in traditional Melbourne Bluestone in accordance with the standards set by the Melbourne City Council. Street furniture to be in stainless steel and hardwood timber where required. Limited landscaping through tree planting, paving and ornamental pool.

The finishes for the interior of the building will be selected to provide a calm reassuring and dignified atmosphere. Appropriate acoustic conditions will be provided in all occupied areas with specific attention to privacy in courtrooms, hearing rooms, interview rooms, mediation rooms, counselling offices and chambers.



COMMONWEALTH
LAW COURTS
MELBOURNE

Section
East - West

ENGINEERING SERVICES

Structure There is between five and seven metres of fill and natural clay material over a sound basalt rock layer of some twenty metres depth. This layer is generally directly underlain by Silurian mudstone bedrock, though there is a thin layer of silty clay material about two metres thick in some locations.

The building will generally be framed in partially post-tensioned reinforced concrete. Wide, shallow beams span between columns and core structure, and support continuous one-way slabs. The shallow structural depth allows maximum flexibility for reticulation of services, whilst allowing floor to floor dimensions to be minimised.

The floor system will be designed for a live load of 5 kpa (inclusive of lightweight partitions), with selected areas designed for heavier loads for storage of equipment as required.

Mechanical The mechanical engineering services will comprise airconditioning to all occupied areas, exhaust ventilation to the carpark, toilets and kitchen areas and smoke control systems. The airconditioning system consists of central air handling plant with variable air volume distribution and central chilled water and heating water plant providing cooling and heating respectively. Provision will be made to allow individual operation of small areas of the building with other areas shut down to reduce operating costs.

Energy saving features include economy cycle operation, natural gas as the heating energy source, variable speed fan drives and computer control of the plant incorporating energy management software. The design will comply with appropriate codes and standards, and the requirements of local authorities.

Electrical Power supply will be provided by Citipower via two separate high voltage incoming cables connected to an enclosed substation.

Lighting will be designed to provide illumination levels in accordance with the recommendations in AS.1680 and meet functional and aesthetic requirements of each specific area. A system of exit and emergency lighting will be installed in accordance with the Building Code of Australia and AS.2293.

Electrical power to essential functions in the building will be maintained as required and will include essential fire and life safety equipment, security equipment and to a limited degree lighting in secure areas and mechanical ventilation of courts and public areas. Continuous no break power supply will be provided via an uninterrupted power supply unit for sensitive security, communications and computer equipment.

A fully integrated voice and data cabling system will be installed, and a PABX will be provided to cater for the buildings voice requirements. In addition, provision will be made for the installation of a court reporting and recording system, sound reinforcement to courtrooms and video conference cabling to specific areas.

Fire Services The Fire Services will be designed to comply with the Building Code of Australia and associated Commonwealth Standards, and in consultation with the Metropolitan Fire Brigades Board.

The systems to be included in the building will include an automatic sprinkler system, hydrants, hose reels, extinguishers and smoke detectors. An emergency warning and intercommunication system will also be provided.

Plumbing Services Storm water and sub soil water will be discharged to existing Melbourne City stormwater drains. Sewage will be connected to City West water sewage drains in Little Lonsdale Street.

Water conservation fittings will be installed in all basin taps and shower roses.

Lifts Four passenger lifts will be provided for the public and staff, servicing the ground floor to level 15. Two secure lifts will be provided for the judiciary and one for the movement of goods and prisoners under escort.

Security In addition to the architectural segregation of areas including judicial, public, managed and custodial spaces, a range of electronic security measures will be implemented including access control, alarm monitoring, close circuit television and weapons detection systems.

WORKS OF ART AND COATS OF ARMS

Coats of Arms will be located at the building entry and also within each courtroom and hearing room. Works of art will include an external sculpture at the William Street Plaza and other specially commissioned works to be effectively integrated into the building design. Some \$200 000 to \$300 000 has been allocated for the Coat of Arms and artworks.

FURNITURE AND FITTINGS

The provision of built-in furniture and fittings, and loose furniture (to public areas and expanded courts areas) are included in the maximum project cost.

COURT WORKLOAD

Past, actual and projected sitting days are:

	Federal Court	Family Court	Industrial Relations Court
1031	1991	1927	-
1044	1992	2091	-
1016	1993	2255	-
939	1994	2280	-
997	1995	2310	1053
1035	1996	2340	1084
1225	2001	2370	1255
1395	2006	2405	1455
1585	2011	2460	1686
1775	2016	2500	1955
1965	2021	2599	2265

Federal Court

The greatest impact on the Federal Court workload will arise from the further expansion of the Courts jurisdiction and the increasing complexity of commercial litigation.

When the Court was established in 1977 it had jurisdiction under 50 Acts of Parliament. It now has jurisdiction under approximately 100 Acts. The Court now has for all practical purposes concurrent jurisdiction with the Supreme Court across virtually the whole range of commercial litigation as well as exclusive jurisdiction in economic competition cases under Part (iv) of the Trade Practices Act.

In addition, the Federal Court has recently acquired a central role under the Native Title Act in hearing opposed applications for compensation and determination of Native Title, as well as reviewing decisions of the Tribunal. Recent rulings by the High Court on the exercise of judicial power, in particular the Brandy case, mean that the Court is likely to have a greater involvement in matters currently dealt with by Commissions and Tribunals of the Commonwealth.

The number of sitting days is based on population projections and the above matters.

Family Court

Melbourne Registry processes 16.4% of the total number of divorce applications in Australia. The number of sitting days is based on population projections and takes the divorce rate into account.

Industrial Relations Court

The figure quoted for full year sittings in 1995 is extrapolated from a sample of sittings for the period February to April 1995. The Industrial Relations Courts sittings were not substantial until late 1994 and did not settle into a consistent pattern until early 1995, hence reliance on the sample period.

Because the Courts unlawful termination jurisdiction is a new right of action, it is difficult to estimate likely rates of growth. The work of the court will be affected by economic activity and trends in the Courts decisions that are yet to be fully determined.

Judge caseload is particularly difficult to predict because of the scope for future litigation over the interpretation of new provisions of the Industrial Relations Act. Judge sittings have been modest in the sample period but will rise, based on known cases awaiting hearing.

The Industrial Relations Courts unlawful terminations jurisdiction represents a major area of the new Courts activity. In the first 12 months of its operation, the court has received some 9160 claims, of which 4357 had been commenced in Victoria. Currently claims have been filed in Victoria at a rate of 99 per week since January 1995.

In addition to its unlawful terminations jurisdiction, the Industrial Relations Court deals with other claims, such as appeals, claims under awards, matters referred to it by the High Court, and disputes concerning the management of unions. Over 260 of these sorts of claims have been filed in Victoria in the first 12 months of the new Court. These claims are heard by a judge and hearings often require a full bench of three judges on a case. Since January 1995 cases have been filed at an average rate of four per week.

The future outlook is that filing rates for all types of claims will continue to be high in Melbourne. Victoria is traditionally Australias industrial relations centre, being the base of the ACTU and a number of employer organisations. In Victoria, unlike most of the States, there is no State Tribunal capable of adequately dealing with unlawful termination claims. Thus filing rates in the Industrial Relations Court for those types of claims greatly exceed other States. The trends also suggest that high levels of disputation will continue as a consequence of the new Industrial Relations Act, which contains many new provisions yet to be tested in the courts.

These figures give rise to the need for courts and hearing rooms as follows:

	Federal Court	Industrial Relations Court	Family Court
1993	7	NA	14
1994	7	8	14
1995	8	9	14
1996	8	9	15
2001	9	10	15
2006	11	10	16
2016	14	10	16
2026	15	10	17

APPENDIX E

COURTS PROPOSAL - MARCH 1994

COMPARISON OF OPTIONS

	GROSS RENT	CONSTRUCT, F/O &BLD UPGRADE	TOTAL GROSS COST	RESIDUAL VALUES	TOTAL NET COST	NPV 6%	NPV 7%	NPV 8%
OPTION 1 : PURCHASE 199 WILLIAM ST/518 LT BOURKE ST AND CONVERT FOR LAW COURTS								
(Use existing premises until 1997/98)								
450 Lt Bourke St	\$1.957	\$0.00	\$1.957	\$0.00	\$1.957	\$1.755	\$1.726	\$1.697
451 Lt Bourke St	\$2.365	\$0.00	\$2.365	\$0.00	\$2.365	\$2.164	\$2.135	\$2.107
Marland House	\$18.702	\$0.00	\$18.702	\$0.00	\$18.702	\$16.663	\$16.367	\$16.081
Indust Rel, High Court & Auscr	\$4.220	\$0.00	\$4.220	\$0.00	\$4.220	\$3.760	\$3.693	\$3.629
Conversion - New Premises	\$106.216	\$101.696	\$207.912	\$148.386	\$59.526	\$88.677	\$88.132	\$87.012
SUMMARY	\$133.462	\$101.696	\$235.157	\$148.386	\$86.771	\$113.020	\$112.052	\$110.525
OPTION 2 : CONSTRUCTION OF NEW COURTS BUILDING ON FLAGSTAFF SITE								
(Use existing premises until 1997/98)								
450 Lt Bourke St	\$1.957	\$0.00	\$1.957	\$0.00	\$1.957	\$1.771	\$1.744	\$1.717
451 Lt Bourke St	\$2.365	\$0.00	\$2.365	\$0.00	\$2.365	\$2.180	\$2.153	\$2.126
Marland House	\$18.702	\$0.00	\$18.702	\$0.00	\$18.702	\$16.849	\$16.575	\$16.310
Indust Rel, High Crt & Auscript	\$4.220	\$0.00	\$4.220	\$0.00	\$4.220	\$3.802	\$3.740	\$3.681
Construction - New premises	\$74.672	\$108.355	\$183.028	\$193.999	-\$12.375	\$72.674	\$75.980	\$77.930
SUMMARY	\$101.918	\$108.355	\$210.273	\$193.999	\$14.870	\$97.277	\$100.193	\$101.765
OPTION 3 : LEASE NEW PREMISES FOR 25 YEARS								
(Use existing premises until 1996/97)								
450 Lt Bourke St	\$1.209	\$0.00	\$1.209	\$0.00	\$1.209	\$1.143	\$1.133	\$1.124
451 Lt Bourke St	\$1.625	\$0.00	\$1.625	\$0.00	\$1.625	\$1.559	\$1.549	\$1.539
Marland House	\$11.008	\$0.00	\$11.008	\$0.00	\$11.008	\$10.389	\$10.294	\$10.202
Indust Rel, High Crt & Auscript	\$2.484	\$0.00	\$2.484	\$0.00	\$2.484	\$2.344	\$2.323	\$2.302
Leased - New Premises	\$314.807	\$59.993	\$374.800	\$0.00	\$374.800	\$162.423	\$132.339	\$109.853
SUMMARY	\$331.134	\$59.993	\$391.127	\$0.00	\$391.127	\$177.858	\$147.639	\$125.020