



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

**STANDING COMMITTEE ON PLANNING, TRANSPORT
AND CITY SERVICES**

(Reference: [Inquiry into Annual and Financial Reports 2021-2022](#))

Members:

**MS J CLAY (Chair)
MS S ORR (Deputy Chair)
MR M PARTON**

TRANSCRIPT OF EVIDENCE

CANBERRA

TUESDAY, 8 NOVEMBER 2022

**Acting secretary to the committee:
Ms M Ikeda (Ph: 620 50199)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

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Amended 20 May 2013

The committee met at 1.15 pm.

Appearances:

Steel, Mr Chris, Minister for Skills, Minister for Transport and City Services and Special Minister of State

Transport Canberra and City Services Directorate

McHugh, Mr Ben, Deputy Director-General, Transport Canberra and Business Services

Corrigan, Mr Jim, Deputy Director-General, City Services

Fitzgerald, Mr Bruce, Executive Group Manager, Infrastructure Delivery and Waste

Iglesias, Mr Daniel, Executive Branch Manager, City Presentation

Little, Ms Vanessa, Executive Branch Manager, Libraries ACT

THE CHAIR: Welcome to this hearing of the inquiry by the Standing Committee on Planning, Transport and City Services into annual and financial reports for 2021-22. We are recording the proceedings, they are being transcribed by Hansard and they will be published. They are also being broadcast and webstreamed live. If you take a question on notice, please clearly state that you will take that on notice; that helps our secretariat to chase down those questions and get those for the transcript.

I will begin the first session. We are hearing from the Minister for Transport and City Services; thank you for joining us, and your officials. This session was originally scheduled for a 1.30 pm start; but, due to the power outage in Hansard during our first session with Minister Steel on Monday, 31 October, we have requested a 15-minute call-back with the minister and his officials. Thank you very much for coming back and giving us that extra time.

I will remind everybody of the protections and responsibilities with respect to parliamentary privilege; they are contained in the statement that has been presented to you. Can I get verbal confirmation that you have all read and agreed to that statement?

Mr Steel: Yes.

THE CHAIR: Thank you. We are not inviting opening statements. We will proceed to questions, and the first question on transport is from Mr Parton.

MR PARTON: Minister, on page 25 of the annual report, it states that your priority is to increase public transport usage. What is the current percentage of Canberrans that use public transport? I am not asking about the number of trips or boardings; I am asking about the percentage of the population that used public transport over the reporting period or even over five years. Is that a figure that is—

Mr Steel: Yes, there are different metrics that we use for that. The census is one source of information about the percentage of people using public transport. We have had a recent update there. I can provide you with some information about that. We are also undertaking a household travel survey at the moment. We have been actively out

there with our partner to survey Canberrans' households about their habits. The use of public transport is certainly part of that. That will give us much deeper insight into how people are moving around the city and a typical day of travel. I will hand over to Transport Canberra to talk a little bit further about how we are collecting that data and using it.

Mr McHugh: Thanks for the question. That actual percentage is not something that we publish at this point in time, but it is definitely a statistic that we could prepare and provide in response to a question taken on notice. The statistics that we do—

MR PARTON: Are you taking that on notice, Mr McHugh?

Mr McHugh: Yes, absolutely, in terms of that particular question about the percentage of the population that use public transport. We will use the latest datasets that we have available to prepare that response.

With the data that we do collect, across a range of different methods around patronage, obviously, we use our existing systems, as well as the surveys that the minister has referenced, to get general feedback from the community on their travel behaviours. The most detailed data is the household travel survey, which we are undertaking at the moment. We did that in off years from when the census data is collected. When those are combined, that gives us a really good indication of where we are at, where we are tracking. It is important to note that people's travel patterns have changed through COVID and other things. We will be definitely focusing on increasing the share of people that choose to use active travel, public transport and other modes on a daily basis.

MR PARTON: The public transport patronage indicator on page 27 clearly shows that patronage has been declining every year over the last four years, including well before COVID was a factor. It also shows that patronage falls well below the government's target every year. Minister, would you agree that this graph shows that patronage has been decreasing, year on year, for the last four years, and every year is well below the government target?

Mr Steel: Chair, I have just been informed that there is no audio or TV online, so I am not sure whether that is translating into similar issues that we had at the last hearing.

THE CHAIR: Thank you, Minister. We will get confirmation of whether this is a live hearing. We are alright with Hansard, so please continue.

Mr Steel: Obviously, there has been a significant impact on patronage as a result of the pandemic. That is a trend that we have seen in cities around Australia and around the world. We are still working on how we can improve patronage, and get people back onto public transport, including people who were not necessarily using it beforehand.

I note that people have changed their habits, and that is a big focus of the refreshed public transport recovery plan that we have released, and the actions that we are taking in that plan. Patronage was actually on the rise just prior to the COVID-19

pandemic beginning in Australia in earnest in March 2020. Just prior to that, we were experiencing the highest patronage that I think we have had on record with Transport Canberra, which was really promising.

That reflected some significant changes that we had made to the network and timetable in the lead-up to that point in time, in February 2020. It was really unfortunate that, as soon as the COVID-19 pandemic hit, we saw a drop-away in the number of people using public transport across all modes. It has gradually improved, but it has plateaued, it is fair to say, to this point. A few months ago, we were up at around 70 per cent of people returning, in terms of patronage, compared to pre-pandemic levels. But we still have a way to go to increase that back up to pre-pandemic levels and, hopefully, increase it beyond that. I will hand over to Transport Canberra to talk a little bit about that patronage.

Mr McHugh: With that graph that you are referring to, Mr Parton, if you have a look at the 2018-19 actuals, that was the last full financial year that we had for patronage before the COVID lockdown impacts. For the year after that, 2019-20, you will see that that drops away. That was the first full lockdown that we had in that first quarter of 2020; that ate into that patronage total. That is where you see the drop.

You will also notice that our targets increased from the 2018-19 to 2019-20 year and beyond. That was a reflection of the increased numbers that we were seeing in public transport at the back end of 2019 and into 2020, before COVID hit. We have continued to project those targets out because that is where we want to get back to.

MR PARTON: I do not fully understand the explanation as to why you are removing this table and this information from further annual reports. I do not fully understand it. Can someone explain to me why that information is being removed from further annual reports?

Mr McHugh: The intention is that it will be replaced with something that has a better demonstration of the data, other than what is in the current version of the table.

MR PARTON: When you say a better demonstration of the data, do you mean that it shines a better light on what it is that you are attempting to achieve?

Mr McHugh: No, not at all. That graph currently presents that we have maintained our targets; it is how we achieve those targets that will become more important as we recover from the impacts of COVID. We want to be able to reflect that in more detail. As you have identified, without an explanation, that graph can be quite misleading in terms of the drop-off in patronage.

THE CHAIR: Minister, we heard yesterday from the Chief Minister that the Big Canberra Battery will include end-of-life recycling in its procurement of battery and panel equipment. Are we using the same contract terms for our electric buses, and maybe electric garbage trucks and other electric vehicles?

Mr Steel: There is some procurement underway at the moment on some of those, so there are some probity issues.

Mr McHugh: Speaking in general terms about the batteries on electric buses, some providers provide separate warranty periods and separate responsibilities around how batteries are managed, compared to the bus infrastructure itself; they do have, potentially, different life cycles. With the re-use of those batteries, there are different companies that do different things with them and give them a second life. A battery that is designed for a vehicle has a particular life in a moving environment and a different life cycle in a static environment. There are certain providers that are looking at the second life of those batteries and the responsibility for decommissioning them at end of life. That product stewardship piece is built into our contracts, and we will continue to look at options to do that.

THE CHAIR: Noting that we are drawing up the contracts now, and the recycling probably would not be required for another 20 years—possibly longer—is it something that is being considered as part of the procurement, given that we are doing it for the Big Canberra Battery?

Mr McHugh: I will have to take that one—

THE CHAIR: Take that on notice.

Mr McHugh: Yes. It might be tied up in the probity of the current contract negotiations, I want to be really careful about what I state at this point. I will take that on notice.

MS ORR: I want to get an update on the Well Station Drive park-and-ride facility. How is the uptake going, now that it has been completed?

Mr McHugh: In terms of the usage of the park and ride?

MS ORR: Yes.

Mr McHugh: We have done some fairly recent surveys of our park-and-ride sites. Anecdotally, there seems to be reasonable use of the facility. I could not give you the actual statistics, but we can definitely share those with you on notice, Ms Orr.

MS ORR: Okay; thank you.

THE CHAIR: We will now go to city services. I might ask the witnesses who were not near a microphone before to confirm that you have read, understand and accept the rights and responsibilities in the privilege statement? Could you verbally acknowledge that? Thank you. Minister, I want to check where we are up to on the procurement of our FOGO composting facility.

Mr Steel: I will hand over to Bruce Fitzgerald.

Mr Fitzgerald: We are currently working through quite a complex procurement process for FOGO. We hope to release that to industry this side of Christmas.

THE CHAIR: Excellent. That will be going out for a full public tender?

Mr Fitzgerald: Correct. At this stage we are looking at a two-stage procurement process—a request for a proposal and then a request for tender.

THE CHAIR: You will be doing the usual consultation; are you doing any targeted consultation with people who are already working in the organics and composting sector about how they might fit in and around, how they might tender, and where the gaps in the market might be?

Mr Fitzgerald: It is part of our schedule to undertake that consultation. We have not actually started that level of consultation at this stage, though.

THE CHAIR: If you are going out for a request for tender before Christmas, which is pretty soon, when would that consultation happen?

Mr Fitzgerald: The request for proposals is really important to this project, to understand what is possible. That will inform what we put into our request for tender. Between those two items, that is when we would look to undertake that consultation.

THE CHAIR: Maybe early next year?

Mr Fitzgerald: Correct, yes.

MS LAWDER: What has been the final decision about weekly versus fortnightly regular garbage pick-up in relation to FOGO going forward?

Mr Steel: No decision has been made at this point about the full rollout of the scheme. It will be informed by the pilot program which is still underway.

MS LAWDER: When does the pilot finish?

Mr Steel: The pilot will continue until the city-wide household collection of FOGO begins. Obviously, that is a function of when the new facility is up and running, which will be determined through the procurement process.

MS ORR: Minister, can you please confirm how many trees we have planted in this planting round?

Mr Steel: I am delighted that we have exceeded our target for the 2021-22 financial year. We have planted, across ACT government, 18,000 trees, which is far in excess of what we expected; 10,000 was the target. It is a really good outcome and there has been a huge amount of work going on across Transport Canberra and City Services, as well as in agencies like the Suburban Land Agency, to plant more trees in order to meet the tree canopy cover targets that we have set in the Urban Forest Strategy and Living Infrastructure Plan. I will handover to Daniel Iglesias and his team to talk about it.

Mr Iglesias: As the minister says, planting trees in these sorts of conditions can be very challenging. It is not a good thing for trees to get their feet wet; they do not like it. That has been quite a challenge for us, particularly in the last month or so.

With respect to how we are going in this financial year, for 2022-23, we have a target, just for our little team, of another 18,000 trees. That is an 80 per cent increase on what our team set last year. That is a very bold commitment to step up the rate of trees in the ground. So far we have put in 2,000 trees. We are looking to get 9,000 in by about March, and we are on track to do that.

Our planning, at the commencement of this financial year, was to bolster our contractual capacity, to get some contractors helping us. We already have a good feel for what the community can do for us and what we can do in-house. If we get these contractors on board, that will really speed up the rate of planting. We just need a really good, dry summer—I never thought I would say that, but that is what we need—and that will facilitate us getting a lot of trees in the ground.

MS ORR: What have you done to overcome the impacts of the rain? As you say, trees do not like to get their feet wet.

Mr Iglesias: It means that we have to be creative. We have to understand where in the landscape the drainage is there for us to be able to get trees in. For that purpose, we have relied a lot on people letting us know. On the website there is capacity for people to say, “Tree missing here; how about it?” We then look at it and we understand the areas of Canberra that are likely to be freer draining, and we prioritise those. That has worked really well; we now need it to dry out so that we can start moving into some of these other areas.

MS ORR: Now that you have reached your stretch goal of 80 per cent above—I think that was the number you gave—what goal are you setting yourself for the next round of planting?

Mr Iglesias: We have 18,000 between now and the end of this financial year. Looking further ahead, to 2024, we have a total of 54,000 that we would like to hit. Remember that we are looking for 30 per cent coverage by 2045. We have done the numbers, and we need to continue stepping up the planting so that we do not back-end a lot of work in later years.

We are doing a lot of the hard work now, to understand the process in planting a tree. People think, “Planting a tree: how hard is it?” but when we are talking about a planned, structured project, there are lots of places where you would not plant trees. We have also taken the view that, in certain circumstances, where communities, individuals or families would prefer that a tree not be there, we will engage with them and take that into consideration as well. Often we will not plant there. There are lots of these variables that impact the capacity for us simply to go out and plant trees.

THE CHAIR: Minister, have you heard any feedback or concern from community members about when we plant what they consider to be pest species—trees that they think are not natives and might spread in areas that have been regenerated?

Mr Steel: Not as much as people complaining about us planting native trees, I would have to say. In fact there is a whole Facebook page dedicated to this; it spams me with tags all the time. There is a clear diversity of trees that we want to plant. That is clear in the Urban Forest Strategy, so that we can get the multiple benefits that different

types of trees bring. We can reduce the risk of disease. Clearly, there are tree species where we have more of them in the Canberra environment than we probably should. *Eucalyptus mannifera* comprises about 24 per cent of all of the trees in Canberra. There are a huge number of them. There are significant numbers in the top 10 as well; they make up by far, I think, almost the majority of trees in the ACT.

We want to get more diversity into the system. That is why we have updated the tree planting species guides and the municipal infrastructure standards, to inform our own planting program, and private plantings as part of developments as well. But we do, clearly, need to manage the buffer zones between some of our nature reserves and the suburban streets. That is being managed with more of those exotic species being planted, typically, on a street verge rather than necessarily close to a buffer zone, where the seeds could spread.

It also goes to particular plantings. We might plant some female varieties, not male varieties, or vice versa, depending on where they are. That is certainly the case with the pistachios, to stop them spreading into nature reserves. Those sorts of decisions are made—looking at exactly where we are planting trees and making sure that they are appropriate for the context in which they are being planted. I will hand over to Daniel Iglesias to talk a little more about that.

Mr Iglesias: The minister has summarised it really well. One of the reasons why it takes us some time to get a structured plan happening is because we understand that a particular species may not be the best solution for a particular location. We have good connections with EPSDD in relation to the work that they are doing, specifically around rewilding. We anticipate that we will be able to overlay the potential for rewilding into our urban thinking and say, “This is a rewilding hotspot.” That will then shift our thinking as to what species might be planted in these areas.

Inevitably, when you are planting so many different trees, there may be one, two, three, or even more, where we find, “That didn’t work,” or we planted the wrong one, and we are always happy to hear about that. If we need to, we can pull out individual trees and replace them. There have been very few of those incidents, but it is inevitable that that will happen.

MS LAWDER: I have had a few bits of correspondence from people who are unhappy about having a tree planted on their front nature strip. How many, as a percentage, have engaged with the directorate about being unhappy with the type of tree, the location or not wanting a tree at all? Are we talking about half a per cent or five per cent? What is the ratio?

Mr Iglesias: To get the exact ratio, I would have to take that question on notice. It would be very small in relation to the total number of engagements.

MS LAWDER: Could you perhaps identify what the issue is? Is it the location, the type of tree or having a tree at all?

Mr Iglesias: It is all of those. In some instances, there may be a particular anxiety around the aspect that that tree would block, whether it be solar access or a particular view. There may be anxiety around how the tree might weather a storm. In each of

these instances, our first response is to engage and to have that conversation.

It is known that trees in the urban environment have a net benefit in protecting property during storms. That has been shown in a number of scientific studies. We can have that discussion. Sometimes we bring people around; other times we cannot. In those instances we just will not plant.

MS LAWDER: Will you take the detail on notice?

Mr Iglesias: As to the number, the percentage, yes.

MR PARTON: I am fascinated by your closing sentence, Mr Iglesias. If you cannot agree, based on whatever reason, you do not plant the tree, if indeed—

Mr Iglesias: Yes. If the level of anxiety is such that a particular landowner does not want a tree in a particular location, directly opposite their home—on a nature strip, for example—we generally do not push the matter, because the number is so small that it is an exercise in risk management.

MR PARTON: Does that even apply if the reason, quite simply, is, “I park my car there”?

Mr Iglesias: No, absolutely not. We will have discussions around the nature of the reluctance for a tree to be there. With parking your car on the nature strip, that should not be happening in the first place.

MR PARTON: No, I understand, but we all know that it does, don't we, in great numbers, right across the suburban area? Based on communication that I have had from people who did not want trees planted on this space, some of them went to extraordinary lengths to not have those trees planted there. But that is good; thank you.

MS LAWDER: I would like to ask a little bit about maintenance of water quality infrastructure. It gets handed from EPSDD to TCCS at some point. Currently, do they provide you with operations and maintenance manuals when those assets are handed over?

Mr Corrigan: Ms Lawder, is this in terms of Healthy Waterways projects, specifically?

MS LAWDER: Yes; GPTs as well. They have been there for some time.

Mr Corrigan: Healthy Waterways delivers certain projects. That program was intended for other developers, maybe of new estates. It might not be EPSDD; it may be private developers and the like.

With the standards that we use, TCCS holds the standards for urban infrastructure. In terms of all of that planning and design process, and the approval regime, which I will not go into now, through that, there is a dialogue with TCCS, and that is how the approvals are given. They are built to standards that we set in place. That is all checked; when the assets are being constructed, there is a process certifying and

checking those as well.

MS LAWDER: What is the municipal infrastructure standard for floating wetlands?

Mr Corrigan: Off the top of my head, I cannot do that. I will look to my colleagues. I am not even sure that there is a municipal infrastructure standard for floating wetlands. I will take it on notice.

MS LAWDER: Sure. We have spoken in this place before about maintenance and cleaning out of GPTs, for example. With regard specifically to the Lake Tuggeranong floating wetlands, are TCCS now responsible for the floating wetlands?

Mr Corrigan: I will look to my colleagues.

MS LAWDER: That is what Minister Rattenbury told me yesterday in the water hearing. Is that correct?

Mr Corrigan: Again, I will take that on notice, to clarify that.

MS LAWDER: Presuming Mr Rattenbury is correct, and EPSDD do not have responsibility anymore; he said yesterday that I would have to ask TCCS—

Mr Corrigan: We certainly manage all of the stormwater infrastructure, but with the floating wetlands particularly, I want to double-check that.

MS LAWDER: When you inspect GPTs, for example, do you also inspect the floating wetlands to make sure that everything is okay?

Mr Corrigan: Again, there is delivery under the Healthy Waterways project. EPSDD will work with us, with their contractors, in terms of an inspection regime. As to exactly how it is done, again, I can take that on notice, and confirm exactly how the floating wetlands are done.

MS LAWDER: I am a bit confused, because Mr Rattenbury said it was TCCS, which is why I am asking about it today. I did not get to ask him yesterday because he said it was not him.

Mr Corrigan: I am not confused; I want to be exactly clear. There are only the two floating wetlands projects as part of Healthy Waterways. I want to be very clear about how that is being done.

MS LAWDER: Perhaps you could also take on notice, if your directorate is responsible, when those floating wetlands were last inspected to make sure that everything was okay. I ask because in recent rain events they have largely become untethered again, and are breaking up and distributing stuff around the lake. I feel there could be a better maintenance and inspection process. You will take those questions on notice?

Mr Corrigan: I will.

MS LAWDER: I want to ask about domestic animal services. We had, from memory, the Maxwell review about animal behaviour. Is that the correct name, Minister?

Mr Steel: Yes, that is right.

MS LAWDER: One of the recommendations from that Maxwell report was about improving communication with dog owners if their dogs have been seized. You are probably aware that recently there was a *CityNews* story about a dog called Ace; the owner, Ms Gabrielli, was concerned about the state of their dog when it was returned. What specifically has happened with recommendations from the Maxwell review? Have they been implemented? Has that been completed?

Mr Steel: Some recommendations have been completed. We will continue to work on the others. I will hand over to the team to talk a little further about what we are doing to communicate with those who have dogs that are impounded by domestic animal services. I note that individual matters are sensitive matters and are treated as such, so I will not be commenting on any specific cases.

Mr McHugh: Thanks for the question, Ms Lawder. As the minister explained, a number of recommendations out of that review have been completed. Some are still in progress and some will stay ongoing, as they are operational and management responses.

A lot of it was to do with how we structured our branch, the resources and how they were deployed to do particular tasks. Over the last few years, we have been able to fully resource the DAS branch and fill all of those positions. Through COVID, like all workforces, there was natural attrition, but we are back at full numbers as of today.

Specifically on the communication question, it is usual to acknowledge that when we seize someone's family member, there is a lot of emotion involved. The workplace that our staff work in can, at times, be very challenging. It is one of the areas of our directorate where we do experience a lot of occupational violence, so protecting the safety and wellbeing of our staff is important. Servicing our community and our customers is equally important, and sharing as much information as we can with them as possible.

I will not talk about specific cases, but there are examples where we would be contacted on a daily basis by people who are in a state of concern for their animal. We absolutely share that concern. Animal welfare is a legislative requirement of how we run our business as well. But communication is key. The more information we can share about the situation the better; we acknowledge that. At times, the protection of our staff from the type of abuse they cop on a daily basis from some of these customers is also an interest of ours. There is a really tough management outcome that we work through in DAS.

We can always do better. Communication is a priority for us in how we do that. At the moment most of the communication responsibility sits with the investigators who are undertaking a case, and who deal directly with the customer. That is the traditional method. We are currently thinking about whether there is an alternative that could supplement that, from a communications perspective, to help respond to some of

those issues.

We do have a small handful of cases on the books at all times where we have a particular instance that needs thorough investigation and evidence to be evaluated, because public safety, obviously, is the priority and due diligence is key in these cases. We cannot rush this stuff. Unfortunately, a month, to a pet owner, a family member, is a long time to be without their animal. We do target that kind of turnaround. On average, dogs under investigation are only with us for about 38 days at the moment. We are still heading towards our targets. We absolutely acknowledge that at times the communication bit is difficult for some people.

MS LAWDER: Do you have a target? I know you used to have a target for the number of days that investigations should take. Is there still a target?

Mr McHugh: There is not a legislated target. We have measures that we would like to achieve internally, but it is not a legislated target. For investigations, obviously, targets become really challenging because you do not want to rush and force a decision which could be wrong in either direction—animal welfare in one direction or public safety in the other. We want to make sure we make the right decision all the time, and that is why sometimes it does take a little bit longer than even we would like.

MS LAWDER: You used to have a target. Did you say that it is an internal target, so it is not published in your annual report or budget statements—your target for investigations and number of days?

Mr McHugh: There have been targets over the years for different functions and different types of functions. I would need to be really clear on the particular targets for the particular functions. There are cases and there are investigations, and some of them have different measures. Some of them still have turnaround times that we target, and I will have to get those—

MS LAWDER: I am asking about investigations.

Mr McHugh: Those investigations do not have a formal legislated target date anymore, for the reason that I have just stated. We do not want to rush a really important decision for the community.

MS LAWDER: I appreciate you are saying that, with these individual cases, there are privacy issues. However, in the case of Ace Gabrielli, it was in the *CityNews* as a public story. Without going into the specifics of that dog, are you able to give an indication of why it took so long? Was there a lack of staff? What was the reason behind why it took so long in the Ace Gabrielli case?

Mr McHugh: I am not sure that I should be making public statements about that particular case. It was a pretty typical case where there was evidence provided, we had to interview a lot of people and we had to have the dog assessed. There were a whole range of things that needed to happen. Unfortunately, that is the time that those processes take. I was personally in touch with the owners towards the back-end of that process to make sure they were aware of the fact that we were doing everything we could as quickly as we could.

MS LAWDER: You mentioned that you are fully staffed at the moment, but we continue to hear that, when dog owners call up, they are told on the phone that there is a lack of staff. Why would they be told that if DAS is fully staffed?

Mr McHugh: I would have to take that up directly with the staff. We have an approved number of FTE in the business and at the moment we are very close to having 100 per cent of those positions filled.

MS LAWDER: You are close to 100 per cent; you are not at 100 per cent?

Mr Steel: Over the COVID-19 period there were some challenges with recruiting staff to positions and with attrition rates. That has now come back up to where it needs to be, but there were some issues with lack of staff, which has been experienced by all—

MS LAWDER: Is it 100 per cent or close to 100 per cent?

Mr McHugh: On any particular day, someone could be leaving us and someone could be joining us, so—

MS LAWDER: Are all of the positions filled?

Mr McHugh: They are. As of my last report, all of the positions were filled. But anything can happen.

MR PARTON: I understand that we are trying not to stray into any individual case stuff, but, like Ms Lawder, I am astounded that this process involving the dog that we are referring to as Ace Gabrielli took so long. My understanding is that it was a dog attack on a kangaroo. You did not interview the kangaroo, did you?

Mr McHugh: We could not, Mr Parton, because the kangaroo had to be put down due to the injuries it sustained.

MR PARTON: I understand that it was a serious incident, and I am not downplaying it. I am trying to get my head around why that process could possibly have taken that long. I do not understand what would have delayed it.

Mr McHugh: The legislation would require the registrar to make a decision to put an animal down that has killed another animal, unless there is a demonstrated reason why that should not occur. In a case like that, we want to make sure that we investigate every detail, so that we are not putting someone's family member down without due diligence and due consideration. I do not want to rush that decision, as the registrar. That is why the outcome in that case was that the dog has since been returned to its owners, with some conditions.

THE CHAIR: Minister it was great to see your circular economy discussion paper come out. That is really good progress. There is a lot happening with waste and recycling, particularly kerbside waste. Can I get an update on where our kerbside recycling and waste contracts are up to and where our contract is up to for

Mugga Lane?

Mr Steel: Sure. I will hand over to Bruce Fitzgerald.

Mr Fitzgerald: With the household waste collections contract, we are looking to submit that to the market this side of Christmas. We are still working through some of the complexities of that tender, but our hope is that that goes to market this side of Christmas.

THE CHAIR: I will ask a series of questions that I am certain you will not be able to tell me because you are in the middle of a procurement. Will we have education funds in those contracts? We often structure them such that we give the operators a strong incentive to educate people to keep contamination rates down and make sure that we have education funds and financial incentives built in. Is that likely to be the structure?

Mr Fitzgerald: It is still a key consideration of the RFT. Those type of details will be subject to responses through the RFT. We accept that an essential part of delivering a waste service is the education component, so we are looking at ways to best do that. Part of that will be engaging with industry through the RFT process to understand how best to manage that process.

THE CHAIR: Will those incentives be as good as or better than the current contract?

Mr Fitzgerald: We would certainly not expect them to decrease from our current levels.

THE CHAIR: I know we were trialling an electric garbage truck; how is that performing?

Mr Fitzgerald: We did have, with city presentation, a small truck that was used to assist with local shops' garbage collection. For the household waste collection contract, we have not yet trialled an electric truck.

THE CHAIR: Are we likely to?

Mr Fitzgerald: We are certainly in constant discussion. We know other jurisdictions are getting trials of trucks through the fleet. We are in a difficult situation at the moment. We are at the end of our current household waste collection contract, so it makes the provision of new trucks to the fleet difficult. It is difficult to justify the investment at this stage. Where there is opportunity for us to embrace the trial of a truck for household waste collection, we are seeking every opportunity to do that.

THE CHAIR: Sure. It was not so much for the current contract but for the new contract.

Mr Fitzgerald: For the new contract?

THE CHAIR: Yes.

Mr Fitzgerald: It is absolutely a consideration, as part of the new contract.

THE CHAIR: I am not expecting a fleet changeover in a contract with three months to run. Did we get an update on the contract for Mugga Lane itself?

Mr Fitzgerald: I am sorry; I did not answer that question.

THE CHAIR: We have had the kerbside update; that is great.

Mr Fitzgerald: Correct. With Mugga Lane—unfortunately, I will sound like a broken record—it is this side of Christmas again. We are working through the final stages of that document and hope to issue that shortly.

THE CHAIR: You have a busy six weeks ahead of you; thank you very much.

Mr Fitzgerald: Indeed we do.

MS ORR: I have a supplementary on the circular economy strategy. I know Ms Clay went in a particular direction; I would like to go in a slightly different one. Can you outline how textile waste has been factored into the strategy?

Mr Steel: It has been included under one of the five chapters of the strategy which is focused on problematic waste streams. That is within that chapter; it is specifically mentioned as being one of those problematic waste streams that we need to think about, and have a discussion with the community about what our role is.

We have, of course, played a role in terms of providing the use of public land in the past for the charity bins to be used for collection of textile waste, which can then go on to be resold by those charities. That has been scaled back due to some of the illegal dumping issues that we had around them. We have been running a pilot with Koomarri at two locations in the ACT, Mugga and Mitchell, which has been a more controlled environment for collecting that waste. Some of the charities have continued to provide the ability to drop off textiles at their private locations as well.

We are keen to open up that discussion again with the broader community about what we can do with that textile waste, how it can be collected and whether there are better solutions to it that we have not yet implemented in the ACT. It is a problematic waste stream for a reason; there are not any easy solutions. We are keen to hear the community's views about exactly what we can do in that space.

MS ORR: How will government, as part of the strategy, now work with industry, business and community to understand what opportunities exist to create those circular practices?

Mr Steel: Through the consultation process that is underway, we are keen to hear from all of the different groups. The major fashion houses are not located in Canberra. It would be good if they were. There are certainly some great local clothes designers that we could potentially engage with, to be able to demonstrate what is possible. Part of the issue, with some of these textiles, is that they often combine different materials together, which makes it very difficult to recycle them at their end of life.

With the circular approach, you would want to start from that design end of things, to try and design out these problems in the first place. There are also some circular solutions, to try and use the material that we are getting through the charity bins and other collection points, through the Green Shed and other places, and try and use that.

There is a genuine rag trade that is available for rags. Obviously, that is a lower end use of materials that cannot be used for any other purpose. We are really interested to hear from the community about what the potential solutions are here—what we can do in the ACT, and what we should not do here in the ACT as well. Are there any manufacturing solutions close by, in Sydney or nearby, that we could also bring in to making sure that we deal with the end of life of textile products from the ACT?

I will hand over to Bruce Fitzgerald to talk a little bit more about that particular issue.

Mr Fitzgerald: The other item that we are pursuing is on the national agenda. We see a significant role for the commonwealth to play in understanding, longer term, some of the aspects that the minister pointed out. We are not manufacturing necessarily within the ACT, so we need this at a national level to understand how we deal with this problematic waste stream. We continue to advocate for action and for the industry to come up with solutions.

MS ORR: On that point and the feedback that was given, with the focus on the ACT and the circular economy strategy, the big opportunity is how we deal with the waste. We do not necessarily have the levers for design and production. If I have understood it correctly, the opportunity is about looking at what we do, how we collect it and how we process it. That is really where the thinking is at.

Mr Steel: It could also be repair of the items. Some of the clothing manufacturers do offer repair of some of their items—certainly not all of them, or the majority of them, but there might be opportunities to see how we can build a more circular approach here. We have repair workshops happening across a wide variety of products; textiles could be potentially part of that as well. Some of us have lost some of the old skills that earlier generations had to repair clothes, if they are torn or a button comes off. A bit of that sort of work and skills could be developed, to extend the life of existing textiles, as well as creating new ones through upcycling.

MS LAWDER: I saw something recently about the opening of a new tip, for want of a better word—a waste management centre in Belconnen. What will be the opening date of that and does that mean that the Mugga Lane centre will close? If so, when would that be?

Mr Steel: There is no proposed new tip in Belconnen. We are going through the planning process at the moment for a green waste drop-off in west Belconnen, which is continuing the existing green waste drop-off that is currently located at Parkwood and moving it to a new site in Belconnen. I will hand over to Bruce Fitzgerald to provide an update there.

Mr Fitzgerald: The document in relation to Belconnen originated from a need to look at the Mitchell Resource Management Centre, to identify, particularly with some of

the urban development that has been happening within Mitchell, what is the long-term strategy for its replacement or its supplementation.

With the report that was conducted, it was not a landfill site; it was around what sites were available for something similar to the Mitchell site. We also used that report to understand what the feasibility was, as the minister pointed out, for the green waste facility that we need to replace what is currently on Parkwood Road. The intention was never to provide a new site; it was around locations for a possible site in the future.

MS LAWDER: Mugga Lane originally had an end-of-life expected date, maybe. I do not really remember—2050-ish. Is that still the case or will we keep expanding the Mugga Lane centre for the foreseeable future, given that there are no other plans?

Mr Fitzgerald: Its expansion is obviously limited by its size. There is a certain limit to how far we can expand that landfill. At this stage, and depending on current rates of fill, we are looking around that 2050 mark for Mugga to reach capacity. The current cell reaches capacity at the end of this decade; then we will start to engineer the next cells. Our hope is that, with strategies like the circular economy, green waste and FOGO, our fill rate declines significantly so that the life of that facility can also be extended.

MS ORR: I want to talk about libraries. With the libraries, we had the motion which I moved about internet access. That digital inclusion was being worked on through our library system as part of the new libraries 2030 work. Can I get an update on what has been happening to improve the technology in our libraries, any new tech in the libraries and how we are supporting that digital inclusion of people?

Mr Steel: Certainly, an issue that has come up through the Imagine 2030 consultation process on the future of libraries in the ACT is around digital access, digital inclusion, and what support and skills development can occur in our libraries with the community around those things. We have just finalised the consultation, and I will hand over to Vanessa Little to talk about what we have heard.

Ms Little: I have read the privilege statement. The 2030 consultation has been broad and very deep. We have consulted with a range of people, including babies, which I learnt something about. Some of the things that are coming up would be expected—ones about accessibility and being able to get to the library. There are some very interesting things around partnerships, and how the community respects the partnerships that we have and that they want us to continue with those.

There have been conversations with the community about accessibility; that is probably the biggest one. There is also working with vulnerable communities and how the community values that and wants us to continue to do that. The digital inclusion one is very important to the community. They want us to continue to fulfil that role. They are very aware that that role is an important part of what the library does.

There were a lot of positives coming out of the report and the consultation. There were some really important things about our role with the community in social inclusion and being part of the self-education of the community. It is on the Your Say

website right now.

MS ORR: It is still in progress?

Mr Steel: The next stage is to use the consultation and feedback that we have received and reported on to inform the development of a strategy for libraries to 2030. That work is now underway to help inform the strategy. We will certainly be looking at digital inclusion as part of the strategy and how we can meet that need through our libraries going forward.

MS ORR: Ms Little, you mentioned that accessibility was a strong theme. Accessibility can have many meanings. Can you clarify how you are applying that?

Ms Little: Certainly. It came up in all of its guises—accessibility of the infrastructure, accessibility through our website and through technology. Accessibility for people with disabilities came up very strongly. Accessibility, in all of its guises, came up. People want to be able to get access to libraries, to library services, to our resources, to our staff and to the inclusion that it brings. It was very broad.

MS ORR: As part of the libraries 2030 process, how are you feeding in the experiences that you had during COVID and the lockdowns? I know you did quite a few innovative things during that time that we have heard about in previous hearings. How are you factoring in those bits that you had to do, but might not want to let go of, because they have proved to be quite valuable?

Ms Little: At the moment we are managing that internally. The one thing that people are saying to us, and they did through the 2030 project, was that they want us to continue to do some kind of home delivery. We have continued “mystery box”. We have lost a number of people who have come back into the library, but there is clearly a need around that.

With the online work that we did, we were always planning to do it, anyway; it accelerated it. Of course, with some of the things that we did online, particularly around story times and “giggle and wiggle” and those sorts of things, we have had to pull back because we were given copyright permission by the Australian authors and publishers for the period of COVID. Some of them have not given permission beyond that. It has caused the library association to talk to publishers, and we do have permission for some material but not all.

We are managing that internally at the moment. We are doing a little bit, and monitoring. Home delivery definitely came up as something that people wanted us to continue, through “mystery box”.

MR PARTON: Can I ask about ACT rangers? How many FTE rangers are employed for issues such as illegal dumping and parking? How does this compare to previous years?

Mr Iglesias: I would have to take the number of FTEs, that element, on notice. What was the second part of your question?

MR PARTON: How it compares to previous years. Are we steady, increasing or declining?

Mr Iglesias: I would have to take that on notice as well, to compare year-on-year accurately.

MR PARTON: Mr Iglesias, are you able to tell me about the numbers of rangers that work outside business hours to respond to enforcement matters and whether those rangers cover all areas of the ACT or just some suburbs?

Mr Iglesias: We do have the capacity to respond to people after hours, on an on-call basis. That would cover a range of eventualities, but it would not be so much based on geographic but rather the actual need. If a need was there, we would respond to wherever that need was. As to the number and types of those call-outs, I would not have that at hand.

MR PARTON: One would assume that, in that sort of space, in regard to call-outs outside business hours, understandably, the resources would be quite limited?

Mr Iglesias: Yes, compared to the resources that we have during business hours.

MS LAWDER: Following on from Mr Parton's point, some of the things people would often call about, and that I guess you would prioritise, would include dog attacks; that would be a priority for you, I presume?

Mr Iglesias: Not for my particular team, but within the directorate.

MS LAWDER: Within the directorate?

Mr Iglesias: Yes.

MS LAWDER: Another one that people often mention to me is people illegally accessing, for example, the lakefront. Driving their vehicles cross-country creates quite a problem, and parking near the lakefront for fishing, perhaps, and other reasons. How many times would the directorate staff respond to those? It is often on weekends—usually weekends. How many of those complaints of vehicles accessing the lakefront would you respond to on a weekend?

Mr Iglesias: Again, I would have to take that level of detail on notice. It is fair to say that the majority of our rangers capacity is during the week. There is still the capacity to follow up incidents that occur after hours, and quite effectively so, where we have good intelligence or good reports from members of the public. Sometimes we have that, and there are instances where we have done exactly that.

To respond incident-by-incident on a weekend, I would suggest that would be a difficult stretch for us to achieve. However, I can take your specific question around how many times on a weekend on notice.

MS LAWDER: Using that example of Lake Tuggeranong, there is also anti-social behaviour—doing doughnuts on the gravel down near the lakefront, and people

walking, cycling, et cetera feeling a bit threatened by that behaviour. What should they do in that regard? Is it worth calling the police?

Mr Iglesias: Absolutely. If there is ever an incident where people feel their safety is threatened, the police should be their first port of call. In fact that is the advice we provide, often, when people report that to us.

MS LAWDER: Sadly, the police often cannot come, either.

Mr Iglesias: Sure. We also take those sorts of incidences as intelligence. It does allow us to think about what we might be able to do during business hours to improve the safety profile of the area. That can involve all sorts of hard responses such as lighting and signage.

MS LAWDER: To be fair, I know that, in many instances, there has been a positive response of putting up barriers et cetera. However, some people seem to find yet another way in, unfortunately—driving across footpaths and creating problems for people. If people send through photos of the cars with the numberplates, is that information that you can use?

Mr Iglesias: Absolutely, and that is often the case. Where we have been able to follow up on reports of that nature, it has often been due to the quality of the evidence that we have. We have handed out many hundreds of infringements over the last 12 months, and some warning notices as well. It is in the hundreds, and it is for a range of issues on public land, some of which are like the ones you have described.

MS LAWDER: I want to follow up a bit more on recycling and waste. The MRF behind the Mugga Lane centre appears to be stockpiling more and more recycled material, big bales of it, and taking over more and more land in that area. What are the plans for what to do with the stockpile of materials there?

Mr Fitzgerald: The opportunity for the operator to use that stockpile, to use the area of land behind the MRF, was something on which we have worked with the operator over a number of years, to make sure that they have sufficient space and to make sure that it is safe for the storage of that material. The onselling of the material that comes out of the MRF is the responsibility of the MRF operator. Re.Group, who are our current operator, actively look for new markets and opportunities. They have been involved in various acquisitions to make sure that they have a place for that feedstock to go to, to be recycled.

Often, because of the way that the markets operate, you will have periods when they do stockpile. That can be for a number of reasons. It can be an oversupply in the market; it can be an opportunity to make sure that they have adequate stock to provide to the market at the highest price at a given time. There are many reasons for the stockpiling. We have worked actively with them to make sure that it can be done on the site, but done in a safe way.

MS LAWDER: How much land are they able to keep expanding into? What is the environmental impact of asphaltting, or whatever the surface is that they are putting down there? Do you take that environmental cost into consideration?

Mr Fitzgerald: The site itself, where the stockpiling is taking place, is the site for the future materials recovery facility. As we look to upgrade the current facility, we will utilise the space that is currently used by Re.Group as the stockpile area. The existing property on which Re.Group operate had an environmental impact statement, and it did consider the need to stockpile, as part of that piece of work.

MS LAWDER: It does seem to be growing, every time I drive past there.

Mr Fitzgerald: It should not be growing. It can fluctuate in size. The actual size set aside for stockpiling is defined in their licence arrangement. It is very much still within the block boundary assigned to them.

MS LAWDER: How do you manage that? Do you have snap inspections? How do you know what they are doing down there?

Mr Fitzgerald: Yes. We have a very active contract management system in place. We have teams that will have both scheduled and unscheduled visits to the site, to make sure they are in compliance and fulfilling the obligations of their contract.

MS LAWDER: In terms of resources recovered, it seems that, over the last few years, there has been a bit of a decline. There is a little graph on page 30 of the annual report. What are some of the reasons behind the factors? Are we creating more waste to landfill? Are people not recycling as well as we could be? Is it both, or is it something else?

Mr Fitzgerald: I should start by saying that waste is volatile. We have fluctuations; you will see that at various times throughout the years. We have had Mr Fluffy; we have had other elements that affect our resource recovery rate. We have had, particularly over the last 12 months, great success in being able to follow up with our waste transporters to understand where the waste is moving to. Part of that has been our ability to capture waste that goes across our border. In this report we have captured 74,000 tonnes of waste that is heading to Woodlawn; previously, we did not have access to that information.

The new waste management act has been a terrific opportunity for us to understand waste movements, to regulate more effectively and gain that data, so that we have a more fulsome set of information when it comes to waste management.

MS LAWDER: Does that happen on the opposite side as well—waste coming into the ACT from interstate? Is that captured in these figures as well?

Mr Fitzgerald: Certainly, if it is imported into the ACT, it would generally go across our weighbridge. We would have waste from other jurisdictions. We certainly collect waste as part of agreements that are in place for the materials recovery facility and other waste management services across the region.

MS LAWDER: Is the ACT a more attractive jurisdiction for other surrounding jurisdictions to send their waste to? Is there a cost difference or is there a level playing field?

Mr Fitzgerald: We are generally on a level playing field when it comes to waste fees. We keep an active review of fees around the region. We know that Woodlawn has a lower gate fee to what currently exists at Mugga. That is the driver for some of the commercial operators to transport their waste to Woodlawn.

MS LAWDER: Are the commercial operators in the ACT captured in these as well?

Mr Fitzgerald: That is correct. That is the 74,000 tonnes, yes.

THE CHAIR: With the 74,000 tonnes that is already heading across the border to Woodlawn, do you expect there will be more when there is an incinerator there?

Mr Fitzgerald: We have not made any assumptions around whether that will impact on—

THE CHAIR: We have no controls to stop it?

Mr Fitzgerald: The obvious control is around gate fees and the relative commercial viability of their individual businesses. Our policy lever, when it comes to that element, is primarily around setting our gate fee to make sure that, from a commercial perspective, it is not so advantageous to take it to Woodlawn.

THE CHAIR: I also have a question on the figures. We have a projection in the annual report that we will be going from 72 per cent resource recovery up to 85 per cent next year; then up to 90 per cent in 2025, which is quite a steep curve, after the plateau we have had. Is that coming from FOGO alone, or is that from the new MRF? What are you expecting to make that massive change in resource recovery?

Mr Fitzgerald: The 90 per cent reflects our Waste Strategy and our targets within the Waste Strategy. Again, it looks overly optimistic. As part of that work that we are doing around FOGO and the circular economy, we certainly hope to drive towards a figure of 90 per cent. Whether it will be achieved in 2024-25, based on current projections, that seems unlikely.

Mr Steel: It was pretty clear, from the waste feasibility study a few years ago, that from the point when we ruled out energy recovery, and sent more waste to energy in the ACT, it was going to be very difficult to push above 80 per cent as a result of that decision. That decision was made based on community feedback. I think it is the right one at this point, before we explore some of those opportunities with the circular economy. Obviously, at some point the landfill will come to end of life, and that option is not currently available for those resources as it might be in other jurisdictions.

THE CHAIR: I was looking at our past waste audits. We had nine waste audits between 2009 and 2015. By that, I mean we used to audit the kerbside waste and the kerbside recycling. We used to audit the landfill contents. I know that we measure the quantity, but we used to do a sample of what was in there. We audited the skip bins that we were getting; we audited the material we were getting at the recycling drop-off centres and the waste we were getting at the MRFs. I have not seen a published

audit since 2015. We have heard rumours that there might be some. Are we doing that type of deep analysis of the waste stream and publishing that information?

Mr Fitzgerald: Yes. The fieldwork for that audit has been completed. We are expecting a draft report. I will not say that we will have it before Christmas, but we are expecting that that will come through in the not-too-distant future. It is a key element for us to make sure that we have our settings, particularly for a number of our waste procurements, at the right level.

THE CHAIR: That is great; 2023?

Mr Fitzgerald: Yes.

MS ORR: With the disability reference group that TCCS was putting in place to inform about accessibility to its projects, how is that work going? What sort of feedback have you been able to gather so far?

Mr Steel: I will hand over to Ben McHugh to talk about the accessibility reference group. A number of different projects have been going through that group for their input.

Mr McHugh: Judith Sturman, who is not with us today, chairs that reference group. They meet regularly, and have been meeting for the last 12 months. They have been establishing where the value and benefit for the community groups come from. They are now at a point where they are starting to segment into subcommittees, to look at particular pieces of infrastructure projects and the like. The connections with the different sectors have been fantastic. We now have really good access to informed decision-making; we can also provide feedback regarding proposals that we are putting together. It has been a great success so far. It is moving into its second phase now, and establishing itself in a more formal sense. We have had large numbers attend. Yes, we are progressing that.

THE CHAIR: On behalf of the committee, thank you, Minister Steel, and officials, for coming today. Witnesses, I think some questions have been taken on notice. If we could have responses back within five working days, that will assist. Members, please lodge your questions on notice within five working days. The hearing is now adjourned.

The committee adjourned at 2.31 pm.