



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING AND ENVIRONMENT

(Reference: Annual and financial reports 2004-2005)

Members:

**MR M GENTLEMAN (The Chair)
MR Z SESELJA (The Deputy Chair)
MS M PORTER**

TRANSCRIPT OF EVIDENCE

CANBERRA

WEDNESDAY, 9 NOVEMBER 2005

**Secretary to the committee:
Dr H Jaireth (Ph: 6205 0137)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents relevant to this inquiry which have been authorised for publication by the committee may be obtained from the committee office of the Legislative Assembly (Ph: 6205 0127).

The committee met at 1.30 pm.

Appearances:

Mr John Hargreaves, Minister for Disability, Housing and Community Services, Minister for Urban Services and Minister for Police and Emergency Services

Department of Urban Services:

Mr Mike Zissler, Chief Executive
Mr Hamish McNulty, Executive Director, Municipal Services Network
Mr Alan Galbraith, Executive Director, Enterprise Services Network
Ms Susanna Kiemann, Director, Strategic Finance
Mr Gordon Elliott, Manager, Corporate Budgets
Ms Helen Willson, Manager, Cabinet and Assembly Liaison
Mr Chris Horsey, Manager, ACT NOWaste

Canberra Cemeteries Board:

Professor Paul Perkins, Deputy Chair
Mr Hamish Horne, Secretary Manager

THE CHAIR: I open the hearings into the 2004-2005 annual and financial reports. I welcome the minister, officials, committee members and other MLAs. You should understand that these hearings are legal proceedings of the Legislative Assembly, protected by parliamentary privilege. That gives you certain protections but also certain responsibilities. It means that you are protected from certain legal action such as being sued for defamation for what you say at this public hearing. It also means that you have a responsibility to tell the committee the truth. Giving false or misleading evidence will be treated by the Assembly as a serious matter.

This afternoon we are hearing from the Department of Urban Services. If any questions are taken on notice, the committee would appreciate responses within five working days from the day that you receive the *Hansard*. It is the responsibility of witnesses to ensure that they meet any commitments they have made regarding the provision of information or answers to questions on notice. The secretary will email the transcript to all witnesses as soon as it is available.

Questions for today's annual report hearing are to be from the committee and are to be relevant to the reporting period, 2004-05. A schedule has been provided in regard to the minister's generous availability of time. I would ask all members of the committee and other members to adhere to the program. I would like to ensure that all committee members have an opportunity to put their questions to the minister before we move on to other members' questions. Members are also reminded of standing order 235, which states:

When a committee is examining witnesses, Members of the Assembly not being members of the committee may, by leave of the committee, question witnesses.

I would also request witnesses to state their name for the Hansard officials. Minister, would you like to make an opening statement?

Mr Hargreaves: Canberra is a beautiful city in which we are all proud to live, work and raise our families. The people of Canberra deserve to have a city looking at its best and deserve the best municipal services in the country.

With the exception of the Brisbane City Council, the ACT Department of Urban Services has the largest municipal responsibility in Australia. It is a responsibility that the government takes seriously and of which we are extremely proud.

Currently in the ACT we are hosting the national general assembly of the Australian Local Government Association, where over 650 delegates from Australia and internationally are gathering to speak on issues of local government and municipal services. These are issues that people care about—the day-to-day services and functions that make a difference to the quality of life in our city.

We notice if our garbage doesn't get collected, if the grass isn't cut and if there are potholes in our street. We cherish visits to the local library, delight in the free, around-town events and regularly call on Canberra Connect when we need information.

With this in mind, the Department of Urban Services set about reviewing and refining the way it does business, with the aim of improving the delivery of services to our community. 2004-05 saw many changes begin within the department, not the least has been the taking charge of our future program that is guiding the reshaping of the department to have a greater concentration on municipal responsibilities.

There is now a stream within the department, named municipal services, that concentrates purely on services delivered to the community. While these changes have been taking place internally, urban services continued to provide the high-quality services expected by Canberrans.

We need to have regard to this annual report before the committee now against the backdrop of a very serious restructure of the way in which we do business. I would foreshadow to the committee that some of the performance indicators that are in here may or may not be appropriate in the 2005-06 version of this report. We will indicate and highlight to the committee, as we go down the track, where the committee expresses an interest in a particular subject, whether or not it is part of our review of the way we do things.

I have to put that review in a certain light also, in that it is not only a review of structure—that is the easy bit; a stroke of the pen can sort that out—but also a cultural, attitudinal and mindset change that is being achieved right through the department. Of course, that does not get achieved overnight. It is going to take us a year or two for that to happen.

We completed the City Walk west upgrade to enhance the ambience of the City Precinct. Anybody who has travelled down that will see how absolutely brilliant that bit of work is. That West Row/Northbourne Avenue/Alinga Street precinct is showing what it is going to look like eventually, when you can go right through from Civic to City West and on to the university. It is a very high-quality product.

Our NOWaste strategy resulted in the recovery of over 70 per cent of the total waste, the

highest annual recovery rate since the introduction of the strategy in 1996. We have opened a new, state-of-the-art material recovery facility at Hume. Under the NOWaste strategy, I was able to take part in the ceremony today for the NOWaste achievement awards for 2005.

We implemented a significant ongoing program of fire fuel reduction works across the ACT. The bushfire garden regeneration project re-established 351 fire affected gardens. We conducted an extensive tree surgery program to remove dead and dangerous trees.

Our public library service has had substantial growth in many areas, including the use of the internet, which grew by 40 per cent. Loans grew by 6 per cent. The service increased the collections available to the multicultural community.

This names just a few of the department's achievements during 2004-05. What the year covered by this annual report saw was the beginnings of a cultural shift, as I said, within the department. I am confident that will benefit the whole of the Canberra community.

Officers and I are very happy to take questions from your committee and guests of your committee.

THE CHAIR: Thank you, minister. I will kick off with municipal services. With the drought continuing throughout 2004-05, can you provide the committee with information on urban tree management, which is mentioned at page 14 of the report, output class 1.4, such as the number of dead trees required to be removed and the cost of their removal? What is the planned replacement program?

Mr Hargreaves: You would know that we have a number of reasons why the trees have died in Canberra. There was obviously the drought. Fires killed quite a few. What I didn't know until the experts within urban services talked to me about this—and this is really interesting—was that a lot of the trees in Canberra are around the end of their life anyway. You always think of eucalypts, for example, living for a couple of hundred years. That is only a certain number of species and a certain number within that. Generally speaking, the age is about 70 years. The exotic trees from England are about the same. You get the odd one that will go to a couple of hundred but, generally speaking, they only go for about 55 years.

About now some of them are ready to start the dying-off process anyway. We could expect, even in times of good weather, a significant number of trees that were planted on that sheep paddock in the Limestone Plains to start dying off. We need to understand that we need to have a sustainable tree replacement program, not just a one-off this time; it is going to have to be a sustainable one. I will get the department to give you the details. We will see where that takes us.

Mr McNulty: We have done a survey of the city. We estimate that around 7,000 trees were affected and ultimately killed by the drought over the last couple of years. When we identify a hazardous dead tree, we generally try to remove that within five working days. Dead trees that aren't hazardous are put on programs. We do a sizable number of trees at the one time, for the efficiencies we generate from that.

In the year 2004-05, we spent around \$570,000 removing dead trees. That included

a Treasurer's Advance of \$500,000. During that year, we removed 3,500-odd dead and dying trees. In this current year's budget, we have another \$500,000 for this purpose. To date, we have removed around 266 trees but are looking to remove another 2,500 by March. We think that money will give us the opportunity to remove the vast majority of dead and dying trees around the city. The trees that have been removed are stored at Curtin and are currently being processed into woodchip, which will then be used for landscaping purposes around the city.

We also think that some of the trees that are still living and have been affected by the drought are going to die over the next two years; so this will be an ongoing process into the future. We will be putting in further funding bids, as required, to deal with this.

At the moment, the current funding allocations don't include the cost of tree replacement. We are putting forward a budget bid for the 2006-07 budget to cover replanting. Over the past two years, we have planted a significant number of trees around Canberra. 3,500 trees were planted in the greening of the fire-affected suburbs; about 3,500 trees have been planted on the two-for-one replacement plantings for the Gungahlin Drive extension project and fire-affected rural roads. A significant number of trees have been planted over the last year.

THE CHAIR: As a supplementary to Mr McNulty's expansion on the process of removal: does the chipping provide any income for urban services or does it save significant money?

Mr McNulty: It would save us buying mulch product in; so we save money in that way.

Mr Hargreaves: There is another aspect to it, and that is that it is the responsible thing to do. What we haven't done is dig a hole, put it in the hole and cover it over. We have decided to use it as part of the regeneration process. It then becomes a course mulch. As Mr McNulty has said, it save us buying the stuff.

One of the things I should indicate to you—I may have indicated it last time I appeared before the committee—is this: with the Gungahlin Drive extension going through, a number of people got really upset because we had to chop down a whole stack of trees to put the road through. There was concern that there would be sensitive species taken out as the road went through.

Whilst I don't think it was quite to the degree that those folks thought, we did embark upon a program which was rather fantastic. I hadn't heard of it before. That was to harvest saplings from those mature trees that had dropped seeds and regenerated. The same species of tree from the same tree stock, as opposed to being grown at Yarralumla and imported, were harvested and kept and are now being replanted along the edge of the Gungahlin Drive extension. Whilst we acknowledge that the road going through has taken out quite a number of trees, the actual damage to the ecology on the aprons and the side paths of that highway will be replaced with trees that were there in the first place.

THE CHAIR: I mentioned the drought. Again at page 14 of the report, output class 1.4, there is reference to CUPP management. Can you expand on this, for the information of the committee?

Mr Hargreaves: That has got a bit of technical detail about it. I will flick that one to the department while I am at it.

Mr McNulty: We have taken water restrictions very seriously in the department. We have taken steps to ensure that we are compliant with the water restrictions that apply to everybody else.

We have turned off, under the various stages of the restrictions, water on a number of the lower-use sportsgrounds. As you are probably aware, sportsgrounds are classified by the level of use and the quality of the playing surface. We started at the bottom of that list and worked our way up until we got the required number of hectares turned off. At the moment, there are around 25 sportsgrounds which have the irrigation turned off on them. The majority of those, if not all of them, would be unsuitable for play at the moment.

We are in a position, however, where we have been able to accommodate, by moving some of the times and days of competition around, all the competitions in summer sport. We are accommodating all of that.

The irrigation system for the sportsgrounds is a computer-controlled system. We have had a piece of work undertaken by the ANU to look at maximising the efficiency of that system. We are doing everything we can to maximise the efficiency of the irrigation, while at the same time complying with the water restrictions. It is an issue we take very seriously.

THE CHAIR: Minister, in your opening statement, you talked a little about NOWaste. The report indicates, at page 23, output class 1.3, that ACT NOWaste put significant efforts into refining contractor activities at the waste management facilities, to increase resource recovery rather than disposal. Can you indicate to the committee how this was achieved and the measure of the success?

Mr Hargreaves: It would best answer your question by talking about the NOWaste awards all together. We put the NOWaste awards out last year. The take-up was pretty good. People were putting themselves forward for recognition of what they were doing. We felt that we could extend that a little this year. We extended the awards into those areas where we wanted to have people encouraged to improve themselves.

We identified, for example, that business could lift their game a bit. The construction industry are doing pretty well. They ought to be congratulated. They could lift their game a little also. In fact, the only people really pulling their weight were the domestic sector. They are the people who are predominantly responsible for our achieving a 70 per cent reduction.

We put out our awards this time, recognising people who had a management culture, a management ethic. The winner of the gold award this year was Canberra international airport for their work at the Brindabella business park. We also had silver and bronze awards. We gave out awards to a whole stack of other people.

We talk about activities in the schools. If you want to change a culture in a community, you have got to start with kids. The kids will do two things. One is that they will learn it, practise it and do it themselves. They will also nag their parents to death. That is exactly

what the kids are doing. They are doing some great things. We gave out awards to three schools today.

ACT Skip Hire won two awards today. They have the right approach. If my memory serves me correctly, it is 70 per cent of everything they do. We are trying to encourage business, particularly. That is where the big dropout is. Businesses are not picking it up fast enough. They are not picking it up fast enough through the recycling of the stuff they have got already and they are not picking it up by selecting already recycled stuff and buying that.

We can force people to do things or we can encourage people to do things. I would rather try to encourage them first to see how we get on. That is what these awards are all about.

If you want details about those particular awards, I am happy to provide those to you on notice, because there is some specific detail in there which would be particularly useful for the committee. We have not only who got the awards—and I could probably rattle those off, but I want to think about them—but also the committee might be interested to know exactly how and why they got the awards. That would take up, if I were to talk about it right now, a fair amount of time. Perhaps, with your permission, Mr Chair, we will get you a submission that goes into that detail. I am happy to do that.

I said a couple of other things. It is worth putting this on the record. One thing is that there is the notion of what no waste is. I talked about that. I talked about what is zero waste. It is an international thing. In regard to NOWaste by 2010—Mr Smyth was the minister who endorsed that particular name for the target—we have to be real about this. The realistic target, for us to say that we have achieved no waste, is that 95 per cent of our waste is recycled or reused.

People will say—and they will scream from the rooftops—“You said 100 per cent. You said no waste. It is either no waste or it isn’t no waste.” To those people I say, “Wake up to yourselves and listen a bit.” There is the simple fact that there will always be certain amounts of waste that has to go to landfill. We need to understand that and work out internationally what is acceptable and what is not acceptable. You had better get Mr Horsey here because there is a putrescible waste question coming up.

When we look at what is possible and what is not possible in this town, we need to understand exactly what this town is. We happen to know that there is a whole stack of asbestos in a lot of our housing stock and in a lot of the private housing stock. There is only one way of treating that, and that is to bury it. It will never be that we can close the landfill forever. I said this 12 months ago at international forums and will say it again.

The conversation now, internationally, is: what is that acceptable figure that we can call no waste? There is always some intransigent, some high-tech stuff that needs a different treatment. We don’t know what is around the corner. I have said this a number of times: if we can get to 95 per cent, I will claim the NOWaste strategy to be successful.

The other thing I said today was—and I expressed my disappointment—that governments, both ACT and federally, didn’t put any nominations in for the NOWaste awards this year. I was disappointed by that and quite critical of it. I know that there are loads of great things happening within the departments. Nobody, on the other hand, has

had enough wit to put their department up for recognition. I suspect that CEOs are not taking it seriously enough across departments. So I publicly expressed my disappointment in those CEOs' attitudes, and I continue to do so.

The other thing I talked about was the reduction in the use of plastic bags. There was no award to anybody in the retail industry for plastic bag reduction. There was no nomination for it either. That is a pretty ordinary response. As far as I am concerned, the consumption of plastic bags is just that: it is people taking the things. We have seen people reduce the taking of cigarettes and the taking of food products with significant amounts of fats, carbohydrates and everything else.

The whole environment of shopping is changing because business is responding to consumer demand. The consumer is still demanding their groceries in plastic bags, and that is what has to change. So I exhorted the consuming public at lunchtime not to take plastic bags. I expressed my disappointment that the retailers are offering them. I don't believe in the regime of having to charge for them as a disincentive. All that does is reward the manufacturers of them, in my view. We need to have the retailers not offering them and the people not asking for them.

MS PORTER: I have questions supplementary to the waste ones. Minister, you made various remarks about business waste. You were saying that we should use certain measures apart from the award to encourage business to recycle more waste. Are there any other measures that you are using or intending to use?

Mr Hargreaves: We do a couple of things. We advertise in features. Although we have targeted the domestic market, we are in consideration mode about how we can do some advertising around that sort of thing. We are talking about encouraging kids at school to nag their parents in terms of home, work and play. We want the kids to nag their parents about the mindset of recycle and reuse both in business and in recreational activities. We visit some buildings and we tell them about the opportunities to recycle their staff. We are trying to visit some businesses to tell them about the opportunity to turn what is an expense into a profit.

In fact, we conducted a survey of 350 businesses across the ACT to determine their attitudes, current practices and waste service arrangements, what assistance they would prefer from the government to reduce their waste, how they obtain information and other related issues. At the moment, the information is being used to develop initiatives for inclusion in the no waste strategy. You might have seen the television campaign encouraging business to take up recycling. Of course, there is the development of business waste reduction guidelines.

At the no waste awards today—I should have noted it publicly but did not, which I regret, so I will do it now—I noted the attendance and presence of Chris Peters from the Chamber of Commerce and Industry, who, I know, has an interest in this thing. I also note that Mr Pratt was there. I apologise, Mr Smyth, for not acknowledging you at the beginning, but you were not there at the beginning. I also apologise for not acknowledging you at the end, but both of you were not there at the end, either. I noticed your early departure. It is a shame that you did not stay for the rest of it, because it was quite a celebration. I was quite hoping for you to see the actual pleasure on people's faces as they received their awards.

MR PRATT: Unfortunately, duty called.

Mr Hargreaves: You can't help bad luck, Mr Pratt. Mrs Porter, we are looking at—we are only looking, but you have to road test a few things—a web-based system that allows businesses to access recycling services and pricing. We are looking at and hoping to have further media campaigns on a range of advisory services, such as face-to-face business visits, which we have done a bit, making phone and email services available, and presentations, workshops and training initiatives.

I know that Chris Horsey from ACT NOWaste has addressed at least one community council. As Mr Gentleman would know because he is a regular attendee at meetings of the Tuggeranong Community Council, they are also attended by people from business. It is important that we get the message across to those people. We want to target some accountants and business advisers and get them to show their clients the benefits of having recycling and reuse. We reckon that you can make money out of it, instead of having it cost businesses money.

We want to work cooperatively with waste services providers and try to put the two together so that waste services providers can make a quid and they can save the businesses money and between the two of them we can actually get the business recycling and reuse ethic and culture going.

MS PORTER: My other question in this area relates to page 24, where mention is made of an increase in customer satisfaction ratings at Mugga Lane and the Mitchell resource centre. Could you advise the committee on the actions that have been taken to achieve these results?

Mr Hargreaves: One of the things one notices if one is a frequent visitor to the landfill or to the recycling depots is that we have, over the last few years, changed the landscape, as it were, and it is now an easier exercise to offload unwanted items without them necessarily going to landfill. Page 24 of volume 1 of the annual report states that customer satisfaction with Mugga Lane is 90 per cent and with Mitchell it is 93 per cent, whereas page 87 of volume 2 gives the figures of 79 and 74 per cent. I would like to correct the record now, if I may. The volume 2 figures are the correct ones, that is, the figures are 79 and 74 per cent. I apologise to the committee for that oversight. It would be my preference that we not have people going to landfill at all. We struggle to find out why. I can think of one reason, that is, the cost. Hard luck! I believe that the pricing structure is a disincentive to go to landfill and we should encourage people to go to recycling. We will be having a look at that in the course of the next 12 months to see why. I suppose there is a range of reasons. We will just have to wait and see. Maybe it is the lack of an accessible facility.

MR SESELJA: Minister, you mentioned in your opening statement that internet usage at public libraries is on the increase, which is a very good thing. We all have a concern about children accessing inappropriate material. Could you take us through what is done to avoid that, whether it be by filtering, monitoring or other services?

Mr Hargreaves: I will get Mr Galbraith to give you the exact protocol and process, but let me assure the committee that there is no way in the wide world we would allow that

kind of access in a public library facility, full stop. I will get Mr Galbraith to go through the process and how we prevent that.

Mr Galbraith: Computers in the library are run under the same structure as computers in the rest of government. They have the same security measures on them as the ones I use and you use in your area. Whilst they do not have direct filtering, they do have limited protection on them. Also, they are in an open environment and the staff of the library continually monitor what is being accessed, so any inappropriate use of those terminals will be detected.

Mr Hargreaves: To expand on that, I have visited all the libraries and discussed this issue with the library staff and it is not just sexually explicit material and that sort of staff that I am concerned about. We know that we have filtration of a type within the system that you and I use of high-level violence, but what concerns me as well is low-level violence. It is an issue and we recognise that it is an issue. We have to declare confidence in the library staff to be on the lookout for this sort of stuff and advise us on what we need to do about it. It is the same with any other sexual material. Some of these books are available in public libraries. You can get *Lady Chatterley's Lover* there if you want. There was a time when people would be at that. From memory, the ACT public library system was the first one to get that publication. I would like to get Mr Zissler to follow up on that.

Mr Zissler: InTACT, which is the provider of the network for ACT government, which includes the libraries, does regular audits of all users and is looking out for specific key words and catchphrases. Indeed, if we find that with any computer within our domain, urban services, I receive a report through Mr Galbraith; so, if there has been any inappropriate usage, we know where those spots are. That includes staff, all general users and, of course, the libraries. That allows us then to take more proactive action. Yes, they do occur, but very infrequently.

MR SESELJA: My concern is not so much for the people who go looking for it; it is more for the kids who have it come in accidentally or otherwise, especially if it violent and really inappropriate material. I take on board the monitoring, which I think is a very important part of it, but I am wondering why there is not the additional layer of some sort of filtering. Obviously, if I have a computer at home, I will look after that so that my kids do not access it, but it is more difficult in the public domain.

Mr Zissler: We have some advice on spam filtering which Mr Galbraith will be able to provide to you.

Mr Galbraith: We do have blocking software called ContentKeeper which blocks out specific internet sites related to any adult content, violence or undesirable content. That would address that sort of issue. If those sorts of sites come up, a message comes up on the screen to say that you cannot access that as it is an inappropriate site.

MR SESELJA: That is reassuring.

THE CHAIR: From the library, are people able to access off-site mailing systems, such as Hotmail or Yahoo Mail?

Mr Zissler: Yes.

Mr Hargreaves: You need to remember that people cannot sit on computers all day; the time is limited. You have to book 15 minutes or 20 minutes, or whatever it is, and that is the end of it. You can actually go in and have an email conversation and then leave, but you cannot have a chat all day long.

Mr Zissler: It is worth restating that all our internet access computers in libraries are very much in an open plan, specifically designed in that way so that no-one can hide in a corner and do that; they are actually in very physical domains.

Mr Hargreaves: To give you an idea of the difficulty of it, I did notice at the Belconnen library that there were lots of visits by international students from the University of Canberra who are living nearby. They use the public library system and, of course, the university one as well. There were a couple of people who, I am pretty sure, were accessing Korean material. I did not have a clue what they were looking at, except for the pictures. I knew that there were pictures, but I could not tell the language. I would not know whether it was violent language. I had to put my faith in the system having that kind of safeguard in it.

MR PRATT: I have a question about page 96 as it relates to strategic and organisation planning. The reports states that urban services undertakes an inclusive strategic planning process and that plans are developed for a three-year period and updated annually. I cannot see anywhere in the planning process here mention of the development of a third tier of government. Can you tell this hearing and the ACT people through this hearing about your plans to create a separate level of government for urban services to function as an independent municipal council?

Mr Hargreaves: Thanks for the free kick, Mr Pratt; I certainly can. You will never have heard anywhere a statement from my mouth that we are creating a third level of government. You are the first person I have heard accuse me of doing that. So I take the opportunity to put that to bed.

What we have in the ACT is uniquely two tiers of government, with the municipal functions being provided to the people of the ACT alongside the state and territory level functions. However, within that context, the provision of resources for the municipal-type services—fixing of potholes, domestic animals and those sorts of things—will always be provided from the one tier of government process, that is, budget cabinet. It will always be that way. But that does not mean that we cannot have a municipal council mindset in the corporate culture and corporate ethic of one of the departments within the territorial make-up.

We have, as I mentioned in the opening address, the second biggest range of municipal services and service delivery in the country, after Brisbane City Council, and we ought to be proud of that and we ought to try to make it not only the second biggest but also the best. That is the culture I want to instil. We are examining the performance of the Department of Urban Services up to 30 June 2005. Towards the end of that financial year and into 2005-06 organisational change occurred within the Department of Urban Services.

I was determined to change it at two levels. The first one was that when self-government turned up in 1989 we brought across into the ACT public service the commonwealth public service bureaucratic mindset of silos in regard to a municipal function. To be quite honest, apart from the cheque book, not much in the Department of the Interior's approach or the Department of the Capital Territory's approach really worked, for mine. They had a massive cheque book and could do a whole lot, but they did not actually do much, I did not think, by way of ongoing and sustainable activity. If they had done so, we would not have infrastructure such as our roads in such a condition as we inherited in 1989. I do not put the blame for that at the feet of any particular government.

We needed to change that bureaucratic mindset altogether in the context of municipal services. They came across as a combination of the Department of the Interior, the department of public works, housing and construction, and a whole range of those sorts of government departments. They brought with them a whole series of bureaucratic support structures which were not really necessary. To add insult to injury, in my view, we ended up with the purchaser/provider model. I had people sitting in a building, separated by a partition, who had a contract for service between them. We had overmanagement in some of our blue collar delivery areas. I mentioned that the last time we were here. That had to change.

What I wanted to do was to create, in a sense, a Canberra city council. I am not wedded to any name; it can be "Brenda" for all I care. There needs to be a council mindset, a council culture and a council ethos amongst its workers and amongst the expectations of the people who live in Canberra. The best way we could do that, we decided, was to restructure the Department of Urban Services, take away all of these silos and the unnecessary management that was there. There was a certain number of executive positions that did not fit into a model. Those positions have now been removed, if you want.

We now have, in fact, two streams, an enterprise stream and a services stream, the services stream being the true municipal council functions which would be provided by anybody else. The enterprise stream is activities where it is necessary that they be within the public arena, such as a linen service. That is an enterprise that has to operate as a business entity. We now have two streams and those two streams are considerably different from the 13 different silos that we had before. So it is not true to say that I am proposing a third political level of government, nor a third level of financial administration in this town. What I am doing is I am enhancing the concept of a municipal service and making sure that we take our place on the stage.

One of the outcomes of not doing it in this way is that, for example, we in the ACT get nothing from the federal government by way of local government grants, nothing. The regional councils do and we miss out in that sense. So, in my view, we need to have the structures in there so that they are so clearly identifiable as comparable with, say, the Brisbane City Council and the Orange City Council, those sorts of things, that they are clearly identified outside the other bureaucratic bits like education and health so that we make the distinction that they are the same as the services delivered by the third tier of government somewhere else and I have something on which to argue when we go to the federal government seeking those resources, because up til now we have missed out. Does that explain half of it for you?

MR SMYTH: I thank the minister for that. It was interesting. You attended the council of capital city lord mayors on 22 July 2005 in Perth. The minutes of that meeting say, “Mr Hargreaves advised that the ACT is investigating splitting state and local government roles and responsibilities. The philosophical path will be completed first, with the issues of cost shifting being investigated later”. Isn’t that an indication that you are going to set up another tier of government?

Mr Hargreaves: No, it is not, Mr Smyth. You were either misreading that mischievously or misreading it because you do not understand what I have just told you.

MR SMYTH: I have just read it as it is.

Mr Hargreaves: No, you did not. I just told you exactly what I was doing. I intend to split the roles—

MR SMYTH: I am happy to table it, minister. Do you want me to read it again so that you can hear it properly?

Mr Hargreaves: No, I don’t; I remember. I was there, Mr Smyth. You weren’t there because you are in opposition and will remain that way for the rest of your born days.

MR SMYTH: I am just reading what the minute taker wrote. The minute taker wrote, “Mr Hargreaves advised that the ACT is investigating splitting state and local government roles and responsibilities. The philosophical path will be completed first, with the issue of cost shifting being investigated later”. I am happy to table it with the committee, if you want.

Mr Hargreaves: All right, I will explain.

THE CHAIR: Minister, just before you answer that, I would like to advise members that we are not here for a debate. We are here to ask questions and listen to the answers.

MR SMYTH: He accused me of not quoting it properly.

THE CHAIR: You have asked a question. The minister will answer it.

Mr Hargreaves: Thanks, chairman. I will answer the question again. Firstly, I congratulate Mr Smyth for being able to read into *Hansard* unratified minutes of a meeting that he did not attend.

MR SMYTH: I have had it confirmed by one of the lord mayors.

Mr Hargreaves: Chairman, I do not care where he got them from; they are unratified documents that he has in front of him. Notwithstanding that, I do not resile from the comments contained therein. As I said in answer to Mr Pratt, the Department of Urban Services was constructed on the philosophies, if you wish, of a bureaucratic construction brought over in 1989, made up from elements of the Department of Public Works, Housing and Construction and the Department of the Interior, or of the capital territory as it was then known, and that construction did not allow for the distinction in service delivery between the state and territory level and the municipal, or the federal level for

that matter. So what was needed was an organisational change which actually constructed the Department of Urban Services so that it could be clear to anybody that they were providing municipal-level services equivalent to the third tier of governance elsewhere in Australia.

The delicate part about that is that you cannot do it in the ACT; we cannot create a third tier of government, nor should we, because we are too small. We need to do it in the context of the two tiers. But we still need that discretion because we cannot get an ounce of sense out of the federal government's local government responsibilities recognising those municipal services that we provide in the ACT. As I have mentioned before, I have talked about changing the ethos and changing the culture within the department, and that is the bit that I refer to about the philosophy and the understanding that within the context of a territorial government we will have two parts. The first part is our state and territory responsibilities, that is, health, education and police, and then we will have local government-type activities. Urban services and planning are two that come to mind.

We need to have people in the ACT understand that within the one polity we have two philosophies at work. The first part is something that I believe needed to be changed in people's minds before we could effect a structural change. You cannot impose structural change on people; you have to bring them to the altar. We have had that discussion with people within urban services and we are probably about 80 per cent or thereabouts through effecting the physical restructure. There is nothing in the words that Mr Smyth has offered to suggest that I favour a third tier of government.

MS PORTER: My question is slightly related. It goes to the culture of the organisation that you are talking about. The second last paragraph on page 9 of the report indicates the department's intention to get closer to the community and to key stakeholders for a range of community engagement initiatives. Would you be able to outline some of those initiatives? Page 16 talks about 48 events for bringing people together. You did mention those kinds of things previously. Would those events be a part of those initiatives? How do you measure the success of such events. The question is a double-barrelled one about involvement of the community and getting close to the community and stakeholders.

Mr Hargreaves: Thank you, Ms Porter; I appreciate that very much. One of the benefits of a bureaucratic construction is that it is operated on Max Weber's definition of "bureaucracy", which is the anonymity of office. The anonymity of office means that people can make decisions without being personally blamed for those decisions but the office actually does get blamed for them. It also means that sometimes people are a little bit detached from the customer that they are providing a service for. So there is an upside and a downside to it. It is also true that, in general terms, policy departments the likes of which you will see at the federal level very rarely see the results of what they do. They do not walk with their customers and their clients.

In the ACT, uniquely, we have people who are both bureaucrats and consumers all in the one hit because of the nature of our town. What we want to do in terms of creating this better sense of ownership in a municipal council-type function within the people that provide the services to our clients is to have them more obviously walk amongst the clients. I observed at a meeting of ALGA people only the day before yesterday, at which I did not see Mr Smyth or Mr Pratt, that the people who provide council services are much more at the coalface than other people. They are the people who can sometimes

feel the pain that people are going through, or feel the discomfort, or even feel their joy and happiness and that sort of stuff.

Generally, departmental people do not. They do their work to the best of their ability and then they go home. So, as part of the cultural change within the Department of Urban Services, there is a need for us to have our service delivery people walk with the community as closely as they can, because they advise us on the real-time effects of what they do and what they might intend to do. What you are seeing in this annual report is the start of the sort of system that Mr Zissler is introducing to effect that and to bring us closer to the clients that we are supposed to be providing a service to.

I have to tell you that I think that it has been fantastic. I think our engagement of people from urban services with the customers and clients that they deal with has been fantastic. We have received an enormous amount of positive feedback and suggestions on how we can improve further. The biggest thing—on face value, you would say that it seems like a waste of money—is the ‘round town program. It has been so warmly embraced by the people of the ACT that we are absolutely tickled with its success. I will get Mr Zissler to walk you through some of the things that we are doing and also what he intends to do within the totality of that program.

Mr Zissler: I thank you for the question. Urban services is changing. We have had some discussion about that already. One of the really important things about the municipal services side, the local government side, is actually working with the people for the people to deliver the service they expect. Only a few days ago, someone told me, quite knowledgeably, that, I think, President Truman used to have a sign on his desk saying, “The buck stops here”. That is not true. It actually stops at local government because, when things go wrong, people do not ring the president; they ring the local services and they want them fixed, whether it be as mundane as having grass cut, dangerous trees removed, dogs caught, roads being swept. That is where the buck stops.

We have identified that and we are working very hard on the establishment of a community engagement unit. That unit—the recruitment is just complete; we foreshadowed that at a previous hearing—is really about understanding the community’s needs, wants and desires and then allowing us to manage those. As a department, we receive a large amount of correspondence. You might read complaints into that, but we get a lot of correspondence by phone, through Canberra Connect, by email, by letter, through ministerial inquiries and through committees such as this one about individual incidents. The reality is that sometimes we do not meet their expectations. The challenge is about meeting expectations and doing the best we can with the limited resources we have.

As you would all appreciate from driving round Canberra today, the grass is growing. We could cut grass every single day and still people would ring up and say that the grass is growing. The challenge is for us to spend our resources as best we can to make the city look as good as it can, but it will mean at some point that grass is not being cut in some areas. The community engagement unit’s role and brief are to work with the community to find out, firstly, how we resolve some of their concerns and issues and, secondly, to better inform them about how we best distribute our funds for the best outcome. We have a very large social responsibility.

The 'round town program that you mentioned, that is, the programs in the parks and places, has been a very effective program enabling us to communicate and talk to the people. We have run programs from teddy bear picnics to Mother's Day in the park and daffodil programs. At the moment we are running programs whereby there are movies on Saturday's nights on a big screen and, of course, we are part of the big Christmas-New Year program as well. It is really about us working with the people and understanding their wants and desires.

One of the challenges, of course, is measuring the effectiveness, which is very difficult to do. However, we do on-site surveys at all these things and we basically say, "Why did you come? What did you get out of it? Was it what you wanted? Was it what you expected?" We normally get a very positive feedback. We also do count numbers. However, numbers are particularly fickle. Some of the things we do are very specialised. Mother's Day in the park had a large number of people there and you might say that it was wonderfully successful because lots of people turned up. If it had been raining that day, you might have concluded that it was a disaster because not as many people turned up. So, while we do count numbers, they are sometimes a bit meaningless.

MRS DUNNE: And what's the movie next Saturday night?

Mr Zissler: The movie on Saturday night is *Moulin Rouge*.

MS PORTER: Where is this?

Mr Zissler: In Garema Place. We ask you to bring a chair—

MRS DUNNE: And a tissue last week.

Mr Zissler: And a tissue last week; that's right.

MS PORTER: The way you ask these questions: is this on a set format type of thing?

Mr Zissler: Yes, we do surveys. We only have a very small team. The impact of the program has been very large and significant. We now have other groups wanting to join our program. I know that soon—I don't know the date, I apologise—both the Raiders and the Brumbies are joining our events to promote the players and all the usual things they want to do as well. So we have other groups joining us to create larger, better community functions. We have a staff of only three people, who basically make it happen. We think it is a very successful program. It certainly is engaging with the community. Every chance we have to hear about the goods, the bads and the uglies, we will take.

MS PORTER: Those groups wanting to join in: will they pay a separate insurance policy or something like that?

Mr Zissler: If it is required, absolutely.

MS PORTER: Will there be a facility in the future for other groups to approach the department to join in, or is this a one-off?

Mr Zissler: Certainly. Clearly, all our parks and places have a broad public liability insurance coverage but, if someone joins us for whom we believe additional insurance is required, we would go to that. So far, that has not been needed. For example, a group joined us for which there was no need of additional insurance because they were just bringing volunteers who helped do the sausage sizzle and they hand out brochures at the same time; it's very complementary. Clearly, if an event has any risk and they are bringing that risk to the event, we would have to treat that differently. The Brumbies signing autographs is probably a low risk, I suspect.

Interestingly, one of our early complaints about the 'round town program was a bit frustrating. We advertise it as a free event to get people to come along. I got a number of emails about the sausage sizzle, which was raising money for the Lions or someone where they charge a dollar a sandwich, complaining they didn't get their lunch for free. We acknowledge that; we don't say "free" any more. We say it's a free event.

THE CHAIR: The officials from DUS can now take a break and return at 3.15 pm and we will now move on to the annual report of the Canberra Cemeteries Board. I welcome Professor Paul Perkins, the deputy chair of the board, and Mr Hamish Horne, secretary manager of the board. You should understand that these hearings are legal proceedings of the Legislative Assembly protected by parliamentary privilege. That gives you certain protections but also certain responsibilities. It means that you are protected from certain legal action, such as being sued for defamation, for what you say at this public hearing. It also means that you have a responsibility to tell the committee the truth. Giving false or misleading evidence will be treated by the Assembly as a serious matter.

For any questions that are taken on notice, the committee would appreciate responses within five working days of receipt of the *Hansard*. It is the responsibility of witnesses to ensure that they meet any commitments they have made about provision of information or answers to questions on notice. The secretary will email a transcript to all witnesses as soon as it is available.

Questions for today's annual reporting hearing are to be from the committee and be relevant to the report for the period 2004-05. I would like to ensure that all committee members have an opportunity to put their questions to the relevant minister before moving on to other members' questions. I again remind everybody of standing order 235: when a committee is examining witnesses, members of the Assembly not being members of the committee may, by leave of the committee, question witnesses.

Minister, would you like to make an opening statement?

Mr Hargreaves: I am delighted that the committee has seen fit to ask Professor Perkins to come and talk to the committee about the trust. One of the big challenges facing us all is what happens to us after we shuffle off, when we are put in the ground somewhere, in a big box or a little box. The issue that was before the committee a couple of years ago was the notion of perpetuity of occupation of a block of land. When we were talking about the possible privatisation of both cemeteries and crematoria, there was a question about the perpetuity of the occupation of a particular plot. Little did we know at that time that we would open up the Pandora's box of the maintenance issue for plots that had already been taken up but for which we could not build in a cost to cover the ongoing maintenance in perpetuity. It's what we call in here the perpetual care trust, the issue

about perpetual care trusts.

The challenge isn't so much what we do into the future, because if you, for example, buy a plot for yourself, the purchase price that you pay for that will include the cost amortised into the future about how we maintain the area around it and the whole cemetery area. We can't do that for people who are already in their chosen plot. So there is a challenge, because we need to have either an expansion in terms of these services provided or some other financial investment arrangement to pay for that. That's the biggest challenge that we're facing at the moment.

Other than that, I went and visited a number of people out at the cemeteries—my father-in-law, my mother's father, my mother, and Professor Paul Perkins and the staff. At the time I must say that Paul was looking considerably more healthy than my mother! We enjoyed the hospitality and had a good look round. It's a brilliant operation out there and I would urge the committee to consider taking a visit there and having a chat to the folks out there. It will give you a better mindset of what is going on. I will ask Professor Paul Perkins to answer all your questions.

MS PORTER: My question is around that very subject of finding solutions to meet that ongoing commitment and ongoing obligations. I believe there has been some kind of review of that.

Mr Hargreaves: You have to understand that the trust is an independent statutory body; it is independent of the government and there are protocols and conventions in place where the cabinet gets involved in the process but does not have the corporate responsibility for the decision; the trust has that. So, if, for example, we are talking about expansion of the service elsewhere in Canberra, the cabinet has a role to play in talking about how these business constructions will happen, but the responsibility lies with the trust. We have had some conversations around that. But I will ask Professor Perkins to talk to you about his thinking.

Prof Perkins: When the government introduced the new legislation, they created instruments called perpetual care trusts for each of the three cemeteries then under control and now under control of the board. The model they used was a sound one, based on full costs of maintenance in perpetuity. That's good, but the detail of it does create a number of tensions at the margin, and they are presently the subject of review by actuaries and we intend to come back to the government with some proposals for refinement of that in this coming year.

Having said that, though, the finances of the cemetery are presently very sound. The annual reports that you have got in front of you indicate that, with the audit report and so on. But there is a problem with the perpetual care trusts in terms of where they started, the limitations on investment and the likelihood of full-cost models being applied to us when in fact they are not applied to anybody else in Australia that we know of. So there is a question of imposing a discipline on government, which may well lead in the long run, if we follow the Barwickian literalism of the law, to a huge pool of money and probably self-defeating charges, which would be way beyond other cemeteries and people in the business. That would be self-defeating, because in the end the government, with less patronage, would have to find the funds from somewhere else to do it. So we are looking at it with actuaries and in due course we will come back to the government

with a proposal either to leave it as it is, if the actuaries say it will work out all right—but at the moment it looks like it probably should be modified given the competitive arrangements in place in the other jurisdictions.

THE CHAIR: I have a question on workplace relations, as is my wont.

Mr Hargreaves: There won't be any after next week; perhaps we could move on.

THE CHAIR: There were some very original allowances that were awarded to people working in cemeteries, relating to digging and that sort of thing. I wondered over time with enterprise bargaining whether they have been eroded or bargained away. Are they still in place?

Mr Horne: No. In fact, the cemeteries allowance, as it is called, still stands. It covers a whole range of things that cemetery workers have to cope with that are over and above normal mowing and ground maintenance type work—such as digging graves, working in difficult conditions, working with difficult people and a number of other issues, like having to work in all kinds of weather to meet deadlines and those sorts of things.

MRS DUNNE: What is the longevity of the current land allocated to cemeteries?

Prof Perkins: Pretty good. If you don't mind, I'll ask Hamish to address that. We have just done a review of each of the three cemeteries, leaving aside the perennial problem of endangered species in Hall.

Mr Hargreaves: It also depends on whether you bury them lying down or standing up, Mrs Dunne. You can get four or five to the one plot.

Mr Horne: At the moment we calculate that Woden cemetery has somewhere around 10-plus years left. To a certain extent, this depends on the ratio of people who choose to bury at Woden or Gungahlin. But with the current trends we think about 10 years, and at Gungahlin in excess of 50.

Prof Perkins: And the complementary thing is that the board is presently in negotiations with the government about the potential to extend the facilities to Tuggeranong as well, but we haven't got to any finality on that.

MRS DUNNE: Does that mean you're investigating a future site in Tuggeranong?

Prof Perkins: Yes, that's for the future.

MRS DUNNE: Are you looking at other than the standard burial method? I know that some municipalities are looking at more innovative underground crypt type arrangements. Is the trust looking at those?

Prof Perkins: Indeed.

Mr Horne: There are a number of other options in other municipalities, as you say. But, generally speaking, what we offer is pretty much what everybody else offers. We're not planning on doing anything majorly innovative at this point in time. There is a lot of

debate in the industry in any case about the advantages of vertical burials and such—whether they do save space or not. At the moment the jury is out on that and we're not diving into any of those things at present.

Prof Perkins: It would be fair to say that the facilities here and the services provided for different ethnic groups and so on are by far and away better than most of the country and provincial municipally-run cemeteries. But there is a cost to that, of course, and that seems to be manageable within the arrangements that are in place. Who knows what the future holds?

MS PORTER: My question goes to pages 76 and 77, number of burials at different places and, according to the figures, there have only been six in the period, representing about one per cent of total burials, in Hall; is that right?

Prof Perkins: Yes, it is.

MS PORTER: I was wondering what percentage of the total operating costs are attributed to Hall, given that—

Prof Perkins: Very small.

MS PORTER: About the same amount?

Prof Perkins: There is a separate set of accounts for Hall.

MS PORTER: I was looking for those and couldn't find them. That's why—

Prof Perkins: You'll see them in the perpetual care trust. They're allocated separately. There are two problems with Hall. Hall is an historic cemetery, but there is an additional problem: there has been a protected species of orchid that has run rampant through the established rose area—and that's a good thing for an endangered species, I should add. The arrangements have been put in place—one, just in the last year, to do a—

MRS DUNNE: I didn't think orchids liked that much nutrient.

Prof Perkins: They're lovely little orchids. But a new area is being opened up for the future. When that happens—that will coincide with the later years of Gungahlin and so on—that will be an area that can be used without any threat to endangered species. I suspect the cost then will be much higher, but that will be matched by the use of the cemetery.

MS PORTER: So it is balanced, in other words, you are telling us.

Prof Perkins: There are other cemeteries that are not under the care of the board—historic cemeteries kept within government—and, of course, they don't show up here at all. Accordingly, nobody is interred there now. They are just kept as historic things.

MRS DUNNE: I am not sure whether this is within your purview, Professor Perkins, but what is the proportion of burials to cremations in the ACT?

Prof Perkins: Reducing.

MRS DUNNE: Cremations up, burials down?

Mr Horne: It's about 70 per cent cremations to 30 per cent burials, and moving towards cremation.

MRS DUNNE: I suppose it gives you longer life in the cemeteries.

Prof Perkins: We have plans in place, which we are working through with the government at the moment.

Mr Hargreaves: Mrs Dunne is actually correct: it does extend the viability of the enterprise at Gungahlin. But, by the same token, it also presents challenges to us because, whilst the ground area that we have available to us is extended in time for its use, we still have to find a revenue stream to address the maintenance issues in a declining marketplace. Such is the challenge facing the board, and the government and the board have been having some discussions of late on how we can tackle that. I am hopeful—I can't go into the details today because those discussions are ongoing and are a bit commercially sensitive, as you can appreciate—that we will have something to say next time we come together to discuss annual reports.

MR PRATT: Minister, on page 15 we see comments about the strategic bushfire management plan and bushfire operational plans. Has a BOP been lodged with the ESA for Canberra cemeteries for the current fire season?

Mr Hargreaves: I will have to ask Mr Horne to answer your question.

Mr Horne: No.

MR PRATT: When will that be lodged?

Mr Horne: To tell you the truth, I'm not totally aware of my responsibilities regarding that. In the past, we have tacked on to the urban services plan, as we have with a number of smaller issues. It is debatable how you describe that, but we have tacked on to the urban services plan for that.

MR PRATT: So previously you had relied on the fire management unit in DUS to conduct the preparatory work for the preparation of BOPs and other fire maintenance planning?

Mr Horne: Yes.

MR PRATT: And now with the FMU pretty much whittled down to 1½ people, that's now difficult. You don't carry those tasks or responsibilities, or at least you haven't been told to?

Mr Horne: I'm not aware if we have been, but certainly we do our own fire maintenance work, in any case. We have our own program to make the site safe essentially.

Prof Perkins: It would be fair comment that, in the 18 or 19 months since the board has been operating, the transition to having independence of its own functions where it has statutory responsibility and relying on urban services where they provide group services is always a vexed one, for two reasons. First, a board has to take responsibility on the one hand, but economies of scale and so on mean that where there's a willingness and desire to provide a common service you would normally take it and defer the detailed setting up a separate thing as long as you could.

The second part of that is that our employees are employed not by the board but under the public service arrangements and that in turn contributes to the notion of reliance on the ACT. If you want a third one, the procurement arrangements of course are now centralised as well. So there is a tendency for us to concentrate with the few resources we have on those things where there is an immediate problem that we know of. Where the things are still being provided by government, we have left that as it is for as long as we can. So we might take it on notice and get back in the normal time as to what is happening about that.

MR PRATT: Okay. Your annual report states quite specifically that there is a strategic bushfire management plan and a bushfire operational plan requirement. Can you state what guidelines you have and where the authorities are—perhaps in any of the government agencies—laying down the requirements that you have to draft, prepare and lodge your bushfire operational plans, and when by?

THE CHAIR: Mr Pratt, can you tell us where that's stated, that strategic management plan?

MR PRATT: On page 15 it states that "Canberra Cemeteries has an agency specific Fuel Management Plan". Clearly, this would indicate that they are land managers; they have land which they have to manage, and they should be submitting bushfire plans for that. Could you please advise what those strategic and policy requirements and guidelines are for you and your agencies? I don't think you have a huge amount of land, but you are a land manager and you clearly have a responsibility.

Prof Perkins: I think it will dwell on the issue of urban parks type land management as opposed to peripheral or rural area, but we will cover all of that in our response.

MR PRATT: I would appreciate that. Thank you.

Mr Hargreaves: I just want to touch on the issue of governance here in relation to your question, Mr Pratt, because it raises something in my mind that I will now go and satisfy myself about. That is the relationship between our responsibilities as government agencies, as opposed to statutory authorities, to require people to prepare bushfire operational plans—or, more importantly, to require them to update them. I suspect—I'm checking this and this is why I'm having it checked and we will try to fold this into our response to you—that the bushfire fuel management plan is different from the strategic bushfire management plan.

The strategic bushfire management plan is the imperative of people, under the Emergencies Act, to get their BOPs approved by the ESA. The fuel management plan is different, in my understanding of it—and I confess that I haven't read it for 18 months or

so in detail. It lists how we go about managing bushfire type related fuels and things like that in the ACT and it would cover issues such as the cemeteries. I don't know whether our Emergencies Act, which requires land managers to prepare bushfire operational plans and submit them for approval, covers statutory authorities or not. If it does not, we will have to amend the legislation to make that happen.

MR PRATT: That was my next question. You could perhaps clarify this when you come back with that on-notice question. Are you satisfied that the strategic bushfire management plan and the Emergencies Act lay down the requirements in a concrete fashion for all land managers, private and public, including statutory authorities?

Mr Hargreaves: We amended the Emergencies Act not long ago to include private land, rural lessees. I am grateful for your question, because it raises something that we can tackle quite appropriately. If there is a hole in the legislation that allows statutory authorities not to comply, we need to close that. If there is not and if it is obvious in there, we can all rest and be happy about that. I will find that out and get back to you on that. I am pretty sure that it is, but I don't want folks to inadvertently misread what's in this annual report. In this annual report it is not that there is a bushfire operational plan submitted in the context of the strategic bushfire management plan; it isn't. It talks about the bushfire fuel management plan, and that may very well mean that it is a plan that has been in place for some considerable time within the context of the Department of Urban Services, prior to the trust becoming a statutory authority, which has just been carried forward, which would explain why Mr Horne is not aware of it being submitted for approval—because the requirement under the bushfire fuel management plan to have it approved isn't there.

MR PRATT: I'm sure that Mr Horne has been caught out by the transfer of functions anyway, plus I know that the FMU within DUS has changed in shape and that has probably made his task that much more difficult. Perhaps, minister, when you come back with the on-notice answer, you could also clarify whether you are satisfied with the requirements under the fuel management plans and the SBMPs of all land managers, regardless of their status—private, public or statutory. I suspect that we don't have sufficient authorities in place to make sure that all land managers do think about these things in good time approaching a fire season. But we cannot debate the SBMP now; that's not the function of this afternoon.

Mr Hargreaves: We're not debating the SBMP; we have more agreement than we have disagreement on this. What I have to show for the record, though, is that the fuel management plan is a subordinate document to the SBMP, so it needs to be considered in that context. There is no breach to anything that Mr Pratt has pointed out. What may only be the case, though, is that the wording contained in the SBMP and/or the Emergencies Act does identify those land managers and their responsibilities clearly enough. Am I reading that correctly?

MR PRATT: Yes.

Mr Hargreaves: And, if that is so, we will move to correct that—and we will let you know, of course, in response. I appreciate your bringing it forward, and we will close that hole. I am hopeful that it is just a case that we don't know that level of detail of articulation in the Emergencies Act.

THE CHAIR: Thank you, minister. I would also like to thank Professor Perkins and Mr Horne for coming in. We will break for afternoon tea and return with urban services at 3.15 pm.

Meeting adjourned from 3.01 pm to 3.19 pm.

THE CHAIR: Welcome back, everybody. We will continue the hearings into the report. Minister, could I ask you a question on CityScape Services? On page 28, output 5.1, CityScape Services was benchmarked with Brisbane City Council and the Gold Coast council. I think you mentioned those councils earlier. Could you advise the committee of the results against those benchmarks and any actions resulting from the exercise?

Mr Hargreaves: Thank you, Mr Chairman. With your leave, I will flick to Mr McNulty, who knows everything about CityScape.

Mr McNulty: CityScape Services are now part of parks and places as a result of the dissolution of previous provider arrangements. In its former life it used to benchmark itself against Brisbane City Council and Gold Coast council, basically on two major activities, tree maintenance and grass mowing. On grass mowing it demonstrated that we were achieving best practice in relation to that activity, but compared poorly in regard to tree maintenance.

Brisbane City Council was able to achieve a substantial reduction in public requests for tree maintenance activities by a significant one-off investment in tree maintenance activities. That enabled the deployment of their tree maintenance crews away from reactive maintenance into a cyclic maintenance program.

In Canberra at the moment our tree maintenance activities are reactive. Public requests for service has risen substantially over the last few years in view of the fires and then the drought and the number of dead trees around the town. We put forward budget initiatives to help us move towards this same cyclic maintenance approach as Brisbane City Council currently adopt.

THE CHAIR: Thank you.

Mr Hargreaves: Before you go on, Mr Chairman, during the break Mr Zissler checked out a response to the question from Mr Pratt that we said we would take on notice about bushfire operational plans. I thought, with your leave, that Mr Zissler might relay that information to the committee to negate the need to respond to a question on notice about that.

THE CHAIR: Mr Zissler.

Mr Zissler: The bushfire operation plans for urban services have all been submitted on their due date and are currently being assessed by the Emergency Services Authority. The current bushfire plan, as prepared by urban services, goes up to and includes the boundary around cemeteries, so basically all the surrounds of the cemeteries. However, the actual cemeteries themselves, because of their nature, that is, they are well maintained and irrigated and in constant use, are deemed to be extremely low risk. So

there is no dedicated bushfire operation plan for the cemeteries.

I acknowledge the question about whether there should be or not. We will take that question on and respond in a different time and place.

Mr Hargreaves: We just need to clarify that a little bit, Mr Chairman. There is not at the moment a requirement for that to occur. We will take on board the issue as raised by Mr Pratt and give consideration in the context of the Emergencies Act to whether or not there should be a requirement for that to occur. In any case, we will examine the list of land managers and the description of land managers in the context of the Emergencies Act to make sure that all significant land managers in this town actually are covered by that act.

MRS DUNNE: I will start with one of the hardy perennials. In relation to Gungahlin Drive, I noticed—and I cannot remember whether it was today or yesterday, just recently—that there was an article in the paper that it would be expected to be completed by mid-2007.

Mr Hargreaves: Could I clarify that? What we said was that part of the GDE would be completed by about June 2007. That would be the stretch between the Barton Highway and almost to Belconnen Way, we would hope. The rest of it, Belconnen Way, we can guarantee will be in at the end of 2007, possibly early 2008. The other side will be joining up and we would hope to have everybody running straight through the thing by 2009.

MRS DUNNE: So does that mean by mid-2007 you could enter Gungahlin Drive from, say, Ginninderra Drive and go north essentially and you could go south as far as Ginninderra Drive?

Mr Hargreaves: You can go south as far as it concludes. Our target, of course, is to get it to roughly where Belconnen Way is, but we think that is stretching it a bit. People will be able to use a portion of the GDE—and they cannot now—by June of 2007, and hopefully the whole lot by about the same time or a bit later in 2009.

MRS DUNNE: About 18 months ago in a hearing similar to this, your predecessor, Mr Zissler, told us that Gungahlin Drive would be a great road for 22 hours a day. That has led me and some of my colleagues to question the economic viability of only building two lanes. Has further thought been given to when Gungahlin Drive will be duplicated?

Mr Hargreaves: That is a policy decision for government to take, Mrs Dunne. Those discussions have not been entered into just yet.

MRS DUNNE: On the current alignment and configuration, what is the expected cost of Gungahlin Drive?

Mr Hargreaves: At this stage of the game, if my memory serves me correctly, \$86 million is what we have actually appropriated at the moment, or something of that order. The committee needs to know, of course, that we suffer from a price escalator. Some of that has been built in; others bits have not been built in. Some of those numbers

have to be firmed up a bit. I would expect a figure, by the time it is all over, provided we do not have too many hold-ups, in the order of about \$100 million to \$105 million, somewhere in there.

MR PRATT: So \$100 million to \$105 million?

Mr Hargreaves: Somewhere in there.

MRS DUNNE: On notice would probably be easier, but could you give the committee some indication of which bits have rise and fall in them and which bits would be subject to the price escalator?

Mr Hargreaves: All contracts will have rise and fall clauses in them. That is just a standard part of procurement. We just use standard procurement processes, to be quite frank with you. I cannot give you more accurate figures, Mr Pratt—through you, Mr Chair—because the cost of Gungahlin Drive is in two bites. We have just let the contract for the Barton Highway through to Belconnen Way. That was worth \$59 million, roughly. I do not want to be precise about it because I would have to have the contract in front of me. That is a public document in any event.

We hope that early next month at the absolute latest we will start an evaluation process for the second half. We are going to be putting the ads in the paper very shortly to solicit tenders for the second half. I do not know how much those tenders are going to be. Had they been 12 months ago, they would not have had the diesel fuel increase in them. The price escalator would not have been so high. The price of labour itself has gone up because there has been a shortage nationally of this sort of labour. That is just on top of the general price escalator you would normally see.

To correct something I just told you a moment ago, Mrs Dunne, no, there is not a rise and fall component. This is a lump sum contract. That is one of the problems caused by the Save the Ridge controversy. If we had had a contract stitched up earlier on than that, because it did not have an automatic rise and fall, we would not have suffered. The really big one, you know, is the diesel fuel increase. One of those big dozers uses 70 litres of diesel an hour. Over the period of time of the contest about the GDE, two years worth, the price of diesel has increased by nearly 100 per cent.

Mr Zissler: Just to clarify that, the escalator application has been purely for the delay in letting of the contracts. They are lump sum contracts. The reason it has risen over time is we can only set it based on the market, as we know it. In effect, we are now two years later than when we set the original pricing. You know about fuel. It is not just the diesel in the engines. The asphalt has a large oil component as well.

MR PRATT: So the anticipated \$105 million encompasses phase 2 as your best guess?

Mr Hargreaves: Yes, that is the whole thing right from start to finish.

THE CHAIR: Minister, while we are on transport—

Mr Hargreaves: Mr Pratt, that is as much of an estimate as we can put in it on the escalator.

Mr Zissler: When we execute the next contract, we will know exactly the total cost.

Mr Hargreaves: Because it is a lump sum contract.

Mr Zissler: That is why the numbers are always soft because, until the tenders close and we have accepted a contract and scratched on the bottom line, you will not know the true cost.

MR PRATT: Signed at those diesel prices et cetera on that day?

Mr Zissler: No. They are normally set back slightly.

MR PRATT: There is an operational reserve in there?

Mr Zissler: Correct.

Mr Hargreaves: You will find, Mr Pratt, that with the size of this contract, given that it is over 50 grand, it will be a public document the moment it is signed. You can actually go into the details of that once it is signed off. We cannot speculate on the amount of money that it could cost because for us to speculate even here between ourselves would throw a signal out to the market place on how much they can kick it off at.

Mr Zissler: Twenty-one days after signing it will be published on the BASIS web site. It is 21 days at law.

THE CHAIR: While we are on transport, this is something quite topical at the moment. On page 37 in output class 2.1 the report indicated that in 2004 road crash rates continued the previous trend of fewer fatalities and serious injuries. However, trends in 2005 have seen a significant increase in the number of fatal crashes. Is your department taking any action to help combat the increase in fatal accidents?

Mr Hargreaves: I need to make the committee aware of a couple of things. These accidents affect all of us; they are absolutely devastating for the families of the victims; they are devastating for the person in them; they are devastating for the police, who have to tell someone that one of their relatives is now deceased, and they are devastating for the ambulance officers who have to attend them. In a much more minor way they hurt us too because we feel frustrated about trying to find a systemic reason for them.

To show you the difficulties we are experiencing I would like to share some stats with you. You will see what I mean about the statistical insignificance of the numbers. We are talking about 25 so far this year against 11 for both 2003 and 2004. Split up into genders, of the 11 in 2003 it was about half and half—55 per cent to 45 per cent. There were six males and five females. But in 2004 it was 10 to one—10 males and one female. So far in 2005 there have been 16 males and nine females—we are almost back to half and half. So there is no gender consistency.

In 2003 the average age was 23 years. You say, “Aha—got them! We’re going to target P-players and people who have had their licence for less than 10 years.” The problem is that, in 2004, the average age of people who died on the roads was 41. The average age

so far is around the 37 mark. Over the past two years it has not been the inexperienced driver here; we are talking about experienced drivers, experienced riders, or pedestrians of a mature age.

In looking at the type of accidents, I did a little bit of analysis. Where a motor vehicle was involved in an accident and the driver died, in 2003 there were four; in 2004 there were six, and in 2005 there have been eight. It went four, six, eight. You could say that the rate increased by 100 per cent between 2003 and 2005. You could also say that it has gone up by four. Between 2004 and 2005 it went up by only two people. When you are talking about two accidents, finding the reasons for them is a little bit difficult. With two, you cannot say that we have a systemic explosion on our hands.

In respect of motor vehicle accidents where a passenger has died, there were four accidents in 2003, none in 2004 and there have been four so far in 2005. The number is the same. There has been a very serious increase in motor cycle accidents. There was one in 2003; there were two in 2004, and there have been seven so far this year. I have not broken the deaths down into pillion passengers or riders but there is a distribution somewhere. One of the problems with motor cycle accidents is that you have to work out whether it was inexperience, technical inexperience or whether they were doing nothing. They may have been on the right side of the road and somebody came along on the other side of the road and killed them. You might say, "Shock, horror! It has gone from one to seven!"—but you have to break that down again. When you do that, there is nothing systemic that we can hang a road safety campaign on.

There was one bicycle accident in the year just gone and none in the previous two years. The pedestrian figure is interesting. In 2003 there were two pedestrians killed from walking out in front of cars, kind of thing; in 2004 there were three pedestrians killed, and in 2005 there have been four pedestrians killed. It has gone two, three, four. With the size of the numbers, that is still only an increase of one. Of the 25, the last one was a person who was gardening on a nature strip who you could hardly call a pedestrian. That was a miscellaneous one, if you wish.

We agree that 25 is double what it was last time but there does not seem to be a systemic thing we can hang our hat on other than the collective of inattention. When we try to analyse the causes of these accidents, we try to find out how many involved drugs and alcohol, how many involved speed and how many involved both. Because of the smallness of the numerical sample, determining that is part of the difficulty. We can guess from what the police tell us but it is not definitive until the coroner ticks off on it. Every one of those deaths has to go to the coroner. The coroner will tell us, for example, whether there is a combination of speed and drugs or speed and alcohol but I can assure the committee that all of the reasons for these deaths have the one common element of inattention.

You may have heard Detective Superintendent Chew on the radio yesterday, I think it was, saying that speeding means you are not watching what you are doing; drinking and driving means that you will have a chemical interference with your rate of attention; eating a hamburger or scratching your ear while you are driving takes your mind off the main job. All these things are contributors to a lack of attention. I have to confess to you that we look at what we can do. We have education programs; the department has published the road safety action plan that we flew the flag a lot on; you will have noticed

a greater police presence on the roads in recent times. I have noticed a lot, particularly around Civic and on the parkway.

The motor cycle riders association have been very vocal in what they believe we should be doing—and I say all power to their arm. I have met with that group a couple of times, both informally and formally. The police are holding media campaigns on trying to get people to be attentive to what they are doing, and road safety programs have been stepped up in schools. We have the Road Ready Plus program, which means that, as far as motor vehicles are concerned, we have the best driver training in the country. I would welcome anything the committee could suggest to enhance our approach, but I think we are doing as much as anybody could do.

MR SESELJA: Thank you, Chair. Page 21 of the report talks about sustainable transport initiatives and states that community paths, both footpaths and cycle paths, will be upgraded at various locations. I understand that the department has a list of priorities for new footpaths and cycle paths, including: Archibald Street in Lyneham, access for residents of the Morshead home to the Buddhist centre; Kingsford Smith Drive in Melba, from the bus stop to Alpen Street; Coulter Drive in Page, access to Belconnen for aged residents of Ridgecrest village; and Blamey Crescent, safe access for students of Canberra grammar infants school.

Mr Hargreaves: Mr Seselja, where are you quoting from?

MR SESELJA: I am not quoting. The reference is in relation to those new paths and upgrades of community paths. Correct me if they are not the highest priority paths. Could you confirm for me whether they are at the top of the priority list? If so, will they be forthcoming in this financial year?

Mr Hargreaves: We will take that on notice and come back to you on that. There are some specific details in that question and we do not carry that information around in our pockets. Can I say to you that, whilst all of these things might be priority one now, if something emerges which requires a more immediate response, I maintain the prerogative to change that. If, for example, we find that a particular pathway is starting to reveal more accidents on it because there are older people using scooters on it or something along those lines—and I am not suggesting they are; I am just advising you that I do maintain the prerogative to change that around a little bit—we will have a look at the list. If we can get a list from the secretary, that would be particularly handy. We will try to give you an estimate of when those works will be done.

MR SESELJA: That would be great. Just following on from that, in relation to the replacement of a path in Curtin that was in the media a couple of months ago—

Mr Hargreaves: We have answered that one.

MR SESELJA: I know it is going to be replaced, but I wanted to get an idea of the cost of that and where that path sits on the priorities list in terms of replacement. Would you be able to take that on notice as well?

Mr Hargreaves: We will get that for you. In fact, if you subscribe to *Neighbourhood Watch*, you will probably see it pop up in there. That magazine dedicates

itself to community safety issues.

MR SESELJA: Finally on that issue, just for clarification, was the decision on the replacement of the Curtin bike path taken prior to it being ripped up or was it in response to community pressure? I understand there were lots of emails and correspondence.

Mr Hargreaves: Firstly, Mr Seselja, I do not succumb to pressure. It runs off me like water off a duck's back. If a particular decision is not sustainable or viable, I am not going to make it. What we found with that particular path, though, was that it was just a path laid down with no base at all. It was just whacked on the top, and off we went. I used to walk that path quite a lot.

It was put to us that it was one of the greater use paths and that we should take it up because it had, in fact, become dangerous. It was put to us that it should be replaced as a priority so we actually looked at it a bit more closely. It is a case of having a thing pointed out. You think, "That's a good point. We will go and have a look." So we did. We concurred with that view and then proceeded to make sure it went up. A flood of emails and petitions and all that sort of pressure has absolutely nothing to do with it. I will not succumb to that sort of stuff.

MR SESELJA: So what you are saying is—

Mr Hargreaves: I did not take a decision that, because of community pressure, we ought to change our priorities. I took a decision to change the priorities because the argument was sustainable.

MR SESELJA: Okay. But the decision was taken before you chose to remove the path, rather than subsequent—

Mr Hargreaves: Yes. I do not know if you have been down that path, if you have walked the trail.

MR SESELJA: Not recently.

Mr Hargreaves: I can tell you the story with that. It was put in following what was a natural sort of walking path along a dirt track, a sheep or goat track type of thing. It was put down with no base to talk of. As it turned out, later down the track over the 30 years or something that it was there, people actually took a different way in their walking track. They used the path in parts and they took other shortcuts in other bits. In fact, the pathway that people are actually using real time walking their dogs is not 100 per cent the same as the actual path was.

When we replace the path, we will try the best we can to follow the natural route that people are actually going to use. The decision to replace the path was taken, but exactly when that would occur was yet to be determined when it was decided to lift the path up.

MR SESELJA: So what prompted the decision to replace it?

Mr Hargreaves: The volume of traffic on it, quite frankly.

MR SESELJA: That had not been measured before it was ripped up?

Mr Hargreaves: No, not to that degree. What was more important to us was the fact that the pavement was dangerous. We do that automatically if we feel that the pavement is too dangerous.

THE CHAIR: Minister, I would like to come back to some more questions I have on transport I refer to page 20, output class 1.2. During the year the Tharwa bridge needed to be closed to traffic. I am sure you are aware of my interest there. Can you advise the committee why this was necessary and what actions were taken?

Mr Hargreaves: I am sick and tired of talking, Mr Chairman. I will get Mr McNulty to go there because it is one of his favourite projects. He has been waiting for this.

Mr McNulty: In February this year we undertook a major maintenance inspection of the Tharwa bridge, which raised some concerns about the adequacy of some of the timber structural members in the bridge. As a consequence of that, we engaged a structural engineer to do an even more detailed assessment. That person confirmed that the bridge was not safe for use. Consequently it was closed in March.

We then undertook some interim strengthening measures to allow the bridge to be reopened to light vehicles, and that happened in August. At the moment we are doing a study of future options for the bridge, and that is looking at its heritage status and all the implications associated with that, such as: what is the best option to get into Tharwa? Is it to replace that bridge; is it to build a new bridge; is it to retain the existing bridge as a pedestrian bridge and build a new traffic bridge? All those options are being looked at at the moment.

In December we will have three information sessions, two in Tharwa and one in Woden for people interested to come and see what information we have available and give us comments on what their preferred option would be. We are going to have technical input as well and community input and then, early year, the government will make a decision on what it does with the bridge.

THE CHAIR: So residents further down from Tharwa, perhaps Smiths Road or into New South Wales, will be able to come and—

Mr McNulty: Yes. We will do the same thing we did for the GDE. We had information that we put up as display material. We had people to answer questions. People could come in over a three or four-hour period, have a look and ask questions. It is not a public meeting per se. It is an information session. People can come in any time over the time it is there, get the information, make comments and provide feedback, and we will take it on board.

THE CHAIR: Has Mr Jefferies been involved at this stage?

Mr McNulty: Mr Jefferies is involved in most things that happen in Tharwa.

MRS DUNNE: Mr McNulty, if you cannot do it now, I will be happy to take it on notice, but can you give a potted history of the maintenance of the Tharwa bridge over

the last few years? My recollection is that there was a lot of maintenance on it four or five years ago.

Mr McNulty: Yes. Several years ago we replaced the deck of the bridge. At that time, I guess some preliminary concerns, you could say, were raised about some of the elements. The seriousness of those issues was not picked up until early this year.

MRS DUNNE: Yes.

MR PRATT: Could I go to page 108 in volume 1, the fire management unit? The report states: “The Fire Management Unit ... is responsible for coordinating strategic planning”, et cetera. How many people do you have now in the fire management unit in terms of planning officers and any others with fire-fighting capabilities? Can you break those down? Clearly a lot of the members of that unit were transferred to ACT Environment and ESA. What is left behind? Could you break those down, please, by category?

Mr Hargreaves: Mr Pratt, it would probably be of assistance to the committee if Mr Zissler were to outline for you our approach within DUS to fire prevention, mitigation and response in total. I think what can happen is that sometimes we take an element of it. If the whole environment is changed, we get the wrong picture. Then it is quite easy to say quite innocently that the capability has shrunk. But if you see that the total environment has changed, and one is happy with the way that capability has enhanced our response possibilities, then you can see how it changes in the jigsaw. So I will get Mr Zissler to give you the total picture. That would be more useful for you, quite frankly.

MR PRATT: Can he also explain where the FMU fits in with that process and how capable it is, what it now consists of?

Mr Hargreaves: Yes.

Mr Zissler: A decision was made early in the year that we would move from having multiple land managers across the territory to having two land managers, an urban land manager, which in effect is parks and places—and I will describe that in a second—and a non-urban land manager, which is environment, and forests were merged with environment.

In the urban land manager space, with the establishment of parks and places we have brought together all the various land managers in urban services. As well we are now moving through the transfer of land from ACTPLA, because they had land. We are transferring land from LDA into our management. Also we went through a process of identifying what I labelled “orphan” land. When you map out owns everything, you find that no one lays claim to it. We are basically consolidating into two principal land managers.

At that time, working with the Emergency Services Authority, the Chief’s Minister’s Department and the then fire management unit, it was agreed it would be better to have a single strategy for managing the bushfire risks for the whole territory, and that would move towards having a single brigade response for the bushfire season. As that was the

case, the need for a dedicated fire management unit within urban services was identified as not being absolutely necessary. It was felt that the resources in there were better disseminated into the various response areas.

So people ended up working inside Chief Minister's, in environment and the new merged forests. Individuals ended up working in parks and places. However, they still continue to work on a single plan-single team approach. There was no reduction in the fire management unit employees. They all went to various parts of that area. I will give you the exact numbers. I do not have those in my head. But there was no reduction in employees.

MR PRATT: You can give me those on notice—

Mr Zissler: I can give you those numbers on notice.

MR PRATT: with a breakdown on where they went to?

Mr Zissler: Absolutely. There was no reduction. The key to this bushfire season in response to that strategy has been very positive. All the bushfire operational plans that require to be prepared were prepared on time and were transferred to the emergency services commissioner for his review. Only this week, on Monday, because the bushfire was delayed by a month, as you are all aware, we met with the chief executives of the various departments, including emergency services, environment, Chief Minister's, and then the various arms inside there, police, fireys, bushfire, rural fire. The list goes on. We had a single meeting on Monday where we sought and received reassurance that we have the highest level of preparedness we possibly can.

All the bushfire plans and operational plans have been lodged and are in the final process of checking off. All the resources are in place, human and plant and equipment. The single brigade concept has come together. What this allows, of course, is that people who traditionally worked in—and I use silo language—silos in different departments now work across the land, not across departmental resources. So we have a cascading authority from emergency services through to the various levels of bushfire captains and team leaders, but they are from across the departments. We do not have departmental-based brigades and resources. We have a singular response. With the new communication systems, which I cannot comment on intimately—that is emergency services—in all the new equipment, this will lead to a much better response in the future. As to exact numbers, I can only answer about what happened to the FMU. The rest is one brigade now under the control of ESA, so they are probably better positioned—

MR PRATT: That is right. So, in accordance with your briefing at the estimates, we have that one brigade, which has taken resources from the old FMU.

Mr Zissler: Correct.

MR PRATT: Fine. You will be able to tell me how many planners you have now left?

Mr Zissler: Indeed. In urban services we have one planner. You need to know that FMU was only three people, plus two casuals. We retained one for parks and places. As you would appreciate, urban services being the urban land manager, our risks are

significantly different from the non-urban. We do a large amount of mowing and slashing because the risk is relatively lower.

MR PRATT: Can I ask you: the two land managers that you now have, do they submit, through the planner, their own BOPs? Can you tell me what roughly is the number of BOPs you have lodged? For example, do you have an individual one for the botanical gardens versus a separate one for perhaps the urban edge of Kambah? Can you describe that, please?

Mr Zissler: Urban services has lodged a singular—

MR PRATT: Singular BOP?

Mr Zissler: for the urban land management space. The botanical gardens, of course, is the Australian National Capital Authority. I take the intent of your question.

MR PRATT: So one BOP for all of the area owned by DUS and managed by DUS?

Mr Zissler: Correct.

MR PRATT: When do you expect that plan to be ticked off? Presumably it is going through the bushfire council?

Mr Hargreaves: We cannot answer that question, Mr Pratt.

MR PRATT: It is still a work in progress, is it?

Mr Hargreaves: No. It is within the purview of the commissioner for the ESA and not something that Mr Zissler has any control over.

MR PRATT: I know that, but when does he expect it back to be able to implement it?

Mr Hargreaves: Mr Pratt, I can assure you that what happens is that the commissioner for the ESA will approve all BOPs most of the time, I think probably all of the time, but I could not be absolutely certain at this point. He seeks advice from the bushfire council as to the efficacy of those plans. I can assure you of this. If the commissioner for the ESA does not think a bushfire operation plan is up to scratch, he speaks up pretty quickly. So let me tell you that, as close as we are, a couple of weeks into the bushfire season, if he was not happy with these things, we would know about it by now.

MS PORTER: My question is about the graffiti strategy. Page 15 of the report, Minister, mentions the introduction of a graffiti management strategy with five key elements to that strategy. Could you advise the committee on the effectiveness of the strategy since its introduction? Have there been any amendments made to the strategy since its implementation?

Mr Hargreaves: I will ask Mr McNulty to address that, Ms Porter. You would have noticed that there are a couple of elements to this. One is to encourage people not to do the thing in the first place. Our penalties, in fact, at law are pretty stiff but we really would like people not to do it. We actually try to find out what on earth causes young

people to have this expression of anger and impotence that actually manifests itself in these sorts of things.

We have a large concentration of what some people would describe as legal graffiti sites with encouragement of people to participate in murals. There is an artist around town who is becoming quite famous for actually mentoring a lot of that going on in town. You can see it at the Woden bus depot, which is just one of the places in town. We have the little substation lights that turn your drag lights on and off. That is going gang busters at the minute, let me tell you. It is an initiative we nicked from the Brisbane City Council. It is very successful there.

We also have the initiative of having our graffiti clean-up squad. We train people who have been out of work for a long time, put them through a CIT course and give them a certificate at the end of it. We teach them about the law, whether you can or cannot clean up graffiti on the side of somebody's fence, what you have to do in respect of asking them for their permission to do that, whether you can or cannot. I think it was in Chifley where they went and knocked on the door and said, "By the way, you have a whole stack of graffiti on your fence. We want to take it off." They said, "Nick off. We like it." So they have to learn to be told rather aggressively by people to go away.

They are also taught about the chemical composition of the clean-up materials that they are using, the safety and OH&S issues and things like that. So there is a whole range of things. I would like to think that it is having an effect, but we will just have to see. Over to you, Mr McNulty.

Mr McNulty: We have done a lot of things since the strategy was introduced in August last year. In partnership with ArtsACT and recreation and training, we have conducted two graffiti art workshops for young people engaged in or at risk of engaging in illegal graffiti. The evaluation showed that the project engaged the people we were trying to engage, had positive outcomes for motivated participants, provided the environment conducive to learning about graffiti and the law, introduced students to safer practices, challenged social stereotypes and improved relationships between young graffiti artists, the government and other members of the community. That was one thing we did.

As the minister referred to, we have been putting murals on private and public assets. We have been monitoring two bus stops in Ainslie where we put these murals. Since their completion in August 2005, there has been a 100 per cent reduction in illegal graffiti sites, compared to similar sites around the city. We think that is working effectively.

We have developed 17 legal graffiti art sites on public assets. We are talking to the Youth Coalition of the ACT about how they can best be used.

We have also introduced a comprehensive graffiti removal and monitoring system, which is called the AusGR register, which facilitates the evaluation of the effectiveness of the graffiti management strategy in reducing the prevalence of graffiti. It is essentially a data base.

The graffiti art workshop project that we ran was awarded first place and the ACT graffiti management itself was highly commended in the keep Australia beautiful sustainable cities awards just recently.

As the minister alluded to, we have got the colour-in Canberra program where artists paint the traffic signal control boxes. That has been incredibly successful. We are doing 30 around the city at the moment and are looking to expand that. We will also be talking to ActewAGL about expanding that to the substation boxes around the town.

Mr Hargreaves: There is another thing that I would like to point out to the committee and it is something that I pointed out before. We are trying to encourage the private sector to take responsibility for the buildings that they own. Our ruling is that, if something is offensive, inciting violence, is of a sexual nature and all that stuff, we will get it off—full stop. We will remove it within a certain time from the moment it is reported. Technically speaking, we have to have permission to take stuff off other people's buildings. We will take it off our buildings and commonwealth buildings.

If somebody owns a shopping centre or a building in a shopping centre, they have to take some responsibility for themselves. We are trying to do things in a strategy, but they still have to take some responsibility for themselves.

I invite the committee to go down to the laneway, which is not far from the Chairman and Yip Restaurant and is near Blades. You will see a pretty grubby laneway. On one side of the walls, which is featured in the *Canberra Times*, is a stack of graffiti. I don't know who owns that building. We tried to contact the owners and say clean it up. Whoever owns that building must be devastated; it is full of untidy graffiti. It is not offensive graffiti; it is a series of tags and spray-paint stuff.

On the other wall, the immediate opposing wall, which was not featured in the *Canberra Times*, can I tell you, was one of the most splendid murals I have seen in a long time, paid for by Blades, the company that sits adjacent to that wall. Here we have got an example of the private sector saying, "I don't want this junk next to my shop," and they have commissioned a mural.

There appears to be honour amongst thieves, where the graffiti tag artists are not going to go and deface somebody else's wall art, which is wonderful. If the people who own the wall on the other side of the laneway had had the wit to do that as well, it would have cost them considerably less to commission a mural than it would to constantly remove graffiti from that wall.

I have been trying to get the message across to the private sector, the commercial sector, that that is the way to go. We are finding that that is very, very successful. That is why we are doing the traffic regulator boxes. That is why we have commissioned the artists to do the wall art.

You will notice just up the road, on the other side of the CMAG building, a mural. That is never defaced. That is because the tagsters won't deface somebody else's work.

If I could, I would like the committee to make a statement about the responsibilities of the private sector to remove their own graffiti. That puts it into the perspective, if you like, that this is a community problem requiring a community solution. We can only do so much.

MR SESELJA: I have a couple of questions. One follows on from previous discussion on the GDE, and one, I am sure, Mr McNulty will be able to answer for us. The first is in relation to the GDE. I have seen the figures in the paper about \$80,000 in direct costs of fighting the court action by Save the Ridge. Has the department or anyone in government done an analysis of the total cost to government of those delays caused by that court action? If so, what is it in the vicinity of? Will you seek to recover it?

Mr Hargreaves: Firstly, there are two parts to the cost. There are the direct legal costs. Even those are very difficult to determine, because you have got part of certain people's wages, as you well know, from the amount of costs that you do. So it is very difficult to put a price on the amount of legal costs that the government has incurred along the way, other than the direct amounts of money we paid to, say, external legal practitioners.

Suffice it to say, the Save the Ridge people were required to put in a security up to, I think, \$75,000 all up. Remember that we are joint parties to this action with the NCA. Our entitlement is 50 per cent of that. We have asked the GSO, the Government Solicitor's Office, to make application to the court for about 50 per cent of that—full stop.

The determination of how much the delay has cost us is very difficult to put an absolutely precise number on. We are endeavouring to do that. I can give you a figure in the realms, quite happily. It is about \$20 million.

MR SESELJA: Has a decision been taken as to whether you will—

Mr Hargreaves: No, a decision has not been taken. That decision is one of such significance and severity on the people involved as to require a cabinet decision. I can assure you of this: I don't take lightly these delays on behalf of the people of Gungahlin and on behalf of the taxpayers of the ACT.

The implication of that \$20 million is that there are other roadworks that have had to be put back. The work on Majura Road has had to be put back. The work on Pialligo Avenue has had to be put back. The inconvenience to many people in Canberra has been acute. There has to be some sort of recompense, some sort of compensation, I would have thought.

However, in proposing something to cabinet, I need to consider a range of things. One of them is to respect, I suppose, a citizen's right to challenge a government decision. They shouldn't be prevented from doing that by some thought that, by going in over their head, they might lose their house or something like that. By the same token, on the other side of the coin, people can't expect to continually challenge decisions ad infinitum and then stand by and watch vandalism perpetrated on the site, which is what has occurred. I am not accusing individuals of this, but the coincidence is marked.

I have to also consider capacity to pay. It is a really daft idea to sue someone for \$20 million when their total asset is about \$400,000. Particularly, I need to consider the cost of such action and whether or not the cost of such action is likely to result in a return which is not hugely great to the territory. All of these considerations I have yet to put to cabinet. Let the committee rest assured that I will be putting a recommendation to cabinet about whether to pursue this or not.

Those people who joined in this action need to consider their actions. I am really grateful that the Save the Ridge people have now concluded their action. Let me tell you that, if these acts of vandalism continue, and they end up costing the territory money, it will have a significant influence on my attitude to that proposal to cabinet.

MR SESELJA: On the second part of that: I know the principal of St Peter and Paul primary school has been seeking a traffic study in terms of the possibility of a raised crossing on Wisdom Street. The latest information I got from the department was that the traffic study was going to go ahead. Can you give us an update on whether that has gone ahead and what the results were?

Mr Hargreaves: The study has gone ahead. We have got some information. I understand that I am booked in to speak to the people in that area. I will either go down or see them anyway and have a chat with them. The results are still being compiled. I know that area particularly well; I was married in the church that is attached to that school; my sisters went to school there. They used to walk there. They didn't get skittled once. We will see what the traffic studies say. I will go down there and have a chat to those people. If we choose to put in one traffic-calming measure or another, or nothing, I will front those people, myself, and explain why.

MR SESELJA: That will be soon?

Mr Hargreaves: As soon as I have got the results. It is in my diary; I just don't know the date.

MR SESELJA: When do we expect those results to be compiled?

Mr McNulty: I don't know. We will find out.

Mr Hargreaves: The meeting date is in my diary. It has given sufficient lead time for that to have been evaluated.

MRS DUNNE: I would like to go back to probably the opening questions by the Chair and touch on some of the recycling issues that were dealt with. The Brisbane City Council has had some success with the green waste collection bins, which is considered to be exceedingly convenient for people who don't have trailers to drop off stuff. Has any consideration been given to green waste as opposed to kitchen waste collections?

Mr Hargreaves: We have considered it, and we are not doing it.

MRS DUNNE: Why?

Mr Hargreaves: I will get Chris Horsey to answer this. He will tell you.

Mr Horsey: It is important to understand that, in the ACT, we are currently recycling 190,000 tonnes of garden waste. We have had a very interesting context in transitioning from the old metal-style bins that we used to have picked up by reloader trucks. Because of that context, green waste was never put in those bins in the first place. ACT residents were very much versed in taking that material to tip sites themselves.

Over the years, we have developed these garden waste acceptance and processing facilities. The quantities of green waste going to those facilities have steadily been driven upwards. We are now doing over 190,000 tonnes as at 2003-04 at those facilities. That is an extremely high percentage of green waste recovery. I suggest that rate would be higher than the Queanbeyan City Council is retrieving.

More importantly, we do that at about \$5 per tonne. There would not be a jurisdiction in the country to beat us on that dollar rate per tonne. To introduce a garden waste bin, a third-bin service so to speak, at a cost of somewhere between about \$2.5 million and \$3 million, when we are already recovering such a high percentage of that material, is probably not something that we consider to be feasible.

Mr Hargreaves: And economical.

MRS DUNNE: On a different issue—and I have asked this question before and the answer was that you didn't know; I want to know whether you have looked into it since then: what tonnage of undifferentiated waste goes to Pialligo concrete recycling?

Mr Horsey: I can't specifically answer that question. What I can tell you is that Pialligo currently recycles about 90,000 tonnes of concrete, bricks, tiles, wood, et cetera.

MRS DUNNE: I am not interested in what they recycle; I am interested in what goes into the mound there.

Mr Horsey: About 30,000 tonnes per annum goes into what they call inert waste landfill. That land, unfortunately, is commonwealth land and doesn't fall within the jurisdiction of the ACT government. It is a problem for us in terms of our pricing strategy and the fact that their gate price undercuts our gate prices.

MRS DUNNE: How much undifferentiated building waste would go to ACT landfill?

Mr Horsey: As in Mugga Lane?

MRS DUNNE: I presume Mugga Lane.

Mr Horsey: I think it is 30 per cent.

MRS DUNNE: What is that in tonnage terms?

Mr Horsey: We will take that on notice. I think it is 15 per cent. I apologise. I haven't got the figure.

MRS DUNNE: Can you give me a rundown on what progress has been made on developments in relation to putrescible waste?

Mr Horsey: Regarding putrescible waste in terms of the NOWaste strategy, the food waste component and what we call the residual organic material which is largely the garden waste that comes in mixed and still has to go to landfill: we continue to investigate the alternative waste treatment plants. We are monitoring the situation of

a number of plants in this country that give us hope that we will have a robust technology available in the coming years.

As we have reported before, there have been a number of large-scale failures in these plants, not only in this country but elsewhere. I guess we are adopting a risk-adverse strategy here to make sure that, when we do consider this decision, we will go down a path of reviewing all of those technologies in making sure we get something that will work for us.

MRS DUNNE: Could you, on notice, give us a list of the sites that you are monitoring?

Mr Horsey: Certainly.

MS PORTER: Minister, when we were talking earlier about waste and a reduction in waste, et cetera, did you make mention of second-hand Sundays? I can't recall.

Mr Hargreaves: I didn't mention it.

MS PORTER: On page 107, mention is made of second-hand Sundays. You were talking about cost benefits and various things. Do second-hand Sundays cost us a lot to run? Do we have to go back and pick up rubbish that is left there on the side of the road? I know we are trying to encourage the community to reuse unwanted items of other people. It seems to me it is a good strategy. Are we going to continue those strategies? Generally, what is the effectiveness?

Mr Hargreaves: If you look at page 107, as you were pointing out—this is for other members' benefit—there are a number of different initiatives. Second-hand Sunday costs us about \$30,000 a year. It has two benefits. One, of course, is that there is less of somebody's treasure and another person's junk going to the tip, to landfill. The other thing is that we consider it in the context of part of the education program and the awareness program of recycle and reuse.

The \$30,000 has its value, both in the educational aspect as well as getting people to swap bits of treasure and trash. Is it a successful program? Not as successful as we would like. Is it going to continue? Yes, it is.

THE CHAIR: On a different topic: on page 32, output class 1.1, you indicate that the Canberra Connect Call Centre achieved a 40 per cent call volume increase. Can you advise the committee on the factors that have contributed to this large increase in volume?

Mr Hargreaves: No, but Mr Galbraith can.

Mr Galbraith: The profile of Canberra Connect, as the committee knows, has been raised since the bushfires. Before the bushfires it was seen more as a home interest; now it is seen increasingly as an information centre as well. In respect of the call centre operations, that is the result of a lot of things now coming to Canberra being connected to the call centre. That has increased its profile, to commence with.

The other aspect is that, in December 2004, we started undertaking a number of

additional payments for road-user services through the Canberra Connect Call Centre. A lot of things that people, in the past, would have needed to come into our shopfronts to undertake those activities can now be done over the phone as well as over the internet.

You would have seen the statistics we have in the annual report. The number of transactions increased not only through the call centre but also through the internet as people start using those other channels which are more accessible to them at times other than normal business hours.

As I mentioned before, it was used during the bushfires. More recently, during the election, in September-October 2004, we provided the Elections ACT hotline for the handling of calls. It has also provided call-handling assistance for the asbestos task force, the graffiti hotline and the bushfire support unit. All of those have meant additional work that Canberra Connect has taken on through the call centre. That has increased the number of calls coming in.

Mr Hargreaves: Of course people can use Canberra Connect to find out almost anything, particularly how they can increase their NOWaste strategy in their own homes.

MR SESELJA: On page 19, mention is made of the construction of the Woden to Dickson on-road cycling lane. On page 118 there is talk of the total cost of \$2.736 million. What cost-benefit analysis and safety analysis have been done in relation to this and similar projects?

Mr Hargreaves: That was an election promise that I made in the election year 2001. That was as a result of discussions between the government and the cycling community. It picked up a number of initiatives interstate and internationally. It was a commitment that we included in our sustainable transport plan. It has continued on. We committed back in the election period of 2001 that we would have it not only as an integral part of our new road construction programs but also, within the limited funds available, we would retrofit the major arterial roads. We made that commitment in 2001. So far, we continue to make it.

MR SESELJA: Because it is an election commitment you do not need to do a safety analysis?

Mr Hargreaves: We don't need to do anything right now.

MR SESELJA: No safety analysis?

Mr Hargreaves: Right now, why would we want to do that?

MR SESELJA: To see whether it is safe.

Mr Hargreaves: It is safe. Can I refer you to accident statistics. There has not been one cyclist injured or killed on a cycle road this year.

MR SESELJA: Therefore, it is safe? It was concluded absolutely on the basis of no deaths?

Mr Hargreaves: I am satisfied that that road facility for cyclists is efficacious; that it satisfies national standards for pavement width and pavement compatibility with the roads around it; and that, if anything, it will prevent cyclists being injured on the roads. We have the full support of the cycling community in this town. Mr Smyth and I debated the efficacy of this particular concept in the 2001 election. He lost; we won.

MR SESELJA: Was that election solely on that?

Mr Hargreaves: No. I am talking about the argument, not the election. We won the election as well. I might let you know that we won the next one as well.

MR SESELJA: Was that decided on the issue of cycle lanes as well?

Mr Hargreaves: As a matter of fact, the then opposition's policy on cycle lanes caused a lot concern to a lot of people in the ACT. I got a lot of correspondence on it. It wasn't one that was driven in our policy but it certainly was one of the very great interests of the people in the community. I had overwhelming support for that policy.

THE CHAIR: While we are still on transport, I have got one last question on accessible transport. On page 38, output class 2.2, it states that the ACT accessible transport plan was released in October 2004 and that the plan:

... intends to ensure ACT taxis and buses increase their capacity to meet the needs of people with disabilities.

Can you advise the committee why you established the wheelchair-accessible taxi reference group and what outcomes are expected?

Mr Hargreaves: This is an important matter and something that needs to be put on the public record. The service provided by wheelchair-accessible taxis to the clients has been woeful over the last few years and an absolute, screaming disgrace to this town. However, it had been attempted to be fixed by a range of people, but everybody had either a vested interest in it or was impotent to do anything about it.

I formed this reference group under Mr Zissler's chairmanship, including Ms Sandra Lambert, the CEO of disability, housing and community Services; and Mr Craig Wallace, the chair of the Disability Advisory Council. They set up their own steering group to work through this matter. I wanted input from the people who were the travelling public on how to fix this—what would be the way to go—and we asked for input into that by the industry.

At the end of the day, the group under Mr Zissler's chairmanship gave me 39 recommendations. I accepted the lot. The general idea, though, was that it needed to be micromanaged; it couldn't be as part of the general service because what was happening was that they were the Cinderella passengers; they were getting nothing. It needed to be micromanaged. The particular carrier couldn't do it because it would have a \$100,000 burden. So the government is going to kick in that \$100,000 to make sure that the micromanagement is staffed.

We decided that it would be done by Canberra Cabs. That is their name this week. I wish

to point out to the committee a couple of things about that. Firstly, there were something like 220-odd taxis on the road. Canberra Cabs have, in fact, shrunk that amount of taxis at the moment by having an elite taxi service and a silver service. The silver service is an extra 10 bucks, thanks very much, for a guaranteed pick up. The limousine industry does exactly that but doesn't charge a surcharge. I am not very impressed with that. That really has taken those taxis out of the general circulation system. Now they are asking for additional taxis. They are asking us to put back what they have taken out.

Nevertheless, they are the people we have asked to micromanage the system because they are the only accredited taxi system in town. The committee may well ask why it is that we have to give it to an accredited taxi system and why not give it to a significantly successful limousine hire company—who shall remain nameless—like CBD. The reason for that is that the limousine industry is covered by regulations, which means that they can do a number of things that the taxi industry can't. One is to refuse a fare. The limousine cannot rank, cannot have a hail and pick up; it has to be a booking system only.

In a sense, it is a micromanaged system. It cannot pick up a disabled person who has gone to the theatre and who wants to catch a cab home and wants to go to a rank. They can't do that. What they can do is ring the taxi company, and the taxi company will dispatch a wheelchair-specific vehicle for their needs.

I am not very happy that we have only one taxi network in this town, but the law does not prevent any number of people setting up businesses. There has been a change in the taxi business in this town from a cooperative to a company. Once it was a cooperative. The argument was that the ACCC's demand that we have reforms in the industry and competition introduced in it was a bit off centre because, in fact, a cooperative is a series of competing businesses. However, having one company now, that is not so.

I will be encouraging people who have a critical mass of vehicles to accredit themselves as taxis. What that will do is give us the opportunity to tender the \$100,000 worth of work. Therefore, we can have real competition in this town, which would benefit those people travelling in wheelchair-accessible taxis. Right now, we, the government, have no alternative to putting it with the accredited taxi network. It is not necessarily the desirable outcome, but it is something that we hope will work within their revamped system at Fyshwick.

THE CHAIR: Thank you, minister. I would thank everybody who came. Mr Pratt has indicated that he has one last question, with the committee's indulgence. We are a little over time.

MR PRATT: I appreciate that. Going back to page 108 of the BP: the bushfire operational plan is clearly the authority and the guidance for preventative work and response in the bushfire season.

Mr Hargreaves: Partly.

MR PRATT: Given that you don't have one ready to go before the bushfire season starts—

Mr Hargreaves: We do.

MR PRATT: No, you don't have one approved.

THE CHAIR: Mr Pratt, get to your question.

MR PRATT: I am trying to, but the minister keeps jumping in.

Mr Hargreaves: How do you know that?

MR PRATT: Because you have told me that you don't have one back in DUS, through the processes and ready to go. That means, therefore, you are not as ready as you should be for the bushfire season?

Mr Hargreaves: Yes, we are ready.

MR PRATT: Do you agree that you are not as ready as you could be?

Mr Hargreaves: No, I don't agree.

MR PRATT: We are in the bushfire season, and the plan is not back inside the ranks.

Mr Hargreaves: The answer to your question is no, I don't agree with you. We are as ready as we can be. We are considerably more ready for a bushfire season than ever before. If you want to thrash around like a carp out of Lake Burley Griffin, trying to find some way to insinuate we are not ready, by saying—

MR PRATT: You are not—

Mr Hargreaves: This is my chance; you had yours. If you want to try to manufacture a straw man so that you tear it down, all power to your—

MR PRATT: You are not—

Mr Hargreaves: You are going to look really silly. I have to tell you that we have come a long way since we used volumes of plans to beat bushfires out with. We now have such things as compressed air foam appliances—

MR PRATT: You are not—

Mr Hargreaves: We even have your beloved leader as one of our volunteers that go out there to put out the bushfires that you start. The answer to your question is a categorical: we are considerably more ready than we have ever been. I suggest to you that you would be more helpful in encouraging people in the community to read the publication which has been in their letterbox, to prepare themselves and assist us in being even more prepared for the bushfire season. You are going to have egg on your face very shortly. Be warned.

THE CHAIR: Thank you, minister, officials and committee members once again for your help this afternoon.

Mr Hargreaves: Thank you. Can I say thanks very much to my officials for sparing us the time this afternoon. It has been very nice having them.

The committee adjourned at 4.35 pm.