

**COMMISSIONER FOR THE
ENVIRONMENT
A.C.T.**

Annual Report 2000–01



Australian Capital Territory Government



Office of the Commissioner for the Environment
Australian Capital Territory

Our Vision

A society with a will to achieve a sustainable, high quality environment for all

Our Mission

- to develop understanding of changes in the condition of the environment, and of the pressures that are changing that condition;
- to encourage responses or actions across all sectors of the community to progressively improve the environment; and
- to work towards ecological sustainability.

We will foster and help develop:

- links between government, business and the community, both in the ACT and the region; and
- a culture that extends current knowledge and ways of interpreting changes in the environment, and embraces emerging ideas and approaches.

We will achieve our mission by:

- producing state of environment reports that
 - are interesting, authoritative, educative and informative,
 - will be used as tools to manage our environment, and to educate children and adults, including public servants, the private sector and community groups;
 - responding to needs to investigate specific aspects of management of the environment, by the Territory and its agencies; and by
 - maintaining independence and objectivity in both our state of environment reporting and investigative functions.
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**OFFICE OF THE COMMISSIONER
FOR THE ENVIRONMENT, ACT**

Mr Brendan Smyth MLA
Minister for Urban Services
ACT Legislative Assembly
CANBERRA ACT

Dear Minister

Pursuant to the Chief Minister's Directions and under paragraph 8(5)(a) of the *Annual Reports (Government Agencies) Act 1995*, I hereby certify that the attached Annual Report is an honest and accurate account of the operations of the Office of the Commissioner for the Environment during the period 1 July 2000 to 30 June 2001, and that it complies with those Directions, and other legislation applicable to the preparation of the Annual Report, in particular the requirements of *Commissioner for the Environment Act 1993*.

Section 11 of the *Annual Reports (Government Agencies) Act 1995* requires that you cause a copy of the Report to be laid before the Legislative Assembly within six days of receiving the Report, although in this election year, I understand different arrangements are in place.

Please note that because of administrative arrangements for the office, detailed Financial Statements for 2000–01 are included in the Annual Report of the Department of Urban Services.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Joe Baker', is written over a vertical line that extends downwards from the signature area.

Joe Baker
Commissioner
7 September 2001

HIGHLIGHTS OF 2000–01

The year was highlighted by preparation of the 2000 State of the Environment (SoE) Report for both the ACT and for the Australian Capital Region and its 17 NSW Councils. The Executive Summary for the ACT was tabled in the ACT Legislative Assembly by the Minister for Urban Services in May 2001. That document is on our website, at <http://www.EnvComm.act.gov.au/>

Another highlight was the adoption, by the Minister for Urban Services, of my recommendations for a moratorium on proposed residential development of land in Conder, which is partly covered by high conservation Yellow Box-Red Gum grassy woodland. By that adoption, an agreed area of the grassy woodland will be managed for conservation, with input from the community, for not less than 10 years. The environmental value is to be reassessed in eight years to determine if conservation should be confirmed, or development permitted after 10 years.

The concept of a moratorium provides the time for a more detailed assessment of the site, and for evidence of community commitment to conservation.

OUR ORGANISATION

Our small team expanded temporarily again during 2000–01, aided by additional ACT Government funding, to accommodate the vastly increased work required for the 2000 SoE Report, for the ACT and the Australian Capital Region.

The appointment of a temporary officer at the SOGC level to prepare Geographic Information Systems mapping for the SoE Report was extended from 1 July until December 2000. In that time, that officer also continued to assist on the technical aspects of *SoE Author*, the template which had been developed through this Office during 1999–2000. Our ASO5 level temporary appointment as SoE Project

Officer continued from 1999–2000 until the end of April 2001.

I noted in my last Annual Report that we had elevated the statutory ASO3 support position to an ASO5 level because of the volume of work requiring higher-level input than can appropriately be expected of an ASO3. This arrangement has proved successful throughout 2000–01, and I will be seeking to continue permanently on this basis.

Our contractual arrangements to maintain our home page, and assist with development and structure of our electronic SoE Report continued throughout the year.

Many of our resources were directed to short-term contractors and consultants to help prepare technical material for the State of the Environment report. Relevant appointments are detailed in the section Contracts and Consultants.

Our co-location with a larger organisation within Dame Pattie Menzies House continues to be of considerable benefit, through access to improved conference facilities, technological assistance and the ACT Land Information Centre.

We have continued to obtain voluntary support, as we have from 1993–94, with reference groups providing expert comment on the environmental themes in our SoE reports. In acknowledgment of this valuable and continuing voluntary resource, we have listed members of those reference groups in the section on Resources. They are truly a distinctive human resource.



*Dr Joe Baker OBE, FTSE, M.Sc, Ph.D., FRACI
Commissioner for the Environment ACT*

WHAT WE DO AND OUR LEGISLATIVE FRAMEWORK

I have two main functions under the *Commissioner for the Environment Act 1993*, specific investigations and state of the environment reporting.

1. Section 12 (1) of the Commissioner for the Environment Act states:

The Commissioner has the following functions:

- (a) *investigating complaints regarding the management of the environment by the Territory or a Territory authority;*
- (b) *conducting such investigations as may be directed by the Minister;*
- (c) *conducting, of his or her own motion, investigations into actions of an agency where those actions would have a substantial impact on the environment of the Territory.*

I function as an environmental ombudsman under 12(1)(a).

Under section 21 of the Act, investigations conducted under paragraphs 12(1)(b) and 12(1)(c) require preparation of a ‘special report’ on that investigation. See also the section of this report on ‘Special annual reporting requirements’ arising from investigations conducted under 12(1)(b) and 12(1)(c).

2. Under the second function (section 19), as Commissioner, I must ‘no later than the reporting day, give a state of the environment report to the Minister for each reporting period’.

Section 19 of the Commissioner for the Environment Act was amended in November 2000, in an attempt to provide more flexibility in the due dates for ACT SoE reports, while still providing for an SoE report to be produced during the lifetime of each Assembly. As noted in my previous two Annual Reports, the timing complications have arisen since this Office started preparing SoE reports

on behalf of NSW Local Governments in the Australian Capital Region, as well as for the ACT. Specifically, the legislated timeframes for state of the environment reporting for NSW Local Governments are different from those in the ACT. NSW Local Governments are required to report comprehensively on the state of the environment after every election (every four years in September) and the reports for the ACT had been due in the March before every Assembly election (every three years, now in October).

Following the amendment to the Commissioner for the Environment Act, subsections 19(4) to 19(7) now state:

(4) *The commissioner must, within 12 months after the Minister presents a state of the environment report to the Legislative Assembly under section 22, give the Minister a recommendation as to—*

- (a) *the day on which the period to be covered by the next state of the environment report should end; and*
- (b) *the reporting day, for that period, by which the next state of the environment report should be given to the Minister.*

(5) *The Minister must, after considering the commissioner’s recommendation, determine—*

- (a) *a reporting period that must—*
 - (i) *begin on the day after the end of the period covered by the previous state of the environment report; and*
 - (ii) *not exceed 4 years; and*
- (b) *a reporting day for that period that must be no less than 3 and no more than 6 months after the end of the reporting period.*

(6) *A determination under subsection (5) is a disallowable instrument.*

(7) *In this section—*

reporting day, *for a reporting period, means—*

- (a) *for the reporting period ending on 30 June 2000 – 30 November 2000; or*
- (b) *for any other reporting period—the day determined by the Minister under subsection (5) for that period.*

reporting period means the period beginning on 1 July 1997 and ending on 30 June 2000 or any other period determined by the Minister under subsection (5).

Under subsection 19 (2), a State of the Environment Report shall include:

- (a) *an assessment of the condition of the environment, including an assessment of such of the following matters as the Commissioner considers necessary:*
- (i) *the components of the earth, including soil, the atmosphere and water;*
 - (ii) *any organic or inorganic matter and any living organism;*
 - (iii) *human made or modified structures and areas;*
 - (iv) *ecosystems and their constituent parts, including people and communities;*
 - (v) *the qualities and characteristics of places and areas that contribute to their biological diversity and ecological integrity, scientific value and amenity;*
 - (vi) *the interactions and interdependencies within and between the things mentioned in subparagraphs (i) to (v) (inclusive);*
 - (vii) *the social, aesthetic, cultural and economic conditions that affect, or are affected by, the things mentioned in subparagraphs (i) to (v) (inclusive);*
- (b) *an evaluation of the adequacy and effectiveness of environmental management, including an assessment about the degree of compliance with national environment protection measures made by the National Environment Protection Council; and*

- (c) *such other matters, whether or not occurring within the triennium to which the report relates, as:*
- (i) *the Minister specifies by notice in writing given to the Commissioner; or*
 - (ii) *the Commissioner considers relevant.*

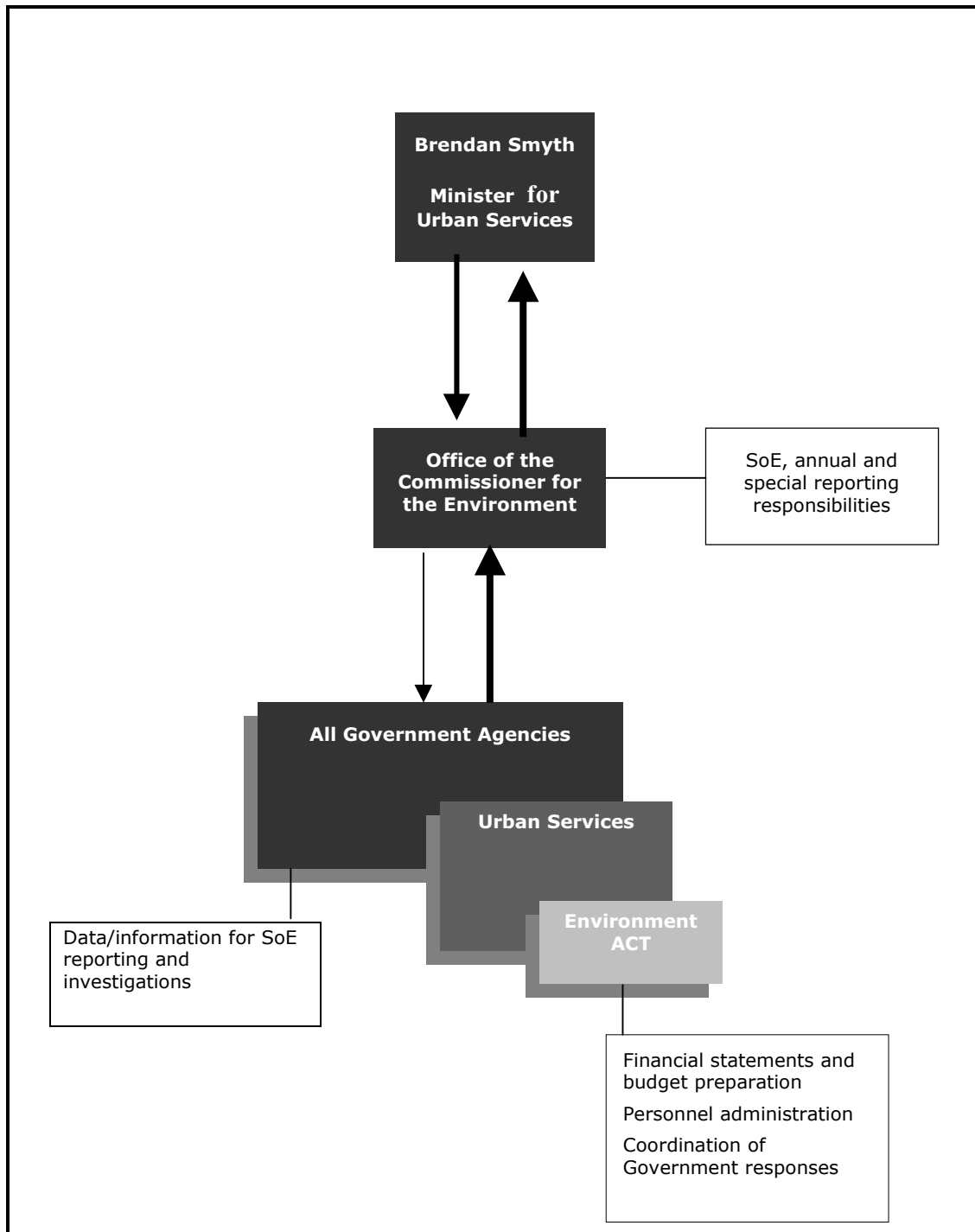
Details in 19(2)(a) are the same as for the definition of the environment in the *Environment Protection Act 1997*. It is a broader definition of the environment than that which many other jurisdictions have adopted. It clearly includes humans as part of the environment, together with our social, aesthetic, cultural and economic structures. We have noted previously that this definition settles any possible argument about whether human settlement should be included in our state of the environment reports. The inclusion of social and economic factors in SoE reports also provides for easier linkage between state of the environment reporting and assessment of progress towards sustainability.

A further requirement under the Commissioner for the Environment Act is that *by 30 September in each pre-election year, the Minister shall present to the Legislative Assembly:*

- (a) *a statement setting out the Government's response to the State of the Environment Report presented to the Legislative Assembly in that year; or*
- (b) *a statement setting out the reasons why the Government's response has not been made available in accordance with paragraph (a).*

My Annual Reports for 1997–98 to 1999–2000 addressed recommendations from the 1997 SoE Report, and any implementation by Government.

(See the section 'Special annual reporting requirements' in this report for follow-up of Government actions to 30 June 2001.)

Figure 1. Our legislative pathways

OUR ACHIEVEMENTS FOR 2000–01

SoE REPORTING

The 2000 SoE Report for the ACT and for the 17 NSW Local Government

Authorities that make up the Australian Capital Region was prepared using the template, *SoE Author*, which had been developed through this Office during 1999–2000. As noted elsewhere in this Annual Report, the template continued to be modified during the course of preparing the actual report, but it has provided a solid framework for SoE reporting.

For this report, we changed the way we had previously used the assistance provided by expert Reference Groups. This was because of what was rapidly becoming a substantial imposition on already very busy people, and deadlines precluded appropriate processing time. It has transpired that the new system simply transferred considerably more workload back to our Office, or to consultants. We therefore encountered considerably more difficulties with consultants being able to complete their specified tasks within time and within budget. Again, more workload was transferred back to this Office. We also encountered more difficulties in obtaining data than previously.

Penetrating consultation with agencies was conducted in 1994 and 1995, followed by further consultation on the indicators and structure for both the 1997 and the 2000 SoE reports. It has become timely for a better system to be developed for maintaining a greater awareness across relevant ACT agencies of SoE reporting, its purpose and requirements.

After each SoE report, we have reviewed the process. A review of the 2000 SoE reporting process will be conducted during 2001–02, and such a system for maintaining greater awareness, etc is planned.

During the reporting period for the 2000 SoE Report (1 July 1997 to 30 June 2000) changes occurred in the understanding of environmental processes and influences, which enabled us to move further down the path of reporting in such a way that interactions between indicators are more apparent.

This report was also the first to include an analysis of Progress Towards Sustainability.

INVESTIGATIONS

12(1)(a) (Complaints)

Complaints on hand at 1 July 2000	2
Complaints received in 2000–01	3
Number of investigations commenced	Nil
Decision to investigate pending	2
Decision not to investigate	1
Number completed	2

The two complaints on hand at 1 July 2000 were in relation to Conder (proposed residential development) and Noise from motorsports at Fairbairn Park Motorsports Complex (proposed amendment to the Environment Protection Policy). Both were completed early in 2000–01. Details follow.

Proposed Conder development

An investigation had arisen from two formal complaints received in September 1999 about proposed residential development in Conder (identified for development purposes as Conder 4A). In my Annual Report for 1999–2000 I stated that a draft report had been provided to the Conservator of Flora and Fauna in June 2000 for comment. My final report was completed in September 2000.

As noted in the section ‘Highlights of 2000–01’, the Minister for Urban Services has agreed to have the proposed road relocated, and to a moratorium on development of part of Conder 4A for a period of not less than 10 years.

Conder 4A is an area of high conservation value as it contains the endangered ecological community, Yellow Box-Red Gum Grassy Woodland. Some residential development will proceed on the perimeters of the conservation area.

My investigation entailed detailed consultation with both Government officials and interested members of the community, and took into account ecological, economic and social factors. Management of the moratorium area for conservation will include input from the community.

Noise from motorsports

A formal request for investigation of a proposed amendment to the Noise from Motorsports Environment Protection Policy had been received in May 2000. I completed my investigation report in November 2000. The proposed amendment was to increase the number of 'event credits' from 19 to 31 to take account of activities of the National Capital Motorsports Club, which had been confirmed as exceeding the allowable 45 dB(A). In my report I disagreed with that proposal.

Noise from motorsports, particularly at Fairbairn Park, continues to be a vexed issue. My recommendations in the main were for a compromise of 28 'event credits' during 2001, for all clubs using the Fairbairn Park Motorsports Complex, pending completion of comprehensive noise testing of National Capital Motorsports Club events, and subsequently for 'event credits' to be reduced in the Environment Protection Policy until the level of 18 'event credits' has been achieved (within a maximum of five years).

While the number of 28 'event credits' was agreed to, the timeframe for reduction was not, the proposed target for 18 'event credits' being twice the length of time in my recommendation.

Other complaints

The three complaints received during the year related to (i) proposed aerial chemical spraying by ACT Forests adjacent to residential areas in Weston Creek; (ii) alleged pollution in an ACT Housing Trust property as a result of leaded paint; and (iii) noise emissions from the Canberra Airport.

- (i) The complaint about proposed aerial spraying by ACT Forests follows from my investigation into the use of chemicals by ACT Government agencies for pest control, which was completed in May 1998. Office resources at the time were fully committed. I made some preliminary enquiries about the proposal by ACT Forests, and the lead-time was found to be sufficient to be able to postpone any activity in relation to this complaint until after the end of the financial year. Members of the Weston Creek Residents Against Aerial Spraying who made the complaint were notified.
- (ii) Several conversations have been held with the complainant about pollution from leaded paint, but an investigation has not so far proceeded as relevant other avenues open to the complainant do not yet appear to have been followed up.
- (iii) The complaint about noise from the Canberra Airport was confirmed as being outside the jurisdiction of the Commissioner for the Environment as the airport is on National Land and subject to federal legislation. The complainant, the North Canberra Community Council Aircraft Noise Working Group, was notified and I forwarded copies of letters on this matter that I had sent to relevant Federal Ministers.

12(1)(b) (Minister-directed)

I received no directions from the Minister during 2000–01 to conduct an investigation. There were no such investigations pending completion at the

commencement of the reporting year.

However, the Government's response was made in August 2000 to an investigation completed just before the end of the previous financial year on proposed standards for air emissions and other waste products and monitoring requirements for the Totalcare Incinerator. Details appear, along with my comments on action taken to 30 June 2001, under the heading Progress on Implementation of Recommendations from Special Reports.

Further follow-up actions in response to my report on the use of chemicals by the ACT Government, for pest control, also appear under that heading.

12(1)(c) (Commissioner-initiated)

I commenced no new investigations under this paragraph of the enabling legislation. There were no such investigations pending completion at the commencement of the reporting year.

Update of Government actions following its response to my report on implementation of the ACT's *No Waste by 2010* strategy, plus my comments, appear under the heading Progress on Implementation of Recommendations from Special Reports.

SPECIAL ANNUAL REPORTING REQUIREMENTS

Section 20 of the *Commissioner for the Environment Act 1993* reads:

A report presented, or information provided, by the Commissioner under section 8 of the Annual Reports (Government Agencies) Act 1995 in respect of a period shall include particulars of—

- (a) *any special factor which the Commissioner believes had a significant impact on the environment during the period;*
- (b) *any measures taken during the period by or on behalf of the Territory in relation to the implementation of any recommendation in a State of the Environment Report under section 19 or a special report under section 21; and*
- (c) *any recommendation in such a report which the Commissioner believes is still to be implemented or fully implemented.*

This year the following are included in this 2000–01 Annual Report:

1. Progress on Implementation of Recommendations from SoE Reports

- 2000 ACT State of the Environment Report
- 1997 ACT State of the Environment Report

2. Progress on Implementation of Recommendations from Special Reports

- Progress Towards *No Waste by 2010* (Completed November 1999)
- Review of Proposed Standards for Air Emissions and Other Waste Products and Monitoring Requirements for the Totalcare Incinerator (Completed June 2000)
- Investigation into the ACT Government's Use of Chemicals for Pest Control (Completed May 1998)

SIGNIFICANT IMPACTS ON THE ENVIRONMENT

In May 2001 the New South Wales-owned electricity company, Transgrid, caused extensive environmental damage in Namadgi National Park by the unauthorised clearing of vegetation

around power lines. The clearing was 60 metres wide and extended over parts of approximately 35 kilometres of powerline easement in NSW and the ACT. The ACT Government Solicitor is investigating the incident to decide whether the Director of Public Prosecutions should be asked to prosecute.

About 120,000 litres of sewage leaked into Jerrabomberra Creek in March 2001 from a ruptured pressurised pipe, near Jerrabomberra Wetlands, following a construction mishap. Most of the impact was contained by the construction contractor under ActewAGL direction. ActewAGL conducted water quality tests, which demonstrated that there would be no known long-term effect. The Environment Management Authority has provided a brief recommending prosecution to the Director of Prosecution.

PROGRESS ON IMPLEMENTATION OF RECOMMENDATIONS FROM SoE REPORTS

2000 ACT State of the Environment Report

Introduction

The 2000 SoE Report is the fourth produced by this Office for the ACT. It stands alone, but it is also incorporated as part of the 2000 SoE Report for the Australian Capital Region prepared by this Office on behalf of the ACT and the 17 NSW Local Government Authorities that, together, form the Australian Capital Region (ACR)

ACT reports were previously prepared in 1994, 1995 and 1997. The products for the ACT's 2000 SoE Report are similar to those for the 1997 report:

- a hard copy Executive Summary, which also appears in full on our Website www.EnvComm.act.gov.au; and
- a full version on CD-ROM. The ACT report shares the CD-ROM with detailed SoE reports for the member councils of the Australian Capital Region. A detailed report for the whole Region is also on the CD-ROM.

This is the first time we have included an assessment on Progress Towards Sustainability for the ACT, and for the Region.

The production of the 2000 SoE Report has been assisted by the development, by this Office, of the *SoE Author* software package that provides a standard template for the ACT and each Local Government Authority to prepare their report. *SoE Author* was conceived to meet the SoE reporting needs of all Local Government Authorities of Australia, and it can be used by any organisation wishing to prepare an SoE report.

The Executive Summary of the ACT 2000

SoE Report was tabled in the Legislative Assembly by the Minister for Urban Services, Brendan Smyth, MLA in May 2001. The Government's response was tabled in June 2001. Recommendations and the Government's response are listed below in full.

The ACT Government agreed to 24 of the 25 recommendations in the 2000 SoE Report. Four recommendations in the 2000 SoE Report follow from recommendations in the 1997 SoE Report. These are noted in my comments below. My comments on progress of implementation and actions taken in response to the 2000 SoE Report will be reported in my next Annual Report, for 2001–02.

In its response to recommendations in the 2000 SoE Report, Government made the following statements:

'In summary, the Commissioner has found that the quality of the ACT's environment remains generally as good as in 1994 when the first report was made.

The Commissioner has also reported that the Government has demonstrated significant leadership nationally, in finalising the ACT Greenhouse Strategy, commencing its implementation; and as a 'pace-setter' in other issues, such as municipal waste management and waste water treatment.

He has made through his recommendations a range of constructive suggestions about how we may continue to improve our environmental performance.

The Commissioner also included in his report details of his 1997 report recommendations and his comments on Government action in relation to his recommendations up to 30 June 2000. While most of these recommendations have been implemented to his satisfaction, the Commissioner has concerns about progress with others, such as 97.5, 97.8 and 97.12.'

I agree with the overall thrust of these

statements. However, from my perspective, other recommendations from the 1997 SoE Report have not yet been satisfactorily addressed. Those recommendations are either specifically followed up in recommendations of the 2000 SoE Report, or addressed following my comments on the Government's response to the 2000 SoE Report recommendations. They take into account the Government's most up to date advice (of 9 August 2001).

Please Note: *** = high priority
** = medium priority

Recommendation 2000.1 ***

That the ACT Government ensure that appropriate funding is in place to meet the requirements of the National Environment Protection Measures (NEPM), particularly in relation to the measurement of airborne particles (PM₁₀)

Government response—June 2001

Agreed. The Department of Health is purchasing an instrument to monitor PM₁₀ (10 micrometre particles) on a continuous basis. It is anticipated that this instrument will commence operation by the end of August 2001. This will ensure that the Territory's monitoring will meet the NEPM requirement.

Commissioner's comments

I expect to be able to report in my 2001–02 Annual Report that this recommendation has been satisfactorily implemented. (See also my comments against Recommendation 97.5 below.)

Recommendation 2000.2 ***

That the ACT Government in conjunction with the measurement of PM₁₀, estimate the amount of the smaller airborne particles (PM_{2.5}) by the existing surrogate method, pending the outcome of decisions of the national review of the NEPM air particle standard (follows Recommendation 97.15).

Government response—June 2001

Agreed. Assuming that the recommendation refers to the use of nephelometry (i.e. the measurement of the size and concentration of particles in a liquid by analysis of light scattered by the liquid) as the surrogate method, the Government will investigate the procedures for adopting this method. As part of the Ambient Air Quality NEPM, the National Environment Protection Council agreed to a review of the particles standard, in particular, the need for a standard for particles less than PM_{2.5}. This review will take some time to complete.

Commissioner's comments

Recommendation 2000.2 follows from recommendation 1997.15 'that the Government consider measurement of PM_{2.5} in addition to PM₁₀, which may allow the eventual phasing out of TSP measurements'. Government had previously advised that the ACT Government was considering measurement of PM_{2.5} in addition to PM₁₀ by way of participation in the National Environment Protection Council planning for PM₁₀ and PM_{2.5} measurements. Based on that advice, and taking into account the cost of specific measuring equipment (which may end up being the wrong equipment if the National Environment Protection Council identified different equipment as standard), I had considered Government's response as satisfactory. However, I have since been advised that jurisdictions in the USA have trialled, and are using, nephelometry as a surrogate method of estimating PM_{2.5} particles.

Recommendation 2000.2 is intended as a cost-effective way of obtaining an indication of the occurrence of PM_{2.5} until such time as the NEPC review is completed.

I note that Government has agreed only to investigate the procedures for adopting this method. It has not agreed to estimate PM_{2.5} particles. I would prefer a more positive outcome if the investigation reveals that the surrogate method is practicable.

Recommendation 2000.3 ***

That the ACT Government evaluates the effectiveness of actions to reduce the impact of wood-smoke, as an atmospheric pollutant, especially when atmospheric temperature inversions occur (follows Recommendations 97.10 and 97.11)

Government response—June 2001

Agreed. The Government's 1999 Firewood Strategy is the primary mechanism to address the problem of wood-smoke pollution generated from home heating appliances. A key part of this Strategy is an evaluation process that occurs at the end of each winter. Recent changes to legislation requiring licensing of wood merchants and a trial air pollution warning system will commence this coming winter. Once experience is gained in how these changes will operate, they will also be evaluated.

Commissioner's comments

Recommendation 2000.3 arose from Recommendations 97.10—'that the Government devise a strategy to reduce wood-burning for cooking and heating in areas susceptible to pollutant trapping'—and 97.11—'that the ACT Government continue to seek strategies for carbon monoxide containment'. Such strategies should also address the contribution of domestic wood-burning to carbon monoxide emissions in Canberra.

Recommendation 2000.3 expresses my concern that there is a need to evaluate the effectiveness of the actions taken once the strategy is in place. I am pleased to see that a trial air pollution warning system has commenced. This was a recommendation from the 1995 SoE Report which had previously been rejected.

Recommendation 2000.4 ***

That the ACT Government report biannually for each sector on progress towards the 2008 targets for reduction in Greenhouse Gases, in accordance with the ACT Greenhouse Strategy.

Government response—June 2001

Agreed. Consistent with the reporting targets in the ACT Greenhouse Strategy, the Government expects the first report on the sectoral progress towards the 2008 Greenhouse gas emission targets to be available in the first half of 2002. The next review of progress will occur in 2003–04. The timing of subsequent reviews will be determined as part of the 2003 review.

Commissioner's comments

I will look forward to incorporating results of the first, and possibly the second, report in the next SoE Report, which will be due in 2003–04.

Recommendation 2000.5 ***

That the ACT Government cooperates with relevant Councils in the Australian Capital Region to:

- verify the extent and condition of native vegetation communities in the ACT and the Australian Capital Region, in particular those that are indicated as having less than 30% of their original (pre-1750) extent remaining; and
- identify the threatening processes associated with those vegetation communities; and
- apply this knowledge to establish priorities for the conservation management network in the ACT and the Australian Capital Region.

Government response—June 2001

Agreed. The Government has been proactive in this regard through its participation over several years in a study of grassy ecosystems in the ACT and Southern Tablelands region. This study is being undertaken by ACT and New South Wales environment and planning agencies, local shire councils, the Queanbeyan City Council and community organisations, including the Housing Industry Association (ACT). Significant Natural Heritage Trust funds have been applied to ecological surveys of the specific ecological communities in the Yass, Goulburn, Braidwood and Cooma

areas to complement those undertaken in the ACT. A conservation strategy for the study area is being prepared. It will:

- detail the nature and location of the ecological resources of the region, including threatened species and ecological communities;
- identify regional conservation requirements, including any proposals for reserve and off-reserve protection, the need for ecological corridors, and any other ecological resource protection measures and information gaps; and
- develop a conservation strategy for the region, including a framework and guidelines for proactive, community based conservation projects and priorities for conservation actions to be implemented by those responsible for planning, development and management of the region's natural resources.

Commissioner's comments

After some initial concern, I have been assured that the planned work takes into account the results reported in the 2000 SoE Report. However, I still have other concerns: it will not be adequate to address only those species or ecological communities that have already been declared threatened. I want to be assured that the strategy take into account fragmented ecosystem types (or ecological communities) that are at risk of becoming threatened, because of fragmentation and other pressures, in particular, urban development. I am seeking that assurance so that we do not find ourselves in a situation in a few years' time where other species or ecological communities have to be declared threatened.

I see the balance between biodiversity conservation and urban development as one of the most critical issues for the planned strategy, and I am keen to be kept apprised of progress, both in the ACT and throughout the Australian Capital Region. Comments made here relate also to Recommendation 2000.6 below.

Recommendation 2000.6 ***

That the ACT Government maximises efforts to conserve biodiversity in the Australian Capital Region and the ACT with a particular focus on off-reserve conservation

Government response—June 2001

Agreed. The Government will continue to promote conservation of biodiversity in the Australian Capital Region and in the ACT through a range of initiatives apart from those outlined in our response to Recommendation 2000.5. These include:

- off-reserve conservation of biodiversity on rural leases through Land Management Agreements and with support through the Rural Conservation Fund;
- memoranda of understanding with Commonwealth Government agencies occupying land with significant biodiversity values;
- the introduction of interim tree protection legislation and proposals for the establishment of a register of significant trees;
- where appropriate, the addition of land to reserves;
- continuing evaluation of biodiversity assets in the Majura and Jerrabomberra Valleys as part of proposals for infrastructure and other development;
- working with NSW regional agencies, landholders and community groups, to promote conservation effort across the Australian Capital Region that is coordinated, follows best practice and is based on best available knowledge; and
- ‘off-reserve’ conservation of biodiversity on public lands in urban areas through effective management practices by government agencies, with support from urban-based environment volunteers.

Commissioner’s comments

The initiatives cover a range of actions identified in the Nature Conservation Strategy. They also take into account some areas (e.g. Majura and Jerrabomberra Valleys) where landuse change is proposed. It will be important to take into account:

- (a) threatened species and communities included in Action Plans that have not yet been protected by agreements; and
- (b) information gained from the process associated with Recommendation 2000.5 about those ecological communities that have been heavily modified or fragmented.

Recommendation 2000.7 ***

That the ACT Government maintains efforts to attract private sector enterprises to the ACT, particularly those which build on new technologies, including the information and communication technologies and biotechnologies, to provide increased job opportunities in sustainable industries

Government response—June 2001

Agreed. The Government will continue to work to attract private sector enterprises to the Territory, including the industry sectors recommended by the Commissioner, under the aegis of our ‘Smart and Clean’ banner for Canberra. For example, the ACT Government is working with the local leading research and development institutions to develop the Australian Biosciences Consortium. The aim will be to increase the commercialisation of the ACT’s research and development and position the ACT as a leader in biosciences internationally.

The Government is also a key sponsor of the Australian Biotechnology Association, which now holds regular events for the biotechnology community in the ACT.

Additionally, the ACT was represented at the Taiwan Biotechnology Seminar in April 2001 and at Bio2001 in San Diego in June of this year.

Commissioner's comments

The actions in this response are encouraging. I will look forward to Government reports on other actions taken and associated outcomes. I am particularly keen to see data on increases in the proportion of industries based on new technologies in the ACT, including the information and communication technologies and their relative value to the total economy.

Recommendation 2000.8 ***

That the ACT Government analyses the expertise in the ACT in environmental education and training, and in environmental industries and further promote Canberra and the ACT as an international leader in inland environmental education and management

Government response—June 2001

Agreed. The Government will continue to promote the ACT as a centre of excellence in environmental education and training. We are fortunate to host major national scientific and education institutions that work in partnership with other institutions and industry both across the nation and internationally. The Cooperative Research Centre for Freshwater Ecology is an example.

Additionally, the ACT has attracted international attention as a leader in environment management and in the provision of goods and services in the environment industry. For example, the ACT has provided assistance to its sister city, Beijing, in the preparation of the environment management strategy for the Beijing 2008 Olympic Games bid.

Commissioner's comments

I have spoken to the Minister about the possibility of his convening a meeting of University and Industry leaders to analyse if it is practicable to mount a cooperative effort in marketing the ACT as a leader in inland environmental education and management. Industry has already mounted a concerted effort to market the ACT's competencies in environmental management, notably with respect to

assisting in environmental challenges that may face Beijing in its conduct of the 2008 Olympic Games. I have been encouraged to discuss the roles that the Universities may play, either to complement these industry initiatives, or in some other manner, and will do so.

Recommendation 2000.9 ***

That the ACT Government implements an incentive scheme to encourage and reward best environmental practice

Government response—June 2001

Agreed. The Government will continue to provide incentives either through its own programs or with industry and community to encourage best environmental practice. This recognises the important role of positive reinforcement and recognition in achieving broader community attitudinal shifts in favour of the environment.

Recent Government initiatives include:

- the October 2000 commencement of the trial Quality and Sustainable Design accelerated development assessment scheme. The program will be fully implemented in May 2001, with various incentives in place including: accelerated development assessment; and feebates (fee rebates).
- discussions are under way regarding incentives for homebuyers.
- rebate schemes and incentives under the ACT Greenhouse Strategy;
- our partnership with Landcare Australia Limited to convene the biannual ACT Landcare Awards;
- the annual ACT Heritage Awards; and
- Environment ACT's sponsorship of the annual Banksia Foundation Awards that recognise and reward achievements by the community, industry and Government in the environment, which was convened in Canberra in 2001.

The Government also sponsors environmental award categories in industry awards, such as:

- the Housing Industry Association Awards;
- the Master Builders' Association Awards; and
- the ACT Tourism Awards.

Additionally, the Government's promotion of Canberra as a home of 'clean and smart' industry is supported by various business-related incentive programs to attract these industries to the Territory.

The Government's response to Recommendation 2000.12 in relation to the community awards scheme for recycling is also relevant here.

Commissioner's comments

This recommendation is similar to Recommendation 1997.8, which I believe has only been partly implemented by Government. I would like to see more direct action by Government to encourage and reward improved environmental performance in its own agencies, and by individuals and groups in the community. On this basis (and as indicated in my update on recommendations from the 1997 SoE Report), I encouraged consideration of a system such as the ANU has introduced in regard to developing and recognising the highest levels of environmental management performance by its own staff.

Recommendation 2000.10 ***

That the ACT Government collaborates with the Australian Federal Police and others to propose and implement methods to decrease the crime rate, especially for attacks on individuals and their property

Government response—June 2001

Agreed. Understanding the underlying causes of crime is a complex process. In response to recent increases in crime the Government believes it has struck a balance between providing extra

resources to enforcement and prevention activities and a balance between short and long-term measures.

The 2000–01 Budget provided funding to enable the Australian Federal Police to markedly increase the number of police available to the ACT, to set up police strike teams targeting property crime and to establish community based police teams in selected suburbs.

Short-term measures, such as the use of police strike teams, are sometimes resource intensive but they have resulted in dramatic gains, as evidenced by Operation Anchorage, with decreases of up to 50 per cent on previous weekly rates of burglary offending. Police operations in targeting property crime are being assisted by a series of research projects into the ACT stolen property market. A study already has been undertaken in profiling burglars and their modes of operation. This study will be complemented by further research to identify the types of goods stolen, the drivers that lead to the selection of these goods and the channels for disposal.

Funding has also been provided for longer term prevention initiatives, targeting at risk youth and promoting community awareness about personal crime prevention measures. A variety of initiatives under the social capital budget have also been established, including projects that are aimed at early intervention for those children in education, health and juvenile justice settings who are identified as being at higher risk.

Amendments have recently been made to the *Bail Act 1992* to make it more difficult for offenders to retain the presumption of bail if reoffending occurs whilst on bail.

It is apparent that one of the drivers in the increase in property crime and robberies has been the need for many offenders to fund their purchases of illicit drugs, particularly heroin. In response, the ACT is trialing an intervention model in the Magistrates Court which provides, at the

earliest opportunity in a hearing, referral to assessment and treatment of drug reliant offenders—the referral is not dependant on an admission of guilt and may take place before a plea is entered. Further, in conjunction with the COAG Illicit Drugs Strategy, the ACT is about to implement a police early diversion program for first and second time drug offenders apprehended for simple possession. Police will have the capacity to divert offenders into a program that will assess, and offer offenders education or treatment options. There is also the potential to extend this program to court based diversion at a later point.

The Government has also produced the ‘ACT Crime Prevention and Urban Design Resource Manual’ to assist in making safer designed public places.

The Government has demonstrated its commitment to reduce the crime rate by ensuring that ongoing funds have been provided in 2001–02 to continue the initiatives highlighted in the 2000–01 crime prevention budget.

In November 2000, the Chief Minister Gary Humphries and the then Minister Assisting the Attorney General Bill Stefaniak announced the initiatives to be funded under the ACT Government’s Crime Prevention Fund.

The Crime Prevention Fund was set up to widen the availability of crime prevention and target-hardening strategies. The initiatives to be funded under the program aim to stop crime before it starts.

Moneys for the Crime Prevention Fund in the financial year 2000–01 will be spent in three areas:

1. **\$498,382** for the program: ‘An Aware Community is a Safe Community’, including crime prevention road shows, shopping centre displays, and promotional materials to increase community awareness about crime prevention and safety;
2. **\$449,611** to address the needs of special interest groups, including a

‘Kid’s Best Friend program’ to build understanding and trust in children about police, a multicultural liaison committee to enhance information flow between the police and the multicultural community, and a subsidy scheme for older people to improve home security; and

3. **\$209,237** for the program: ‘A Need for Intervention: At Risk Groups in the Community’, including recruitment of two Aboriginal Community Liaison officers, and the establishment of a scouts-style Police Rangers program targeted at at-risk children, offering adventure camps and other group activities to encourage positive ongoing contact with police.

Many of the initiatives will be launched in June 2001, with progress continuing into the 2001–02 financial year and beyond.

Commissioner’s comments

This list of actions is both impressive and warranted. I look forward to receiving progressive information on the effectiveness of the actions taken. I recognize the need for understanding of the causes of crime, and encourage those programs which better equip the community to accept responsibility to cooperate with authorities to reduce the incidence of crime.

Recommendation 2000.11 ***

That the ACT Government requires relevant Government agencies and Government-owned corporations to include in annual management plans the extent to which they expect difficulties in maintaining the condition of major infrastructure assets, in meeting needs for renewal, and their plans for addressing these needs

Government response—June 2001

Agreed. The ACT Government Asset Management Strategy was produced in 1997. This Strategy requires all Government agencies to prepare an Asset

Management Plan as part of their Ownership Agreement. It is a requirement in these plans to address the management of assets in a strategic way, including regular condition auditing. Government-owned corporations are required to account for their assets as part of their financial operations, ensuring close attention is paid to asset condition and return to the corporation.

The Government will work to ensure that all agencies and corporations adequately address the strategic management of their assets in the ongoing development of their management plans and businesses.

Commissioner's comments

It is of concern to me if asset management is not reported in terms of its sustainability—specifically, I need to know that the infrastructure component of community well-being and quality of life is assured for future generations and that the asset condition is not allowed to deteriorate as a result of short-term cost-savings on maintenance or replacement programs. I will need to ensure with relevant agencies that appropriate information is provided for the next SoE Report.

Recommendation 2000.12 ***

That the ACT Government notes again the recommendations in the Commissioner for the Environment's Report on 'Progress Towards *No Waste by 2010*', and the Government's response, and implement actions to reinvigorate community commitment to, and whole of Government involvement in, the *No Waste by 2010* strategy

Government response—June 2001

Agreed. It is recognised that education and community commitment is critical to achieving the *No Waste by 2010* strategy goals. Progress reports on the *No Waste by 2010* strategy will continue to be produced and issued annually to provide feedback to the community and foster its continued support and participation.

The 1997, 1999 and 2000 reports were

distributed to all Canberra households, while the 1998 report was available from shopfronts and libraries. In response to the 1998 Progress Report a suggestion was made by a Canberra resident regarding a community recycling day 'Second Hand Sunday' and ACT Waste conducted trials of the day. The trial results were positive and a Canberra-wide day was held on 25 March. It is intended to make the day a twice-yearly event.

A community awards program will also be established to engender community involvement in the strategy. Targeted campaigns will be developed whenever new programs or initiatives are introduced and appropriate media will be used for media events and community announcements.

A Schools Program will be developed and it is proposed to provide financial support to expand this program. ACT Waste will continue to facilitate community consultation forums to promote greater participation in programs. Annual displays and promotions have been conducted at Floriade and to coincide with Recycling Week. It is planned to continue these types of promotional activities, targeted to specific wastes or messages.

ACT Waste engages specialist teachers and consultants to take education programs such as Earth Works into the community. To maximise the effectiveness of the Earthworks program it is being diversified. Open days have been and will continue to be regularly held to demonstrate composting, worm farming and associated activities. A business program, to be called Ecobusiness, is also being developed in order to target waste reduction and environmentally responsible practices in the commercial sector.

An Interdepartmental Committee has been formed to initiate a whole of Government approach to the *No Waste by 2010* strategy and ensure that all agencies take ownership of the Strategy. The Interdepartmental Committee is working to ensure that barriers to using recycled

products within government are eliminated and that appropriate resources are provided to implement the *No Waste by 2010* strategy.

Commissioner's comments

More details and my comments are provided in the section of this Annual Report on actions taken in response to my report 'Progress Towards *No Waste by 2010*' (November 1999). This high-profile strategy must be supported by all sectors of the community. Within Government, the Interdepartmental Committee must be resourced to ensure that the whole of Government approach is effective and sustained.

Recommendation 2000.13 ***

That the ACT Government investigates the NSW process for reporting on energy consumption, and report on the efficacy of introducing parallel legislation to ensure uniform reporting on energy statistics by all relevant electricity or energy retailers and generators in the ACT

Government response—June 2001

Agreed. The Government will investigate, in consultation with the Independent Competition and Regulatory Commission that has responsibility for utility licensing, arrangements for improved energy consumption reporting.

Commissioner's comments

I look forward to reporting the results of this investigation. I am appalled at the absence of publicly available data about total energy consumption, in spite of the arguments for individual distributors not to publish their data on commercial-in-confidence grounds. The nature of energy sources and the amount of energy used are key factors in assessing whether human practices are sustainable, and whether Government policies and programs of energy reduction are effective.

Recommendation 2000.14 ***

That the ACT Government provides maps

and supporting evidence on the extent of, and potential for:

- soil erosion;
- soil acidity; and
- dryland salinity (follows Recommendation 97.2).

Government response—June 2001

Agreed. The Government has recently undertaken surveys of the extent and potential for soil erosion on rural and conservation lands in the ACT. Consideration will be given to providing additional information on the erosion potential of land managed by ACT Forests. The development of land management agreements when rural leases are renewed will assist in identifying areas of rural land affected by sulfur acid soils. Dryland salinity is not considered to be a significant issue for the ACT. However, it is anticipated that the ACT will be included in the aerial mapping of dryland salinity proposed as one of the initial steps for the Lachlan–Murrumbidgee Catchments Region under the National Salinity and Water Quality Action Plan initiative recently announced by the Prime Minister.

Commissioner's comments

I will establish liaison with Environment ACT prior to commencing the next SoE report to ensure that the condition of these three significant soil and land characteristics can be reported in a meaningful way in each SoE report.

Recommendation 2000.15 ***

That the ACT Government funds an independent study to review cost-effective methods to monitor groundwater levels, and to recommend on a systematic monitoring regime of the ACT's groundwater extent and its quality, to provide the necessary data to sustainably manage the ACT's groundwater resource, and phenomena associated with changing groundwater levels (follows Recommendation 97.2)

Government response—June 2001

Disagreed. Based on the advice of a

panel of highly regarded scientific experts, the Government has adopted a very conservative approach to the management of groundwater, allowing the use of only 10 per cent of estimated recharge in each water catchment. This level of use will only be permitted to increase if scientific evidence shows that increased use can occur without damaging an aquifer. In most catchments a conservative approach does not cause any problems because current demand for groundwater is low.

As demand for groundwater increases within a catchment the Government initiates the studies necessary to determine whether more groundwater can be used in that particular catchment. These studies are costly and must be done specifically on a catchment by catchment basis. The Government has recently completed a groundwater study on the Jerrabomberra Creek catchment, which shows that, based on the knowledge available now, no further groundwater use should be permitted in this catchment.

The Government will continue to undertake these studies as they become necessary. Significant expenditure to obtain detailed information on catchments before it is necessary is not seen as responsible budget management.

Commissioner's comments

I am disappointed with Government's response on this recommendation, as I fail to understand why the recommended independent study cannot be undertaken. I strongly believe that better information on the underground resource is necessary for understanding the total water resource and for its long-term management. In the circumstances, I have arranged with Environment ACT to receive advice of any changes in demand over time, and of how such change is determined. I am particularly keen to be kept advised of the groundwater situation in the catchment area of Jerrabomberra Creek.

Recommendation 2000.16 ***

That the ACT Government assesses the

impact of environmental flows to determine whether the flows are protecting aquatic ecosystems in downstream waters for all waterways in the ACT

Government response—June 2001

Agreed. Through the ACT 'Environmental Flow Guidelines', the Government is committed to an on-going monitoring and evaluation program of actual flows and their effect on stream structure and ecology. Notably, through its partnership with the Cooperative Research Centre for Freshwater Ecology, a major study into the effectiveness of the environmental flows in the Cotter River is being undertaken. Through its licence, ActewAGL is required to undertake an extensive monitoring program to support this study. It is also expected that knowledge gained will also assist assessing the appropriateness of environmental flows in other waterways where water abstraction is significant.

Commissioner's comments

This recommendation is a logical sequence to Recommendation 1997.6 'that Government address mechanisms for identifying appropriate environmental flows for selected streams, so that water entitlements for the environment under the 1994 COAG agreement will be in place by the end of 1998', which was considered in 1998–99 to be implemented. In the 2000 SoE Report, I had subsequently noted that 'it will now be necessary to observe the monitoring programs that are introduced to determine if the enhanced environmental flows improve the riverine, wetlands and riparian zone health'.

I am advised that the Cotter is the only stream in the ACT where water flows are regulated in such a way as to provide an appropriate site for assessment of flows on stream structure and ecology. The study is said to be the first of its kind in Australia. I look forward to more detailed

information and results of the Cotter River environmental flows study.

Recommendation 2000.17 ***

That the ACT Government reviews ACT water quality standards:

- for temperature in relation to recreational use to take account of local climatic conditions
- for aquatic ecosystem maintenance, to include total oxidised nitrogen (NO_x)

Government response—June 2001

Agreed. A revision of the temperature guidelines will be initiated. In regard to total oxidised nitrogen, advice will be sought from the Cooperative Research Centre for Freshwater Ecology on the appropriate level for such a standard.

Commissioner's comments

I look forward to the relevant outcomes.

Recommendation 2000.18 ***

That the ACT Government establishes procedures to ensure that all builders comply with sedimentation controls during all phases of construction of dwellings

Government response—June 2001

Agreed. It has been Government policy since 1997 that builders provide sediment runoff controls in relation to building construction work. The Government will continue to work with relevant stakeholders to ensure appropriate compliance with existing sediment and erosion controls for all building work in the ACT.

Commissioner's comments

Turbidity levels downstream of residential developments indicate that the existing procedures have not been particularly effective. It is to be hoped that Government does more than continue in the same vein as previously.

Recommendation 2000.19 ***

That the ACT Government continues and expand water reuse and recycling projects, and establish a database on water reuse as part of the ACT's water management system.

Government response—June 2001

Agreed. The Government has put in place significant measures to encourage water use efficiency, including re-use, particularly through pricing arrangements for water use and polluter pays charging. Water use will be kept under review in order to ensure the effectiveness of current arrangements. Details will continue to be kept on water re-use schemes that are subject to an authorisation or agreement under the *Environment Protection Act 1997*.

In addition, ActewAGL offer a subsidy to ACT residents to encourage the installation of rainwater tanks.

Commissioner's comments

I will liaise with the relevant agency or agencies to develop a more systematic database that may provide better opportunities to analyse water balance.

Recommendation 2000.20 **

That the ACT Government establishes baseline reference data by measuring current levels of dioxins in soils in areas close to and remote from the Totalcare Industries Limited site at Mitchell where clinical wastes are incinerated

Government response—June 2001

Agreed. The Government agrees that it would be useful to know the level of contamination, if any, surrounding the Totalcare Industries Limited site at Mitchell. Dioxins come from a number of natural sources—a 1998 study by Environment Australia concluded that bushfires are probably the largest source of dioxins in Australia—and before it would be possible to interpret testing results it will be necessary to establish background levels.

The Federal Government is looking to establish a National Dioxin Study to determine whether dioxin levels or exposure are a real problem in Australia. It is envisaged that this work will consist of an environmental survey that may be able to establish background levels and at a minimum will take several years to complete.

Commissioner's comments

This recommendation was also made in my 'Review of Proposed Standards for Air Emissions and Other Waste Products and Monitoring Requirements for the Totalcare Incinerator', in June 2000. The Australian and New Zealand Environment and Conservation Council (ANZECC) announced the National Dioxin Program on 30 June 2001. While not committing to dioxin reduction or elimination as required under the Stockholm Persistent Organic Pollutants (POPs) Convention to which Australia is a signatory, the National Dioxin Program will focus on identifying dioxins in the Australian environment. Details of the survey are not yet known.

The ACT Government should be exerting pressure through ANZECC to have the study implemented immediately and to ensure that appropriate sites in the ACT are included.

Recommendation 2000.21 **

That the ACT Government reports detailed assessments of current fire regimes for all vegetation types in digital GIS formats, against known historical conditions

Government response—June 2001

Agreed. The 2002 ACT Bushfire Fuel Management Plan will provide details of fire history within the 34 identified ACT fuel management units. As part of the compilation of data for reporting on fire regimes, the Government will include data on intense fires in relation to vegetation types or communities and represent this data in a digital GIS format.

Commissioner's comments

This is good news. I will look forward to this development in data collection.

Recommendation 2000.22 **

That the ACT Government initiates a study of the dynamics of bird species in urban areas to better understand the threats to native bird species

Government response—June 2001

Agreed. Environment ACT has already commenced discussion with the Canberra Ornithologists Group (COG) on ways in which COG's considerable expert membership can participate in conservation projects focussed on birds.

In response to the Commissioner's recommendation, the Government will seek discussion with COG on the scope of a study of the type required by the Commissioner, building on COG's existing data on birds found in urban areas. An ACT Environment Grant has already been provided to Dr Chris Tidemann at the Australian National University to conduct research into the management of the Indian Myna bird that competes with native parrots for nesting sites in tree hollows.

Commissioner's comments

This is good news. I look forward to results of the study. It is critical to have the involvement and expertise of the Canberra Ornithologists Group.

Recommendation 2000.23 **

That the ACT Government undertakes more detailed reporting and monitoring of target pest animal species and their impact on native prey species

Government response—June 2001

Agreed. The ecological impact of predation of native species has been the subject of a number of research programs and will continue to be an area of management focus for the Government.

An objective of the (draft) ACT

Vertebrate Pest Management Strategy, released in February 2001, is to ensure that reliable data are available for the making of decisions about vertebrate pest management.

There will be an annual program of survey and monitoring of the distribution and abundance of vertebrate pest species. The program will build upon existing work, with priority being accorded to species that are of particular concern because of their potential for unacceptable impact on biodiversity values.

Commissioner's comments

I look forward to results of the first of these annual surveys and, subsequently, to the annual reports which will allow assessment of changes of population of both pest animals and of native prey species.

No doubt the research by Dr Chris Tidemann referred to by Government in response to the previous recommendation will also be useful in this regard.

Recommendation 2000.24 **

That the ACT Government moves quickly to reduce gas emissions associated with ACT Government buildings, facilities, equipment, vehicles and other transport; and to ensure that Greenhouse issues are properly incorporated in planning and decision-making, as indicated in the ACT Greenhouse Strategy

Government response—June 2001

Agreed. The Government has established an ACT Greenhouse Strategy Steering Committee comprising representatives from each ACT Government department and relevant agencies to oversee the implementation of the ACT Greenhouse Strategy. This includes implementation of the Government's commitment to reduce its energy consumption by 25 per cent and fleet emissions by 15 per cent by 2008.

Commissioner's comments

The ACT's Greenhouse Strategy has targeted a range of sectors. To reduce

Greenhouse gas emissions produced by the ACT Government is the eighth objective of the Strategy. However, just as I am keen to see ACT Government agencies leading by example in waste reduction, so am I keen to see that same attitude as far as Greenhouse gas reductions are concerned. I am pleased to see Government's commitment to Greenhouse gas reduction. I hope its program can accommodate having ACT agencies and their activities targeted as a priority for the reasons outlined above.

Recommendation 2000.25 **

That the ACT Government reviews the methods used to measure surface water quality, to develop a framework that better integrates biological assessment of water quality for different uses, with physico-chemical, stream flow, sediment load monitoring and habitat assessment

Government response—June 2001

Agreed. Through the Cooperative Research Centre for Freshwater Ecology (the CRC), the Government is currently engaged in a project to develop a framework for integrated assessment in this field. The annual ACT water quality monitoring program will continue to be developed within the context of advice from the CRC to ensure that the best possible information is obtained for the available resources.

Commissioner's comments

I hope that future SoE reporting will benefit from the integrated assessment of variables affecting surface water quality in streams, and that interpretation that has been necessary for the SoE report to date may be reduced.

1997 ACT State of the Environment Report

Recommendation 97.1

That dates be set for completion of all relevant legislation and actions, as identified in the Government's Response to the ACT State of the Environment Report 1995 and implementation during 1996–97, and that those dates be published at the time of the Government's response to ACTSER '97

In my last Annual Report, I stated that progress had been made on this recommendation, but it still had not been implemented to my satisfaction.

Since SoE reporting commenced in 1994, both this Office and Government have been gradually improving the way we have written and responded to recommendations in SoE reports. Yet while there appears to be a growing response in the ACT Public Service to the need for a whole of Government approach to a number of matters, even the Government's response to the recommendations in the latest report—the SoE-2000—does not give proposed dates for initiation or completion of the actions proposed. One of the challenges is that the timing of SoE reports does not coincide with the timing for annual planning and identification of outputs for a forthcoming year. Liaison has already commenced with Environment ACT on ways to interpret actions proposed in the Government response in terms of output reports, which would include dates by which certain actions would be completed.

I am keen to see output reports on actions completed, and reasons for any failures to meet target dates.

For this Annual Report, Government has reported that it is now looking at whole-of-government approaches to the work of the Commissioner. This includes the establishment of a SoE Reporting Implementation Group, comprising representatives of all relevant government

agencies. Government sees this Group assisting with the collation and analysis of data for input to SoE reports, and with the implementation of agreed recommendations for the SoE reports.

It is planned for this Group to become effective around November–December 2001. I am keen to increase understanding of SoE reporting in the ACT Government through such a Group.

Recommendation 97.4

That the Integrated Landuse and Transport Study by PALM be given high priority and specifically consider ways to develop an effective public transport system, which will encourage less private motor vehicle use

The Implementation Plan was completed at the time of my Annual Report for 1999–2000. However, as noted, in an update of recommendations from the 1997 SoE Report which was included in the 2000 SoE Report, I remain concerned that the challenge to attract and retain a much higher level of use of public transport in the ACT has not yet been satisfactorily addressed. In fact, figures reported in the 2000 SoE Report show that bus use has reduced annually from 17.4 million boardings in 1996–97 to 16 million in 1999–2000.

Recommendation 97.5

That the Government maintains at least two air quality monitoring stations in Canberra, with a third (in the Belconnen area) being considered subject to resource availability

As part of its response to recommendations in the 2000 SoE Report, Government made the following statement about Recommendation 97.5.

This was agreed to, however, the Government, as indicated in the 2000 progress report on the implementation of the 1997 recommendations, remains convinced that the expense of a new

air monitoring facility is not warranted at this stage. Data from the now inoperative Belconnen facility consistently falls between the upper and lower data ranges of the Civic and Monash facilities. Consequently, these data have had no impact statistically. It will be evident from the data generated by the established stations if air quality is decreasing. In these circumstances, the Government would re-consider the need for additional monitoring facilities. However, at present there is no evidence to suggest such a trend and so it remains the Government's view that an additional facility is not warranted at this stage.

The Government has committed funds in the 2001–02 budget for the purchase of new air monitoring equipment for its Monash Station in order to fulfil commitments under the National Environment Protection Council. This will provide better air pollution information for Tuggeranong.

There is no progress on this recommendation. The Government appears to be adamant about the Belconnen facility. Changes in traffic density and flow could cause different local effects.

I understand the difficulty in obtaining co-monitoring to cover the changeover of the facility in Civic, but one loses any ability to compare records between the old and the new sites.

Additionally, I see NEPMs as minimum requirements, and would hope that the ACT sets the highest standards to record changes in air quality with direct measurements in areas of high population concentration. (Recommendations 97.14 and to some extent, 2000.1, are also relevant to this concern.)

Recommendation 97.7

The Government is urged to ensure adequate resourcing for the implementation of the Nature Conservation Strategy, the Flora and Fauna Committee and research and mapping of those ecological communities, invertebrates and non-avian vertebrates for which there are inadequate baseline data.

While this recommendation was considered, in 1998–99, to be fully implemented, I have indicated that this Office will maintain a watching brief to ensure that an appropriate level of resourcing is maintained. Four of the 25 recommendations in the 2000 SoE Report directly relate to the implementation of the Nature Conservation Strategy and to data collection.

Recommendation 97.12

That greater coordination and support for community monitoring of land quality be engendered to streamline data collection and transfer to relevant bodies, as well as to improve analysis of data, with a profile or directory of community-based environmental groups and their monitoring activities in ACT catchments accessible on the Environment ACT World Wide Web page

As part of its response to recommendations in the 2000 SoE Report, Government made the following statement about Recommendation 97.12.

‘This was agreed in principle by Government. The Commissioner reports that this recommendation has not yet been implemented. The Government’s view is that significant progress has been made in supporting community monitoring of land quality. This includes work currently under way to introduce a community database to support community–government partnered activities like catchment planning, monitoring of catchment health and Landcare. The Government is undertaking this work within the context of its renewed

approach to the management of electronic resources, including the on-line delivery of most ACT Government services by the end of 2001.’

I will further address this item through liaison with relevant Government agencies. The Government has indicated its support for such liaison.

Recommendation 97.16

That the Government continues to negotiate with the Cancer Council on behalf of all ACT residents for UV monitoring data to be made freely available for public health reasons

Government did not implement this. However, an acceptable solution has now been achieved.

For the 2000 SoE Report, the Bureau of Meteorology in Melbourne provided estimated UV data for the ACT, based on modelling techniques. I was advised at the same time that NSW National Parks and Wildlife Service have set up two new monitoring stations in the Region—at Berridale and Perisher Valley. The monitoring stations provide data for research relating to frog habitat. I have been advised that data for Berridale should provide a reasonable proxy for the ACT. I am grateful to Dr Ken Green, Australian Institute for Alpine Studies, for his willingness to make the data available for SoE reporting.

Recommendation 97.18

That draft Management Plans for conservation areas and Action Plans for threatened communities and species should be finalised as quickly as practicable

I reported in 1999–2000 that Action Plans for all declared threatened species and communities had been completed, adopted and published. Environment ACT advises that since 1997 plans for management for the Murrumbidgee River Corridor, Canberra Nature Park and Tidbinbilla Nature Reserve have been finalised and are being implemented.

Considerable progress has been made in finalising the plan of management for the Lower Molonglo River Corridor. The final draft plan has been revised, following hearings by the Standing Committee on Planning and Urban Services and resubmitted to the Committee to conclude its consideration. The draft plan for horse holding paddocks managed by the ACT Government was completed, but remains to be finalised pending experience gained from the operation of the contract management of the paddocks. Significantly, the signing of an agreement with the local Aboriginal community about joint management of Namadgi National Park leaves the way open to the development of a management plan for this park. This work will be undertaken with the benefit of the advice of the Interim Management Board.

Additionally, a plan of management has been prepared for the internationally recognised Ginini Flats Subalpine Bog Complex in Namadgi National Park. Draft management guidelines have also been prepared for the Aranda Snow Gums Heritage Site. These plans are not statutory management plans; rather they have been prepared to address the specific management needs of these sites.

PROGRESS ON IMPLEMENTATION OF RECOMMENDATIONS FROM SPECIAL REPORTS

Progress Towards *No Waste by 2010* (completed November 1999)

Introduction

As reported in my Annual Report for 1999–2000, the Minister for Urban Services tabled ‘Progress Towards *No Waste by 2010*’ in the Legislative Assembly in February 2000. The Government’s Response was tabled in May 2000, having been dependent on Cabinet approval of its document, ‘The Next Step in the *No Waste Strategy*’, which was completed following receipt of my report. My recommendations and the Government’s response were included in my Annual Report for 1999–2000.

Most of the recommendations from my report can be implemented well before the ACT’s *No Waste* strategy target date of 2010. No doubt, though, I will retain a fundamental interest in this strategy until at least 2010.

Priorities for implementation of the *No Waste by 2010* strategy during 2000–01, were set out in the Budget Papers for 2000–01. While the proposed actions for implementing *the No Waste by 2010* strategy should extend beyond the recommendations in my report, not all of my recommendations are included in the action list, and proposed actions only partly address some recommendations.

Overall, for the reporting period, I am somewhat disappointed with progress on implementation of my recommendations. I am also concerned that the level of funding by Government for this strategy may not be sufficient for it to progress at the rate that it must, to achieve the targets for 2010. Budget Papers for 2001–02 show an increase in the actual cost of contracts for kerbside collections, both of domestic waste and of recycling materials. There appears to be no

corresponding increase in funding of the ACT NOWaste unit to adequately implement the actions contained in the ‘Next Step’ document.

[Note: The name of the unit has recently been changed from ACT Waste to ACT NOWaste. Both names appear in this document.]

Recommendation 1

Clarify and publicise the Government’s goals for the strategy

Government initial response—March 2000

Agreed. The goal of the *No Waste by 2010* strategy is a waste free society and an indicator of the success of the strategy will be no waste going to landfill by the year 2010. The strategy goal will be clarified and publicised through community education programs to support the further implementation of the strategy.

Government action to 30 June 2001

The Strategy goal is being publicised through community education programs that are being developed to support the further implementation of the strategy, for example the 2000 Progress Report.

Commissioner’s comments

Partly implemented. It is essential that the goals reach, and are understood by, all sectors of the community. I am concerned that the community is not aware of the immediate and ongoing effort that is going to be needed from everyone if this *No Waste by 2010* strategy is to succeed. We need champions of the goals in every business place and in every home, as well as by every member of the Assembly. Additional funding, at this time, is essential for a major campaign to make ‘No Waste’ a household term like ‘Life, Be In It’ was, in its day.

Recommendation 2

Ensure the actions identified for the first two years are completed—in particular, identification of full costs of each type of waste and comprehensive benchmarking.

Government initial response—March 2000

Agreed. The priority actions identified in the strategy, to be progressed in the first two years have been completed with the exception of the identification of the full costs of each type of waste.

Government action to 30 June 2001

In 2000, ACT NOWaste engaged consultants to determine the actual costs of the various categories of waste. This consultancy examined economic, environmental and social costs associated with waste management. Based on the outcomes of this study a waste pricing strategy has been developed. It is proposed to implement the pricing strategy from July 2002. The pricing strategy will implement landfill pricing that reflects the actual costs of waste disposal and provides incentives to reduce waste disposal.

In 1997, a Waste Inventory was compiled which provides detailed information on the composition of waste streams and the recycling potential for component materials. The Inventory has set benchmarks for waste generated and identifies where the greatest potential for diverting wastes from landfill can be made. Additionally ACT NOWaste will shortly conduct further audits of the domestic collected waste stream to set further benchmarks for waste reduction targets on this stream.

Commissioner's comments

Not yet fully implemented. This recommendation was directed at the challenge of ensuring that benchmarks can be established over projected time frames, and assessments made on progress towards completion of those benchmarks.

It appears that ACT NOWaste and this Office have been interpreting the term benchmarks differently. These interpretations have now been clarified and it is expected that progress towards no waste will be more evident from both the initial benchmarks derived from 1995–96 tonnages to ACT landfills, and

from benchmarks subsequently set as tonnages to landfill reduce.

My comments against Government implementation to date of Recommendation 5 are also relevant.

The ACT *No Waste by 2010* goal has attracted international attention. It is to be hoped that local industries and successful practices spawned by its implementation will open commercial possibilities internationally as other countries follow the ACT lead.

Recommendation 3

Develop a strong focus on initiatives to engender community commitment to achieving the goal of *No Waste by 2010*.

This requires initiatives under 'Information programs and community support' and 'Public Recognition'. As part of that focus, consider:

- a wider distribution of annual progress reports—for example, introduction of household distribution each year (as done in 1997);
- ways to encourage and recognise community initiatives in waste management;
- revitalisation of community interest and participation in achieving the no waste goal through:
 - a booklet or guide such as was produced when recycling was introduced,
 - a media campaign (television and radio), and
 - strengthening the role of schools;
- continuing participation in events such as Floriade, Recycling Awareness Week, and etc.

Government initial response—March 2000

Agreed. It is recognised that education and community participation is critical to achieving the *No Waste by 2010* strategy goals. Progress reports on the *No Waste by 2010* strategy will continue to be produced and issued annually to provide feedback to the community and foster its continued support and participation.

The 1997 and 1999 reports were distributed to all Canberra households while the 1998 report was available from shopfronts and libraries. In response to the 1998 Progress Report a suggestion was made by a Canberra resident regarding a community recycling day and ACT Waste conducted a trial of the day. Trial results were positive and it is planned to develop the concept.

A community awards program will also be established to engender community involvement in the strategy. Targeted campaigns will be developed whenever new programs or initiatives are introduced and appropriate media will be used for media events and community announcements.

A Schools Program will be developed and it is proposed to provide financial support to expand this program. ACT Waste will continue to facilitate community consultation forums to promote greater participation in programs. Annual displays and promotions have been conducted at Floriade and to coincide with Recycling Week. It is planned to continue these types of promotional activities, targeted to specific wastes or messages.

ACT Waste engages specialist teachers and consultants to take education programs such as *Earth Works* into the community. To maximise the effectiveness of the *Earth Works* program it is being diversified. Open days have been and will continue to be regularly held to demonstrate composting, wormfarming and associated activities. A business program, to be called Ecobusiness is also being developed in order to target waste reduction and environmentally responsible practices in the commercial sector.

Government action to 30 June 2001

Progress reports on the *No Waste by 2010* strategy are being produced and issued annually. The 1999 and 2000 reports were distributed to all ACT households as well as being available at libraries and shopfronts. Feedback and suggestions are

encouraged in each Progress Report as well as in any information program.

In response to a suggestion from a Canberra resident, ACT NOWaste has conducted trials of Second-hand Sunday and has now implemented the day Canberra wide (25 March 2001). It is planned to conduct Second-hand Sunday in March and September each year with the next day to be held on 9 September 2001. A community awards program is currently being developed to recognise waste reduction initiatives.

Targeted campaigns have been developed for new programs or initiatives. Examples include brochures advising on disposal of sharps, brochures advising new residents on how to use the recycling and disposal services, the Sort it Out and Save campaign that accompanied tip fee increases, as well as information brochures, calendars and updates for the Chifley trial.

A Schools Program has been developed and further financial support will be provided to expand this program. ACT NOWaste runs an art competition for schools as an annual event, focusing on the theme of waste reduction. This year the event is a postcard design competition.

ACT NOWaste continues to facilitate community consultation forums to promote greater participation in programs. Annual displays and promotions continue to be conducted at Floriade and to coincide with Recycling Week.

ACT NOWaste engages specialist teachers and consultants to take *Earth Works* into the community. Open days have been regularly held to demonstrate composting, wormfarming and associated activities. A business program, Ecobusiness is also being developed in order to target waste reduction in the commercial sector. It is planned to implement the Ecobusiness program towards the end of 2001.

Commissioner's comments

Implementation is ongoing. The actions of Government are consistent with the objectives of the recommendation. A whole of community commitment must be maintained up to 2010, and beyond. The Schools Program must be integrated through all levels of schooling, and such a Program should produce more waste-conscious societies in the future.

New ways to involve all sectors of the community should always be sought.

Recommendation 4

Ensure that development of infrastructure for Resource Recovery Estates and the National No Waste Education Centre is implemented and that the Resource Recovery Estates are managed in such a way that they do not replace landfills as repositories for waste.

Government initial response—March 2000

Agreed. In October 1997, the first stage of a *No Waste by 2010 Infrastructure Action Plan* was agreed to and is being progressed.

Requests for Proposals were called in 1997 for the Resource Recovery and Transfer Stations at Mitchell and Mugga Lane and operation of the Mugga Lane landfill. In March 1999, government agreed to the construction of a smaller waste management facility at Mitchell. Expressions of Interest were sought in 1999 for the facility at Mitchell and the operation of disposal at the Mugga Lane landfill and a select tender is being progressed with the intention to award contracts by mid 2000.

Registrations of Interest were called in December 1997 for businesses interested in setting up in the Resource Recovery Estate. To facilitate business establishment, a temporary Resource Recovery Estate was set up at West Belconnen. The Government is assisting resource recovery businesses to set up operations by providing land at subsidised rental during their establishment phase.

In 1998, a consultant undertook a scoping study as the first step towards establishing a Resource Recovery Estate at Hume. It is planned to conduct a feasibility study on the commercial viability of the Estate during 2000.

A draft Preliminary Business Plan has also been developed for the No Waste Education Centre and it is proposed during 2000, to prepare a prospectus, seek funding from stakeholders and identify a potential operator with an established track record in environmental education.

Resource Recovery Estates would not be permitted to become repositories for waste as operating licences have strict conditions to ensure no materials are interred on site.

Government action to 30 June 2001

Contracts were awarded in late 2000 for the design, construction and operation of a Resource Management Centre at Mitchell, for the design, construction and operation of a small vehicle transfer station at the Mugga Lane landfill as well as for the operation of the Mugga Lane landfill. The focus of facilities will be on resource recovery and reuse, rather than disposal to landfill. For example incentive payments are available to the operators if they recover more than the targeted quantities of recyclable materials. The new facilities at both Mitchell and Mugga Lane are expected to be operational by the end of 2001.

A feasibility study was conducted for the Hume Resource Recovery Estate in 2000 and forward design work for access roads and utilities is proposed for the second half of 2001. A temporary No Waste Education Centre will be constructed as part of the new facilities at the Mugga Lane landfill and will be operational by the end of 2001. Options for the No Waste Education Centre, which is proposed to be co-located with the Hume Resource Recovery Estate, are currently being explored.

Commissioner's comments

Implementation is ongoing until the infrastructure is in place. While the contracts for Mitchell and Mugga Lane were slightly behind the anticipated target, other actions associated with Hume and the No Waste Education Centre appear to be consistent with targets.

Recommendation 5

Use an appropriate central structure in Government, or one that may cross agency or business unit boundaries to prioritise actions for implementation of the strategy to 2010.

Before the end of 2000, an update of the strategy should be initiated to identify action plans to 2010. That update should ensure the inclusion of:

- (a) initiatives under the Broad Actions, 'Community Commitment' and 'Avoidance and Reduction' with commencement of their implementation as an urgent priority, during the current triennium;
- (b) other priority actions and a clear timeframe for their implementation;
- (c) a series of short-term targets to reduce specific waste streams based on the waste inventory (e.g. not less than a 30 per cent reduction of household waste over the next three years);
- (d) options for legislation to support the desired results;
- (e) options for economic instruments, particularly incentives for best management practice;
- (f) introduction of innovative ways to achieve the goal of the strategy; and
- (g) at least two reviews of progress and the program between 2000 and 2008.

Government initial response—March 2000

Agreed. A committee will be established that will be coordinated by Urban Services. This committee would enable all Government agencies to cooperate and access programs such as Eco-workplace, to help in reducing waste and enabling ACT Government agencies to become

leaders in waste minimisation. It is planned to review the ACT Government's Purchasing Policies to ensure that where price and performance are comparable, recycled products are given preference and that barriers to using recycled products are eliminated.

Priority wastes identified by the waste inventory have been benchmarked and will be targeted over the next three years to 2002. ACT Waste is planning to conduct organic trials using a new combination of bins during 2000–01 with a view to further reducing domestic waste disposal. In addition, trials involving the commercial food processing industries are being planned for later this year. Collection of recyclables in public places, including shopping centres will also be undertaken over the 12 months commencing July 2000.

Options for legislation will be considered in the context of the enabling legislation needed for the National Environment Protection Measure for Used Packaging Materials. ACT Waste will engage consultants in 2000 to determine the actual costs of disposing the various categories of waste and will develop and implement a waste pricing strategy that reflects the actual costs of waste disposal and provides both incentives and resources for waste reduction.

ACT Waste is participating in the establishment of the Australasian Market Development Network to obtain access to technologies, which will assist with the identification and selection of suitable technologies for local application. ACT Waste will continue to undertake research and development targeted at specific waste materials. In addition there are new technologies emerging that address waste management issues from cleaner production to waste-to-energy. ACT Waste will continue to monitor and investigate initiatives as they emerge.

The initiatives detailed above are to be progressed between 2000 and 2002. A formal review of progress will be conducted and new programs implemented for the periods 2003–06 and

2007–10. The Next Step program will be reviewed in 2002 and again in 2006 and a series of new targets and priorities will be set to ensure that the ACT keeps on track to achieve the goal of *No Waste by 2010*. The attached Diagram summarises the targets, initiatives and future reviews. A document reviewing the strategy and detailing programs will be initiated by the end of 2000 with a view to publishing a revised strategy document by mid-2001.

Government action to 30 June 2001

An Interdepartmental Committee for the *No Waste by 2010* strategy has been established by Urban Services to progress this recommendation and is also exploring options to give ownership of the Strategy to all Government agencies. This Committee has conducted preliminary work on a review of the Government Purchasing Policies designed to remove the barriers to the use of recycled products by Government departments.

The Interdepartmental Committee is currently looking implementing a Best Practice Waste Management program throughout all government buildings. The Committee is also developing an action plan, which prioritises actions and sets timeframes to address implementation of the strategy throughout all Government agencies.

ACT NOWaste has conducted trials of the collection of organic waste from households in the suburb of Chifley from August 2000 to June 2001. The trial results are currently being evaluated and will be used to help decide future domestic collection systems for the ACT. Collection of recyclables in shopping centres is currently being trialed. Additionally ACT NOWaste is facilitating the collection and reprocessing of organic materials from the commercial sector.

The *Waste Minimisation Act 2001* has been developed and was enacted in June 2001 and Waste Minimisation Regulations have been developed under the Act. This legislation provides the framework for future regulation of

problematic wastes where voluntary initiatives fail. The legislation also enacts the National Environment Protection (Used Packaging) Measure.

ACT NOWaste is participating in the Australasian Market Development Network to obtain access to technologies and assist with the development of markets. ACT NOWaste continues to undertake research and development targeted at specific waste materials and will continue to monitor and investigate technologies as they emerge.

The Next Step will be reviewed in 2002 and a series of new targets and priorities will be set to ensure that the ACT keeps on track to achieve the goal of *No Waste by 2010*.

Commissioner's comments

Implementation is in progress, and ongoing. The Interdepartmental Committee has been established. Some action has taken place on priority wastes which partly addresses Recommendation 5(b) and passage of the *Waste Minimisation Act 2001* appears to support Recommendation 5(d). It is good to see that the Interdepartmental Committee has commenced an action plan for implementation of a Best Practice Waste Management program throughout all government buildings. It is imperative that Government lead by example, and be seen to do so, for community commitment to this strategy. Once Government has such a program in place and some data to report, it must be publicised, with results and progress included in the Ecologically Sustainable Development component of each agency's Annual Report. The program should also be commended to the Commonwealth Government for implementation.

I am also pleased to see that priority wastes were identified from the initial benchmarking exercise and targeted for reduction through to 2002, then reviewed. This commitment addresses 5(g). There still remains a need, in my mind, however, to publicly declare targets such as target tonnages to achieve by particular

milestones, or a percentage reduction to achieve by particular milestones. I am conscious that achievement of some such targets may be dependent on other factors that are out of the control of ACT NOWaste. I nevertheless believe that statements must be made publicly about interim targets, and the public must be given every opportunity to participate in achievement of these targets. Otherwise 2010 seems too far away, even for Governments.

Recommendation 6

Use an appropriate central structure in Government, or one that may cross agency or business unit boundaries to identify and articulate the socio-economic and environmental consequences for the ACT of moving towards no waste to landfill by 2010.

Government initial response—March 2000

Agreed. This recommendation will be progressed through the Interdepartmental Committee.

Government action to 30 June 2001

This is being progressed through the Interdepartmental Committee.

Commissioner's comments

Not yet implemented. There is a priority action 'Create an example of Best Practice Waste Management within Government to initiate a whole of government approach to the strategy and to better articulate the social benefits of it to the wider community', which appears in Budget Papers for 2000–01 and for 2001–02. With pressures on funding for ACT NOWaste, it is to be hoped that this recommendation can still be addressed. In my next Annual Report, I would like to be able to provide evidence of commitment throughout Government to implement this recommendation.

Recommendation 7

Use an appropriate central structure in Government, or one that may cross agency or business unit boundaries to ensure adequate and appropriate resources are provided to implement the no waste strategy in accordance with the demands of the operating environment.

Government initial response—March 2000

Agreed. This recommendation will be progressed through the Interdepartmental Committee.

Government action to 30 June 2001

This is being progressed through the Interdepartmental Committee.

Commissioner's comments

Not yet implemented. I am concerned that membership of the Interdepartmental Committee should be at such a level as to allow commitment of the agency represented, to decisions of the Committee. See also my introductory comments to this section and those in relation to Recommendation 1.

Recommendation 8

Initiate a whole of Government approach to achievement of the *No Waste by 2010* strategy and implement best practice waste management in all Government agencies and departments.

Government initial response—March 2000

Agreed. This recommendation will be progressed through the Interdepartmental Committee.

Government action to 30 June 2001

A best practice waste management plan for Government buildings has been developed and will be implemented through the Interdepartmental Committee.

Commissioner's comments

Some progress, but not yet implemented. See my introductory comments to this section and also my

comments on Government's update to 30 June 2001 for Recommendation 5.

Recommendation 9

There is a need to integrate efforts taken in the ACT with regional and national efforts, specifically:

1. take a leading role in implementation of the National Environment Protection (Used Packaging Materials) Measure as appropriate in the ACT, and in formulating national guidelines and codes of practice;
2. through appropriate inter-governmental avenues, pursue development of a national rating system, which will provide information on the environmental characteristics of a product, including by-products, energy consumed in production and use, packaging used and the potential for reuse and recycling of the product, by-products and packaging; and
3. formalise cross-border arrangements regarding waste minimisation.

The structure that is devised to deal with Recommendations 5–8 above should be responsible for overseeing or coordinating such activities.

Government initial response—March 2000

Agreed in principle. This recommendation will be progressed through the Interdepartmental Committee as well as through participation in appropriate regional and national bodies.

The ACT Government is a signatory to the National Packaging Covenant for Used Packaging Materials (the Packaging Covenant), which has been developed to encourage a market-based approach and improve the stability of kerbside collection systems.

The ACT Government participates in forums such as the Australasian Market Development Network, and in workshops to develop national consistency in product stewardship systems for materials such as waste oil and electrical and electronic wastes.

ACT Waste will continue to support regional waste activities including providing secretarial services for the South East Region Recycling Group and will have observer status on a waste board that is currently being established in the region.

Government action to 30 June 2001

This is being progressed through the Interdepartmental Committee.

The ACT Government is a signatory to the Packaging Covenant, and is fulfilling its obligations under it. The NEPM has been enacted and the ACT Covenant Action Plan has been developed and will shortly be submitted to the Covenant Council. Additionally a Jurisdictional Recycling Group was formed under the Covenant and is currently developing the ACT Business Plan for transitional funding.

ACT NOWaste is participating in national forums such as the Australasian Market Development Network as well as in national working groups to develop national consistent product stewardship strategies for materials such as electrical and electronic wastes, tyres and end of life vehicles.

ACT NOWaste continues to support regional waste activities including the South East Region Recycling Group and has observer status on the South East Waste Board.

Commissioner's comments

Being implemented, in principle. I will await specific outcomes in relation to this recommendation.

Review of Proposed Standards for Air Emissions and Other Waste Products and Monitoring Requirements for the Totalcare Incinerator (completed June 2000)

Introduction

In my Annual Report for 1999–2000, I reported the recommendations from my Review of Proposed Standards for Air Emissions and Other Waste Products and Monitoring Requirements for the Totalcare Incinerator. That review had been completed and my report subsequently tabled in the ACT Legislative Assembly by the Minister for Urban Services in June 2000.

The Government's response, along with an expert independent review of alternatives to incineration for the wastes for which Totalcare had approval to burn in the high temperature incinerator at Mitchell, was tabled in August 2000.

After tabling of the Government's response, the incinerator was shut down in November 2000, for occupational health and safety reasons. Negotiations between the Environment Management Authority and Stericorp Limited for proposed treatment of clinical waste using an electro-thermal-deactivation (ETD) process commenced in February 2001. Negotiations continued throughout the remainder of 2000–01. This Office was contacted in late June 2001 and a meeting held on 3 July with a Stericorp representative and the Environment Management Authority.

At that stage, Planning and Land Management were assessing a Preliminary Assessment on the proposed ETD process. Some details of the proposal from the Preliminary Assessment follow:

'The ETD facility will be located at the Totalcare site in Sandford Street, Mitchell ... within the existing Boiler House adjacent to the new incinerator facility...'

'The ETD facility will be able to process 50 tonnes of waste per day (based on 24 hour operation) and has the potential to be upgraded to 75 tonnes per day with a minimal amount of retrofitting of equipment.'

'The proposed facility will accept prescribed clinical waste from the ACT and elsewhere. When the clinical waste arrives at the facility the waste will be treated according to the category of separation, which is yellow for clinical waste, purple for cytotoxic waste and burgundy for anatomical waste.'

'Approximately 75 per cent of the accepted waste will be processed through the ETD plant. This will consist of used dressings or swabs, sharps, material contaminated with human blood or body fluid from patient care areas. The remaining 25 per cent will be directed to the incinerator facility. This includes cytotoxic waste, pharmaceutical waste, anatomical waste such as limbs and organs and laboratory waste including research animals and human tissue. A cool room for cytotoxic and biological wastes will be part of the overall plant design.'

'Non-acceptable waste, such as waste contaminated with radiation or hydrocarbons will be returned to the generator of the waste. A protocol is in place for the handling and storage of non-acceptable waste. All Steritubs are checked with radioactive material detectors. These detectors are set at background and scan for alpha, beta and gamma radiation...'

'The procedure for unacceptable waste also relies on a hydrocarbon detector to detect any hazardous chemicals in the waste and a weight-based segregation...'

Details of the proposed incineration process had not been finalised, so a complete concept of the treatment facility was not available at the end of the financial year. Implementation of the recommendations contained in my report of June 2000 will be dependent on whether or not Stericorp installs a new

incinerator or upgrades the existing one.

Recommendation 1

The Environment Management Authority should include appropriate numerical standards for dioxins/furans, total organic compounds (TOCs), soot and lead (Pb) as a separate entity in Environmental Authorisation 008, in accord with those in the standards proposed by Totalcare.

Government initial response—July 2000

Agreed. However, as outlined in the Commissioner's report, staged standards for heavy metals, carbon monoxide, sulfur oxides and dioxins and furans will be needed. The first stage should be based on the operation of the plant with most of the upgrade and changes to waste handling completed. The second stage should be based on further upgrades and will reflect those standards proposed by Totalcare.

Government update at 30 June 2001

Environment ACT is currently negotiating with Stericorp regarding the authorisation conditions for the incinerator. The authorisation will be amended to include a standard for dioxins/furans (0.1 nanogram per cubic metre) and TOC's and separate entities for soot and lead.

Commissioner's comments

I am confident that the Environment Management Authority will include a dioxins/furans standard of 0.1 nanograms per cubic metre in the authorisation for Stericorp. Negotiation is continuing during July as to whether or not that standard would take effect immediately or from February 2002. Stericorp has been liaising with the Environment Management Authority about the possibility of an interim measure of 2.3 nanograms per cubic metre (which is the current standard adopted by the United States of America Environment Protection Authority) pending finalisation of design and completion of the incinerator. This interim standard had in fact been negotiated with Totalcare as part of the phased introduction of the new system. The Environment Management Authority

has been consulting with this Office, the Conservation Council of Canberra and the South-East Region Inc., and other stakeholders about the acceptability of interim standards for incineration, if commercial practicalities drive Stericorp to upgrade the existing incineration facility for temporary use, pending completion of their own incineration facilities.

Recommendation 2

The standards for gaseous emissions set in Environmental Authorisation 008 should specify parameters measured by dry volume in cubic metres at STP and should be uncorrected except for total solid particles and nitrogen oxides which should be corrected to seven per cent oxygen.

Government initial response—July 2000

Agreed. This gives national consistency between the emission standards in Totalcare's authorisation and those contained in licence conditions of other Australian clinical waste incinerators.

Government update at 30 June 2001

The original agreement does not take into consideration that standards not corrected for oxygen are not comparable with standards in other jurisdictions which are set to a reference oxygen content. To ensure national consistency all gaseous standards will be expressed as dry volume at 0°C and an absolute pressure of 101.3 kilopascals and corrected to 7 per cent oxygen, which is consistent with the way emission standards are reported for most other Australian jurisdictions.

Commissioner's comments

This is different from my recommendation, but nevertheless, will result in a practical outcome. Once the authorisation is in place I hope to be able to report this recommendation as implemented in my next Annual Report.

Recommendation 3

Environmental Authorisation 008 should include a requirement for both a mass rate as well as concentrations for all gaseous emission parameters.

Government initial response—July 2000

Agreed. Where appropriate, a mass rate will be included for gaseous emissions.

Government update at 30 June 2001

For each pollutant monitored, the mass emission rate, in kilograms, shall be calculated based on the previous six months operating hours.

Commissioner's comments

The proposed ETD process claims no gaseous emissions. However, the incinerator which is expected to treat 20 to 25 per cent of the total waste accepted will still have emissions. I will expect to see data on these emissions in time for my next Annual Report.

Recommendation 4

The condition in Environmental Authorisation 008 relating to the characterisation of the ash should be expressed in terms of the critical parameters that would affect either disposal to landfill or reuse, if reuse were ever practicable.

Government initial response—July 2000

Agreed. While the characterisation of the ash is not explicit in the authorisation, it is implicit by reference to the NSW Environment Protection Authority Environmental Guidelines: Assessment, Classification and Management of Non-liquid Wastes. The contamination parameters critical to the classification of the waste for disposal or reuse will be made explicit in the authorisation.

Government update at 30 June 2001

The ash and/or baghouse disposal criteria will be made explicit in the final authorisation.

Commissioner's comments

Good. I am concerned about volumes of waste to landfill, particularly under the Stericorp proposal which is based on acceptance and treatment of clinical waste from other parts of Australia. One recent media report described Canberra as becoming 'the clinical waste capital of Australia' (Canberra Times 11 July, 2001). That is not what I had in mind for Canberra's image. However, if Stericorp proceeds with its concept for converting ETD waste to Steri-fuel, a substantial proportion of the residual waste would be constructively used. The only remaining issue would be the ash or residual waste from the incineration process, which, to me, remains problematic. Stericorp is cognizant of the ACT's *No Waste by 2010* strategy and must be encouraged to create best practice to assist the ACT towards that goal.

Recommendation 5

The monitoring regime in Environmental Authorisation 008 should be revised to include more detailed provisions regarding monitoring of plant operation.

Government initial response—July 2000

Agreed. Where appropriate, the authorisation will be amended to include additional monitoring requirements as undertaken in other Australian jurisdictions.

Government update at 30 June 2001

The authorisation will be amended, where appropriate, to bring plant operation reporting requirements in line with other jurisdictions.

Commissioner's comments

I am advised that Stericorp's plant operation reporting will be on-line to Environment ACT—a significant improvement on the previous situation. I look forward to reporting that this recommendation has been implemented in my next Annual Report.

Recommendation 6

The monitoring regime should, at the appropriate time, include requirements for monitoring the quantity of baghouse residue produced and limits for appropriate parameters.

Government initial response—July 2000

Agreed. When appropriate, the authorisation will be amended to include monitoring requirements for the baghouse, which is proposed for the final stage of the upgrade.

Government update at 30 June 2001

Environment ACT is currently negotiating with Stericorp regarding options for the incineration facility. If a baghouse is used in the final proposal, the authorisation will include appropriate disposal and reporting requirements.

Commissioner's comments

My comments under Recommendation 4 are relevant here at this stage.

Recommendation 7

It is recommended that Environmental Authorisation 008 require Totalcare to negotiate with ACTEW as to standards for the discharge of wastewater from the site, and that the resulting standards be communicated to the Environment Management Authority.

Government initial response—July 2000

Agreed. Totalcare is currently negotiating with ACTEW Corporation regarding their discharges to sewer and this will be made explicit in the authorisation conditions.

Government update at 30 June 2001

Environment ACT is currently negotiating with Stericorp regarding options for the incineration facility. Should the need arise to discharge any byproduct of the incineration process to sewer, the authorisation holder shall obtain the approval of the Environment Management Authority before any discharge is made.

Commissioner's comments

The ETD process includes washing and sterilisation of the plastic containers in which the clinical waste is transported, for reuse. Although, as I understand it, the water will be reused, wastewater will still be a part of the process. Government's update implies that Stericorp would have to obtain approval from the Environment Management Authority. I believe the ActewAGL licence arrangements for treatment of sewage would mean that Stericorp would have to liaise with ActewAGL at some point, and that the authorisation should reflect this requirement, regardless of what incineration technology is adopted.

Recommendation 8

The Environment Management Authority should commission some targeted testing of soil and vegetation around the plant for dioxins and heavy metals.

Government initial response—July 2000

Agreed in principle. The Environment Management Authority agrees that it would be useful to know the level of contamination, if any, surrounding the plant. Dioxins and heavy metals come from a number of natural sources—a 1998 study by Environment Australia concluded that bushfires are probably the largest source of dioxins in Australia—and before we would be able to interpret testing results we would need to establish background levels. Consequently, it is impracticable to investigate background levels at present, as there are no established benchmarks for natural levels of dioxins.

Government update at 30 June 2001

As reported in the Government's response to the 2000 SoE report, the Government agrees that it would be useful to know the level of contamination, if any, surrounding the Totalcare Industries Limited site at Mitchell. Dioxins come from a number of natural sources—a 1998 study by Environment Australia concluded that bushfires are probably the

largest source of dioxins in Australia—and before it would be possible to interpret testing results it will be necessary to establish background levels.

ANZECC has agreed to a national dioxin program to be funded by the Commonwealth. Although the program will consist of a soil-sampling program the number and location of samples to be collected in the ACT have not yet been decided.

Commissioner's comments

The Environment Management Authority must ensure that any suspect spots are included, and coded in such a way that their origin can not be determined until after all tests are concluded. That is, the sample sites and the testing must be totally independent of each other.

Because there is some belief that dioxins may occur in fires of eucalyptus forests, and perhaps elsewhere, the survey has to be carefully planned to select and identify the sampling sites. In the Government response, it should be noted that even the 'natural levels' of dioxins would not be expected to be uniform. If satisfactory methods of measurement exist, I see no reason why monitoring could not commence. There are many different dioxins, and not all of them are toxic to animals, including humans. The Government should press for the early introduction of the National Testing Program.

Both the Government's response and update, and my comments are relevant also to the State of the Environment Report Recommendation 2000.20.

Recommendation 9

The Environment Management Authority should ensure that it has access to the best scientific and technological advice on the implications of the monitoring results, so that the annual review of the licence conditions continues to be effective.

Government initial response—July 2000

Agreed. The Environment Management Authority will continue to ensure that it has access to the best scientific and technological advice in relation to regulating the operation of the incinerator.

Government update at 30 June 2001

The Environment Management Authority has established linkages in industry and government to ensure it has access to the best scientific and technical advice in relation to regulating the operation of the incinerator.

Commissioner's comments

I am aware that the Government agencies concerned are accessing the best scientific and technical advice on different methods of waste treatment, and not only on incineration. I encourage that ongoing attitude, because new technologies are constantly emerging. Incineration is specifically required for treating some types of waste, and it will continue to be a method in which the public will have high interest. This office is keen to be involved in assessing all aspects of the waste stream, and on the whole-of-waste considerations. Certainly that interest extends to the solid, liquid and gaseous residues from all methods of waste treatment.

Investigation into the ACT Government's Use of Chemicals for Pest Control (completed May 1998)

Agricultural and Veterinary Chemicals Coordination Network—Update on the ACT Government's Coordinated Use of Chemicals

My report on the ACT Government's use of chemicals for pest control was completed in May 1998. I have previously indicated that I maintain an ongoing interest in ensuring that there is an integrated or coordinated approach, across all of Government, to best-practice management of pests; that there is an emphasis on Integrated Pest Management; and that the community has access to all the information it requires to minimise any unwanted, or adverse, impacts of pest control programs. The Agricultural and Veterinary Chemicals Coordination Network (AVCCN) was created following my report on use of chemicals. Consistent with one of my recommendations, and as a way of keeping me informed, the AVCCN has produced its second annual report for inclusion in the Department of Urban Services Annual Report for 2000–01.

I am pleased to see a more rigorous report of the work of the AVCCN and its network members for 2000–01. As yet, the AVCCN has not adopted my suggestion from my Annual Report of 1999–2000 to introduce a system of outcome and output reporting, in order to maintain the AVCCN's direction and focus on the key areas of pest control management. However, I understand that the Network may still consider that suggestion during 2001–02.

In general, the report notes that the AVCCN has moved its focus from recommendations included in my May 1998 report, to an ongoing whole of ACT Government approach to pest control chemical management. This does appear to be reflected in the fewer number of

chemicals used by ACT Government Agencies and their contractors in 2000–01 than in the year preceding my report in 1998. That is, the list of chemicals used is shorter in 2001–01 than it was for my report. I understand this is a result of a move within ACT Government Agencies to limit the use of a large variety of chemicals and to use the least amount of chemical possible. There is also a move within ACT Government Agencies to improve storage management of chemicals.

The AVCCN report does not include a report from the Department of Health, which is considered not to be a significant user of pest control chemicals.

There are several other points from this report which I am pleased to see. These are:

- the extent to which Canberra Urban Parks and Places appears to have addressed pesticide minimisation and further implemented Integrated Pest Management practices in its treatment of pest plants and animals within its area of responsibility—some of this is through its tendering and contracting processes;
- the move by the Bureau of Sport and Recreation away from chemical control of scarab grubs in sportsgrounds towards biological controls; and
- more rigour introduced into the use of chemicals around schools, specifically related to the need for pest control to be performed only by qualified operators. However, I am keen to see evidence of absolutely minimal dependence on their use in such places.

LINKS WITH FINANCIAL REPORTING

Financial reporting for the Office of the Commissioner for the Environment continues to be covered under the Annual Report for the Department of Urban Services.

Budget details for the Office of the Commissioner for the Environment are included, but not separately identified, under Environment ACT budget papers as Expenses on Behalf of the Territory.

The ACT-funded budget for the office for 2000–01 was \$361,000.

Sales of publications (SoE Reports) totalled \$300.

Council contributions of \$28,600 towards the 2000 Australian Capital Region SoE Report were received. Councils had previously been offered options of prepayment in full, or in part, of their contributions towards the 2000 Australian Capital Region SoE Report.

Funding

The ACT Government acknowledged the role of this Office in regional SoE reporting through supplementation of our budget for a two-year period from the commencement of 1999–2000.

WHOLE OF GOVERNMENT ISSUES

KEY ISSUES

Customer Focussed Public Service

A Commitment to Service Statement is available from the Commissioner's office.

In that statement we note that we are here to:

- produce SoE Reports for the ACT (our next Report is due in 2000, again it will cover the Australian Capital Region);
- investigate complaints from the community, regarding the management of the environment by the ACT Government or its agencies;
- conduct investigations directed by the Minister;
- initiate investigations into actions of an agency, where those actions would have a substantial impact on the environment of the ACT; and
- make recommendations for consideration by Government and include in our annual report the outcomes of those recommendations.

Our service commitments are in the Vision Statement at the beginning of this Report.

Royal Commission into Aboriginal Deaths in Custody

This office is covered under the Department of Urban Services Annual Report.

Fraud prevention

The office is covered under the Department of Urban Services Annual Report.

Equity and diversity

The office is covered under the Department of Urban Services Equal Employment Opportunity Plan.

RESOURCE AND OWNERSHIP AGREEMENT REPORTING

Ownership Agreement

The Office of the Commissioner for the Environment is covered under Ownership Agreements of Environment ACT.

Certified Agreements

This Office is covered under Certified Agreements of Environment ACT.

Staffing Profile

Three positions were occupied as at 30 June 2000 (Table 1). There were no Australian Workplace Agreements in place in this Office during 2000-01.

Workers' Compensation

This Office has no new worker's compensation claims in the 12 months to 28 February 2001. There are no open compensation claims at 28 February 2001.

Consultancy Services

Five contracts were let during the year for

\$5,000 or more—all to local contractors and consultants (Table 2).

Additionally, two contracts from 1999–2000 were extended into this reporting period, with associated increases in costs (Table 3).

Note that the cost of preparation for the 2000 SoE Report is paid for in part through payments received from Councils in the Australian Capital Region.

Voluntary Resources

Reference Groups for the 2000 SoE Report, Australian Capital Region were appointed in May 1999, and the first meeting held. See Table 4 for membership. Others have offered individual assistance.

Table 1. Details of the positions occupied as at 30 June 2001

Classification	Full/Part-time	Category of Employment	Gender
Environment Commissioner	Part-time Statutory Office Holder	Current 3-year appointment to 14 December 2001	M
SOGB	1 full time	Permanent	F
ASO5	1 full-time	Contract	F

Table 2. Details of the five contracts let during the year for \$5,000 or more

Name	Duration	Description	Amount
Communication Breakthrough	Sept 2000–Dec 2000	SoE Report Writer—Land	\$8,000
Communication Breakthrough	July 2000–March 2001	SoE Report—Technical Support	\$20,000
Resource Policy & Management	July 2000–Sept 2000	SoE Report Writer—Biodiversity	\$6,000
EcoGIS Pty. Ltd.	Feb 2001–April 2001	SoE Report Writer—Biodiversity	\$11,000
Water Research Foundation of Australia	Sept 2000–June 2001	SoE Report Writer—Water	\$15,000

Table 3. Details of the two contracts from 1999–2000 extended into 2000–2001

Name	Duration	Description	Amount
Ann Lyons Wright	May 2000–December 2000	State of Environment Report Writer—Human Settlements	\$15,400
Powers IT Solutions	March 2000–July 2001	Admin Support to the Office of the Commissioner for the Environment	\$49,000

Table 4. Membership of Reference Groups for the 2000 SoE Report during 2000–01

Human Settlement	
Prof Lyndsay Neilson, Chair	Centre for Developing Cities, Environmental Design, University of Canberra
Mr Darren Crombie/ Dr Kevin Frawley	National Capital Authority
Ms Caroline LeCouteur	Australian Conservation Foundation
Mr Ken Johnson	Geography Department, Australian National University
Mr Jeremy Morris	Consultant/Canberra Business Council
Ms Nicky Davies	Conservation Council of the South-East Region and Canberra
Mr Bob Harrison	Australian Bureau of Statistics
Mr Graham Mannall	ACT Waste
Mr Rod Burgess	Australian Capital Region Development Council
Professor Pem Gerner	Centre for Developing Cities, University of Canberra
Mr Alan Wade	ActewAGL
Dr Janis Birkeland	Environmental Design, University of Canberra
Biodiversity	
Dr Don McMichael, CBE, Chair	Consultant
Dr Ian Naumann	CSIRO Entomology
Dr David Shorthouse	Environment ACT, Wildlife Research and Monitoring
Mr Mark Lintermans	Environment ACT, Wildlife Research and Monitoring
Mr Bruce Lindenmayer	Canberra Ornithologists Group Conservation Council of the South-East Region and Canberra
Dr Robert Boden	Consultant
Dr Allen Kearns	CSIRO Wildlife and Ecology
Mr Geoff Butler	Consultant Conservation Council of the South-East Region and Canberra
Dr Denis Saunders	CSIRO Wildlife and Ecology
Atmosphere	
Professor Tony Jakeman, Chair	CRES, Australian National University
Mr Keith Colls	Bureau of Meteorology
Dr Mark Paterson	Agriculture, Fisheries and Forests Australia
Dr Janette Lindesay	Geography Department,

	Australian National University
Mr Wayne Riley	ACT Government Analytical Laboratories ACT Health
Mr Mike Hutchinson	CRES, Australian National University

Land

Professor Henry Nix, AO, Chair	CRES, Australian National University
Dr David Williams	Faculty of Applied Science, University of Canberra
Ms Penny Greenslade	CSIRO Entomology
Dr David Tongway	CSIRO Wildlife and Ecology
Dr John Raison	CSIRO Forestry and Forest Products
Mr Harold Adams, CBE	ACT Rural Lessees' Association
Ms Mariann Lloyd-Smith	National Toxics Network

Water

Professor Richard Norris, Chair	Co-operative Research Centre for Fresh Water Ecology, University of Canberra
Mr Ian Lawrence	Co-operative Research Centre for Fresh Water Ecology, University of Canberra
Mr Cary Reynolds	Consultant
Mr Gerry Jacobson	Australian Geological Survey Office
Professor Bill Maher	Applied Science, University of Canberra
Mr Greg Keen	Environment ACT
Professor Bob Wasson	CRES, Australian National University
Mr Alan Wade	ActewAGL
Mr Nelson Quinn	Upper Murrumbidgee Catchment Coordinating Committee

Towards Sustainability

Ms Molly Harriss-Olson, Chair	Consultant
Professor Richard Norris	Chair Water Reference Group
Professor Henry Nix, AO	Chair Land Reference Group
Prof Lyndsay Neilson	Chair Human Settlement Reference Group
Dr Don McMichael, CBE	Chair Biodiversity Reference Group
Professor Tony Jakeman	Chair Atmosphere Reference Group
Mr John Schooneveldt	Nature and Society Forum
Dr Meg Keen	Geography Department, Australian National University
Ms Fiona Wain	Environmental Management Industries Association of Australia

ACT Government Passenger Vehicles

The office has one Hi-Lux twin-cab utility (four cylinder) which was leased in October 1999.

Training and Staff Development

Total expenditure for training and staff development for the Office of the Commissioner for the Environment totalled \$1689. No Performance Management Plans are in place in the Office.

Capital Works Management

This Office has no Capital Works in progress.

Asset Management Strategy

Office accommodation is leased from Planning and Land Management. During the reporting period, the Office was relocated from the third floor to the first floor of Dame Pattie Menzies House (North). Our floor space requirements include the need to expand during the SoE reporting period, to accommodate extra staff needed to complete the Report. They are well within the 15 square metres allowable.

This Office owns no assets.

Dame Pattie Menzies House has a number of energy reduction management strategies in place, including after hours timers on lights and air conditioning. In addition, staff within the office use both sides of paper when appropriate, and turn off computer systems when not in use (see also: Ecologically Sustainable Development reporting below).

STATUTORY REQUIREMENTS

Occupational Health and Safety

This office is covered by Department of Urban Services agreements and policies as outlined in the Annual Report for that Department.

Public Interest Disclosure

During 2000–01 no public interest disclosures related to the Office of the Commissioner for the Environment were lodged.

Government Contractual Debts (Interest) Act 1994

Nil interest due.

Freedom of Information Subsection 7 Statement

The Office of the Commissioner for the Environment was created under the *Commissioner for the Environment Act 1993*.

The two main functions of the Office are specific investigations and SoE reporting.

Documents

The following publications are available from this Office:

State of the Environment Reports

- 1994 ACT State of the Environment Report (\$22 incl. GST + \$5 postage & handling)
- 1997 Australian Capital Region State of Environment Report (\$22 incl. GST)
- 1997 ACT State of Environment Report Executive Summary and Recommendations (No charge)
- Australian Capital Territory State of the Environment Report 2000 Executive Summary 2000 (No charge)

Investigation Reports

- Management of Noise from Motorsports in the ACT (August 1995) (No charge)
- Investigation into the ACT Government's Use of Chemicals for Pest Control (May 1998) (No charge)
- Steps Towards Sustainability—Directions for the Australian Capital

Region Business Sector (produced for the Commissioner for the Environment by Krista Milne, October 1998) (No charge)

- Progress Towards *No Waste by 2010* (November 1999) (No charge)
- Review of Proposed Standards for Air Emissions and Other Waste Products and Monitoring Requirements for the Totalcare Incinerator (June 2000) (No charge)
- Environmental Values of Conder 4A: an investigation arising from complaints about proposed residential development (September 2000) (No charge)

Annual Reports

- 1993–94, 1994–95, 1995–96, 1997–98, 1998–99, 1999–2000 (No charge)

Freedom of Information Act Subsection 79 Statement

The Office of the Commissioner for the Environment did not receive any Freedom of Information requests in 2000–01, nor were any Freedom of Information matters outstanding at 30 June 2001.

Ecologically sustainable development

The Office function is to investigate environmental management by the Territory and its agencies, and to produce reports of those investigations, as well as one SoE Report, within the lifetime of each Assembly.

Our Vision is for a society with the will to achieve a sustainable high quality environment for all.

In general, the use of resources in our work practices is guided by the principles of Ecologically Sustainable Development and waste minimisation. We have introduced electronic SoE reporting and now produce only an Executive Summary report in paper. Other reports of investigations are reproduced in paper in minimum numbers on an as-needs basis, with most access being through the website.

Other details are in Tables 5 and 6 on the next two pages.

Table 5. Service delivery and ecologically sustainable development

Item	Description	Environmental/Economic /Social Outcome
Reports	<p>Reports of investigations during 1999–00 and 2000-01 recommended that Government act in specific ways to:</p> <ul style="list-style-type: none"> – ensure achievement of the ACT <i>No Waste by 2010</i> vision – restrict emissions from incineration of clinical waste – place a moratorium on residential development of an area of Yellow Box-Red Gum Grassy Woodland in Conder – restrict permissible noise from motor sports at Fairbairn Park through the relevant Environment Protection Policy. <p>The 2000 State of the Environment Report included 25 recommendations for Government to act to improve environmental management, and assessed progress towards sustainability through the objectives to:</p> <ul style="list-style-type: none"> – enhance individual and community wellbeing and welfare (through) economic development that safeguards the welfare of future generations – provide for equity within and between generations – protect biological diversity and maintain essential ecological processes and life-support systems. 	<p>Encourages wider application of Ecologically Sustainable Development principles in Government and implements the Office Mission—to develop understanding of changes in the condition of the environment, and of the pressures that are changing that condition; to encourage responses or actions across all sectors of the community to progressively improve the environment, and to work towards ecological sustainability.</p>

Table 6. Office-based activities and ecologically sustainable development

Item	Description	Environmental/Economic /Social Outcome
Energy – Electricity and Fuel	<p>The energy-saving practices of Dame Pattie Menzies House apply—timed switches in conference rooms during the day and in offices afterhours; on-off switches in store rooms, kitchens, and etc.</p> <p>Other energy savings have been achieved through:</p> <ul style="list-style-type: none"> – turning off computers overnight; – using electronic communications and exchanging documents to reduce photocopying (see also consumables) – staff using the stairs regularly <p>The leased vehicle for the past 20 months has been a two-wheel-drive Toyota HiLux. This has had a negative impact on Ecologically Sustainable Development. However, secure overnight parking has meant reduced vehicle use for home garaging.</p>	<p>Reduces energy usage and Greenhouse gas emissions and provides cost savings to the government and community.</p> <p>It is intended to replace the current vehicle with a more economical vehicle when the lease expires during 2001–02. Gas is not an option in four-cylinder vehicles.</p>
Consumables	<p>Recycled paper is used.</p> <p>All paper is used on both sides where practicable</p> <p>Printer ink cartridges are refilled.</p> <p>Increasing use is being made of electronic messaging and exchange of documents.</p> <p>Reports are produced for electronic delivery, with paper copies produced for tabling purposes, and for access and equity reasons.</p>	<p>Reduces amount of waste to be disposed of in ACT landfills and assists in furthering the <i>No Waste by 2010</i> strategy.</p>
Disposables	<p>Recycling used paper and cardboard with accredited recycling agencies.</p> <p>Recycling toner cartridges by returning to the supplier for refilling.</p>	<p>Reduces amount of waste to be disposed of in ACT landfills, contributes to a safer, cleaner environment, reduces consumption of natural products and creates a useful by-product that can be sold.</p>

APPENDICES

REPORTS BY THE AUDITOR-GENERAL

Not applicable to this Office.

INQUIRIES BY LEGISLATIVE ASSEMBLY COMMITTEES

There were no inquiries relating to this Office.

LEGISLATION

An amendment to our enabling legislation was passed in the ACT Legislative Assembly during 2000–01. Section 19 of the Commissioner for the Environment Act was amended in November 2000, in an attempt to provide more flexibility in when the ACT's state of the environment report would be due, while still providing for a state of the environment report to be produced during the lifetime of each Assembly. See also 'Our Legislative Framework' in the main body of this report.

REGULATORY ACTIVITIES

Not applicable to this Office.

ADVISORY AND CONSULTATIVE BOARDS AND COMMITTEES

Not applicable to this Office.

SERVICE PURCHASING ARRANGEMENTS/COMMUNITY GRANTS

Not applicable to this Office.

COMMUNITY CONSULTATION

There were no major community consultations undertaken by this Office during 2000-2001. Lectures and talks on State of the Environment reporting were given to community groups and environmental groups.

OTHER SOURCES OF INFORMATION

This Office has a website at:
<http://www.EnvComm.act.gov.au/>

Reports and extracts on our website at
<http://www.EnvComm.act.gov.au>

STATE OF THE ENVIRONMENT REPORTS

1997 ACT State of the Environment Report—Executive Summary and Recommendations

2000 ACT State of the Environment Report—Executive Summary and Recommendations

INVESTIGATION REPORTS

Investigation into the ACT Government's Use of Chemicals for Pest Control (May 1998)

Progress Towards No Waste by 2010 (November 1999)

Review of Proposed Standards for Air Emissions and Other Waste Products and Monitoring Requirements for the Totalcare Incinerator (June 2000)

ANNUAL REPORTS

1997–98, 1998–99, 1999–2000, 2000–01

For a full list of publications available from this office, see the Freedom of Information subsection 7 Statement in this report

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OUR VISION

A society with the will to achieve a sustainable high quality environment for all

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