

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

ANNUAL REPORT 2001-02

Australian Capital Territory Government



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
- ◆ 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.



OFFICE OF THE COMMISSIONER

FOR THE ENVIRONMENT

ABN: 52 427 642 151

Mr Bill Wood 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 2001 to 30 June 2002, 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.

Please note that because of administrative arrangements for the office, detailed Financial Statements for 2001-02 are included in the Annual Report of the Department of Urban Services.

Yours faithfully

Joe Baker
Commissioner
8 September 2002

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HIGHLIGHTS OF 2001-02

The financial year 2001-02 was a 'consolidation' year for the Office of the Commissioner for the Environment.

Apart from completing one substantial investigation and partially completing another, our orientation has again swung towards the next State of the Environment (SoE) report for the ACT.

Funding of the Office dictated that most activities had to be achieved using only the staffing resources of the Office and the contractor who provides technical advice and support.

From that perspective it was a disappointing year. We were very constrained by lack of funds. A comprehensive review of the 2000 SoE report had been anticipated. This would include a full review, in consultation with a range of stakeholders, of the processes involved, of the structure including the indicators, and of the outputs. That review had to be cut back to an 'in-house' review of each of those aspects.

Despite that constraint, however, we met our output reporting requirements for the year and I believe the quality of the review is high. In the first part of 2002-03 I will be taking the results to our reference groups and to members of ACT Government agencies for comment on the Issues to be adopted for the 2003 SoE report.

I am happy to be able to report that additional funding was provided in our budget for 2002-03 and 2003-04 for SoE reporting.

OUR ORGANISATION

Following staff 'inflation' during parts of the previous two years for preparation of a State of the Environment reporting, my team reverted to two during 2001-02.

In April 2002, we successfully appointed an ASO5 on a permanent basis. This appointment fulfilled the commitment I had made in my previous Annual Report to provide higher level support for the SOGB position in this Office.

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

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.

In this year, we did not need to seek assistance of our voluntary State of the Environment reporting Reference Groups which have provided such excellent support since the creation of this Office.



Dr Joe Baker AO, OBE, FTSE, M.Sc, Ph.D.,
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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 (which occur 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.

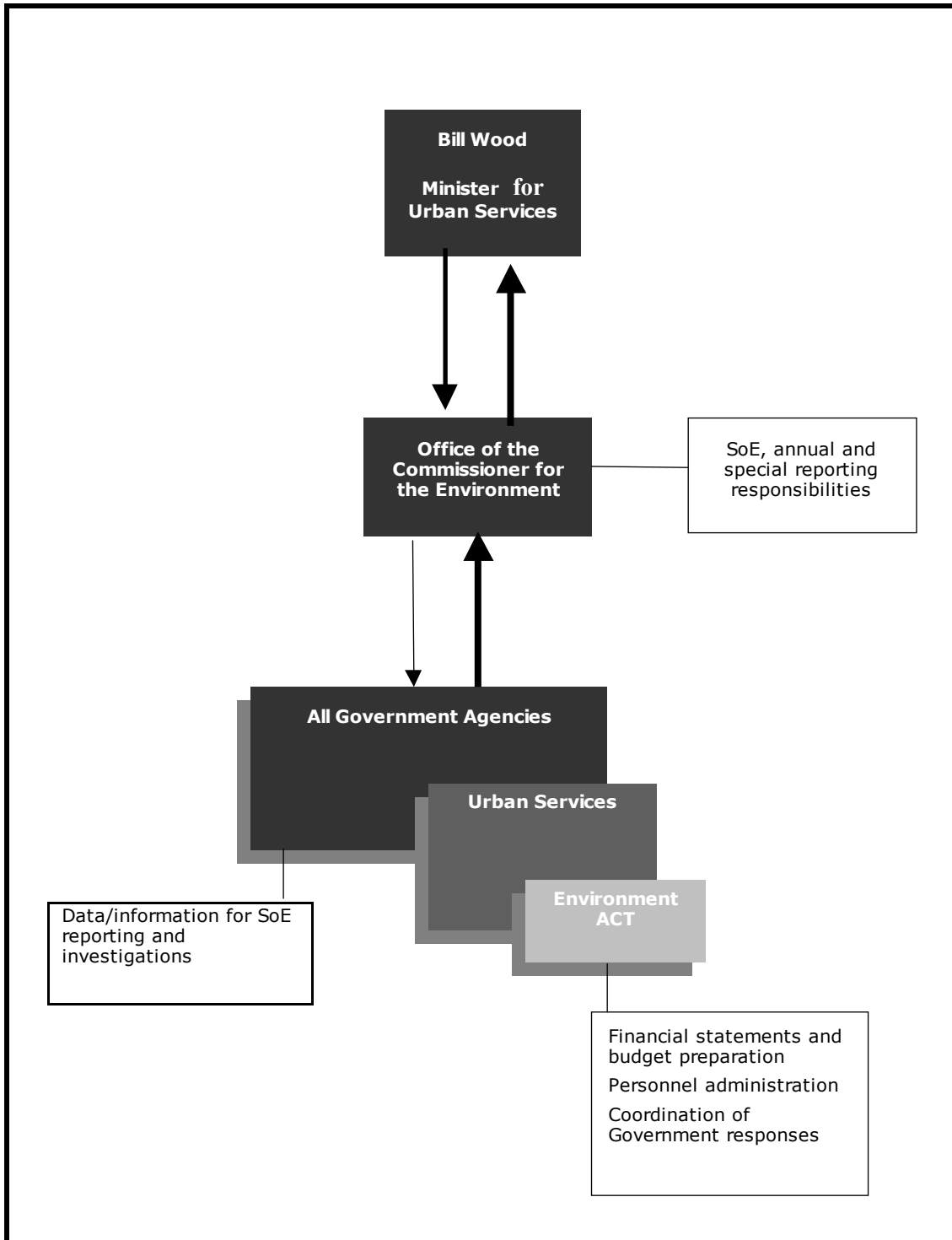
A further requirement under 19(3) of the Commissioner for the Environment Act is that *the Minister must, within 6 months after receiving a state of the environment report, present to the Legislative Assembly -*

- (a) a statement that sets out the response of the government to the report; or
- (b) a statement that sets out the reasons for not presenting a statement under paragraph (a) to the Assembly..

My Annual Reports for 1997–98 to 2001–2002 have addressed recommendations from my SoE reports, and any implementation by Government.

(See the section ‘Special annual reporting requirements’ in this report for follow-up of Government actions to 30 June 2002.)

Figure 1. Our legislative pathways

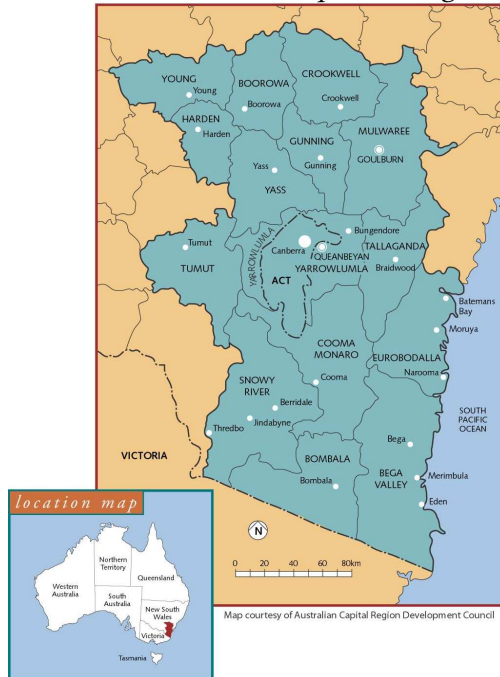


OUR ACHIEVEMENTS FOR 2001–02

SoE REPORTING

We have spent this year finishing off details of the SoE reports for the NSW Local Government Authorities for CD publication, and commencing preparation for the next SoE report for the ACT. For both 1997 and 2000, our SoE reporting covered the 18 jurisdictions in the Australian Capital Region (see the map below).

Australian Capital Region



There is generally strong support from the NSW Local Government Authorities within the Region for continuation of Regional SoE reporting. However, legislation that covers SoE reporting for the ACT and for Local Government areas in NSW has different timeframes for reporting.

The due date for the next SoE report for the ACT was confirmed during the year as 31 December 2003. The report will be for the period from 1 July 2000 to 30 June 2003, but will also take into account environmental aspects back to the first such report in 1994.

The next comprehensive SoE report for NSW Local Government Authorities is fixed at 30 November 2004, as part of their annual reports in the year following the next Local Government elections.

The nature of any involvement of the ACT's Commissioner for the Environment Office in a further Regional SoE Report will need to be explored within the next twelve months.

In my last Annual Report I noted some of the difficulties that we had encountered in the preparation of the 2000 SoE Report for the ACT and the 17 Local Government Authorities that make up the Australian Capital Region.

Commencing in January 2002, we conducted an 'in-house' review of all aspects of SoE reporting, with a view to simplifying the reporting process and further integrating the chapter on Progress Towards Sustainability. SoE Author, the template developed during 1999-2000 is still accepted as a good framework for the report, but considerable discussion went into further revising how we report the Indicator results and Issues.

Consultation with ACT Government agency heads was revived during the year, and new contact officers were identified for each agency.

INVESTIGATIONS

12(1)(a) (Complaints)

Complaints on hand at 1 July 2001	2
Complaints received in 2001–02	4
Number of investigations commenced	2
Decision to investigate pending (at 30 June 2002)	1
Decision not to investigate	2
Number completed	1

One complaint on hand at 30 June 2001 was in relation to proposed aerial chemical spraying of weeds by ACT Forests adjacent to residential areas in Weston Creek. Details follow.

Complaints about proposed aerial spraying by ACT Forests had been received from members of the Weston Creek Residents Against Aerial Spraying and from Kerrie Tucker, MLA, earlier in 2001. My investigation formally commenced in July 2001 and was completed in May 2002.

The original proposal was for aerial spraying. During the course of the investigation, an options paper was released by ACT Forests, recommending manual application of granular herbicides. The investigation addressed both the aerial spraying option and the alternatives in the options paper.

Many of the comments about ACT Forests' activities in relation to chemicals use also applied to other ACT Government agencies which use chemicals for pest control. As a result, a number of my recommendations were directed to the Agricultural and Veterinary Chemicals Coordination Network (AVCCN) for consideration and action. See also my comments in this report on activities of the AVCCN during the year.

To cater for community interest in this investigation, the report has been included in full under 'Special Reports' on the

website www.EnvComm.act.gov.au, although, technically, it is not a 'special report' as described in the Commissioner for the Environment Act

The other matter not resolved at the end of last financial year concerned alleged pollution from leaded paint in an ACT Housing property in Ainslie. The tenants had been unable to live in the house or to use their personal items since March 1993.

At 30 June 2001, avenues open to the complainant did not appear to have been followed up.

In November 2001 the complainant advised that the matter was the subject of a compensation claim through the courts and that his concerns had turned in that direction.

The investigation was transferred on our initiative to the Ombudsman.

Complaints received during the year related to - (i) landscape values of Aboriginal heritage, arising from a proposal by Environment ACT to upgrade waste water treatment at Gudgenby Homestead (ii) neighbourhood amenity in Evatt (iii) protection of remnant native trees on a commercial site in Belconnen Town Centre and (iv) East O'Malley - proposed auction of land containing endangered ecological community for residential development

(i) In September 2001 we received a complaint about the proposed upgrading of waste water treatment by Environment ACT at Gudgenby Homestead. The complainant was particularly concerned about Aboriginal heritage and adequacy of water supply in the vicinity if the Homestead were to become a guest house, as mooted in the Preliminary Assessment.

On the basis that Government will continue to use Gudgenby Homestead as a residence only, I believe that impacts will be minimal in comparison with possible adverse impacts if the use had been as a guest house. The matter was settled through liaison, without proceeding to a

full investigation.

(ii) The complaint about neighbourhood amenity in Evatt did not proceed to an investigation because avenues for dealing with the matter had not been explored. The complaint was referred to the appropriate area for action.

(iii) A complaint was received in June 2002 about the adequacy of long-term tree protection in a development proposal of a commercial site in Belconnen Town Centre. The complaint relates to actions by Department of Urban Services – Land & Property, PALM and Environment ACT. The trees are remnant eucalypts - Yellow Box and Red Gum. One is assessed as 300-400 years old. Others are well over 100 years old.

The complainant also appealed to the Administrative Appeals Tribunal (AAT). Our preliminary investigation during June revealed that ‘special reasons’ existed for a formal investigation to proceed, despite the fact that the matter involved the AAT (see s14 of the Commissioner for the Environment Act). ‘Special reasons’ included that there was no avenue for the complainant to pursue a review of the adequacy of the tree protection. The AAT review of the decision to approve the development application would not necessarily address that issue.

The investigation considers aspects of lease and development conditions relative to tree protection at the time of auction in March 2001. It also considers aspects of an application for tree damaging activity subsequent to the conditional approval of the development application by the Commissioner for Land and Planning.

The investigation had not been completed at the end of the financial year.

(iii) One complaint was received about the Government’s proposed auction of land for residential development in East O’Malley before the end of the financial year. Four other complaints were subsequently received. All complaints focused on aspects of the high conservation value endangered Yellow

Box-Red Gum ecological community on the site. A decision of whether to investigate had not been made by 30 June 2002.

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

I received no directions from the Minister during 2001–02 to conduct an investigation. There were no such investigations pending completion at the commencement of the reporting year.

However, see the heading ‘Progress on Implementation of Recommendations from Special Reports’ for follow-up actions by Government in response to reports completed earlier.

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.*

The following are included in this 2001–02 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

Wildfires damaged more than 1500 hectares in inner south Canberra between Christmas Eve and Boxing Day 2001. They affected woodland and wildlife in Canberra Nature Park on O'Connor Ridge, Red Hill and Mt Wanniasa as well as extensive areas of pine plantations adjacent to Lake Burley Griffin. Wildfires in the period affected other parts of the ACT including Oaks Estate and Melrose Valley. Around 500 hectares of forestry compartments in the Mt Stromlo plantation were destroyed.

Impacts on the environment included loss of wildlife and damage to native vegetation. There have been also been significant impacts on the visual and recreational amenity of Lake Burley Griffin particularly from Scrivener Dam/Lady Denman Drive to Black Mountain, and in particular on 1000 historic Roman cypress trees planted by Charles Weston in 1919 near the Tuggeranong Parkway.

(On average, a 'bad fire year' will occur once per decade. During these years some vegetation types are affected by fire beyond what would be planned to ensure their sustainability, especially on the hills and ridges around the edge of Canberra.

There had been no ‘bad fire years’ in the ACT for some time. Some examples are – In 1984-85 1300 ha on Mt Ainslie-Mt Majura burnt in a single fire. The total size of the Gudgenby fire in 1983 was 36 000 hectares.)

High faecal coliform counts in Lake Burley Griffin led to closing all or parts of the lake for boating and/or swimming activities over a longer than normal period.

The first closure followed the wettest February day ever recorded on 5 February. The lake was cleared for swimming and boating activities on 17 April 2002.

Lake closures are usual occurrences particularly after heavy rains. Explanations were provided for only some of the high levels of bacteria. Like other lakes in Canberra, Lake Burley Griffin is designed to act as a filter, but recreational activity is also an important function. Water quality testing was increased during the period.

Lake Burley Griffin is the responsibility of the Federal Government through the National Capital Authority. However, its condition is an important consideration for the ACT Government, in particular, for Environment ACT in terms of exports from ACT-managed lands into the lake.

Environment ACT advises that “there is only limited understanding of the relationship between particular rainfall events and changes in water quality of a complex aquatic system like Lake Burley Griffin. It is much more likely that the contamination was caused by a number of problems and that fixing the problems requires an integrated solution.”

A review of high bacteria levels in the lake was also completed by the University of Canberra’s Co-operative Research Centre for Freshwater Ecology in May 2001.

Significant impacts on the environment reported in my Annual Reports for 2000-01, in this reporting year and again in 2002-03 will be followed up in the next State of the Environment Report for the period 1 July 2000 to 30 June 2003.

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 the ACT is also one of the jurisdictions covered by the 2000 SoE Report for the Australian Capital Region. That report followed the 1997 SoE Report as the second for the Region, both of which were prepared by this Office.

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. A detailed report for each Government area and for the whole Region is also on the CD-ROM.

Recommendations from the 2000 SoE report for the ACT and the Government's follow-up actions as at 30 June 2002 are listed below, along with my comments on progress made towards implementation of recommendations, to which the Government agreed.

The 2000 SoE report was the first to include an analysis of Progress Towards Sustainability. That topic has become much more widespread in the past 12 months.

In the following recommendations

*** = 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 initial response, June 2001 - Agreed

Government action to 30 June 2002

The ACT Government Analytical Laboratory purchased a tapered element oscillating microbalance (TEOM) in 2001 and completed its commissioning in mid-March 2002. PM₁₀ data is now collected on a daily basis in accordance with the NEPM. The TEOM is an internationally recognised instrument for the measuring of ambient particulates.

Commissioner's comments

Implemented. The apposite equipment has been purchased. It is now a matter of monitoring the scope and the frequency of measurements throughout the ACT. The minimum records will be those to satisfy the requirements of the relevant NEPM.

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 initial response, June 2001 - Agreed

Government action to 30 June 2002

The Government has investigated adopting nephelometry as a surrogate for PM_{2.5}. There is no simple formula for converting nephelometry data into PM_{2.5}. Where nephelometry has been used as a surrogate for PM_{2.5} it has been based on site specific correlation factor derived from the collocation of both PM_{2.5} and nephelometry instrumentation. In the absence of

instrumentation to measure PM_{2.5} (there is still some debate at a national level as to which method will be chosen as the reference method) the ACT is unable to use nephelometry as a surrogate for PM_{2.5}.

Commissioner's comments

Not implemented. However, I accept the results of the Government's investigations. We will monitor progress, and await the National decision, through the National Environment Protection Council. If that is not forthcoming within a reasonable time, say, by December 2003 – we will re-open discussions on direct or surrogate methods of assessing PM_{2.5}.

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 initial response, June 2001 - Agreed

Government action to 30 June 2002

The Government will continue on-going evaluation and continuous improvement in the implementation of the ACT Firewood Strategy.

Commissioner's comments

Implemented. 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. We will report progress of evaluation of actions arising from this Strategy, and hopefully, of improvement in air quality. I regard Bureau of Meteorology prediction and media communication of conditions likely to cause atmospheric temperature inversions (part of an air pollution warning system), as a desirable component of the overall actions to address the problem of such wood-smoke pollution.

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 initial response, June 2001 - Agreed

Government action to 30 June 2002

The first review of the ACT Greenhouse Strategy has been completed. This review reports on the progress of each sector towards the 2008 Greenhouse gas emission targets and recommends additional new measures. The report will be released shortly for public consultation.

Commissioner's comments

The 2001-02 part of the recommendation has been implemented.

The Government's actions are noted and Government is encouraged to have all sectors of society contribute to bettering the ACT's performance against Greenhouse targets. We will report on results in State of Environment reports, and between times, if necessary.

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 initial response, June 2001 – Agreed

Government action to 30 June 2002

Environment ACT has continued to take a leading role in the preparation of a planning framework for natural ecosystems in the Southern Tablelands of NSW and the ACT (part of the Australian Capital Region). This framework is expected to be available later in 2002, in time for the 2003 State of the Environment report for the ACT. It will be useful to know whether the Commissioner considers this work adequately addresses his comments as it is considered that the planning framework, will fulfil Recommendation 2000.5 to the extent possible within the ACT's jurisdiction.

It is agreed that the balance between biodiversity conservation and urban development is a critical issue in the Region. In this regard Environment ACT and PALM are undertaking studies in several areas of the ACT with the intent of identifying key biodiversity assets that require protection. In due course variations to the Territory Plan will be prepared for these areas.

Vegetation surveys and assessment of fauna habitat in Jerrabomberra Valley, east Gungahlin, Kinlaysia, south Belconnen and west Canberra Central undertaken in 2001/2002 by Environment ACT staff have provided additional data that assist in planning, fire and other land management decisions. All data collected are compatible with Commonwealth reporting requirements for the National Vegetation Inventory System. Environment ACT staff have assisted consultants to Department of Defence, Australian National University and others to ensure that other survey data collected can be used to assist planning and land management.

Commissioner's comments

Progress but not yet implemented. I have been advised from time to time of progress on the planning framework for natural ecosystems in the Southern Tablelands of NSW and the ACT, but for this Annual Report I am unable to assess the extent to which that work will address

my recommendation. I look forward to seeing the final product. I am also aware that ACT Wildlife & Monitoring Unit has been liaising closely with NPWS about the vegetation communities that were identified in the Regional Forests Assessment Project.

I will be liaising with Wildlife & Monitoring Unit in the next few months in relation to data for the 2003 SoE Report and expect to be able to comment further in my 2002-03 Annual Report

This recommendation continues to be a focus of attention within the challenge of ensuring that urban development does not further compromise the sustainable well-being of native animals and plants, their communities, their habitats and their interactions and interdependencies.

For the ACT it is economically and ecologically essential that the work of Environment ACT in assessing native biodiversity is supported by ACT Government and through other means to provide the knowledge base to allow sustainable development of the ACT and of the Region. Sources of other funding could include Federal Government Programs, private benefactors, and/or by involvement of groups such as the Conservation Society, Canberra Ornithologists Group, etc.

As noted in my comments on this point last year, I see the balance between biodiversity conservation and urban development as one of the most critical issues for the planned strategy. I am keen to be kept apprised of progress, both in the ACT and throughout the Australian Capital Region. See also comments in relation 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 initial response, June 2001
- Agreed**

Government action to 30 June 2002

Initiatives and activities outlined in the Government's June 2001 response are continuing. Land Management Agreements (LMAs) are being concluded with many ACT landholders as new leases are issued. LMAs include measures for off-reserve biodiversity conservation, including special reference to listed threatened species and ecological communities.

Liaison between agencies responsible for land in the ACT through several working groups ensures that weed control and other management issues on land that contains threatened species and ecological communities or other conservation assets are coordinated appropriately. Weed control in sites of high conservation value is recognised by all land management agencies as a high priority, and is to be reported against annually by the agencies in the Weeds Working Group annual report.

Monitoring of threatened species and ecological communities is part of Environment ACT's annual program of ecological survey work. Selected sites containing Natural Temperate Grassland are monitored annually. Sites containing Yellow Box-Red Gum Grassy Woodland have been selected for monitoring of the vegetation and faunal groups, to complement the annual monitoring program by Canberra Ornithologist Group of woodland birds.

Commissioner's comments

Implementation in progress. The continuing activities are noted. My response to Recommendation 2000.5 is equally relevant here. My concern is that pressures may be applied for further urban development before the knowledge base is adequate to conserve the biodiversity of the Australian Capital Region and of the ACT. The off-reserve component requires specific attention, taking into account all legislation which has been enacted since 1975 when so much environmental

legislation began to be enacted Australia-wide, and also since self-government of the ACT.

The long term economic cost of trying to restore native habitat and ecosystems can be enormous. The request to maximise effort to conserve biodiversity is therefore restated and enhanced in significance.

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 initial response, June 2001
- Agreed**

Government action to 30 June 2002

The Government continues to work to attract private sector enterprises to the Territory, and has demonstrated its commitment to the ACT's knowledge-based industries, including environment, with the establishment of the Knowledge Fund. The Knowledge Fund is designed to assist companies and individuals at all stages of their development and compete in today's knowledge-based economy.

The Government is a member of the successful bid for the \$100m National ICT Centre of Excellence. The success of this bid will add to the increased attraction of the ACT to national and international knowledge-based companies. The aim of the centre will be to increase the commercialisation of the ACT's ICT research and development and position the ACT as a leader in ICT 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 BIO 2002 in Toronto, Canada, in June of this year.

The Canberra Business Council, with a range of other businesses and institutions such as ANU, University of Canberra, CSIRO and CRCs have formed a Capital Region Environment Cluster. The Capital Region Enterprise Development Association is also incubating environmental businesses. There is significant local infrastructure to support environment related businesses including government and large companies such as ActewAGL, SMEC and Anutech.

Commissioner's comments

Implementation in progress. The actions in this response continue to be encouraging, and I continue to 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.

As indicated above, I am keen to ensure that urban development does not further compromise the sustainability of our native biological diversity and ecology. Land is and has been a major income-earner for the ACT, but is a finite resource. I therefore encourage the strongest practicable interaction between Government, Industry, Commerce and the Universities and other post-secondary education and training institutions, to further support the sustainable advancement of the ACT 'hi-tech' and information-based industry sector.

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 initial response, June 2001 - Agreed

Government action to 30 June 2002

The Government continues to promote the ACT as a centre of excellence in environmental education and training. Canberra is home to a number of 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 Sustainable and Renewable Energies is an example.

The ACT Government has also continued to build upon its Sister City relationship with Beijing, the Chief Minister leading an ACT Government and business delegation to Beijing, Shanghai and Hangzhou in April this year. The purpose of the visit was to promote the ACT's environmental and educational capabilities and to consolidate links made on earlier visits to China.

BusinessACT in conjunction with the Hangzhou Municipal Government is arranging a delegation of ACT environment practitioners to conduct an environment symposium in Hangzhou, China in October 2002.

The Government is reviewing its industry development focus through an Economic White Paper due for release in late 2002. The White Paper is examining a hypothesis re the scale of ACT's environment cluster to determine what future ACT Government co-ordination or support may be appropriate.

A Zero Waste Institute is being formed and a major conference is planned for March 2003. The ACT Environment Centre is expanding its functions to provide a more business related focus including consultancy services.

Environment Business Australia, the Canberra Business Council and BusinessACT are developing a directory of ACT environment companies due for completion in August 2002.

Commissioner's comments

Implementation in progress. The Government is to be congratulated on its initiatives in this regard, but the potential is far from realised.

For Recommendations 2000.7 and 2000.8, we look forward to studying the proposed Economic White Paper, and to contributing to further development associated with these two recommendations.

Recommendation 2000.9 ***

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

Government initial response, June 2001 - Agreed

Government action to 30 June 2002

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.

The recently announced Strategic Business Development Program for the first time provides support for eligible companies to produce an environment plan for their operations, and to commercialise innovative environmental aspects of their operations.

In addition, as the core ACT industry development program, the forthcoming ACT Knowledge Fund will for the first time specifically encourage industry development projects with a triple-bottom-line component.

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.

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.

For example, BusinessACT has provided support for the ACT Environment Centre to develop a business to train students to visit and advise home owners and small businesses on how they might reduce water, energy and waste costs.

Commissioner's comments

Implementation in progress. It is pleasing to see some additional gains in this regard, each year. However, the breadth of opportunities does not yet seem to be realised. 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 initial response, June 2001 - Agreed

Government action to 30 June 2002

The year to 30 June 2002 saw decreases in the following areas of recorded crime: break and enter offences, motor vehicle theft, robbery, and assaults. Break and enter offences and motor vehicle theft dropped significantly during the first three quarters, following the implementation of Operation Anchorage which targeted known burglary offenders.

During the June 2002 quarter the figures for burglary and motor vehicle theft began to climb again. The Australian Institute of Criminology will conduct research into the factors that helped drive the offending rates down. In particular, the Institute will follow the outcome of each arrest from Operation Anchorage to investigate the types of penalties offenders received. It could be that one of the drivers at work was that high-risk offenders were taken out of circulation for a time if they received a prison sentence or had restricted access to bail.

Another driver is likely to be the availability of heroin. During the first three-quarters of 2001-02 there was a heroin drought in Australia. It has become more readily available in recent months which also coincides with an increase in the rate of property offending.

There was an increase in reported sexual assaults but the reported rate for this offence is generally regarded as being well below the real incidence rate. Increases in the recorded rate may reflect more confidence by victims in reporting incidents to various agencies. A more accurate picture should be revealed following the release next year of the Australian Bureau of Statistics national *Crime and Safety* victim survey, which was conducted earlier in 2002. This survey includes victims who do not report incidents to the police.

A significant policy and program change to domestic violence was implemented across Canberra in the past year. The program allows criminal justice, welfare, and rehabilitation outcomes to be better managed through a case management system involving participating criminal justice and service agencies. A pro-arrest policy for perpetrators, better crime-scene evidence-gathering techniques involving filming of injuries and damage, provision of immediate protection and services to victims, and longer-term planned outcomes for both victim and perpetrator are all features of the program.

The projects described in the initial report under the crime prevention budget have all commenced. It is intended to review the program in the current year and to consider the possibility of using this budget allocation in a more targeted fashion so that funding is directed more specifically at those crime and safety concerns that are considered a priority.

Commissioner's comments

Recommendation implemented, although the problem is ongoing. In its agreement to this recommendation, Government stated that it believed it had struck a balance between providing extra resources to enforcement and prevention activities and a balance between short and long-term measures. The report of effectiveness for the first three-quarters of the year supported that statement, but crime increases in the last quarter suggest that the programs in place have not been as effective as originally believed. Because criminal offences threaten community security and wellbeing, I will pursue information about programs and research under the Crime Prevention Fund and those on the relationship between drugs and crime for my next SoE report in 2003.

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 initial response, June 2001 - Agreed

Government action to 30 June 2002

All ACT Government agencies continue to maintain asset management plans, which address the strategic management of assets consistent with the delivery of their agreed services and outcomes.

Commissioner's comments

My concern remains undiminished; 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 simply have to check each Annual Report of relevant agencies, and ensure 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 initial response, June 2001 - Agreed.

Government action to 30 June 2002

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 have been produced and issued annually to provide feedback to the community and foster its continued support and participation. The 1997, 1999, 2000 and 2001 reports were distributed to all Canberra households, while the 1998 report was available from shopfronts and libraries.

A Schools Program has been developed based on the EcoRecycle *Waste Wise Schools* program and it is proposed to provide financial support to introduce this program into ACT schools. ACT NOWaste is also working with schools management to minimise waste generation from schools.

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.

A business program, called Ecobusiness, has been developed in order to target waste reduction and environmentally responsible practices in the commercial sector. The first series of Ecobusiness workshops was delivered through the CIT during May and June 2002 and initial feedback is positive. An awards program for participating businesses will be developed.

Commissioner's comments

Implementation in progress. It is pleasing to note the very positive steps that have been taken in the Schools Program and in the Community Fora, because whole-of-community education, awareness and commitment are going to be necessary to maintain the objectives and to approach the targets of this high-profile initiative. 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 initial response, June 2001 - Agreed

Government action to 30 June 2002

The initial utility licence reporting under the Utilities Act 2000 is due in September 2002. At this time, it will be appropriate for discussions to take place with the Independent Competition and Regulatory Commission about the requirements for future reporting. Given that the utilities operating in the ACT are also operating in other jurisdictions, it is expected that they will have available data on Greenhouse emissions and sources of electricity that they sell.

It is also understood that the Independent Competition and Regulatory Commission is involved in an interjurisdictional forum of regulators, where there is discussion about consistency of reporting across jurisdictions.

Notwithstanding commercial sensitivities of this information, an aggregate set of figures may readily be presented for the ACT based upon information collected by the Commission under the licensing conditions of the Utilities Act. There is no need for further legislation to be enacted in the ACT were we to require this information.

Commissioner's comments

Not yet implemented. I note that the initial utility licence reporting is due in September 2002. I will be interested to see the value of the 'aggregate set of figures' for SoE reporting purposes and will report in my next Annual Report on the outcomes of discussions and whether the Independent Competition and Regulatory Commission is able to collect/provide data I believe we need. As noted last year 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. I will be interested to see the

value of the 'aggregate set of figures' for SoE reporting purposes.

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 initial response, June 2001 - Agreed

Government action to 30 June 2002

The identification and remediation of soil erosion are on-going activities with projects being undertaken as resources become available, eg preliminary studies are currently being undertaken to rectify a soil erosion problem on Yarralumla Creek.

Soil acidity and dryland salinity have been identified as priority issues in the ACT Component of the Murrumbidgee Blueprint. Currently discussions are under way to engage the services of NSW agencies to work with ACT farmers, ACT officers and interested community groups to provide training and to gather baseline data to fill gaps in current knowledge. It is hoped to build on the existing program that engages farmers to collaborate on a sub-catchment basis to identify and address natural resource management problems. The area covered by the recently formed Southern ACT Catchment Group adjoins a number of sites managed by ACT Forests and they will be invited to join this catchment group and participate in catchment projects including addressing erosion problems.

Commissioner's comments

Partial implementation. It is pleasing to note that evidence for the occurrence of soil erosion continues, presumably on a case-by-case basis. The recommendation for maps was to provide an authoritative view of what we know and what we don't know, allowing for progressive improvement in the knowledge base, and

providing an additional resource on which to base planning, whether it be for development, for conservation or for rehabilitation. The difference in the response from 2001 to 2002 suggests that it may be too early to conclude that dryland salinity 'is not considered to be a significant issues for the ACT'. In some cases it may well be.

I encourage the ACT to proceed with the suggested production of maps, and for accurate up-dating as the 'supporting evidence' comes to hand. As always, I would appreciate nomination of a target date when first such maps will be available and an indication of when they would be planned to be up-dated. I recognise that modern methods may allow for 'automatic' up-dating, and simply seek the information so that I can understand the ACT Government's progress to systems that will facilitate the best practicable consideration of the contribution and needs of our natural ecosystems in forward planning.

It is pleasing to note the interactions with NSW agencies, with farmers and with community groups. Such interaction should diversify the information base, and allow maps to cross NSW-ACT borders where natural conditions suggest that it is valuable to cover continuous or interdependent ecological feature, to facilitate regional planning and development.

I will establish liaison with Environment ACT now that the 2003 SoE report is in preparation 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 initial response, June 2001 - Disagreed

Government action to 30 June 2002

Groundwater use in all ACT catchments remains well within the conservative limit of 10 percent of estimated recharge set by the Water Resources Management Plan, except for part of the Jerrabomberra Creek catchment. As previously noted, a detailed study was undertaken which resulted in additional uses not being approved in this catchment. Further such studies will be undertaken in other catchments if warranted by increasing demand.

Commissioner's comments

I fear that such a reactive approach is not consistent with best management practices. As I said in last year's Annual Report, 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 initial response, June 2001 - Agreed

Government action to 30 June 2002

The Cotter project has now been under way for approximately 18 months. We expect formal reports to begin to be available early in 2003.

Commissioner's comments

Implementation in progress. I look forward to seeing the final reports for the Cotter project, beginning in early 2003, and to including consideration of its implications in the 2003 SoE report.

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 initial response, June 2001 - Agreed

Government action to 30 June 2002

A process to review the *Environment Protection Regulations 1997* which contain the water quality standards has recently been initiated.

Commissioner's comments**Implementation commenced.**

It is good that the review of the Regulations has begun.

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 initial response, June 2001 - Agreed

Government action to 30 June 2002

Building sites on greenfield developments are the major source of sediment pollution. A working group has recently been established to investigate measures to improve compliance with erosion and sediment control requirements.

Commissioner's comments**Implementation commenced.**

Government does not appear to be very serious about implementation of this recommendation. Hopefully the working group will consider and recommend on procedures which must be adhered to in all site developments and re-developments.

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 initial response, June 2001 - Agreed

Government action to 30 June 2002

While the ACT has a number of significant measures promoting re-use and water use efficiency, this matter will be a significant focus in the review of the Water Resources Management Plan which is now under way.

Commissioner's comments

Implementation commenced. I will be interested to see the Terms of Reference of this review of the Water Resources Management Plan, and to study the output of the review.

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 initial response, June 2001 - Agreed**Government action to 30 June 2002**

It would be useful to get an understanding of the background levels, if any, of dioxins in the ACT. Information on the current level of dioxins in the Australian environment is being collected as part of the National Dioxins Program (NDP). Environment Australia, who manages the program, has developed criteria for soil sampling under the NDP. To ensure that soil samples are representative of the overall concentration levels of dioxin-like chemicals in a particular region, sampling is to be undertaken so as not to be biased by point source "hot spot" discharges. Samples are being collected in industrial, urban, agricultural and remote land uses. It is intended that the soil sampling include samples from the ACT.

Commissioner's comments

Implementation commenced. The action planned is strongly supported. Knowing natural background levels is essential. It would seem appropriate to include sites such as in the vicinity of the former incineration facility at Mitchell. In that way, results would be comparable on the basis of both time and methodology, and such comparison may not be as facile, or as comprehensive, at any time in the future.

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 initial response, June 2001 - Agreed**Government action to 30 June 2002**

The draft 2002 Bushfire Fuel Management Plan has been prepared and will be available for public consultation in August. The plan has identified that a number of gaps still exist within the existing knowledge base before a detailed assessment of fire regimes for all vegetation types can be achieved.

A strategy has been prepared for fire planning and management within Namadgi National Park. This strategy outlines a number of key outputs to be achieved over the life of the plan prior to commencing a prescribed burning program.

Some of these outcomes include -

- Consolidation of existing vegetation information for Namadgi into a single spatial data layer, including critical vegetation themes such as swamps and grasslands.
- Identification of other biophysical attributes (soils, landform units, geology etc) into spatial layers.
- Identification of fire sensitive vegetation communities and areas of highest potential damage.
- Identification of ignition point sources.
- Preparation of a fire history map, including a long term history of fire in the park
- Identification of potential strategic fuel reduction and fire exclusion zones.
- Determination of fuel thresholds and tolerable fire frequency limits, and
- Commencement of a fuel sampling program.

Commissioners comments

Implementation progressing. Officers working on the Draft Plan have consulted with this Office and kept us informed of short-term limitations and long-term goals for fuel management. The completion of the Draft Plan is welcomed, and this

Office will attempt to participate in the public consultation process, as well as studying the final Plan, when available.

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 initial response, June 2001 - Agreed

Government action to 30 June 2002

Environment ACT has discussed with the Canberra Ornithologists Group (COG) the scope of a study of the type required by the Commissioner. Environment ACT, COG and a consultant statistician will review existing data from COG and other sources to determine how best to incorporate the data into such a study. Discussion is continuing with COG on ways in which COG's considerable expert membership can participate in conservation projects focussed on urban birds.

Dr Chris Tidemann at the Australian National University, with support from Environment ACT, is continuing research into the management of the Indian Myna bird, which competes with native parrots for nesting hollows. Application of this work at a scale that represents a management response to a vertebrate pest is being considered.

Results from these studies will be communicated to the Commissioner, as they become available. The Government considers Recommendation 2000.22 to have been implemented.

Commissioner's comments

Implemented. I agree that the study has been initiated, and look forward to the outcome of Environment ACT's discussions with the Canberra Ornithologists Group, as to further development of relevant conservation projects.

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 initial response, June 2001 - Agreed

Government action to 30 June 2002

An annual program of survey has been commenced with rabbit transect counts conducted biannually in both Namadgi National Park and Tidbinbilla Nature Reserve. Fox and cat numbers are recorded in transect counts. The combination of RCD, myxomatosis and harbour destruction activities by park staff is thought to have contributed to a general decline in rabbit populations in the ACT. Studies conducted by CSIRO indicate that this trend is likely to contribute to a reduction in feral cat populations, but has little impact on fox numbers.

A recently conducted review of the photographic record of wild dogs captured in the ACT has demonstrated a significant replacement of dingos with domestic hybrid dogs within forested areas of the ACT over the past decade. The impact of this replacement has been a decline in the abundance and viability of dingo populations as native predators. Domestic hybrid dogs breed more often than dingos which will result in an accelerated reduction in dingo purity, and a greater number of exotic predators. The biodiversity implications of this trend are unknown at present. Environment ACT will be investigating options to support a program of studies to assist in identifying the impact of wild dogs on native fauna.

Commissioner's comments

Implementation in progress. This update is encouraging. Obviously we would all wish to have genetically distinctive populations of native dingoes, but the interbreeding with domestic hybrid dogs is not likely to decrease. Again I support the funding of Environment ACT to be established and maintained at levels which will enable the necessary monitoring and

annual reporting, and the study of interactions consistent with this recommendation, such as the impact of wild dogs on native fauna.

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 initial response, June 2001 - Agreed

Government action to 30 June 2002

The ACT Greenhouse Strategy Steering Committee is continuing to meet regularly. Members meet to oversee the implementation of the ACT Greenhouse Strategy. Two whole of government energy reports have now been completed quantifying energy use across departments and end-uses. The first Energy Performance Contract for an ACT Government building is currently being undertaken with the aim of achieving a reduction in energy consumption.

Commissioner's comments

Implementation in progress. The response indicates a start, but I believe that the ACT Government has to demonstrate a much more significant commitment to this eighth objective of the ACT's Greenhouse Strategy. The proposed whole-of Government Liaison Committee may be able to assist the ACT Greenhouse Strategy Steering Committee to address this challenge, across the full range of topics indicated in the recommendation.

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 initial response, June 2001 - Agreed

Government action to 30 June 2002

While this a complex issue, continuing progress is being made in cooperation with the Cooperative Research Centre for Freshwater Ecology.

Commissioner's comments

Implementation in progress. There is no detail in this update of action. The significance of this recommendation can not be over-emphasised. Holistic water management is emerging as one of the most basic and urgent of Australia's sustainable natural and developed characteristics.

Water quality issues will be particularly significant in different types of human activity and in the conservation of our native biota and their habitats.

I will be following up more closely with Environment ACT over the next few months, particularly to explore whether there is opportunity for establishing closer links between SoE reporting on water quality and Environment ACT's annual water quality reports.

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

Government action to 30 June 2002

We are aware that the Commissioner for the Environment has been meeting with agency heads to discuss preliminary arrangements for the preparation of the 2003 State of the Environment Report. This has resulted in the establishment of an informal network of agency contacts for State of the Environment matters. Work will be undertaken shortly to better engage these contacts in the reporting process as well as the implementation of agreed recommendations from earlier reports.

Commissioner's comments

My unresolved issue about this recommendation is the principle that Government responses to recommendations include some indication of when implementation is anticipated wherever that is practicable. In that way I can measure progress on implementation of recommendations more effectively. Providing an anticipated date for action also provides more commitment or certainty.

As noted above, during the year we have re-established a contact group within ACT Government agencies and will be engaging more closely with those contacts over the next twelve months to better coordinate material for State of the Environment reporting. I am very keen to have that group formalised. I am also keen that Environment ACT extend coordination and liaison with agencies through that contact group for more effective implementation

and reporting of agreed recommendations. Such a group is necessary to address the full implications of this recommendation.

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

Government action to 30 June 2002

ACTION, with the support of government, has undertaken a number of initiatives to improve the provision of public transport in Canberra. In particular ACTION introduced Network 99 in January of 1999 which saw an increase of 20% in the number of services provided. In conjunction with this change was the introduction of zonal fares and a number of "through-routed" services which links the northern and southern most areas of the city with continuous bus routes. This method of routing reduced the necessity to change buses at interchanges but in so doing reduced the number of "boardings" recorded. The corrected patronage figures taking into account the zonal and routing changes are:

1997-98	14.95m (adjusted),
1998-99	15.72m (adjusted),
1999-00	15.99m (actual),
2000-01	15.65m (actual),
2001-02	15.79m (actual)
2002-03	16.2m (target)

The growth in patronage experienced by the new network, while positive at between 5% and 8%, did not match the resources applied and this level of service and therefore could not be financially sustained. By January 2000, under-utilised services were withdrawn, however, 12 % more services were still provided than existed prior to the January 1999 changes.

ACTION believes the impact of the GST on fares compared with the relatively lower cost of motor vehicles, saw adult

patronage decline during 2000-01.

In 2001-02, ACTION introduced the School Student Transport Scheme (SSTS) providing free bus travel to eligible students. This scheme, while short-lived, saw a positive impact on ACTION's patronage figures which has continued into this calendar year. In the 2002-03 ACT Budget, the Government removed the zonal system and provided a single flat fare for all of Canberra travel. Initial patronage figures are encouraging as student numbers continue to remain strong and adult patronage is rising for the first time since the introduction of the GST.

Public transport in Canberra has never been more affordable and service levels and reliability are at 99.8%. The government has committed to a capital program for the replacement of the current ACTION fleet with new buses that will be air-conditioned, easy access low floored and powered by low emission fuel such as CNG.

The establishment of ACTION as a Statutory Authority from 1 January 2002, the awarding of a 5 year contract for the provision of public transport services and the significant increase in funding for ACTION in the latest budget, demonstrates the government's commitment to public transport and the environment in Canberra.

Commissioner's comments

I have no doubt as to the Government's sincerity in trying to attract greater public use of bus transport, nor do I have any doubt that the new Statutory Authority ACTION will want to demonstrate cost effective operations ecologically and economically.

When one analyses the passenger figures quoted in the update above, and notes the omission of the 1996-97 figure of some 17.4 million, the last four years have shown little variation, despite all the efforts to make bus transport the desired way to travel.

Given that the Canberra is one of, if not

the, most affluent of Australia's cities, and given that Canberra has the coldest winters of Australia's capital cities, there is little doubt that the winter preference is to get into your own warm car – rather than stand for even a few minutes at a partly open bus stop.

Our comparatively low density of population, and the existence of the conceptually attractive Y plan, with four commercial centres, rather than one focal commercial centre, (which has its own aesthetic and other environmental advantages) act against frequent high usage public transport services.

Until Canberra people realise the environmental cost of private vehicle use, or until charges associated with such travel become much higher relative to income, I find it difficult to see how a significant number of workers – above those already committed to public transport – will change to bus transport.

There may be options in targeting other groups such as students, shoppers and tourists, but in all cases, the convenience society will want transport when and where they want it.

I suspect that awareness and education programs, perhaps with disincentives such as higher parking fees, will be essential components of any strategy that achieves a significant decrease in private vehicle usage, and a consequent increase in bus usage.

This is a specific example of our inability to convince the general public that motor vehicles with fossil fuels represent a significant adverse environmental impact, and that we may have to forego some of our convenience habits if we are to achieve environmental responsibility.

My response is perhaps a lengthy way of saying "It is not going to be easy for ACTION to achieve its targets", unless we all understand environmental costs and believe that we must reduce those costs as a matter of urgency. Full buses, using low-emission fuels, would be a step in the right direction. Empty buses will not.

This is a complex issue that involves more than ACTION. I will address it specifically in the 2003 SoE Report

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

Government action to 30 June 2002

Current resources do not allow for the provision of a third monitoring station in Belconnen.

Commissioner's comments

My comments in the last Annual Report remain unchanged. I see NEPMs as minimum requirements and maintain, as always, that the ACT should set the highest standards to record changes in air quality with direct measurements in areas of high population concentration.

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.

Government action to 30 June 2002

See updates in relation to the 2000 SoE Report also.

Environment ACT continues to maintain an annual monitoring program together with a survey program to fill in data gaps and provide information to assist with planning and land management. Other projects supported by Environment ACT are also providing information on particular faunal groups, including surveys of invertebrates in Natural Temperate Grassland sites; and a biodiversity audit in Australian National University, CSIRO Black Mountain and surrounding urban areas.

It is noted that the Commissioner considered Recommendation 97.7 to have been fully implemented, but that he has indicated his Office will maintain a watching brief.

Commissioner's comments

The watching brief has been found valuable. Recommendation 97.18 also has some relevance.

My response to situations arising for Recommendations 2000.5 and 2000.6 illustrates the necessity for resourcing of those activities that will give a comprehensive mapping of the ACT ecosystems, and ongoing research to understand species and habitat interactions and interdependencies in those ecosystems.

It may be practicable to transfer reporting against this recommendation, to reporting against 2000.5 and 2000.6, or to recommendations that may arise in the 2003 SoE Report. However, there is always value in being able to refer back to when a recommendation was first made.

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

Government action to 30 June 2002

The Government is continuing to support the community's involvement in natural resource management, including the monitoring of land quality. In October 2001, the Government released a strategy for supporting the work of those who volunteer to care for the local environment. This strategy contains a specific component dealing with support for community based monitoring and research.

This Strategy has also contributed to the development of the ACT component of the Murrumbidgee Catchment Management Blueprint, to address specific targets for community capacity building and monitoring. The ACT component will form the basis for future investment by the Government in these community based natural resource management activities and specifically in relation to the provision of Commonwealth funds for this purpose, through the Natural Heritage Trust and the National Action Plan for Salinity and Water Quality.

Commissioner's comments

The support of such groups by the ACT Government is respected, and I am confident that it is cost-effective. This office will continue to stimulate such interaction.

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 action to 30 June 2002

None required.

Commissioner's comments

As I indicated in last year's Annual Report, we are now receiving data from Dr Ken Green, Australian Institute for Alpine Studies. These data relate to monitoring at Berridale and Perisher, and will be used in the next SoE Report.

I think there is no further need to report again on implementation of this recommendation, but as this topic remains an Indicator for SoE reporting, will keep abreast of any changes that may occur in relation to UV monitoring in the ACT.

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

Government action to 30 June 2002

Management Plans

Environment ACT is continuing to develop a new statutory management plan for Namadgi National Park in partnership with the Interim Namadgi Advisory Board.

The new plan is required to address a range of contextual changes to the park since the previous plan (1986) including:

- the recent agreement between the Territory and a number of local Aboriginal groups to pursue joint management of the Park,
- changes to the size of the park and ACT environmental legislation,
- new research into ecological and Aboriginal values, and
- evolving recreational pressures upon the park.

The Territory is the first signatory to the Australian Alps National Parks agreement to commit to joint management with the local Aboriginal community, with direct input being provided through the five Ngunnawal representatives of the Interim Namadgi Advisory Board.

Environment ACT is liaising closely with a broad range of ACT and regional stakeholders. This includes a close working relationship with the NSW National Parks and Wildlife Service, who are currently undertaking a parallel review of the adjoining Kosciuszko National Park Plan of Management, to ensure consistently high standards of natural resource management are maintained across the Alps.

The process of community engagement commenced in April 2002 with the release of a public discussion paper. The second stage will commence in August 2002, with community workshops on the key issues arising from submissions on the Discussion Paper. The third and final stage of community input will occur with the release of the draft management plan by June 2003.

The final management plan should be submitted to the Legislative Assembly Committee on Planning and the Environment late in 2003.

A management plan for the Lower Molonglo River Corridor was tabled in the ACT Legislative Assembly in March 2002. The Plan provides a management framework for nature conservation and community access for that section of the River between Coppins Crossing and the Murrumbidgee River. The Plan was subsequently accepted by the Assembly

Review of Action Plans

Draft Action Plans for two species declared endangered in 2001 have been completed and will be released for public comment later in 2002. This maintains the record of the ACT having Action Plans for all declared threatened species and ecological communities.

Over the next three years Environment ACT will be reviewing all Action Plans and preparing integrated species/communities plans which will better recognise the interdependency of animals, plants and their habitat and the often overlapping or complementary actions necessary to ensure protection of biodiversity which is threatened with extinction. These plans will also help to ensure that resources are directed to achieve maximum effect in conservation activities. In 2002-03 woodlands and woodland birds will be the focus of attention. In subsequent years, reviews and new plans are programmed for grassland and associated species (2003-04) and for aquatic species and riparian habitat (2004-05).

Commissioner's comments

This response is promising, and I look forward to the outcomes of the actions indicated. As with Recommendation 97.7, I think there is no further need to refer back to this recommendation in future Annual Reports. This is a matter that will be addressed in the 2003 SoE report.

PROGRESS ON IMPLEMENTATION OF RECOMMENDATIONS FROM SPECIAL REPORTS

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

Introduction

I maintain an ongoing interest in the ACT Government achieving the targets of the *No Waste by 2010* Strategy.

My recommendations and Government's response were first reported in my Annual Report for 1999-2000. Government agreed to most of my recommendations. Yet its program 'The Next Step in the *No Waste* Strategy' adopted different priorities. Not all of my recommendations are included in the action list, and proposed actions only partly address some of my recommendations. This appears to have created some difficulties for ACT NOWaste to report against implementation of my specific recommendations.

As a result, I remain somewhat disappointed with progress on implementation of my recommendations, although I recognise that actions in response to my recommendations do not necessarily indicate the full extent of progress made in other ways towards the 2010 target.

I do, however, remain 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. Given appropriate resources, most of the recommendations from my report can be implemented well before the ACT's *No Waste* strategy target date of 2010.

I see this *No Waste* Strategy as an activity that has captured international attention, and in being successful, can bring new business to Canberra, as well as a steady

stream of visiting delegations that want to learn how we have done it. Failure would not be a beneficial outcome, directly or indirectly.

The ACT is showing world leadership in this world-wide problem. I suspect that 2002-2003 will be a critical year in determining how realistic the strategy can be. We are getting close to a mid-term appraisal.

Recommendation 1

Clarify and publicise the Government's goals for the strategy

Government initial response, March 2000 - Agreed

Government action to 30 June 2002

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 2001 Progress Report.

Commissioner's comments

Partly implemented. My concerns expressed in the 2000-01 Annual Report do not appear to have been heeded. However, there are some very promising signs of better publication of the goals and programs. For example, the brochures 'Disposal Safe' (for needles and syringes), 'Your Guide to Using the Recycling and Disposal Services in Canberra' and 'No Waste by 2010 – Don't waste it! Sort it out and save!' are colourful, eye-catching, clear and well-distributed. It may be an advantage to also distribute those within Government agencies to heighten whole-of-Government awareness.

I believe that community commitment through awareness, education, communication and involvement must be a never-ending exercise.

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.

I would like to see 2002-03 reveal some high profile champions of the goals, with

the objective of reaching every person in the ACT. Thus, the champions should include sports stars of all ages, from the track to the pool, to the golf course, to the bowling green, etc. It is necessary to think broadly, to also involve champions from among business and community leaders, and so on. Newsprint, radio, TV and the Web should all be accessed.

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

Government action to 30 June 2002

A study was conducted in 2000, which determined the actual costs of the various categories of waste in the ACT. Based on the outcomes of this study a waste pricing strategy has been developed and will be implemented from July 2002.

In 1997, a Waste Inventory was compiled which provides detailed information on the composition of waste streams and the recycling potential for component materials. Additionally in 2001, ACT NOWaste conducted further audits of the domestic collected waste stream to set benchmarks for waste reduction targets on this stream.

Commissioner's comments

Implemented. These are good initiatives. However, if we slip behind in our targets, we will find it very difficult to achieve the overall goal by 2010. The Government response to 30 June 2002 suggests to me that we may be almost one year behind schedule in the suggested completions.

A waste-pricing strategy will be implemented from July 2002, and the actions to suggest benchmarks for waste reduction targets in the different waste streams, appear poised to be put into effect.

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

Government action to 30 June 2002

Each year since this recommendation was made progress reports on the *No Waste by 2010* strategy have been produced and 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 conducted trials of Second-hand Sunday and implemented the day Canberra-wide. Three Canberra-wide days have now been held.

A business program, Ecobusiness, has been developed that targets waste minimisation and energy and water reduction in the commercial sector. Ecobusiness workshops targeting

commercial offices, the hospitality industry, building and demolition, property owners, retail and supermarkets began in May 2002.

Targeted campaigns are developed for new programs or initiatives. A “new residents” brochure on how to use the recycling and disposal services has been prepared and provided to real estate and body corporate managers for distribution to all new residents. A campaign is currently being conducted to advertise the opening of the Mitchell Resource Management Centre as well as the campaigns on clinical waste issues. A Resource Guide, which publicises community recycling services and initiatives, has been made available on the NOWaste website and will be published during 2002.

The 2001 art competition for schools was for a postcard design focusing on the theme of waste reduction. The winning entry for the High School category was featured on the cover of the 2001 Progress Report. Winning entries in all categories have been printed as postcards and distributed to shopfronts and libraries. Work is currently under way with the Education Department to provide waste education programs and better recovery services to schools.

ACT NOWaste continues to facilitate community consultation forums to promote greater participation in programs. Annual displays and promotions continue to be conducted at the Canberra Show, Recycling Week and World Environment Day. A series of composting workshops has trained more than 200 participants in the last twelve months.

Commissioner’s comments

This is ongoing. It is pleasing to note that there have now been three Canberra-wide Second-hand Sundays, but they need a bit more involvement – and a measure that community response is growing.

It is also pleasing to note that the Ecobusiness initiative has been supported through workshops to inform a wider range

of business sectors.

The 2001 Art Competition for schools is a very positive attempt to involve the young, and I look forward to the evaluation of the School program.

The better we can involve the children, the better will be our common future.

I encourage great innovation in this aspect of the No Waste Strategy.

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

Government action to 30 June 2002

The Resource Management Centre at Mitchell and the small vehicle transfer station opened in April 2002. The focus of facilities is on resource recovery and reuse, rather than disposal to landfill. Incentive payments are available to the operators if they recover more than the targeted quantities of recyclable materials. A temporary No Waste Education Centre is being established at the Mugga Lane landfill as part of the new facilities and will be operational by mid 2002.

Work is proceeding on the Preliminary Assessment for the Hume Resource Recovery Estate. Capital works funding has been made available this year for the expansion of the Resource Recovery Estate at West Belconnen to allow the number of resource recovery industries located at the Estate to increase.

Commissioner’s comments

Ongoing implementation. This component appears to be very actively pursued, and it is pleasing to see that at both the Resource Management Centre at Mitchell and the small vehicle transfer centre, the operating emphasis is on

resource recovery and re-use, rather than on disposal to landfill. It will be interesting to learn of the success of the incentive payment to operators scheme. Future reports are anticipated with high interest.

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

Government action to 30 June 2002

An Interdepartmental Committee (IDC) for the No Waste Strategy has been established by Urban Services to progress this recommendation. The IDC continues to implement the Best Practice Waste System across Government buildings. The Committee has also 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.

Collection of recyclables in shopping centres was trialled during 2001. ACT NOWaste has also purchased specially designed bin tops, which can be borrowed by public event organisers to facilitate recycling at public events. Additionally ACT NOWaste is facilitating the establishment of collection and reprocessing services for organic materials from the commercial sector.

The *Waste Minimisation Act 2001* was enacted in June 2001 and Waste Minimisation Regulations have been developed under the Act.

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 is being reviewed in 2002. The results of the review will be used to develop a series of material specific targets and priorities for the No Waste Strategy.

Commissioner's comments

Progress is unclear. The IDC has now been established for more than one year and one expects to see clear outcomes from its considerations.

In the 2000-01 Annual Report, I observed that it is good to see that "the IDC had 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."

There is no mention in the Government's

response for 2001-02 on the way the Government is leading by example, nor of any reports in Government Agency Annual Reports (to June 30, 2001). I will always look for such indications of change of practices by Government agencies.

The Government response notes the passage of the Waste Minimisation Act 2001, and of the development of Waste Minimisation regulations under that Act.

The review of the 'Next Step' to develop a series of material-specific targets and priorities for the No Waste Strategy must aim to achieve some outstanding results, which must be communicated to accelerate the program towards No Waste by 2010.

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

Government action to 30 June 2002

This is being progressed through the IDC.

Commissioner's comments

Progress is unclear. As insinuated in my comments for Recommendation 5 above, I would really like to see clear evidence that Government is taking the lead in Best Practice Waste Management, and in communicating with other business sectors, as to how they can become more effective and efficient operators.

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

Government action to 30 June 2002

This is being progressed through the IDC.

Commissioner's comments

Progress is unclear. I have not yet seen any records of meetings of the IDC, nor of its membership, nor of its outputs. I should not have to go looking for such information.

I expect to see in future Government responses of how this IDC has been able to 'ensure adequate and appropriate resources are provided to implement the No Waste Strategy in accordance with the demands of the operating environment'.

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

Government action to 30 June 2002

This is being progressed through the IDC.

Commissioner's comments

Progress is unclear. It is in no way adequate to respond in this way for Recommendations 6, 7 and 8. I need detail to perform my function.

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

Government action to 30 June 2002

This is being progressed through the IDC.

ACT NOWaste participates in national forums such as the Australasian Market Development Network as well as in national working groups to develop nationally 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 Resources Recovery Group and facilitated establishment of the Resource Recovery Industry Division under the Waste Management Association of Australia as a regional industry initiative.

Commissioner's comments

Progress is unclear. It is not clear that the Government is playing a 'leading role' as distinct from a participatory role. I would like to see recorded where and how the ACT Government is leading. Also, specifically, are there any outcomes from 9(2) and 9(3)?

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

Introduction

The Totalcare high temperature incinerator at Mitchell, and its emissions, were the subject of this investigation. My recommendations and Government's response in relation to this investigation were first reported in my Annual Report for 1999-2000.

Government agreed to all of my recommendations, with some qualifications. However, before any implementation could be progressed, the incinerator was shut down for occupational health and safety reasons.

Stericorp Limited subsequently proposed a different method of treatment of clinical waste on the same site. Under that proposal, non-acceptable waste, such as waste contaminated with radiation or hydrocarbons, would be returned to the generator of the waste. Approximately 75 per cent of the accepted clinical waste would be treated using an electro-thermal-deactivation (ETD) process. (Relevant aspects of that process were described in my Annual Report for 2000-01.) The remaining 25 per cent would be incinerated. This includes cytotoxic waste, pharmaceutical waste, anatomical waste such as limbs and organs and laboratory waste including research animals and human tissue.

Negotiations between the Environment Protection Authority and Stericorp were protracted. Environmental Authorisation 008 was amended in February 2002 for Stericorp to conduct its activities.

My recommendations in relation to the Totalcare proposal stand for the incineration aspect of the Stericorp

proposal. To help track the changed circumstances in this case, I have kept the record of Government action to 30 June 2001, as well as inserting action to 30 June 2002.

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.

Government Update as at 30 June 2002

This recommendation is considered to be implemented. Under clause 76 of Stericorp's authorisation, OO8, numerical standards have been included for these parameters.

Commissioner's comments

I agree that this recommendation has now been **implemented**.

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.

Government Update as at 30 June 2002

This recommendation is considered to be implemented. Under clause 74 of the authorisation unless otherwise indicated, all emissions are to be measured as dry volume in cubic metres at standard temperature and pressure (zero degrees and absolute pressure of 101.3 kilopascals) and corrected to 7% oxygen.

Commissioner's comments

I agree that this recommendation has now been **implemented**.

I accepted the difference from my original recommendation in my last 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.

Government Update as at 30 June 2002

This recommendation is considered to be implemented. Under clause 53 - 56 of their authorisation Stericorp is to provide the Authority with an annual report, which must include mass emissions for the pollutants, listed in Table 1 of the authorisation.

Commissioner's comments

I agree that this recommendation has now been **implemented** by an annual reporting requirement.

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.

Government Update as at 30 June 2002

This recommendation is considered to be implemented. Under clause 70 of the authorisation the parameters critical to the disposal or reuse of the ash and baghouse waste have been made explicit.

Commissioner's comments

I agree that this recommendation has now been **implemented**.

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.

Government Update as at 30 June 2002

This recommendation is considered to be implemented. The reporting requirements in the authorisation have been revised to include more detailed provisions of plant operation and to bring them in line with other jurisdictions. Work is progressing on implementing on-line reporting.

Commissioner's comments

I agree that this recommendation has now been **implemented**.

The arrangements for monitoring are more rigorous than in the previous version prepared for Totalcare. Also, requirements for reporting to the Authority are considerably more efficient, and allow for incidents to be notified immediately.

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.

Government Update as at 30 June 2002

This recommendation is considered to be implemented. Under clause 54 of the authorisation the weight of the baghouse waste disposed from the site must be included in the annual report and its assessment is covered under clause 70 of the authorisation.

Commissioner's comments

I agree that this recommendation has now been **implemented**.

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 by-product of the incineration process to sewer, the authorisation holder shall obtain the approval of the Environment Management Authority before any discharge is made.

Government Update as at 30 June 2002

This recommendation is considered to be implemented. Under clause 20 of the authorisation, ActewAGL's approval is required for Stericorp to discharge waste container washing water to sewer.

Commissioner's comments

I agree that this recommendation has now been **implemented**. I note also that clause 36 requires Stericorp to work with ActewAGL to classify any waste which is intended for disposal to sewer to ensure that the waste meets any trade waste sewerage standards.

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.

Government Update as at 30 June 2002

It would be useful to get an understanding of the background levels, if any, of dioxins in the ACT. Information on the current level of dioxins in the Australian environment is being collected as part of the National Dioxins Program (NDP). Environment Australia, who manages the program, has developed criteria for soil sampling under the NDP. To ensure that soil samples are representative of the overall concentration levels of dioxin-like chemicals in a particular region, sampling is to be undertaken so as not to be biased by point source "hot spot" discharges. Samples are being collected in industrial, urban, agricultural and remote land uses. It is intended that the soil sampling include samples from the ACT.

Commissioner's comments

Implementation commenced. The action planned is strongly supported. Knowing natural background levels is essential. It would seem appropriate to include sites such as in the vicinity of the former

incineration facility at Mitchell. In that way, results would be comparable on the basis of both time and methodology, and such comparison may not be as facile, or as comprehensive, at any time in the future.

(The above comments are repeated from SoE 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.

Government Update as at 30 June 2002

The Environment Protection Authority continues to maintain 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

Considered to be implemented. It was important to make this recommendation as a way of ensuring continual best environmental protection particularly in relation to incineration, 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. That interest also 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, the AVCCN has produced its third annual report for inclusion in the Department of Urban Services Annual Report for 2001-02.

Whole of Government initiatives addressed in the report include labeling, number of complaints received/chemical incidents reported during the year, number of Environmental Authorisations issued during the year and education and awareness programs.

Labeling is about an inconsistency in the label conditions between NSW and the ACT that arose in the previous financial year. It seems that while this matter may be one that all Network members would discuss, it is Environment ACT's function to settle it with the National Registration Authority. I am similarly cautious about the extent to which the reported items are

Whole of Government initiatives, although the information provided is nevertheless useful in a broader context of chemicals use.

In other words, to me, this annual report of activities does not really demonstrate the effectiveness and efficiency of pest control management. There is no overt sense from this report of what activities the AVCCN undertook during the year. For example, one of my investigations during the year contained recommendations for AVCCN action. I remain of the view that the AVCCN should introduce a system of outcome and output reporting that demonstrates its commitment to aims identified in the first paragraph.

I am pleased to see that the ACT has become an industry leader in the requirement for qualifications and training in the use of chemicals for weed control, and that information about responsible household use of pest control chemicals is being disseminated in the community, through posters and that the Environment ACT website is carrying more information on environmental authorisations and Integrated Pest Management.

Reports of pest control activities have been provided by Environment ACT (ACT Parks and Conservation Service), the Land Group (formerly Land and Property), ACT Forests, Canberra Urban Parks and Places/Sport and Recreation and Education and Community Services. Once again, the AVCCN report does not include a report from the Department of Health, although that agency is a member of the Network.

Integrated Pest Management activities are reported more fully by all agencies in this report than in the previous one.

For my next Annual Report I will meet with the AVCCN, or its secretariat, to discuss overall aims of the AVCCN and best ways of reporting on actions taken by the AVCCN.

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 2001-02 was \$291,000.

Sales of publications (SoE Reports) totalled \$200.

One Council contributed \$840 to cover costs for additional work that was required for their comprehensive State of the Environment Report.

WHOLE OF GOVERNMENT ISSUES

KEY ISSUES

Customer Focused 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 2003);
- 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.

Multicultural Framework

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 2002 (Table 1). There were no Australian Workplace Agreements in place in this Office during 2001-02.

Workers' Compensation

This Office has no new workers' compensation claims in the 12 months to 28 February 2002. There are no open compensation claims at 28 February 2002.

Consultancy Services

Two contracts were let during the year for \$15,000 or more—both to local contractors and consultants (Table 2).

Additionally, one contract from 2000-2001 was paid in this reporting period, (Table 3).

Voluntary Resources

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

Training and Staff Development

Total expenditure for training and staff development for the Office of the Commissioner for the Environment totalled \$819. 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. 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. Presently the extra space is being utilised by PALM staff engaged on a short term project.

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).

Table 1. Details of the positions occupied as at 30 June 2002

Classification	Full/Part-time	Category of Employment	Gender
Environment Commissioner	Part-time Statutory Office Holder	Current 3-year appointment to 14 December 2001, now extended to June 2003	M
SOGB	1 full time	Permanent	F
ASO5	1 full-time	Permanent	F

Table 2. Details of the two contracts let during the year over \$15,000

Name	Duration	Description	Amount
Communication Breakthrough	July 2001-June 2002	SoE Report—Technical Support	\$30,000
Powers IT Consulting Pty Ltd	July 2001-April 2002	Administration support	\$28,812

Table 3. Details of the contract from 2000-2001 extended into 2001–2002

Name	Duration	Description	Amount
Dr Sara Beavis	Sept 2000–June 2001	SoE Report Writer—Water	\$15,200

Table 4. Membership of Reference Groups for the 2000 SoE Report during 2001-02

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 Dept, 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

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 2001-02 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)
- Proposed increase in number of event credits in the Motor Sports Noise Environment Protection Policy (November 2000) (No charge)
- ACT Forests – Options for weed treatment adjacent to residential areas *A report by the Commissioner for the Environment, ACT, May 2002 (based on a specific study at Narrabundah Hill, Stromlo Forest)*(No charge)

Annual Reports

- 1993–94, 1994–95, 1995–96, 1996–97, 1997–98, 1998–99, 1999–2000, 2000–2001 (No charge)

Freedom of Information Act Subsection 79 Statement

The operations of Office of the Commissioner for the Environment are to produce State of the Environment Reports for the ACT Government, and to investigate management of the

environment where applicable. Our Minister is the Minister for Urban Services, Mr Bill Wood MLA.

The Office of the Commissioner for the Environment did not receive any Freedom of Information requests in 2001-02, nor were any Freedom of Information matters outstanding at 30 June 2002.

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 below.

Table 5. Service delivery and ecologically sustainable development

Item	Description	Environmental/Economic/Social Outcome
Reports	<p>Report of an investigation during 2001-2002 recommended that Government act in specific ways to:</p> <ul style="list-style-type: none"> - minimise the use of chemicals for pest control in ACT Forest plantings - develop a policy for public notification of proposed weed treatment, in areas adjacent to residential areas. <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>In October 2001, the Office leased an economical four cylinder vehicle which reduced the negative impact of the Hi-Lux we had previously leased. 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>
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.

REPORTS BY THE OMBUDSMAN

Not applicable to this Office.

LEGISLATIVE ASSEMBLY COMMITTEE INQUIRIES AND REPORTS

There were no inquiries relating to this Office.

LEGISLATION

See ‘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/ASSISTANCE/ SPONSORSHIP

Not applicable to this Office.

COMMUNITY CONSULTATION

There were no major community consultations undertaken by this Office during 2001-02.

OTHER SOURCES OF INFORMATION

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

Reports/report extracts on our website

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)

ACT Forests – Options for weed treatment adjacent to residential areas (May 2002)

ANNUAL REPORTS

2000-01, 2001-02

For a full list of publications available from this office, see the Freedom of Information subsection7 Statement in this report

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OUR VISION

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

**Office of the Commissioner for the
Environment**

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