

**Commissioner for the Environment
Australian Capital Territory**

Annual Report 2002–03

Australian Capital Territory Government



Contact Officer

Dr Helen Sims

Manager

Office of the Commissioner for the Environment

Email helen.sims@act.gov.au

Government implementation of recommendations made by the Commissioner for the Environment can be traced through previous annual reports, which are available from the Office of the Commissioner for the Environment, PO Box 356, Dickson ACT 2602.

Telephone: 02 6207 2626

Fax: 02 6207 2630

Email: EnvComm@act.gov.au

Website: <http://www.EnvComm.act.gov.au>

©Australian Capital Territory, Canberra 2003

ISSN 1322-8056

This work is copyright. It may be reproduced in part or whole for study or training purposes subject to an inclusion of an acknowledgment of the source and no commercial usage or sale. Reproduction for purposes other than those listed above requires the written permission of the Office of the Commissioner for the Environment, GPO Box 356 Dickson ACT 2602

TRANSMITTAL CERTIFICATE



**OFFICE OF THE COMMISSIONER
FOR THE ENVIRONMENT
ACT**

ABN: 52 427 642 151

Mr Jon Stanhope MLA
Minister for the Environment
ACT Legislative Assembly
CANBERRA ACT 2600

Dear Minister

This Report has been prepared under section 8(5)(a) of the *Annual Reports (Government Agencies) Act 1995* and in accordance with the requirements referred to in the Chief Minister's Annual Reports Directions. It has been prepared in conformity with other legislation applicable to the preparation of the Annual Report, in particular the requirements of the *Commissioner for the Environment Act 1993*.

I hereby certify that the attached Annual Report is an honest and accurate account and that all material information on the operations of the Office of the Commissioner for the Environment during the period 1 July 2002 and 30 June 2003 has been included and that it complies with the Chief Minister's Annual Reports Directions.

Section 14 of the *Annual Reports (Government Agencies) Act 1995* requires that you cause a copy of the Commissioner for the Environment Annual Report to be laid before the Legislative Assembly within six sitting days of receiving the Report.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Joe Baker'.

Joe Baker
Commissioner
8 September 2003

Level 1 (North) Dame Pattie Menzies Building, 16 Challis St. Dickson
Commissioner: Dr Joe Baker, A.O., O.B.E., F.T.S.E.
Phone: (02) 6207 2626 Fax: (02) 6207 2630 PO Box 356 Dickson ACT 2602
Email: Env.Comm@act.gov.au

TABLE OF CONTENTS

TRANSMITTAL CERTIFICATE.....	I
OVERVIEW AND MAJOR ACHIEVEMENTS.....	1
OVERVIEW	1
ORGANISATIONAL PROFILE	3
<i>Vision, mission and objectives.....</i>	3
GOVERNANCE, LEGISLATIVE FRAMEWORK AND STRUCTURE	3
<i>The basis of our Office and the lines of reporting.....</i>	3
<i>Powers under the Commissioner for the Environment Act 1993.....</i>	4
<i>Structure.....</i>	5
CORPORATE OVERVIEW	6
OPERATIONS.....	7
INVESTIGATIONS	8
SPECIAL ANNUAL REPORTING REQUIREMENTS	10
<i>Significant impacts on the environment.....</i>	11
<i>Progress on Implementation of recommendations from SoE Reports—2000 SoE Report</i>	13
<i>Progress on implementation of recommendations from SoE Reports—1997 Report</i>	43
FINANCIAL AND PERFORMANCE REPORTING	49
MANAGEMENT DISCUSSION AND ANALYSIS REPORTING	49
WHOLE-OF-GOVERNMENT ISSUES	50
KEY ISSUES	50
<i>Community engagement.....</i>	50
<i>Aboriginal and Torres Strait Islander reporting.....</i>	50
<i>Multicultural framework.....</i>	50
<i>Fraud prevention.....</i>	50
<i>Equity and diversity.....</i>	50
<i>Justice options and prevention policy framework</i>	51
RESOURCE AND OWNERSHIP AGREEMENT REPORTING	51
<i>Ownership agreement.....</i>	51
<i>Certified agreements</i>	51
<i>Staffing profile.....</i>	51
<i>Australian workplace agreements</i>	51
<i>Workers' compensation</i>	51
<i>Learning and development</i>	51
<i>Consultancy and contractor services.....</i>	52
<i>Capital works management</i>	52
<i>Asset management strategy</i>	52
STATUTORY REQUIREMENTS	53
<i>Occupational health and safety.....</i>	53
<i>Commissioner for the environment.....</i>	53
<i>Public interest disclosure</i>	53
<i>Government contractual debts (interest)</i>	53
<i>Freedom of information.....</i>	53
<i>Ecologically sustainable development.....</i>	54
APPENDIX—PUBLICATIONS	57
GLOSSARY, ABBREVIATIONS AND ACRONYMS.....	58
INDEX.....	59
COMPLIANCE INDEX	61

LIST OF TABLES

Table 1. Indicators affected by the drought and January 2003 fires 12

Table 2. Staffing Profile – Office of the Commissioner for the Environment..... 51

Table 3. List of consultants and contractors paid during 2002–03 52

OVERVIEW AND MAJOR ACHIEVEMENTS

Overview

The 2002–03 financial year was an interesting one in terms of our focus. In previous years we have received a variety of complaints about management of the environment with formal requests to investigate. In contrast, all new and existing complaints in this year related to the endangered Yellow Box–Red Gum Grassy Woodland ecological community, or to remnant trees or groups of trees of that community.

As a result of my intervention, in August 2002 the ACT Government deferred a proposal for auction of land for residential development in East O'Malley. I still believe, on the basis of environmental considerations, that on release of the significantly more comprehensive Draft ACT Lowland Woodland Conservation Strategy, Government should have deferred a decision until that Strategy was finalised. The extent of this ecological community nationally was already at a dangerously low level before the January 2003 bushfires and its severe adverse impacts on native and planted forest areas. Those adverse impacts were significant with respect to the area of Lowland Woodland, as well as to pine plantations in the ACT. The Lowland Woodland will almost certainly regenerate in time, if left undisturbed.

The fires allowed a remarkable and completely unexpected opportunity to reconsider potential changes in land use in the ACT, especially for the areas previously covered with pine forests. Several major studies were initiated that could influence the Canberra Spatial Plan that will be completed during 2003–04. At the time the ACT Government decided to allow development of the East O'Malley land, the findings of those studies had not been assessed or integrated to produce any final comprehensive planning decision. I believe Government should have taken a more precautionary approach with respect to East O'Malley and other Lowland Woodland areas, and should take such an approach for any other proposed development on natural vegetated areas.

On a more positive note, in December 2002, the then Minister responsible for the environment, Bill Wood, travelled to Merimbula to launch the 2000 State of the Environment (SoE) Report for the Australian Capital Region. This Report is significant as the first such report that was published taking full advantage of all the attributes of SoE Author—our template for SoE reporting. There was an unfortunate delay in the release of the Report. This was due to a number of factors, but ultimately due to finite resources both in this Office and in the Local Government Authorities in the Australian Capital Region. I nevertheless presented the Report to several Council meetings in the Region in the first half of 2003 and consistently received a very favourable reaction to both its content and layout.

This Regional reporting role has paralleled an increasing emphasis on addressing environmental challenges at regional rather than just at the local level. Our NSW Local Government partners strongly favour the continuation of Regional SoE reporting.

We pioneered electronic SoE reporting with interactive mapping. I am encouraged to find that other States preparing SoE reports have gone down a similar path. With our Regional partners, we are now considering cost-effective opportunities for an Internet-based report with 'live' mapping.



As with every SoE Report we have produced, we analysed the processes and outputs for the 2000 SoE Report during the year, with a view to improving both process and outputs for the next report and for all future reports.

After intensive in-house review, we held a workshop in November 2002 to consult with a variety of people who had been involved, or would be involved, in the 2003 SoE Report. The purpose of that workshop was to confirm what environmental Issues would be discussed under each of the Themes of Atmosphere, Biodiversity, Human Settlement, and Land and Water. This will be the first time we have integrated the Themes of Land and Water, and we will be adopting a truly river catchment approach to management perspectives in the forthcoming report. This approach is consistent with all major integrated natural resources management strategies at State, Territory and Federal level. We received very positive confirmation of such an approach and I look forward to an SoE report that will provide assessments of immediate usefulness to government, industry and community groups as a result.

The 2000 SoE Report for both the ACT and for the Region as a whole contained a summary of Progress Towards Sustainability. The 2003 SoE Report will also contain a summary of Progress Towards Sustainability as I believe that analysis of the state of the environment, and assessment of changes in the environment over time, leads logically to such an assessment.

The end of 2002–03 marks 10 years since I became the first Commissioner for the Environment under the *Commissioner for the Environment Act, 1993*. Arrangements were previously in place for my term of office to be extended to June 2003, but I sought, and received, a further extension to 31 December 2003 to ensure completion of the 2003 SoE Report for the ACT. I believe that after 10 years—and with changes that have occurred in legislation, in the nature of advisory committees appointed, and in government structures during my appointment as Commissioner for the Environment—a review of the Office is appropriate. Arrangements for that review were in hand as at 30 June 2003.

I am currently preparing a summary overview of the first 10½ years of the Office of the Commissioner for the Environment ACT, in which time we will have produced five ACT SoE reports, 34 NSW Local Government SoE reports, and two Australian Capital Region SoE reports, plus one template for use by those who are entering the field of SoE reporting.

As this is my final Annual Report I want to make two ‘decadal review’ observations. Firstly, in all of my 10 years as Commissioner, Dr Helen Sims has been the Manager of the Office of the Commissioner for the Environment. Her skills, perseverance and remarkable networking ability have contributed greatly to our achievements. I sincerely acknowledge her pioneering and continuing contributions. Secondly, all governments of the ACT have shown leadership in supporting the Commissioner for the Environment legislation and each responsible Minister has given careful consideration to our proposals. I respect that leadership. Other governments are following the lead of the ACT.

Organisational profile

Vision, mission and objectives

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

Our Mission is 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 achieve our Mission by:

- producing SoE reports that are interesting, authoritative, educative and informative, and 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
- maintaining independence and objectivity in both our SoE reporting and investigative functions.

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

Governance, legislative framework and structure

The basis of our Office and the lines of reporting

The office of the Commissioner for the Environment was established under the *Commissioner for the Environment Act 1993*, which commenced on 29 June 1993. Corporate governance practices of the office are dictated by that enabling legislation.

The Commissioner is appointed by instrument by the Minister for the Environment, and reports directly to that Minister.

As Commissioner, I submit SoE reports (section 19) and ‘special reports’ (section 21) directly to the Minister for the Environment. They become public reports only when the Minister presents them to the ACT Legislative Assembly or if the Minister decides to release them to Assembly members and the public in another way.

Reports in my capacity as environmental ombudsman (section 12(1)(a) detailed below) are submitted to the principal officer(s) of the relevant agency(ies) for response, as well as to the complainant(s). Typically reports of investigations arising from complaints are not made public on our website unless there has been considerable community involvement in the investigation.

Powers under the Commissioner for the Environment Act 1993

The Commissioner is empowered to investigate management of the environment by the Territory and its agencies and to prepare regular SoE reports.

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.

Under the second function (section 19), as Commissioner, I must ‘no later than the reporting day, give a SoE 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. Details were reported in my Annual Reports for both 2000–01 and 2001–02.

As noted in previous Annual Reports, the timing complications arose 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 SoE 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 (now, every three years, in October).

Following the November 2000 amendment to the *Commissioner for the Environment Act*, I recommended to the Minister in April 2002 that the reporting period for the next SoE Report for the ACT be from 1 July 2000 to 30 June 2003, and that the reporting day for that period be 31 December 2003. Determination 2002-Disallowable Instrument DI2002-170 was made on 12 September 2002.

Under subsection 19 (2), an SoE 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 SoE reports. The inclusion of social and economic factors in SoE reports also provides for easier linkage between SoE 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 since 1997–98 have addressed recommendations from my SoE reports, and any implementation by the ACT Government. (See the section 'Special annual reporting requirements' in this report for follow-up of government actions to 30 June 2003.)

In addition to the specific powers provided by the Commissioner for the Environment Act, the Commissioner has such powers as are necessary and convenient for the performance of his or her functions. In brief, as Commissioner, I have the authority to obtain from government agencies all relevant information for the fulfilment of my functions, and the performance of those functions should not be impeded or influenced by any agency or officer. Note that the Commissioner has no power to make or amend decisions; the Commissioner's powers of are confined to recommendations.

The Commissioner's power under the Commissioner for the Environment Act to delegate all or part of my functions to a public servant has never been exercised.

Structure

The Commissioner's function has, since inception, been supported by two permanent full-time staff who are officers of the ACT Public Service, appointed by the Environment ACT delegate.

Both ACT Public Service support staff in the Commissioner's office have certain financial delegations. The Commissioner has no financial delegations.

Responsibility for drafting legislation relating to the Commissioner's office lies with Environment ACT. Environment ACT also coordinates responses across ACT Government to recommendations made in the Commissioner's reports, as relevant.

The budget for the Commissioner's office is a discrete cost-centre established as an Expense on Behalf of the Territory within the Environment ACT budget.

For the purposes of annual reporting, the Commissioner for the Environment is a Public Authority required to make independent annual reports. However, responsibility for financial reporting on the activities of the Commissioner's office lies with Environment ACT and the financial report for 2002-03 for the Commissioner's office is included in the Financial Statements of the Department of Urban Services Annual Report.

Corporate overview

From a functional perspective, a key management issue for our small office remains my appointment for only six days a month (or, in the case of this SoE reporting year, eight days a month). On average, that is one and a half to two days a week. In past years I have spent considerably more time than that in the office. In the reporting year I have not done so in the normal working hours when one establishes staff and stakeholder linkages.

I have always made myself available when I am absent from the office, and that has been made easier over time with the improvements in electronic communications. Nevertheless, maintaining continuity is an ongoing challenge. A bigger challenge is that if a Commissioner for the Environment is to achieve any profile in the community, or indeed, in the eyes of ACT Government agencies, the conditions of appointment and resourcing must be adequate to allow for public appearances, consultation and liaison as well as for operational (investigative and reporting) activities.

As noted elsewhere in this year's report, the end of this financial year marked 10 years since the office of the Commissioner for the Environment was created. I have been the Commissioner for the entire period.

There have been a number of legislative, institutional and structural changes since the commencement of the Act. These include:

- several amendments to the Act, providing for:
 - three to four yearly SoE reporting, rather than annually
 - a requirement for governments to table SoE reports within six months of their receipt
 - a requirement to include in my Annual Report assessment of the government's progress in implementing my recommendations
- enactment of the *Environment Protection Act 1997* which defined the environment (also in the Commissioner for the Environment Act) as well as the introduction of the concept of environmental harm
- enactment of the *Public Health Act 1997* with the biannual requirement for community health reports by the Chief Health Officer
- the introduction by Environment ACT of annual water quality reports
- the creation of the ACT Office of Sustainability and the Sustainability Expert Reference Group in 2002, and release of the Sustainability Policy which includes a commitment to monitor and report regularly on progress towards sustainability
- the introduction of the *Auditor-General Act 1996* which gave the Auditor-General wide-ranging powers to conduct performance audits and to specifically take into account issues of ecologically sustainable development in the conduct of these audits
- the increased emphasis on target and indicator setting in natural resource management, especially in relation to the monitoring of investment performance.

Since the establishment of the office, a number of other entities have been established that also provide advice and investigate matters.

These include the:

- establishment in 1995 of the Flora and Fauna Committee under a 1994 amendment of the *Nature Conservation Act 1980*
- creation in 2001 of the Tree Protection Adviser, with the enactment of the *Tree Protection (Interim Scheme) Act 2001*
- formation of the non-statutory Natural Resource Management Advisory Committee and the Environment Protection Technical Advisory Committee.

The ACT Government also decided during the year to create an independent ACT planning authority, with its own advisory council, to commence operation from 1 July 2003.

In addition, my role as the Commissioner in the local region has developed during this time, stimulated by the ACT's participation in the Regional Leaders' Forum from 1995. This led to the preparation of two Australian Capital Region SoE reports in 1997 and 2000, supported by funding from local region councils.

This regional reporting role has paralleled an increasing emphasis on addressing environmental problems at regional rather than just at the local level.

As a consequence, I lobbied Environment ACT and the Minister to conduct a review of the office. The changes as annotated above formed part of my rationale and have become part of the Terms of Reference for the subsequently agreed Review of the Office of the Commissioner for the Environment. Outcomes will be reported in the 2003–04 Annual Report.

Operations

Our major achievements during 2002–03 were our timely attendance to complaints about management of the environment by the Territory or a Territory authority; finalising the structure for the 2003 SoE Report for the ACT, and the completion and launch of the 2000 SoE Report for the Australian Capital Region.

Of those achievements, the first two are statutory functions that were completed according to relevant Budget performance measures. Our investigatory activities for the year are discussed below.

Our key result areas are aligned with the statutory functions identified in the *Commissioner for the Environment Act 1993*. These were described earlier, in the section Organisational Profile.

SoE reporting for the Local Government Authorities within the Australian Capital Region has been supported through the Budget process and it has received approval from the Chief Minister, but it is not a statutory function of this Office. It is prepared using financial contributions from the member Local Government Authorities in the Region. I consider it a major achievement in SoE reporting terms and for building social capacity and environmental stewardship within the Region.

The process for the Regional 2000 SoE Report was beset by unforeseen difficulties, some of them going back as far as 1999 and arising from the late award of a Commonwealth grant to prepare a template for electronic SoE reporting (SoE Author), which I described in my Annual Report for 2000–01. SoE Author is a good product, but as we developed the 2000 SoE Report, as with all new systems, we needed to make minor adjustments to increase its usability and broad application. Other challenges arose as a result of changes to both air and water quality standards from the previous reporting period, significant new information about ecological communities

that became available late in the process, personnel changes, a limited budget, and the sheer size of the task. With SoE reports for 18 jurisdictions, including the ACT, plus a comprehensive report for the entire Region, we prepared 19 SoE reports. Our statutory obligations also had to take precedence. In consultation with our Regional Local Government partners, we proceeded slowly rather than compromise the quality of the Report. It was ultimately launched at Merimbula in December 2002 by the then Minister responsible for the environment, Bill Wood, on behalf of the Chief Minister, who is also Chair of the Regional Leaders' Forum for the Australian Capital Region.

Several Councils subsequently invited me to present the Report at their Council meetings, to community groups and to the local schools. It is clearly interesting, authoritative, educative, informative, and a document that can be used as a tool to manage our environment and to educate children and adults. We nevertheless persevere to improve the linkages between SoE reporting and other relevant reporting responsibilities, as well as to understand the significant Indicators which are required to assess progress towards sustainability.

Investigations

s12(1)(a) (Complaints)

Complaints on hand at 1 July 2002	2
Complaints received in 2002–03	4
Number of investigations commenced	0
Number of investigations completed	1
Decision not to investigate	5
Decision to investigate pending as at 30 June 2003	0

Complaint on hand at 1 July 2002—Belconnen

One of the complaints on hand at the beginning of 2002–03 was about the adequacy of long-term tree protection in a development proposal of a commercial site in Belconnen Town Centre. I addressed this in the 2001–02 Annual Report. The complaint commenced on 28 June 2002 and was completed on 18 October 2002.

Following is an extract from the introduction to my report:

This report will be considered and duly responded to by the relevant ACT agency—the Department of Urban Services— as all units involved in this investigation, that is Land & Property, PALM and Environment ACT, are now members of that agency. It may also serve to inform the AAT of my views about how inadequate administrative procedures led to inadequate consideration of the importance of trees on the site.

(Note: Approval for tree damaging activity was an over-riding condition of the Commissioner for Land & Planning's approval for DA 20020530. Since this investigation commenced, development options and design solutions have been reconsidered and plans have also been amended. The approval for tree damaging activity has been cancelled. A new assessment will consider all 12 significant trees on the block (see the section 'Approval for tree damaging activity' in this report).

I submit my conclusions and recommendations with the objective of obtaining a carefully considered and clearly expressed ecologically sustainable approach to development and long-term tree/habitat preservation where there are blocks of land of similar or higher calibre in the ACT.

Recommendations specific to the block referred to my concerns for the long-term protection of remnant eucalypts—Yellow Box and Red Gum—in the context of approvals given under the Tree Protection (Interim Scheme) Act 2001. Those recommendations were responded to by the Executive Director of Environment ACT. However, I have never received any response to the general recommendations that I made in an attempt to ensure that, in all future cases, better systems are introduced for sale of land on which there are remnant native trees.

Since my report was completed, announcements were made for PALM (Planning and Land Management) to be replaced by the ACT Planning and Land Authority and for the Land Development Agency to replace Land and Property from 1 July 2003. They are no longer part of the Department of Urban Services.

I have no confidence that my recommendations have ever been considered, nor ever will be.

New complaints—East O'Malley

The four complaints received in 2002–03 were all received at the beginning of the financial year and all related to the ACT Government's decision to sell approximately 28 hectares of land at East O'Malley for residential development. In total I received five formal complaints about this proposal and a larger number of directly related phone calls. The land contains the Yellow Box-Red Gum Grassy Woodland endangered ecological community.

The first complaint was received in the previous financial year and I reported in my Annual Report for 2001–02 as not yet having made a decision to investigate.

While I did not proceed to a full and formal investigation of the matter, I did conduct an intensive preliminary investigation and identified, among other things, that additional ecological work on action plans for the endangered grassy woodland ecological community and for threatened species of that community were planned for the 2002–03 financial year. I wrote to the Ministers responsible for planning and for the environment, recommending that any sale of the land be deferred until that additional ecological survey and analysis were carried out. (That such work was planned was the basis of my not proceeding with a comprehensive investigation.) I also recommended changes to the scope of that additional work to ensure a more comprehensive, integrated approach be taken on woodlands as a whole in the ACT. As a result of my submission, the auction of the land was deferred.

The consequent Draft ACT Lowland Woodland Conservation Strategy was released on 1 May 2003 for further community consultation. The decision to auction the land was announced in the ACT Government's Budget Statement on 6 May 2003, thus negating the effectiveness of any constructive comments on East O'Malley in the community consultation period.

After the end of the financial year, I received three other requests to investigate that decision. Matters relating to the Government decision and the requests received will be subject to analysis for 2003–04 Annual Report by the Commissioner for the Environment.

s12(1)(b) (Minister-directed)

I received no directions from the Minister during 2002–03 to conduct an investigation. There were no such investigations pending completion at the commencement of the reporting year.

s12(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.

See my comments against SoE recommendation 2000.12 in respect of government actions following that recommendation and my November 1999 report on implementation of the ACT's No Waste by 2010 strategy.

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.*

Notes in relation to 20(a) are included under the heading 'Significant Impacts on the Environment'.

See Progress on Implementation of Recommendations from SoE Reports for follow-up in relation to 20(b) and (c). Comments on three special reports—*Progress Towards 'No Waste by 2010'*, *Review of Proposed Standards for Air Emissions and Other Waste Products*, and *Monitoring Requirements for the Totalcare Incinerator and Investigation into the ACT Government's Use of Chemicals for Pest Control*—are not listed separately, as had previously occurred. The reasons are as below.

The 2000 SoE Report contained the recommendation '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. Implementation of that strategy continues. However, in this Annual Report, I have constrained my comments to actions reported against Recommendation 2000.12 and have not included a separate section on actions in relation to my 1999 investigation.

In my Annual Report for 2001–02, I reported as fully implemented all of those recommendations that were still not fully implemented at the end of the previous financial year, with the exception of my recommendation regarding background levels, if any, of dioxins. I addressed that concern in the 2000 SoE Report as well, and have commented in the section Progress on Implementation of Recommendations from SoE Reports under Recommendation 2000.20.

My report on the ACT Government's use of chemicals for pest control was completed in May 1998. The Agricultural and Veterinary (AgVet) Chemicals Coordination Network (AVCCN) was created as a result of that report. I maintain an ongoing interest in ensuring progress on my recommendations for an integrated or

coordinated approach, across all of government, to best-practice management of pests; that through the AVCCN there is an emphasis on Integrated Pest Management in the ACT; and that the community has access to all the information it requires to minimise any unwanted, or adverse, impacts of the ACT's pest control programs.

As is consistent with one of my recommendations, I understand the AVCCN has produced its fourth annual report for inclusion in the Department of Urban Services Annual Report for 2002–03, and should be accessible on the Department of Urban Services' website. However, the annual report by the AVCCN was not prepared in time for me to be able to comment on continued uptake of those recommendations. This is a disappointment to me.

Significant impacts on the environment

The most significant adverse impacts on the environment of the ACT in many decades occurred during 2002–03, as a result of a combination of weather conditions and wildfires.

On 20 November 2002 then Minister responsible for the environment, Bill Wood, declared a rural drought in the ACT. As reported in the Minister's media release, factors taken into account in considering the drought declaration included:

- rainfall and evaporation over the last two growing seasons (rainfall in autumn and spring 2002 was below average)
- long-range weather forecast predicting no change in current conditions until autumn 2003
- soil moisture (currently not able to support pasture growth)
- farm dam water levels less than 50 per cent
- paddock conditions with little or no feed available
- views of ACT rural lessees.

The bushfires occurred during January 2003, culminating in the firestorm of 18 January which raged into the western suburbs of Canberra.

The figures being quoted for fire in the ACT are 160 000 hectares, including 27 000 hectares of farmland, 110 000 hectares of nature reserves and national parks, and 11 000 hectares of plantation forestry. That is close to 60 per cent of the total area of the ACT.

Both the 'drought' and the January 2003 bushfires are well-documented in a variety of places. I therefore intend to keep my comments to a minimum in this report. There will be more detailed analysis in the 2003 SoE Report for the ACT, which is due for submission to the Minister for the Environment by 31 December 2003. Table 1 shows, in alphabetical order, the 30 of our SoE Indicators (of a total of 42) for which data were definitely or probably affected by the combined 'drought'/January 2003 fires.

Table 1. Indicators affected by the drought and January 2003 fires

Air emissions	Emissions of air pollutants identified under the national pollutant inventory compared with relevant specified threshold amount of substances; and number of authorised/licensed discharges exceeded by type and quantity
Aquatic macro-invertebrates	Aquatic health at river test sites based on the composition of their macroinvertebrate fauna as assessed by the AUSRIVAS model
Fire	Area of native vegetation which has been subjected to an inappropriate fire frequency and intensity, areas with changed ecology as a result of fire, and planning/management actions to protect ecology from inappropriate fire
Community health	Top 10 causes of death, incidences of identified illnesses and substance abuse by selected groups (ie age, gender and indigenous)
Community participation	Participation in community organisations and in major events, sporting activities and other cultural events
Contaminated sites	Number and area of contaminated sites assessed according to the relevant NEPM, nature of contaminant, and proportion of contaminated sites remediated or well-managed
Discharges to waters	Volume number type and mass loads of licensed and other (unlicensed/illegal/accidental) discharges into groundwater, streams and lakes; and number of discharge licenses exceeded by type and volume
Drinking water quality	Proportion of tapwater samples meeting the relevant guidelines for drinking water quality
Ecoinvestment	Annual expenditure and sources of funds spent by business, communities and the government on preventing and repairing identified environmental problems
Economy	Economic growth, value and volume of primary, secondary and tertiary industries products/services and number of people employed in each industry
Ecological communities	Change in extent and condition of terrestrial and aquatic native ecosystems/habitat for each biogeographic subregion, details of change (especially of clearing or revegetation), adequacy of protection in public and private lands and evidence of reduction in pressures
Greenhouse contributions	Emissions of gases from human activities contributing to the enhanced greenhouse effect and activities to reduce the greenhouse effect
Groundwater quality	Extent and severity of groundwater pollution and levels of salinity
Hazardous waste	Amounts of each type of hazardous waste and disposal, according to NEPM
Health services	Number of GPs per '000 residents in relation to national average, length of waiting list and waiting times for selected services
Heritage	Type and number of sites, objects or places nominated, on interim listing and on the heritage register and numbers assessed as well-managed
Housing	Number of households supported by rental assistance or public housing—homelessness, housing affordability, and housing demand
Infrastructure	Capacity, condition, age and life expectancy of each type of infrastructure; total expenditure (capital expenditure maintenance and upgrades) on each type of infrastructure as a proportion of total asset value and for which planning for risk and future needs are in place
Land degradation	Area and proportion of land assessed as being degraded by erosion, salinity, acidity, structural decline or any other form of degradation, and amount rehabilitated, compared with targets
Land use	The area (in hectares) and proportion of land subject to each landuse type, and appropriateness of those uses
Native species	Change in number of species that are considered to be common, uncommon, rare, vulnerable, endangered and extinct, details of change, and evidence of reduction in threatening processes identified in action plans
Outdoor air quality	Concentrations of criteria pollutants in the ambient air quality national environment protection measure
Pest animal species	Distribution and abundance of each pest animal species, areas with significantly changed ecology as a result of pest animals and effectiveness of control actions
Pest plant species	Distribution and abundance of each pest plant species, areas with significantly changed ecology as a result of pest plants and effectiveness of control actions
Riparian condition	Distribution of streams with riparian zones that have been assessed as being in good, moderate and poor condition
Solid waste	Types and amount of solid waste that are actually recycled or reused or that go to landfill, compared to waste reduction targets; plus amount of material illegally dumped
Surface water quality	Distribution of water quality monitoring sites for which water quality has been assessed as good, moderate and poor compared with targets
Water demand management	Legislative and other mechanisms (incl. Water allocations) dealing with current and future demand for water, and their effectiveness
Water use	Volumes of single-pass and recycled water used by each sector (domestic, commercial, industrial, rural) and for environmental flows, in relation to total available water
Weather	Rainfall, temperature and wind statistics and variability, and extreme events

Progress on Implementation of recommendations from SoE Reports—2000 SoE Report

As a stand-alone report within the 2000 SoE Report for the Australian Capital Region, the 2000 ACT SoE Report was the fourth such report produced by this Office. Earlier reports were produced in 1994, 1995 and 1997. The 2000 SoE Report for the Australian Capital Region is available in its entirety on CD. ACT Government officers can apply to this Office to have access to the entire Report on ACT Government Intranet. With the exception of the digitally based maps, the report for the ACT is also on our website at <http://www.EnvComm.act.gov.au>.

We are currently working on the 2003 SoE Report for the ACT. Recommendations from previous reports that have not been implemented at 30 June 2003 will be taken into account in that report.

I have kept government updates to 30 June 2002 in this document to allow the reader to trace actions taken in the last twelve months. We clearly understand and accept that in some cases the bushfires of January 2003 have diverted both funding and focus of energy.

Overall, particularly in the context of the bushfires, and with the exception of the review of the Greenhouse Strategy, there appears to have been a stronger effort made to address recommendations from the 2000 SoE Report during the past year, than in previous years. This could well relate to the increasing awareness of the significance of environmental issues in best management practice of all organisations.

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 action to 30 June 2003

See action under Recommendation 2000.2

Commissioner's comments

Implemented. I reported this recommendation in my last Annual Report as being implemented during 2001–02. The appropriate 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 (PM2.5) 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 PM2.5. There is no simple formula for converting nephelometry data into PM2.5. Where nephelometry has been used as a surrogate for PM2.5 it has been based on site specific correlation factor derived from the collocation of both PM2.5 and nephelometry instrumentation. In the absence of instrumentation to measure PM2.5 (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 PM2.5.

Government action to 30 June 2003

\$100 000 has been allocated to purchase ambient air monitoring equipment over the next two financial years.

\$50 000 will have been allocated in the 2003–04 financial year to purchase an instrument to measure fine particles less than 2.5 microns (PM2.5). This will enable the ACT Government to meet the monitoring requirements contained in the variation to the Ambient Air Quality NEPM which introduced monitoring and reporting requirements for PM2.5.

The remaining \$50 000 will be spent in the 2004–05 financial year to purchase additional nephelometers, a surrogate for particle measurement, to get better information on the true extent of smoke pollution across Canberra. Once a correlation has been determined between these instruments and the PM2.5 instrument they will be able to be used for campaign or mobile monitoring.

Commissioner's comments

Considered to be implemented. The ACT Government has taken a proactive stance by funding purchase of equipment in the 2003–04 financial year. I am also pleased with the Government's decision to purchase additional nephelometers with a view to correlating nephelometry data with data from the more expensive equipment for measuring PM2.5. This will allow greater coverage of air quality monitoring across Canberra and assuage my concern about the lack of any such monitoring in the north of Canberra since the Belconnen site closed down in June 1996.

It is, however, regretted that the equipment as recommended was not in place at the time of the January 2003 fires.

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

Government action to 30 June 2003

The ACT Government has been working towards addressing the issue of wood smoke pollution in an informed and measured manner to ensure a satisfactory outcome for all Canberrans.

The Government has implemented a number of initiatives in recent years including the ACT Firewood Strategy, licensing firewood merchants, the introduction of the ‘Don’t Burn Tonight’ air pollution warning system, and as part of this year’s budget funding provision implementation of a rebate scheme to replace older more polluting wood heaters by offering a subsidy to install cleaner forms of heating.

\$200 000 has been allocated over the next two financial years to implement a wood heater subsidy scheme similar to that which has recently been introduced in various jurisdictions in New South Wales, with subsidies of up to \$800 being offered to replace older polluting wood heaters with gas or electric installations.

Commissioner’s comments

I realise now that this is not yet fully implemented. The agreed action was to ‘evaluate the effectiveness of actions...’. That will take time, and should be assessed over a number of years. This Office will maintain a watching brief, and comment annually.

No information has been provided as to how many firewood merchants are licensed, or what the licence covers.

The Government’s move to fund a subsidy scheme for replacement of less efficient wood heaters is very encouraging, and it will be interesting to note the number of subsidies taken up, and in which areas of the ACT. Equally, it will be interesting to know the number of atmospheric temperature inversions that occur each year.

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.

Government action to 30 June 2003

The release of the consultant’s review of the ACT Greenhouse Strategy was delayed due to the need, in response to agency comments, to revise some of the calculations of baseline ACT greenhouse gas emissions and future projections. A discussion paper on the review and further development of the Strategy and the consultant’s review report will be released in July for public comment.

Commissioner's comments

Not yet implemented. I will look forward to reading the consultant's review report. The length of time represented by the delay in the release of this review report is worrying, given that the review was completed before my 2002 Annual Report. My Office was briefed during the review, but details of the revisions were only made available after the end of the financial year.

The impacts of enhanced Greenhouse gas emissions are becoming more and more evident. This is an environmental factor where we must think globally, but act locally. We have not yet seen a report for each sector on progress towards the 2008 targets. A delay of more than a year is not 'shortly' (Government action to 30 June 2002).

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 SoE 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, Kinlyside, south Belconnen and west Canberra Central undertaken in 2001–02 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.

Government action to 30 June 2003

In March 2003 the Minister for the Environment launched the document *A Planning Framework for Natural Ecosystems of the ACT and NSW Southern Tablelands*. This is a major step forward in

identifying and mapping major vegetation types across the ACT and region. The report is based on a compilation of existing vegetation mapping, including the NSW Comprehensive Regional Assessment program, which provided mapping information, field surveys and modeling using remote sensing data relating to structural formations of vegetation. It is the most recent and comprehensive analysis of vegetation data for the region at a scale appropriate for planning. A copy of the report was provided to the Commissioner for the Environment's office.

More detailed information on the distribution of lowland woodland communities, including Yellow Box–Red Gum Grassy Woodland which is listed as an endangered ecological community in the ACT has been made available through *Draft Action Plan No 27 (ACT Lowland Woodland Conservation Strategy)*. Public comment is being received until 31 July 2003 after which the Action Plan will be finalised for tabling in the Legislative Assembly. A copy of the report was provided to the Commissioner for the Environment's office.

Information on condition of vegetation requires different survey and monitoring data. Standard survey work undertaken by Wildlife Research and Monitoring now includes collection of vegetation data that meet the requirements for the National Vegetation Inventory System. The work provides information on the understorey vegetation, condition of the site (disturbance factors present and level of disturbance—high, moderate, low or none), current management and habitat attributes.

Recent survey work in woodlands has adopted this approach and the same survey methodology and analyses will be applied to provide data for the Lowland Grassland Conservation Strategy to be prepared in 2003–04.

Identification of ecological communities is currently being undertaken by Environment ACT as a regional project with NSW National Parks and Wildlife Service. This will ensure consistency and correlation across the two jurisdictions. The NSW Comprehensive Regional Assessment program data are being used as the basis for this work, and the knowledge of an 'expert' group of scientists in government agencies is being used to verify the findings. The communities identified will be consistent with the requirements for the National Vegetation Inventory System and be used to identify mapping units. This work will be ground-truthed in the ACT against existing data collected in Natural Temperate Grassland and grassy woodlands and other areas that have been extensively surveyed.

In regard to other ecological communities that are poorly reserved or at risk, the analyses undertaken for the ACT Lowland Woodland Conservation Strategy indicated that few sites containing lowland Snow Gum Woodland now remain, and fewer again are in good condition. The extent of this community before 1750 is, however, unknown. The Draft Lowland Woodland Conservation Strategy identifies as a priority task protection of lowland Snow Gum woodland in Gungahlin and retain other remnants where possible. Revegetation to enhance understorey in these remnants is warranted.

No other ecological communities are currently considered to be at risk in the ACT, although further analysis will be undertaken when the current work to map ecological communities for the ACT and region is completed. This mapping will identify pre-1750 vegetation, but at a coarser scale than current vegetation can be mapped. This can be used to identify those communities where less than 30 per cent remains. It is hoped that an early draft of the map will be available for the 2003 SoE Report.

Commissioner's comments

Progress, but not yet fully implemented. The process, and probably the outcome, adopted by Wildlife Research and Monitoring have been quite different from what I had envisaged with this

recommendation. Nevertheless, for the ACT and NSW agencies to achieve agreement on vegetation cover and vegetation loss since European settlement for at least part of the Australian Capital Region is good progress. I would still like to see ground-truthing of the seven broad vegetation communities in *A Planning Framework for Natural Ecosystems of the ACT and NSW Southern Tablelands*, for which current cover is compared with pre-1750 cover. Government action reports the scale of this framework as being suitable for planning purposes.

I am still not certain about the adequacy of actions for management purposes. However, the known most threatened communities are being addressed.

The declared endangered Yellow Box–Red Gum Woodland ecological community, other woodlands and secondary grasslands are assessed in the Draft ACT Lowland Woodland Conservation Strategy. The Action Plan for Natural Temperate Grasslands and associated threatened species will be reviewed in the next financial year, and aquatic species and riparian vegetation will be addressed in the following year. The knowledge from each of these reviews will be used to establish priorities for a conservation management network for the ACT that will link with the NSW network

There has been a significant effort to respond to the different parts of this recommendation in the reporting year. That effort has also revealed the amount of work still to be done, and the ongoing intergovernmental interaction in assessments and monitoring that will be necessary to understand the status of native vegetation communities and the threatening processes associated with them.

But the reporting year was far from a normal year!

In last year's comments I wrote (in part):

'This recommendation continues to be a focus of attention within the challenge of ensuring that urban development does not further compromise the sustainable wellbeing 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.

Early this year bushfires ravaged much of the ACT and nearby parts of New South Wales, including areas that already had 'less than 30 per cent of their original (pre-1750) extent remaining'. Our recommendation also included the need to 'identify the threatening processes associated with those vegetation communities'. When the recommendation was written, we did not foresee the extent or the severity of the January 2003 bushfires, which burnt over 60 per cent of the area of the ACT. Comparable bushfires may have occurred in the past, and vegetation communities re-established over time, independent of significant human pressures. However, now, in this age, we must consider if there were to be a preoccupation with human safety and wellbeing in bushfire recovery plans (not yet available), human needs may be a much more significant 'threatening process' than in the past.

It will require a conscious effort to ensure that significant fire-ravaged native vegetation communities are protected from adverse human impacts in their natural recovery. Areas such as the Lowland Woodlands are of immediate concern. Over 50 per cent of the area of Lowland Woodland was affected by the bushfires, but the audit of the extent of damage—*Wildfires in the ACT 2003: Initial Impacts on Natural Ecosystems*—was not released by 30 June 2003.

As noted in my comments on this point in the Annual Report 2000–01, and commented on last year, I see the balance between biodiversity conservation and urban development as one of the most critical

issues for all planning strategies. I am keen to be kept apprised of progress, both in the ACT and throughout the Australian Capital Region.

In March 2003, I was very pleased to see launched the document *A Planning Framework for Natural Ecosystems of the ACT and NSW Southern Tablelands*.

It will be important to ensure that this framework does take into account ecosystems, and not simply major vegetation types of the ACT and region. The work of Environment ACT with NSW National Parks and Wildlife Service in this regard is applauded.

I was also pleased to receive, and to be able to comment on, the *Draft Action Plan No 27 (ACT Lowland Woodland Conservation Strategy)*.

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 ACT Government's June 2001 response are continuing. Land Management Agreements are being concluded with many ACT landholders as new leases are issued. Such Agreements 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.

Government action to 30 June 2003

Up to 30 June 2003 approximately 90 per cent of eligible lessees have applied for either 99 or 20 year leases. Land Management Agreements have been completed for 88 new leases. Approximately 15 leases have been transferred and, although the previous lessees' agreements are not enforceable, these lessees are working to these Land Management Agreements. Environment ACT provides advice and assistance with weed and feral animal control; and additional assistance has been given to find and utilise alternative areas for grazing for lessees impacted by the drought and as a result of the January wildfires. In addition, Greening Australia facilitates the application of Rural Trust Funds through a committee run by Environment ACT. Through the funding provided for the 2003–04 financial year by the Government to facilitate woodland protection, officers from Environment ACT will be working

with lessees to enhance conservation values through fencing, encouragement of regeneration and implementation of strategically focussed revegetation projects.

Memoranda of Understanding developed between Environment Australia, Environment ACT and the three Commonwealth agencies (Department of Defence, CSIRO and the National Capital Authority) are in place and liaison between the relevant officers is continuing to facilitate knowledge exchange and assist with management implementation.

The government is continuing studies of the Jerrabomberra Valley to ensure that best outcomes for conservation are achieved, through reservation (an additional 300 hectares of woodland are to be included in reserve) and off-reserve land uses. Final planning for Gungahlin is taking into account the more recent survey information about the remaining values, and an additional 700 hectares are being retained for reservation in Gooroo.

Further development options will be influenced by the studies on the future use of pine forests burnt in the 2002 and 2003 wildfires.

The Draft Lowland Woodland Conservation Strategy identifies off-reserve conservation as a particular focus for government and non-government activity. The Strategy specifies actions for 'best practice management' guidelines, a review of management of government horse-paddocks, and an adaptive management approach to link research, monitoring and management. These types of activity will be an expanding area of interest. Of particular note is the intention to participate in the regional Conservation Management Network for grassy woodlands already operating in NSW. The regional Conservation Management Network is a network of remnants of an ecological community, their owners and managers as well as other people with an interest in that community. It can assist land managers with accessing technical and funding assistance, developing management plans, participation in knowledge sharing, and establishing voluntary agreements.

Commissioner's comments

Implementation in progress. I am satisfied with the general direction action is taking and with progress made during the year.

The efforts in the ACT appear to be well constructed and supported by a Memorandum of Understanding to include the area controlled by the Commonwealth. It will be important to ensure that lease conditions are honoured, even in extreme conditions of drought, flood or fire, and this appears to be the case.

I hope that the concept of off-reserve conservation, as a particular focus for government and non-government activity, in the Draft Lowland Woodland Conservation Strategy is endorsed in the final Strategy.

I commented last year that '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'. That comment has been given greater significance by reason of the December 2001–January 2002 and January 2003 fires in the ACT and surrounding area of NSW

The recommendation refers to the Australian Capital Region, and not only to the ACT; the encouraging indications are that collaboration with NSW Local Government and State bodies will take place, and we shall report on that aspect in the next Australian Capital Region SoE Report.

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 ACT 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 ACT Government is a member of the successful bid for the \$100 million National Information and Communication Technology 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 Information and Communication Technology research and development and position the ACT as a leader in Information and Communication Technology internationally.

The ACT 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 the Australian National University, University of Canberra, CSIRO and Cooperative Research Centres 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.

Government action to 30 June 2003

The ACT Government has maintained its commitment to the attraction of private sector enterprises to the ACT by the delivery of the Knowledge Fund Program. The program has provided total funding of approximately \$4 million to various companies including the information and communication technology and biotechnology sectors. The Knowledge Fund has contributed directly to the knowledge-based economy by assisting a total of 73 companies and individuals secure funding in 2003–04, in turn providing an anticipated increase of approximately 275 job opportunities in sustainable industries.

The ACT Government is a member of the \$200 million National Information and Communication Technology Centre of Excellence, which will add to the increased attraction of the ACT to national and international knowledge-based companies.

The ACT Government has provided \$50 000 and additional in-kind support (office space) to AusBiotech to assist in the establishment of an ACT branch of AusBiotech and the employment of an ACT based Project Officer. Under the agreement between AusBiotech and the ACT Government, AusBiotech will undertake a range of activities designed to assist the development of the local biotechnology industry. The government, through Business ACT, has also exhibited at a number of business conferences in the ACT and interstate, such as the Defence + Industry Conference, Canberra, and CeBIT in Sydney.

The ACT Government is currently preparing an Economic White Paper, due for release in 2003–04. A coordinated approach, as developed by the Economic White Paper, will ensure that programs and initiatives will deliver a maximum impact from the resources sourced by the ACT.

Commissioner's comments

Implementation in progress. This is, as the recommendation implies, an effort to be maintained.

The government initiatives are applauded, and this type of investment should be supported by all sectors of society.

As the ACT moves to a more detailed analysis of its 'sustainability', it will become obvious that our dependence on food and material resources from outside the ACT will always leave us with a significant negative balance of materials flows. The positive balance will be in policy and intellectual benefits to those parts which provide our material needs, and to other parts of the nation and the world. The Universities, other Tertiary institutions, Cooperative Research Centres, National Research Facilities and CSIRO provide the ACT with a significant advanced research, knowledge and innovation potential, proportionately higher than that of any other State or Territory of Australia. The presence in the ACT of the Commonwealth Parliament and of the head offices of civil and defence organisations, also offers specific and diverse prospects for different business and non-government organisations. All commercial, industrial, environmental, innovation and entrepreneurial sectors of the ACT have the opportunity to benefit from these factors.

The ACT Government has a significant role to play in facilitating linkages between and among different sectors of the community of the ACT.

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 ACT 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.

Business ACT 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 ACT 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 coordination 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 Business ACT are developing a directory of ACT environment companies due for completion in August 2002.

Government action to 30 June 2003

The ACT Government, in association with Environment Business Australia and the Canberra Business Council, has published an ACT Enviro-enterprise Directory, which lists the ACT's environmental firms and organisations, to help build awareness of the ACT environment industry amongst business investors and the local community.

The ACT Government has also continued to build upon its Sister City relationship with Beijing and Hangzhou. As a consequence of a successful environment symposium held in Canberra in September 2001, a Canberra business delegation comprised of people from business, research, and training organisations, a national non-government organisation, and the ACT Government participated in two environment symposiums held in Beijing and Hangzhou, China, in October 2002. As a result of the Hangzhou visit, the Hangzhou Mayor awarded the contract for an air pollution project proposal that was submitted during the Hangzhou environment symposium to the Canberra consortium. The ACT Government also hosted a Business Forum involving the Beijing trade delegation and several ACT companies during the Beijing Cultural Festival in September 2002. This event was very successful and allowed ACT companies to form partnerships to pursue business opportunities for the 2008 Olympics and beyond.

The ACT Government is reviewing its industry development focus through the development of the Economic White Paper. The White Paper is examining a hypothesis regarding the scale of ACT's environment cluster to determine what future ACT Government coordination or support may be appropriate. The ACT has consulted widely in the development of the Economic White Paper. A Discussion Paper was released in March 2003 and almost 100 submissions have since been received. Business ACT met with 55 stakeholders during the consultation phase for discussions and briefing sessions. This broad consultation will ensure that the ACT will be in a good position to analyse the contribution of environmental industries to the ACT and to develop coordinated ways forward for promoting Canberra and the ACT as an international leader in environmental education and management.

Commissioner's comments

Implementation in progress. As for last year, the ACT 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 actions arising from the Economic White Paper, and to contributing to further development associated with these two recommendations. I believe

that more should be done in integrated environmental education and training, both in formal and in informal fields.

The Canberra Universities are strong in environmental research and in environmental management research and training. I strongly endorse the ACT Government's objective to use the Economic White Paper as one source of information to help 'develop coordinated ways forward for promoting Canberra and the ACT as an international leader in environmental education and management.'

Depending on the Government's priorities, more promotion of the ACT as an international leader in inland environmental education and management is possible.

I will be studying the economic component of the (draft) Canberra Plan in terms of the comprehensiveness of the reported actions as an industry base for the ACT as part of my analysis for the 2003 SoE Report.

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

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

The ACT 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, Business ACT has provided support for the ACT Environment Centre to develop a business to train students to visit and advise homeowners and small businesses on how they might reduce water, energy and waste costs.

Government action to 30 June 2003

The ACT Government will continue to provide incentives through its own programs or with industry and community to encourage best environmental practice. Sustainability is a priority in all industry development programs and opportunities. This recognises the important role of positive reinforcement and recognition in achieving broader attitudinal shifts in favour of the environment.

The Business Acceleration Program and the Management of Hi-Tech Start-ups Program provide support for eligible companies to produce an environmental plan for their operations, and to commercialise innovative environmental aspects of their operations. Through the delivery of the Knowledge Fund Program, the ACT Government encourages and rewards best environmental practice by including an assessment criteria where applicants are required to provide a response on the quality and contribution of their project to the achievement of environmental sustainability within the ACT and Region.

Commissioner's comments

Implementation in progress. I can do little more than repeat my comments from last year: *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.*

The Knowledge Fund Program is valuable, but we have to aim for a future where every person in the ACT thinks first about environmental and sustainability implications of proposed actions and activities.

It appears that more needs to be done within government agencies, to recognise best environmental practices by the different agencies' staff members, or groups of staff-members. What action, if any, has been taken to encourage best environmental practice within Government? I believe I need either a detailed briefing on the Government's initiatives in this respect, or more consistent communication with the areas responsible for implementation of the programs.

This update looks very much as though little acknowledgment has been made of my comments from last year's Annual Report.

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.

Government action to 30 June 2003

Property crimes indicate mixed results in the year to 30 June 2003. Motor vehicle theft shows an 8 per cent rise in reporting in 2002–03. Robberies show a 20 per cent decrease over 2001–02 figures while burglary and break and enter offences show an 18 per cent rise in 2002–03.

ACT Police's Operation Halite began a year-long campaign in October 2002 of targeting people committing property and related drug supply offences. According to police, the majority of offenders involved have been previously apprehended for property crime offences in Canberra. Intelligence gathered throughout Operation Halite reinforces the lessons of Operation Anchorage in 2001–02 that a small number of recidivist offenders are responsible for a disproportionately large amount of burglaries committed in Canberra.

As part of its response to property crime in the ACT, the ACT Government commissioned several criminological research projects during 2002–03 on the stolen property market in the ACT, recidivist offending, and repeat burglary victimisation. Findings from these reports will inform future strategic directions on property crime in the ACT and provide valuable information for crime prevention policies and programs and police operations.

The ACT Stolen Property Market Report was released in February 2003. The 12-month study examined the trends and dynamics of the local stolen property market. This included investigating what happens

to property after it has been stolen, the size and value of the recorded stolen goods market, and the channels for disposing of stolen property. One of its major findings was the willingness of the local community to accept stolen goods.

Research into repeat property offenders and repeat burglary victimisation is almost finalised. The focus of the recidivist research is primarily on offenders targeted in ACT Policing's Operation Anchorage through analysing these offenders' impact on the property crime rate. The aim of the repeat burglary victimisation research is to attempt to measure the impact and responses of victims following an incident of burglary at their home.

ACT Police report they are seeing more and more young people involved in crime in the ACT, particularly property-related crime, and the majority of these young people are recidivist offenders. An across-government response to youth offending funded through the Crime Prevention budget is the 'Right Turn' motor vehicle theft reduction project.

'Right Turn' targets high-risk youth involved in motor vehicle theft. It provides training in automotive skills in a structured environment that also addresses associated needs such as literacy and numeracy skills, counselling and employment skills training. Participants graduate with two nationally recognised certificates of competency which enable them to seek employment and/or further training incorporating these qualifications. A core element of the project is that the participants restore a motor vehicle which is then handed over in their graduation ceremony to an unrelated victim of motor vehicle theft, thus providing restorative benefits to both parties.

The Department of Justice and Community adapted 'Right Turn' from models successful in other jurisdictions. Program delivery is jointly managed by the Canberra Institute of Technology, and the Youth Services branch of the Department of Education, Youth and Family Services. In order to broaden the project's reach, an extension into hospitality skills training has now been introduced to augment the motor vehicle course.

Recognising that the underlying causes of crime are complex, there is an emphasis today on early intervention and preventative approaches through changed models of service delivery. The highest risk young people do not necessarily present with criminal indicators but rather may present through homelessness, substance abuse, domestic violence, mental health issues and often combinations of these risk factors. To address this the ACT Government is trialing a new approach involving a centralised case management strategy coordinated by the Department of Education, Youth and Family Services.

In the year to 30 June 2003 crimes against the person showed increased reporting. Assaults show a 20 per cent rise and sexual assaults show a 43 per cent rise, with this latter figure including historical reporting in the December 2002 quarter. One victim reported 50 incidents which spanned several years, and some dated back over ten years.

Cabinet has approved the formation of the across-government Crime Prevention Working Group whose initial task will be to prioritise crime and safety concerns and guide the development of policy and program responses to address those concerns.

The Crime Prevention Working Group is jointly convened by the Department of Justice and Community Safety and ACT Police, with senior personnel representing the Chief Minister's Department, the Department of Education, Youth and Family Services, the Department of Disability, Housing and Community Services, the Department of Urban Services, the Department of Health, the Director of Public Prosecutions, the Victims of Crime Coordinator and ACT Corrections. Four members of the Crime Prevention Committee will also sit on this working group.

Coordination of the ACT Community Crime Prevention Strategy continues to be the responsibility of the Department of Justice and Community Safety but in areas of their respective core business all government agencies are encouraged to take a lead role and thus ‘mainstream’ relevant crime prevention activities.

Commissioner’s comments

Recommendation implemented, although the complex challenge is ongoing. Comparison of the 2002 and 2003 government actions illustrates the complexity of reducing the crime rate, and regaining community security.

In its agreement to this recommendation, the ACT 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 2003 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.

It is pleasing to see the rehabilitation programs as part of the crime prevention approach.

The concept that all government agencies be encouraged to take a lead role in supporting the ACT Community Crime Prevention Strategy and thus ‘mainstream’ relevant crime prevention activities, is one that I strongly endorse. I would like to see the entire community accept the same responsibility. It may be timely to reactivate and rejuvenate the Neighbourhood Watch concept.

Crime affects all of the community, either directly or indirectly, and its environmental costs are high.

As indicated last year, we are gathering information about programs and research under the Crime Prevention Fund and those on the relationship between drugs and crime for the 2003 SoE Report.

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.

Government action to 30 June 2003

It is ACT Government policy that all Territory agencies report on their implementation of sustainability as part of their annual reporting. The demand and need for various services is continually changing and the capacity of infrastructure assets needs to be matched to demand, within the context of government policy. These changing circumstances need to be reflected in asset management strategies of agencies as well as incorporating sustainability principles such as whole-of life cycle costing, prudent use of resources and efficiency in the use of resources into the way assets are managed and created.

Commissioner's comments

Not yet implemented. To me, this is a 'no action' action. It simply states a policy. Government action on this recommendation is entirely unsatisfactory.

It is time that details were published as per the Recommendation 2000.11, to allow a comprehensive assessment of the condition of the ACT's major infrastructure assets.

My concern remains undiminished; specifically, I need to know from agencies if the infrastructure component of community wellbeing 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 on replacement programs.

When the Office of Sustainability was created, one intended aspect of its role was to assist government agencies to introduce sustainability practices into their daily operations. I am aware that ActewAGL has twenty-year programs for the maintenance and replacement of its infrastructure, which are addressed and updated annually. I have yet to identify programs for other agencies. I am also aware that the ACT Government suffered considerable losses or damage to infrastructure in the January 2003 bushfires. I will be analysing whether sufficient resources are being invested in government-owned infrastructure to maintain its condition and level of provision in the 2003 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 Canberra Institute of Technology during May and June 2002 and initial feedback is positive. An awards program for participating businesses will be developed.

Government action to 30 June 2003

Major achievements during 2002–03 include the following:

- Ecobusiness was further expanded to target five more business sectors and workshops conducted during May 2003.
- Waste Wise Schools, which involves the whole school community working to reduce waste, has been licensed for the ACT. ACT NOWaste have paid to train a team of teachers as Waste Wise Schools Facilitators who can provide professional development to participating schools. In addition, a Waste Wise Advisory Committee was established in November 2002 to oversee implementation of the Program, which will be adapted and implemented during the second half of 2003.
- Annual displays and promotions continue at events such as Environment Day, the Canberra Show, and the Blues and Folk Festivals.
- The 2002 Progress Report to the community was delivered to all ACT households and Second-hand Sunday was conducted in March 2003.
- During 2002 special bin tops were acquired and made available to public event organisers to facilitate recycling at public events. An advisory service has been established and a Guide to Recycling at Public Events released.
- A temporary No Waste Education Centre was established at Mugga Lane. The Education Centre comprises a classroom especially for visiting parties of school children and is also accessible to the wider community.
- A special disposal facility was established, initially at Belconnen and then at Stromlo, to accept the bushfire-damaged demolition material. A separate disposal facility was necessary as many buildings damaged in the January bushfires contained some asbestos. Up until 30 June 2003 nearly 155 000 tonnes of bushfire-damaged material was disposed at these special facilities. This figure has been reported separately as it is a one-off occurrence and outside the standard waste-to-landfill reporting.

Commissioner's comments

Partly implemented. These are positive actions and address many aspects of the recommendation, and it is great to see the effort being put into the training of a team of teachers as Waste Wise Schools Facilitators who can provide professional development to participating schools, 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.

There is, sadly, no statement on the whole-of-government involvement in the 'No Waste by 2010' strategy.

As in other parts of the ACT Government's responses to recommendations, I am surprised that so little attention has been given to the short- and long-term impacts of the January 2003 bushfires.

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 (ICRC) 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 ICRC 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.

Government action to 30 June 2003

Utilities are required to report annually to the ICRC on their compliance with their obligations under their operating licences, any applicable codes of practice and the *Utilities Act 2000*, and their performance against a number of specified performance indicators. Reports are to be provided to the ICRC by 1 October. Utilities will be advised shortly of ICRC reporting requirements for 2002–03. The ICRC is in the process of analysing the returns for the first year of reporting since the introduction of the Utilities Act and compiling a summary on compliance and performance by utilities. This report (2001–02) will be published, and the ICRC intends to publish such reports annually.

Under their utility licences electricity suppliers are required to report:

1. information about Greenhouse gas emissions arising from power purchase arrangements, including any purchases from embedded generators, co-generation plants and other purchases separate from the NEMMCO pool
2. details about the sources of generation of the electricity supplied
3. details about the proportions of energy purchased from the different sources.

In addition, suppliers are required to report on their implementation of, and compliance with, environmental strategies.

Greenhouse gas emission reporting for 2001–02 was based on the New South Wales methodology. However, the ICRC was generally disappointed with utilities' responses. Much of the problem lay in suppliers either not understanding what was required in the ACT or not having sufficient guidance on how to calculate emissions. To clarify the reporting responsibility and to standardise the calculation of emissions, the ICRC will review how reporting should be done, in addition to reviewing the methodology for disclosing Greenhouse gas emissions on customer accounts (see below).

The ICRC provides copies of utilities' environmental reports to Environment ACT as required under 54(1)(b) of the Utilities Act. Information provided to the ICRC for 2001–02 was duly forwarded to Environment ACT.

The ICRC recently completed amendments to the Consumer Protection Code, an industry code under the Utilities Act. Amongst the changes made to the code was the inclusion of a requirement for electricity suppliers to disclose Greenhouse gas emissions associated with electricity consumption on customer accounts. The ICRC has adopted Victoria's methodology for estimating Greenhouse gas emissions in the short term. However, the ICRC will be undertaking a review of the emissions estimation methodology and what information is required to be disclosed later this year with a view to developing a methodology more relevant to the ACT.

Commissioner's comments

Good Progress, but not yet fully implemented. It looks as if all the tools are in place, and there will be information to accept this action as implemented in the 2003–04 Annual Report

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, for example 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.

Government action to 30 June 2003

The identification and remediation of soil erosion are on-going activities with projects being undertaken as resources become available, for example, the preliminary studies have now been undertaken to rectify a soil erosion problem on Yarralumla Creek at Equestrian Park. Further funding will now be sought to implement the rectification plan.

Soil acidity and dryland salinity have been identified as priority issues in the ACT Integrated Natural Resource Management Plan. In the 2002 update it was indicated that these issues were being addressed in the context of the ACT Component of the Murrumbidgee Catchment Management Blueprint. During

the year it was agreed by the ACT and the Commonwealth that the Territory would prepare a separate natural resource management plan though consistent with the wider Murrumbidgee Plan.

The ACT Integrated Natural Resource Management Plan is an overarching strategic plan providing guidance in natural resource management for all stakeholders in the Territory. It articulates the agreed roles and responsibilities of all stakeholders in implementing the Plan. It also provides a vision for the future landscape of the Territory and prioritises investment decisions. It sets out targets to be achieved for salinity, water quality and associated water flows, stream and terrestrial biodiversity, soil health and community building consistent with the National Framework for Natural Resource Management Standards and Targets agreed by Commonwealth, State and Territory Ministers. This Plan is in draft form and is envisaged to be accredited by the Territory and Commonwealth Ministers by the end of 2003.

The services of NSW agencies were used during the year to provide training in soil management for ACT farmers, agency officers and interested community groups. The NSW Department of Infrastructure Planning and Natural Resources (formerly the Department of Land and Water Conservation) is shortly to undertake a similar exercise for the Michelago 1:100 000 map area. It is to be initiated in the near future and will cover additional areas of ACT rural land.

The ACT is proposing to undertake salinity hazard assessment mapping as a project to be implemented with funding assistance from the Commonwealth once a Bilateral Agreement is ratified with the Commonwealth for the delivery of the National Action Plan for Salinity and Water Quality in the ACT.

Piezometers to measure water-table depth are located in a few areas of known soil salinity (for example at Freshford, Pialligo). Monitoring of these instruments has been disrupted in recent months due to bushfire priorities, however, Environment ACT will endeavour to get them back in service over the coming months.

It is hoped to further build on the existing programs to engage 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.

Surveys undertaken to date indicate that soil erosion and stream deposition are on-going processes that may not require specific works other than restricting stock and vehicle access. The Soil Conservation Study undertaken by Starr in 2000 identified nine priority areas to be addressed, including specific recommendations for plantation forestry practices. All of these priorities have been addressed to some extent during the reporting period.

The loss of surface vegetation across a significant area of the ACT resulting from the January 2003 fire events has increased soil erosion potential throughout the ACT. The ACT Government will attempt to re-assess soil erosion priorities over the coming year if funding can be provided.

Commissioner's comments

Partial implementation. It is pleasing to note that studies to accrue evidence for the occurrence of soil erosion continue, and that the work appears to be more extensive than in previous years, although it still appears to be on a case-by-case basis.

The impact of the January 2003 bushfires is noted. It is hoped that funding will become available to re-assess soil erosion priorities in 2003–04.

There is no mention of maps, except for the plan of the NSW Department of Infrastructure Planning and Natural Resources. Perhaps the maps will come with the output of the ACT Integrated Natural Resource Management Plan.

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.

There is no new evidence to indicate if it may be too early to conclude that dryland salinity 'is not considered to be a significant issue for the ACT' (see 2001–02 Annual Report). In some cases it may well be.

I encourage the ACT to proceed with the suggested production of maps, and for accurate updating 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 updated. I recognise that modern methods may allow for 'automatic' updating, 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.

I will establish liaison with Environment ACT now that the 2003 SoE report is in preparation to ensure that the condition of 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 per cent 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.

Government action to 30 June 2003

A contract is currently being awarded to undertake a pumping test within the Narrabundah-Symonston zone of the Jerrabomberra Creek Catchment. This test will provide information relating to storage and recharge capacity within the semi-confined aquifer.

Commissioner's comments

Not yet implemented. As I said in each of the last two years' Annual Reports, I am disappointed with The ACT 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.

I understand that the NSW Government has let a contract to provide information on the groundwater resource across the State. It is a pity that the ACT Government cannot align with this study to provide full information across the whole of the landscape and avoid the 'hole in the doughnut' that is frequently the case with biophysical data in this Region.

My concern has been heightened with the recent 'drought', with the increased number of people sinking bores on their urban properties, and with what appears to be a significant increase in the number of dams on rural properties.

In the circumstances, I have arranged with Environment ACT that my office will receive advice of any changes in demand over time, and of how such change is determined.

I am 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.

Government action to 30 June 2003

The ACT Government is currently assessing the environmental flow release requirements from the two water supply systems. The agreed release volume and flow regime is likely to apply until the end of 2003, after which it will be re-assessed. This varied release will also include a release strategy, and a community education and awareness program. A formal review of the adaptive monitoring Environmental Flow Guidelines is due in 2004.

Commissioner's comments

Implementation in progress. The Environment Protection Authority has involved me with the developments with respect to environment flows from the different dams, following reduced environmental flows in November 2002 as a result of the 'drought' and since the January 2003 fires. With reduced availability of potable water following the January 2003 bushfires, I was made aware of the discussions with scientists and of the hard decisions taken to ensure a balance between security of water supply and protection of the aquatic ecosystems.

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.

Government action to 30 June 2003

ACT Water Quality Standards now include total oxidised nitrogen (NO_x). Temperature is measured as a parameter in itself and in the interpretation of other water quality parameters. The review of the Environment Protection Regulations is continuing.

Commissioner's comments

Some progress. Some technical aspects about the temperature standard still need to be addressed in the review.

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.

Government action to 30 June 2003

The working group, which includes government regulatory authorities, has provided and continues to provide a coordinated approach to managing sediment and erosion control issues off site, for example on verges. The ACT Government has also committed to the appointment of an Industry Liaison Officer within Environment ACT who will be working with industry groups, including the building industry, to address environmental performance.

Commissioner's comments

Partly implemented. The ACT Government response does not quite address the recommendation. I hope the working group will consider and recommend on procedures to be adopted by government, which

must be adhered to in all site developments and re-developments. I would consider the recommendation as implemented when those procedures and details on penalties for non-compliance have been published.

Recommendation 2000.19 ***

That the ACT Government continue 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.

Government action to 30 June 2003

As part of Water ACT—a draft policy for sustainable water resource management—the ACT has set targets to increase effluent reuse from 5 per cent to 20 per cent by 2013, while decreasing potable water use by 12 per cent by 2013 and 25 per cent by 2023. These targets will combine to significantly increase the focus on alternative water sources in the future.

As a start, ACTEW is planning to commission an expansion of effluent reuse from its Fyshwick Sewage Treatment Plant by the end of 2003 so that effluent can be used to water playing fields and other irrigated grass areas in North Canberra.

Data about water reuse is readily available from Environment ACT under the public information provisions of the *Water Resources Act 1998*.

Commissioner's comments

Implementation is ongoing. I would like to see a reliable and regularly updated database which can be routinely monitored. Low rainfall and the bushfires' impact on the water catchment for the ACT's water supply have significantly escalated the need for implementation of this recommendation.

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. Environment Australia, who manages the program, has developed criteria for soil sampling under the Program. 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.

Government action to 30 June 2003

Information on the current level of dioxins in the Australian environment is being collected as part of phase one of the National Dioxins Program. Environment Australia, who manages the program, has developed criteria for soil sampling under the Program. 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. Three soil samples have been collected in the ACT. Environment Australia are to report to the Environment Protection and Heritage Council on outcomes of phase one and two, risk assessment, of the program by May 2004.

Commissioner’s comments

Implementation pending. Implementation is effectively ‘on hold’, and that situation may be justified by the current National Dioxins Program.

Last year I suggested that it would be appropriate to include sites such as in the vicinity of the former incineration facility at Mitchell. I still support this view, but there is no indication that this is being done. Even though it is stated that national sampling should not be biased by point source ‘hot spot’ discharges, the whole point of wanting dioxin levels is to find out whether the incineration process at Mitchell resulted in any site contamination. That will have to be done at some time.

I await the results of the National Dioxins Program, and will reconsider the recommendation at that time.

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.

Government action to 30 June 2003

Following the public consultation process, the 2002–04 Bushfire Fuel Management Plan was finalised and approved in November 2002. The plan provided a detailed fuel management program for ACT Government Managed Lands in the ACT, based upon a detailed hazard assessment undertaken in collaboration with the Department of Urban Services and the Emergency Services Bureau Risk analysis unit. This spatial analysis included consideration of assets at threat, fire frequency and cause, and fire behaviour based on topography, vegetation and weather patterns. The 2002–04 Bushfire Fuel Management Plan identified the need for the development of the Namadgi National Park Fire Management Plan, with completion of a draft required by the end of 2004. The plan requires a number of key outputs to provide detailed fire management regimes for the National Park, some of which were developed in the 2002–04 Plan. These include:

- 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.

Additional work is progressing in the development of the plan which includes:

- identification of fire sensitive vegetation communities and areas of highest potential damage
- consolidation and enhancement through further assessment of existing vegetation information for Namadgi into a single spatial data layer
- identification of ignition point sources
- commencement of a fuel-sampling program.

The January 2003 bushfires have significantly changed the fuel loads through the National Park and will result in changes to fuel management regimes in the immediate future. Nevertheless, the fundamental requirement to undertake these studies still remains and will continue in line with the expected date of completion for the draft plan.

Commissioner's comments

Implementation still 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. 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 their 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 ACT Government considers Recommendation 2000.22 to have been implemented.

Government action to 30 June 2003

Environment ACT, a consultant statistician and COG have reviewed data collected for the COG Annual Garden Bird Survey, and have concluded that the data from this long running survey program meets the scope and requirements of a study recommended by the Commissioner. Environment ACT and COG will keep a watching brief on the annual results of the Garden Bird Survey to assess trends in populations of native and introduced birds in the Canberra urban area. Results from the first 21 years of the survey were published in 2003 (Veerman, P. A., Canberra Birds: a report on the first 21 years of the Garden Bird Survey. Published by P Veerman@pcug.org.au).

The ANU (Dr Chris Tidemann) has completed the first stage of the Minimising Mynas project, which was to develop a suitable trap. Given the encouraging results of Stage 1, it is anticipated that the program (with some assistance from the ACT Government) will continue research into the long-term control of this pest species.

The ACT Government considers Recommendation 2000.22 to have been implemented.

Commissioner's comments

Implemented. The final report is welcome and will be a good reference source for the relevant Indicator in the 2003 SoE Report. I look forward to the outcome of Environment ACT's discussions with COG, as to further development of relevant conservation projects. I also look forward to reading studies on the behaviour of native birds in urban areas, after the January 2003 bushfires.

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 rabbit calicivirus disease, 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.

Government action to 30 June 2003

Monitoring of wild dog activity in the ACT has been disrupted as a result of the January activities. Sand pads have been destroyed as a result of road grading. Dispersal of wild dogs from their previous home ranges is considered to be a likely consequence of the fires.

The ACT and NSW will be participating in a project during 2003–04 to track the movements of a number of radio-collared wild dogs.

Monitoring of baited areas for wild dogs and foxes will be improved over the next year through the use of remote sensor cameras to capture an image of animals removing baits. It is hoped that this information will assist to reduce the bait take by non-target animals.

Commissioner's comments

Implementation in progress. It is noted that the study has been disrupted due to the impact of the bushfires. The interruption is entirely understood.

We will revisit the recommendation in the next Annual Report.

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.

Government action to 30 June 2003

The energy performance contract to upgrade the lighting in Macarthur House has been successfully completed. Work on the development of whole-of-government energy reporting is continuing. This includes setting up ACT Government use of the Federal Government's web-based database system Energy Data Gathering and Reporting (EDGAR) which has also been adopted by other States to allow standardised reporting of government energy use. The initial reports prepared from 1999–2000 are currently being checked for accuracy and comprehensiveness against the data requirements of EDGAR. Final reports are expected to be publicly released around the end of 2003. The ACT Government's energy efficiency program is currently being reviewed as part of the broader review of the ACT Greenhouse Strategy.

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.

It would be advantageous to be able to include data from these activities in the 2003 SoE Report

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.

Government action to 30 June 2003

Quality monitoring for surface waters in the Rivers and Lakes program currently includes physico-chemical parameters, whilst stream flow monitoring is part of our hydrographics contract. Habitat assessment is undertaken through the macroinvertebrate monitoring program but at present sediment load monitoring is not undertaken.

Commissioner's comments.

Implementation is slow. Much remains to be done.

Although water quality in the ACT's water catchment has diverted resources in the last half of this financial year, I am disappointed with the report of progress.

I have heard that physico-chemical monitoring of water quality is being reviewed to redress some of the changes over recent years that have reduced the edge that water quality monitoring in the ACT used to have over other jurisdictions.

The significance of this recommendation cannot be over-emphasised. Holistic water management is emerging as one of the most basic and urgent of Australia's sustainable natural and developed resources characteristics.

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

We are interacting with Environment ACT to explore whether there is opportunity for establishing closer links between SoE reporting on water quality and Environment ACT's annual water quality reports.

Progress on implementation of recommendations from SoE Reports—1997 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 1997 SoE Report

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 SoE Report. This has resulted in the establishment of an informal network of agency contacts for SoE 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.

Government action to 30 June 2003

No update report requested.

Commissioner's comments

Government never addressed this recommendation to my satisfaction. The aim of the recommendation was to ensure that the ACT Government was prepared to follow through on its agreements to my recommendations and for greater ability to monitor government actions in response to my recommendations.

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 The ACT 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 per cent 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 link 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 14.95 million boardings (adjusted)
- 1998–99 15.72 million boardings (adjusted)
- 1999–2000 15.99 million boardings (actual)
- 2000–01 15.65 million boardings (actual)
- 2001–02 15.79 million boardings (actual)
- 2002–03 16.2 million boardings (target)

The growth in patronage experienced by the new network, while positive at between five per cent and eight per cent, 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 per cent 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, 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 ACT 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 per cent. The ACT 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 five-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.

Government action to 30 June 2003.

During 2002–03 PALM (now the ACT Planning and Land Authority) has undertaken a strategic transport planning exercise—the Sustainable Transport Plan.

The vision of the Sustainable Transport Plan is for a system that achieves a balance between maintaining high levels of accessibility and minimising external impacts, congestion and system costs to achieve a more sustainable system.

The plan is based on the following principles:

- transport is a demand derived from the community's wants and needs for access to the services, facilities and people in the community
- the transport system should maximise accessibility to support social and economic development while minimising the resources used in travel
- Canberra's transport system generates significant costs including ACT Government costs, users' costs, externalities such as greenhouse gases, air and noise pollution. A sustainable transport system will seek to minimise these costs
- accessibility and land use activities are inextricably linked and transport and land use planning, investment and management should be integrated
- the transport system should make the most appropriate use of all transport modes, technologies and management strategies
- transport in Canberra currently favours the private motor vehicle and a sustainable system will require a better balance of public and private transport systems and more use of walking and cycling
- the transport system should provide the community with a range of transport options and choices about their transport; the transport system should provide for future needs by maintaining options and choices
- transport pricing, investment, funding and financing should be transparent, so that the basis for these decisions can be clearly identified, and targeted at achieving sustainable transport goals
- transport priorities, investment and pricing should take account of full life-cycle resource costs including economic, social, environmental and health aspects and analysis of risks

The Plan developed the following policies and strategies to achieve its vision:

- reduce the need for and length of travel consistent with community demands for accessibility and with social, economic and environmental goals
- shift the balance of travel from private vehicles towards greater use of public transport, cycling and walking

- reduce the negative health and environmental effects of transport—accidents, noise, air pollution and Greenhouse gas emissions
- ensure the transport system contributes to making Canberra a dynamic and liveable city and contributes to the economic strength of the City and the region
- provide transport choices and ensure that the system addresses the transport needs of the community as a whole and of all sectors of the community
- encourage physical activity through the use of active transport modes such as walking and cycling
- provide for future needs by maintaining future options, flexibility and robustness in the transport system
- communicate the goals and objectives of the Sustainable Transport Plan to the community
- integrate transport and land use planning and management.

It also develops an implementation plan for implementing the policies and strategies.

Public transport is a major element of this plan. It has undertaken a major study— public transport futures feasibility—to provide a vision and strategy for public transport in Canberra. This study is well under way and the draft final report is expected this month.

The sustainable transport plan will be finalised towards the end of 2004.

Commissioner's comments

Implementation in progress. At last this issue is being given serious consideration and resourcing. I will await the release of the Sustainable Transport Plan before assessing if any additional recommendation is necessary.

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.

Government action to 30 June 2003

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

Commissioner's comments

Implementation not achieved. My comments in each of the last two Annual Reports 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.

The Government action to 30 June 2003 for Recommendation 2000.2 states ‘The remaining \$50 000 will spent in the 2004–05 financial year to purchase additional nephelometers, a surrogate for particle measurement, to get better information on the true extent of smoke pollution across Canberra’.

Can one or more of the nephelometers be used in the Belconnen area?

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.

Commissioner’s comments

Arrangements in place; no further is action needed at this stage.

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 ACT Government is continuing to support the community’s involvement in natural resource management, including the monitoring of land quality. In October 2001, the ACT 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 ACT 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.

Government action to 30 June 2003

The ACT Government’s environment initiative ‘A Sustainable Bush Capital in the New Millennium’ identifies community partnerships as critical to the management of our natural resources. This is also reflected in the ACT Government’s specific strategy for support of community environmental volunteers ‘Working Together for the ACT’s Environment: A Support Strategy’. Community-based monitoring of land and water quality are seen as critical dimensions of community participation in ACT natural resource management.

Over the coming year the Territory will review its support strategy as part of compliance with the requirements of the Bilateral Agreement for the delivery of the Natural Heritage Trust in the ACT. This will address the needs of community partner organisations and volunteers in working effectively with

agencies in this area. The results of a recently completed survey of landcare groups and volunteers will also contribute to this review.

The Territory will also be preparing an ACT Natural Resource Management Plan and Investment Strategy to provide overarching strategic direction for investment in natural resource management through partnered arrangements between government and community. This will include a comprehensive monitoring, evaluation and reporting strategy for the Territory.

The January bushfires have also brought into sharp focus the value of community based monitoring. The CAMPFIRE program, funded from the Australian Government Envirofund, is operating very successfully in the ACT, monitoring the impact of the fires on water quality. This new program has meant a significant ramping up of monitoring activity by community members over the past six months.

The Territory has also worked to ensure that there will be continuity of employment for community-based coordinators working across the Territory supporting monitoring activities, with the transition from the first to the second phase of the Natural Heritage Trust. Additionally, ActewAGL has committed to funding for a Waterwatch Coordinator to work in their organisation with the ACT community.

Commissioner's comments

Not yet complete. 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.

I will regard the recommended action as complete when the database is published. We will maintain a watching brief, because, like the ACT Government agencies, we see community organisations as being essential partners in whole-of-community environmental best practice.

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

Commissioner's comments

Arrangements in place; no further action is needed at this stage.

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

Commissioner's comments

Arrangements in place; no further action is needed at this stage.

FINANCIAL AND PERFORMANCE REPORTING

The Commissioner for the Environment Act does not establish the Commissioner for the Environment as a body corporate. Therefore the financial reporting provisions of the Financial Management Act that apply to Territory corporations do not apply to the Commissioner for the Environment. Nevertheless, I have included below a narrative on our expenditure during 2002–03.

This section also addresses the requirements for links with financial reporting.

Management discussion and analysis reporting

An SoE Report is prepared generally every three years, to ensure one SoE Report is produced within the lifetime of each Assembly. Additional funding was secured in 2002–03 for two out of every three years, during which additional resources are required for the preparation of those reports. The Financial Statements for Environment ACT in the Department of Urban Services Annual Report will show a substantial underspend in Expenses on Behalf of the Territory for 2002–03 because, while a number of financial commitments had been made during the year for the preparation of the 2003 SoE Report, the money had not actually been expended. This situation should be rectified by the end of the 2003–04 financial year. Some details of those commitments follow:

The Office of the Commissioner for the Environment entered into a number of contracts with consultants during the 2002–03 financial year, for specialist writing and technical direction for the ACT 2003 SoE Report. As at 30 June 2003, only three consultants had submitted accounts for payment of work partially completed. Contracts for a total of \$64 800 were finalised for work on the ACT 2003 SoE Report.

WHOLE-OF-GOVERNMENT ISSUES

Key issues

Community engagement

In November 2002, the Office held a consultation session on Issues to be addressed in the 2003 SoE Report. A cross-section of experts from the community and people from relevant areas of the Commonwealth and ACT Governments were invited to the session to discuss Issues topics and content. The result of the workshop was that six Issues will be covered in the 2003 SoE Report. They are:

- Air Quality
- Climate and Greenhouse
- Conserving Biodiversity
- Catchment Quality and Management
- Community Wellbeing
- Resources and Resources Use

In addition I gave a number of talks in the community throughout the year, including the Human Ecology Forum at the Australian National University, the Environment Institute of Australia and at the opening of the ROCKS redevelopment proposal.

After the release of the 2000 SoE Report for the Australian Capital Region, I visited a number of NSW Council Areas to meet with members of the community, Councillors, Council staff, teachers and librarians at meetings and workshops.

I also met with members of the community who were concerned about the sale of land at East O'Malley, and continued to maintain contact with members of the community who were involved in the investigation into proposed residential development in Conder during 1999–2000.

There are no complaint procedures in place.

Aboriginal and Torres Strait Islander reporting

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

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

Equity and diversity

This Office is covered under the Department of Urban Services Equal Employment Opportunity Plan.

Justice options and prevention policy framework

This Office is covered under the Department of Urban Services Justice Options and Prevention Strategy.

Resource and ownership agreement reporting

Ownership agreement

This Office is covered under Ownership Agreements of Environment ACT.

Certified agreements

This Office is covered under Certified Agreements of Environment ACT.

Staffing profile

The Commissioner's appointment is on a part-time basis for the equivalent of approximately six days a month. During years of more intense activity when we produce a SoE Report, my appointment is increased to the equivalent of eight days a month. Such an increase took effect for the calendar year commencing 1 January 2003.

Table 2. Staffing Profile – Office of the Commissioner for the Environment

Classification	Employment Status	Employed under:	Category of Employment	Gender
Environment Commissioner	Part-time Statutory Office Holder	S4(1), Commissioner for the Environment Act 1993	Disallowable Instrument	M
SOGB	1 full time	Public Sector Management Act 1994	Permanent	F
ASO5	1 full-time	Public Sector Management Act 1994	Permanent	F

Australian workplace agreements

There were no Australian Workplace Agreements in place in this Office during 2002–03.

Workers' compensation

This Office had no new workers' compensation claims in the 12 months to 28 February 2003. There were no open compensation claims as at 28 February 2003.

Learning and development

This Office is covered under the Department of Urban Services' Learning and Development Plans.

Total expenditure on learning and development totalled \$2107. The Office Manager also attended training for Oracle 11i, in May and June 2003. This cost was covered by the Department of Urban Services.

There was no uptake by this Office of the Executive Leadership Development Program.

No officers have current Performance Management Plans and/or Individual Development Plans.

Consultancy and contractor services

Table 3. List of consultants and contractors paid during 2002–03

Out-put	Name of consultant/ contractor	Description of consultancy/ contract	Cost	Area of agency managing consultancy/ contract	Date contract let	Reason for use of select tender
1.1	Communication Breakthrough	Technical direction for finalisation of SoE 2000 for the Australian Capital Region	\$13,322.50	Office of the Commissioner for the Environment	05-Jul-02	Expertise and value for money
1.1	Communication Breakthrough	Website Maintenance 2002-03	\$ 5,107.00	Office of the Commissioner for the Environment	05-Jul-02	Expertise and value for money
1.1	Communication Breakthrough	Technical direction and support for SoE 2003	\$ 6,366.50	Office of the Commissioner for the Environment	14-Jan-03	Expertise and value for money
1.1	Effective People	Specialist Writer for Biodiversity Indicators SoE 2003	\$21,195.00	Office of the Commissioner for the Environment	02-May-03	Expertise

I include in this section also, a comment on services we contract on a voluntary basis. We regularly access expertise in government and non-government organisations, at Territory, State and Federal levels. One of the remarkable features of the ACT is the very high percentage of the population involved in tertiary education or research, and the number of specialist consultants on environmental issues.

Equally remarkable has been the willingness of so many of these people to give their time freely to advise the Office by serving on Reference Groups to consider Themes, Issues and Indicators and their results. This information is designated for use in evaluating the condition of the environment, the human activities that place pressure on that condition, and the responses of society to try to reduce any adverse impacts of those pressures on the condition of the environment. Those Reference Groups have multiplied many times the value of the intellectual analyses and debates we have conducted on ‘the environment’.

Capital works management

This Office has no capital works in progress.

Asset management strategy

Office accommodation is leased from PALM (now the ACT Planning and Land Authority). Our floor space requirements include the need to expand during the SoE reporting period, to accommodate extra temporary staff needed to complete the Report. They are well within the 15 square metres allowable.

This Office owns no assets.

As a tenant within Dame Pattie Menzies House, this Office is subject to the energy reduction management strategies in place, including afterhours timers on lights and air conditioning, photocopiers with power-save mode and personal computers with stand-by mode.

As a tenant within Dame Pattie Menzies House, we are subject to condition audits which may be conducted on behalf of all tenants by the relevant property management area.

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.

During the year, a workstation assessment was completed for one staff member. New ergonomic chairs were purchased for all staff members.

There were no accidents or dangerous occurrences that required the giving of notices under section 85 of the Occupational Health and Safety Act for this Office.

There were no investigations conducted during the year.

There were no directions given to the agency under section 78 of the Occupational Health and Safety Act.

There were no notices given under sections 76 and 77 of the Occupational Health and Safety Act.

Injury prevention and management is an integral function of each staff member.

Commissioner for the environment

Not applicable—I am the Commissioner for the Environment!

Public interest disclosure

During 2002–03 no public interest disclosures related to the Office of the Commissioner for the Environment were lodged.

Government contractual debts (interest)

Nil interest due.

Freedom of information

Section 7 (1) 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 investigations and SoE Reporting. The Commissioner can make recommendations to the ACT Government, but has no power to enforce those recommendations (see also Governance, Legislative Framework and Structure earlier in this report).

This Office has extensively used, and continues to seek people with relevant expertise in supporting the SoE reporting process.

Members of the public can make a complaint to the Commissioner if they have a grievance about the way the ACT Government and its Agencies are managing the ACT environment, which has been unresolved through other channels.

The Office of the Commissioner for the Environment produces SoE Reports. Of those still available, the 1994 edition is available in hard copy only. The 1997 and 2000 Reports have been produced on CD-ROM. They are

available from the Office, and can be collected or sent by post. The Executive Summary for the 1997 Report is available on our website along with the full 2000 Report for the ACT (except for the ‘live’ maps).

We have also produced a number of Investigation Reports. These are available from our Office, and several are on our website.

Annual Reports are available for each financial year since the inception of the Office. The reports for 2000–01 and 2001–02 are also available on our website.

Members of the public can access documents in a number of ways. For those reading a hard copy of this Report, a full list of our reports appears in the Appendices; for those reading it through our website, see the headings State of the Environment and Special Reports on our homepage for what is available electronically.

All reports are also available by phoning our Office, and can be posted. Dame Pattie Menzies House can be reached by public transport, and is wheelchair accessible.

Section 8 statement

A copy of the Section 8 Statement is not published in this report, but is available on request from the Office of the Commissioner for the Environment.

Section 79 statement

The Office of the Commissioner for the Environment did not receive any Freedom of Information requests in 2002–03, 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 introduced electronic SoE reporting in 1997, and produced our 2000 SoE Report electronically as well. We now reproduce only an Executive Summary on paper. For our 2003 SoE Report we intend to produce an Executive Summary in sectors to enable people to obtain a particular part that they might be interested in, or the whole.

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 below.

Service delivery and ecologically sustainable development

Reports—Investigation

Report of an investigation during 2002–03 recommended in part that before any lease and development conditions are prepared for sale of all land where there are either individual trees or groups of native trees (such as remnant eucalypts), those trees be assessed by all relevant agencies/units for environmental, social and amenity values. This should include natural and cultural (including Aboriginal) heritage values, and any significance under tree protection legislation.

Relevant agencies/units develop a land use assessment mechanism for identifying whether trees represent a feature that is valued by the community, and whether their retention is important to the landscape character of Canberra's development. All relevant criteria and assessments should be coordinated into a single document. The assessment should clearly recommend any action for retention and protection of trees.

All ACT Government units or agencies involved in sale of land ensure that sites with groups of remnant trees in areas still to be developed are evaluated against the criteria

Environmental/Economic/Social Outcome—Recommendations designed to encourage better environmental, social and economic outcomes through greater certainty for lessees when they seek development approvals.

Report—SoE 2000 Report

The 2000 SoE Report included 25 recommendations for the ACT Government to act to improve environmental management, and assessed progress towards sustainability through the objectives to:

- 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.

This 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.

Office-based activities and Ecologically Sustainable Development

Energy—Electricity and Fuel

The energy-saving practices of Dame Pattie Menzies House apply—timed switches in conference rooms during the day and in offices after-hours; on-off switches in store rooms, kitchens, and etc.

Other energy savings have been achieved through:

- turning off computers overnight
- using electronic communications and exchanging documents to reduce photocopying (see also consumables)
- staff using the stairs regularly

Secure overnight parking has meant reduced vehicle use for home garaging.

The Environmental/Economic/Social Outcome of these practices are that they reduce energy usage and Greenhouse gas emissions and provide cost savings to the government and community.

Consumables

Recycled paper is used where possible; all paper is used on both sides where practicable; printer ink cartridges are refilled.

Overwhelmingly, use is made of electronic messaging and exchange of documents. Reports are produced for electronic delivery, with paper copies produced for tabling purposes, and for access and equity reasons.

These actions reduce amount of waste to be disposed of in ACT landfills and assist in furthering the 'No Waste by 2010' strategy.

Disposables

Used paper and cardboard are recycled with accredited recycling agencies; and toner cartridges are recycled by returning them to the supplier for refilling.

Recycling bins for cans, glass and plastics, and bins for compostable waste were introduced to the building during 2002–03. All staff have been able to make extensive use of these new facilities.

These actions reduce amount of waste to be disposed of in ACT landfills, contribute to a safer, cleaner environment, reduce consumption of natural products and create a useful by-product that can be sold.

APPENDIX—PUBLICATIONS

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)
- Australian Capital Region State of the Environment Report 2000 (\$38.50 incl. GST, postage and handling)

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, 2000–01, 2001–02 (No charge)

GLOSSARY, ABBREVIATIONS AND ACRONYMS

Australian Capital Region	for the 2000 SoE Report the Region included ACT, the City Councils for Goulburn and Queanbeyan, and the Councils for the Shires of Bega Valley, Bombala, Boorowa, Cooma-Monaro, Crookwell, Eurobodalla, Gunning, Harden, Mulwaree, Snowy River, Tallaganda, Tumut, Yarrowlunla, Yass and Young. Since then the Shire Councils of Cootamundra, Gundagai and Tumbarumba have joined the Region and are likely to participate in the 2004 SoE Report.
AVCCN	AgVet Chemicals Coordination Network
COG	Canberra Ornithologists Group
CSIRO	Commonwealth Scientific and Industrial Research Organisation
EDGAR	Energy Data Gathering and Reporting
ICRC	Independent Competition and Regulatory Commission
NEMMCO	National Electricity Market Management Company
NEPMs	National Environment Protection Measures
PALM	Planning and Land Management
SoE	State of the Environment

INDEX

- Aboriginal and Torres Straight Islander 50
- Act Firewood Strategy 14–15
- ACT Integrated Natural
 - Resource Management Plan 32–34
- Action Plan for Natural Temperate Grasslands 18
- AgVet Coordination Network 10–11
- Air quality 7, 13–14, 46–47
- Asset management by government 28–29
- Australian Biotechnology Association 21
- Australian Capital Region 1, 8, 16, 19
- Australian Workplace Agreements 51

- Belconnen 8–9, 16, 30, 46, 47
- Bushfires
 - Bushfire Fuel Management Plan 38–39
 - January 1, 11, 13, 14, 18, 30, 33–34, 35, 37, 39, 40
- BusinessACT 21, 24

- Canberra Business Council 21, 23
- Canberra Ornithologist Group 19–20, 39
- Canberra Spatial Plan 1
- Cancer Council 48
- Capital works strategy 52
- China 22–23
- Commissioner's availability 6
- Commonwealth government 22
- Community data collection 47–48
- Community engagement 50
- Complaints 1, 3, 7–10
- Comprehensive Regional Assessment 16–17
- Condor 50
- Conservation management network 16, 20
- Consultants 49, 52
- Cooperative research centres 22, 42
- Corporate overview 6
- Cotter project 35
- Crime 25–28

- Definition of the environment 4
- Department of Urban Services (links with) 50–51
- Dingos 41
- Dioxins 10, 37–38
- Draft ACT Lowland Woodland Conservation Strategy 1, 9, 17–19, 20
- Draft management and action plans (general) 48
- Drought 11, 35, 37
- Dryland salinity 32–34

- East O'Malley 1, 9, 50
- Ecologically sustainable development 54–56
- Economic White Paper 22–23
- Effluent reuse 37
- Energy consumption reporting 31–32, 42
- Environment ACT (links with) 6, 49, 51
- Environment Protection Regulations 36
- Environmental education 22
- Environmental flows 35
- Environmental ombudsman 3
- Equity and diversity 50

- Financial delegations and reporting 6, 49
- Fire mapping 38–39
- Flora and Fauna Committee 7
- Foxes 41
- Fraud prevention 50
- Freedom of Information 53

- Gooroo 20
- Greenhouse 13, 15, 31–32, 42
- Groundwater monitoring 34–35
- Groundwater use 34–35
- Gungahlin 16, 17, 20

- Indian Myna Bird 40
- Indicators 8, 10–11
- Industry awards 24
- Integrated pest management 11
- Investigations 3, 8–10

- Jerrabomberra Creek and catchment 20, 34–35
- Justice options and prevention policy framework 50

- Knowledge fund 21, 24–25

- Land Management Agreements 19–20
- Learning and development 51
- Legislation
 - Auditor-General Act 6
 - Commissioner for the Environment Act 3, 4–5, 7, 10
 - Environment Protection Act 4
 - Nature Conservation Act 7
 - Public Health Act 6
 - Tree Protection (Interim Scheme) Act 7, 9
 - Utilities Act 31
- Lowland Grassland Conservation Strategy 17

- Management discussion 49
- Material flows 22
- Ministerial support 2
- Mission statement 3
- Multicultural framework 50
- Murrumbidgee Catchment Management Blueprint 32, 47

- National Information and Communication Centre of Excellence 21
- Native birds 40
- Natural Resource Management Advisory Committee 7
- Natural Vegetation Inventory System 16–17
- Nature Conservation Strategy 47
- Nephelometers 14, 47
- No Waste by 2010 Strategy 10, 29–30

- Occupational health and safety 53
- Off-reserve conservation 19–20
- Office asset management 52
- Office of Sustainability 6, 29
- Operations 7–8

- Pest animals 41
- Public transport 44–46

- Rabbits 41
- Recommendations from 1997 report 43–48
- Recommendations from 2000 report 13–43
- Regional Leaders' Forum 7
- Review of Office 2, 7
- Right Turn 27
- Rural Trust Funds 19–20

- s12(1)(b) Minister directed investigations 10
- s12(1)(c) Commissioner instigated investigations 10
- Sediment controls 36
- Significant impacts on the environment 11
- Snow Gum Woodland 17
- SoE (see State of the Environment Report)
- SoE Author 1, 2, 7
- Soil acidity 32–34
- Soil erosion 32–34
- Southern ACT Catchment Group 32–33
- Special annual reporting requirements 10–48
- Staffing and structure 5, 49, 51
- State of the Environment Report 1
 - 1997 7
 - 2000 1, 7, 10, 13
 - 2003 7, 12, 13, 17, 24, 28, 29, 34, 36, 42, 43, 48, 50
 - launch 1, 8
 - presentations 1, 8, 50
 - Regional reporting 7, 13, 20, 50
 - timing 4, 6
 - workshops 2, 50
- Strategic Business Development Program 24
- Stromlo 30, 57
- Sustainable Transport Plan 45

- Temperature inversions 14–15
- Territory Plan 16
- Transport 45–46

- UV Monitoring 48

- Vegetation communities 16
- Vegetation surveys 16
- Vision statement 3

- Waste 23
 - bushfire damaged material 30
 - off-reserve conservation 19
 - Zero Waste Institute 23
 - see also No Waste Strategy
- Water quality 7, 36, 42–43
- Water Resources Act 37
- Water Resources Management Plan 34, 37
- Water reuse and recycling 37–38
- Waterwatch 48
- Wild dogs 41
- Wildlife Research and Monitoring 17
- Wood–smoke 14–15
- Worker's compensation 51

- Yarralumla Creek 32
- Yellow Box–Red Box woodland 1, 9, 16–18, 19

COMPLIANCE INDEX

TRANSMITTAL CERTIFICATE	I
AIDS TO ACCESS	
Table of contents	ii
Alphabetical index	59
Glossary of abbreviations and acronyms	58
Contact officer and website address	inside cover
OVERVIEW AND MAJOR ACHIEVEMENTS	
Organisational Profile and Content	3
Chief Executive Overview	1
Corporate Governance	3
External Scrutiny	7
Objectives, Achievements and Major Issues	7–43
FINANCIAL AND PERFORMANCE STATEMENTS	49
WHOLE OF GOVERNMENT ISSUES	
Key Issues	50
Community Engagement	50
Aboriginal and Torres Strait Islander Reporting	50
Multicultural Framework	50
Fraud Prevention	50
Equity and Diversity	50
Justice Options & Prevention Policy Framework	51
Resources and Ownership Agreement Reporting	51
Ownership Agreement	51
Certified Agreements	51
Staffing Profile	51
Australian Workplace Agreements	51
Workers' Compensation	51
Learning and Development	51
Consultancy and Contractor Services	52
Capital Works Management	52
Asset Management Strategy	52
Statutory Requirements	
Occupational Health and Safety	53
Commissioner for the Environment	N/A
Public Interest Disclosure	53
Government Contractual Debts (Interest)	53
Freedom of Information Statement	53
Ecologically Sustainable Development	53
ANNEXED REPORTS	N/A
APPENDICES	N/A
SUBSUMED REPORTS	N/A
COMPLIANCE INDEX	61