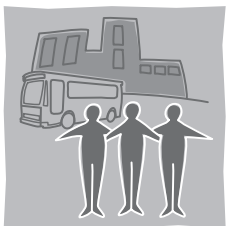
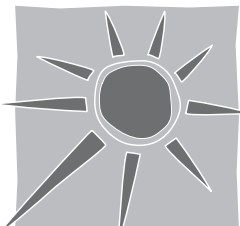
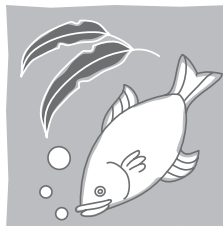
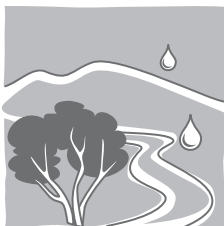




Office of the Commissioner for
Sustainability and the Environment

annual report 2009-10



©ACT Government 2010

ISSN 1322-8056

ISBN 978 0 642 60533 7

Publication No. 10/1011

Published by the Office of the Commissioner for Sustainability and the Environment, Canberra

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 Sustainability and the Environment, PO Box 356 Dickson ACT 2602

Contact Officer

Mrs Narelle Sargent
Senior Manager
Office of the Commissioner for Sustainability and the Environment
narelle.sargent@act.gov.au

PO Box 356 Dickson ACT 2602
Telephone: 02 6207 2626
Facsimile: 02 6207 2630
Email: envcomm@act.gov.au
www.envcomm.act.gov.au



RECYCLED CONTENT



MANAGEMENT SYSTEMS



BLEACHING PROCESS

Printed on 100% recycled paper, made in Australia from Australian waste. No chlorine bleaching occurs in the recycling process and the paper has ISO4001 environmental accreditation. A percentage from the sales of this paper is donated to Landcare Australia for the restoration and replanting of landfill sites throughout Australia.



Office of the Commissioner for
Sustainability and the Environment

TRANSMITTAL CERTIFICATE

Mr Simon Corbell, MLA
Minister for the Environment, Climate Change and Water
Minister for Energy
ACT Legislative Assembly
GPO Box 1020
Canberra ACT 2601

Dear Minister

I am pleased to submit to you the Annual Report of my Office for the year ended 30 June 2010. This Report has been prepared under section 6(1) of the Annual Reports (Government Agencies) Act 2004 and in accordance with the requirements referred to in the Chief Minister's Annual Report Directions. It has been prepared in conformity with other legislation applicable to the preparation of Annual Reports by my Office.

I hereby certify that the attached Annual Report is an honest and accurate account, which contains information on the operations of the the Office during the period 1 July 2009 to 30 June 2010.

I also hereby certify that fraud prevention has been managed in accordance with the Public Sector Management Standard 2, Part 2.4.

Section 13 of the Annual Reports (Government Agencies) Act 2004 requires that you present to the Legislative Assembly a copy of the report within three months of the end of the financial year.

Yours sincerely

Dr Maxine Cooper
Commissioner
16 September 2010

PO Box 356 Dickson ACT 2602
ABN: 14 526 086 507

T: (02) 6207 2626 F: (02) 6207 2630 E: envcomm@act.gov.au W: www.envcomm.act.gov.au

This Office is independent of, but funded by, the ACT Government.



Contents

Transmittal certificate	iii	C.21 Ecologically sustainable development	58
Section A – Performance and financial management reporting	1	C.22 ACT Women’s Plan 2010–15	61
A.1 The organisation	1	C.23 Model Litigant Guidelines	61
A.2 Overview	2	Appendixes	62
A.3 Highlights	3	Appendix 1: Reference and Focus Group members	62
A.4 Outlook	8	Appendix 2: Terms of reference	62
A.5 Management discussion and analysis	8	Appendix 3: Audit/assessment of ACT Government agencies’ environmental performance reporting Terms of Reference	63
A.6 Financial report	8	Appendix 4: Investigation into the Government’s tree management practices and the renewal of Canberra’ surban forest Terms of Reference	63
A.7 Statement of performance	9	Appendix 5: Investigation into the Government’s tree management practices and renewal of Canberra’s urban forest Reference Panel Members	64
A.8 Strategic indicators	10	Appendix 6: Canberra Nature Park (nature reserves), Molonglo River Corridor (nature reserves) and Googong Foreshores Investigation Terms of Reference	64
A.9 Analysis of agency performance	10	Appendix 7: Canberra Nature Park (nature reserves), Molonglo River Corridor (nature reserves) and Googong Foreshores Investigation Expert Panel Members	64
A.10 Triple bottom line report	49		
Section B – Consultation and scrutiny reporting	50	Tables and figures	
B.1 Community engagement	50	Table 1: Accountability indicators for the Office of the Commissioner for Sustainability and the Environment, 2009–10	9
B.2 Internal and external scrutiny	51	Table 2: Complaints lodged in 2008–09	11
B.3 Legislative Assembly committee inquires and reports	52	Table 3: Complaints lodged in 2009–10	12
B.4 Legislation report	52	Table 4: Progress on implementing recommendations from the State of the Environment Report 2007–08	21
Section C – Legislative and policy based reporting	53	Table 5: Progress on implementing recommendations from the ACT Lowland Native Grassland Investigation Report	38
C.1 Risk management and internal audit	53	Table 6: Summary of enquiries, complaints and investigations in 2009–10	48
C.2 Fraud prevention	53	Table 7: Community engagement, 2009–10	50
C.3 Public interest disclosure	53	Table 8: Legislative Assembly committee inquiries and reports, 2009–10	52
C.4 Freedom of information	53	Table 9: Summary of contracts over \$20,000, 2009–10	57
C.5 Internal accountability	54	Figure 1: Organisation chart, 2009–10	54
C.6 Human resource performance	55		
C.7 Staffing profile	55		
C.8 Learning and development	55		
C.9 Workplace health and safety	55		
C.10 Workplace relations	55		
C.11 Strategic Bushfire Management Plan	55		
C.12 Strategic asset management	56		
C.13 Capital Works	56		
C.14 Government contracting	56		
C.15 Community grants/assistance/sponsorship	58		
C.16 Territory records	58		
C.17 Human Rights Act 2004	58		
C.18 Commissioner for the Environment	58		
C.19 ACT Multicultural Strategy 2010–13	58		
C.20 Aboriginal and Torres Strait Islander reporting	58		



Section A - Performance and financial management reporting

A.1 The organisation

Our role

The Commissioner for Sustainability and the Environment is an expansion of the role of the Commissioner for the Environment, created under the *Commissioner for the Environment Act 1993*.¹

The Commissioner is accountable and responsible to the Legislative Assembly through the Minister for the Environment, Climate Change and Water in relation to its operations.

The Act specifies that the Commissioner shall:

- produce state of the environment reports for the ACT
- investigate complaints about the management of the environment by the Territory or a Territory authority
- conduct investigations as directed by the Minister
- initiate investigations into actions of an agency where those actions would have a substantial impact on the environment of the ACT
- make recommendations for consideration by government and include in its annual report the outcomes of those recommendations.

In addition, advocacy and awareness with respect to sustainability and environmental issues are undertaken.

Our Office prepares State of the Environment Reports for each council in the Australian Capital Region² on a fee-for-service basis. This is undertaken through an agreement with the local councils, all of which are members of the Australian Capital Regional Leaders Forum.

Our vision

Living Sustainably captures our commitment to help the community and government undertake actions to advance our progress towards being more sustainable and better manage the environment. This is achieved through advocacy, independent scrutiny, reporting and advice.

Our mission

Our Mission is advancing sustainability through advocacy, independent scrutiny, reporting and advice on environmental matters.

Our values

Our values are:

- **Independence** – we empower through objectivity, transparent processes, considered evaluations and appropriate confidentiality
- **Caring** – our high regard for the environment, our community, and future generations sustains our efforts
- **Innovation** – we seek to use the best available knowledge to pursue solutions that may not be evident or even exist yet
- **Empathy** – we take realistic approaches that recognise the realities faced by the individuals and organisations with whom we engage
- **Collaboration** – we take an integrated and inclusive approach.

¹ On 21 November 2007, the Legislative Assembly noted 'that the Government will amend the *Commissioner for the Environment Act 1993* to expand the role of the Commissioner to include responsibility specifically for sustainability and will consult widely with the Government, business and the broader community on the scope of legislative change'

² The Australian Capital Region includes the ACT and the 17 surrounding New South Wales local government areas of Bega Valley, Boorowa, Bombala, Cooma-Monaro, Cootamundra, Eurobodalla, Goulburn-Mulwaree, Gundagai, Harden, Queanbeyan, Yass, Young, Upper Lachlan, Palerang, Snowy River, Tumbarumba and Tumut

Our objectives

Our objectives are:

- **Investigation and Resolution** – enhancing understanding and providing guidance by investigation and resolving complaints
- **Monitoring and Reporting** – advancing sustainable practices and better management of the environment through independent monitoring, analysis and reporting
- **Engagement and Advocacy** – an independent voice that advocates for, and raises awareness of, sustainable practices and environmental matters
- **Capability** – fostering a collaborative culture built on professional expertise and networks.

Our structure

Our Office's establishment consists of a full time Commissioner, two Senior Officers Class B, two Project Officers Class 2, and one Administrative Services Officer Class 5.

Our clients and stakeholders

Our work is relevant to all members of the ACT community, specifically:

- the ACT Government and all other members of the Legislative Assembly
- the community, including future generations
- ACT Government agencies
- environment and sustainability interest groups
- business and industry
- academics
- professional bodies and interest groups
- media
- Australian Capital Region Councils
- NSW and Commonwealth governments.

A.2 Overview

Organisational environment

The Commissioner is a statutory office holder and our Office operates as an independent statutory body. Our staff members are employed under the *Public Sector Management Act 1994* and observe the ACT Public Service Code of Ethics.

The *Commissioner for the Environment Act 1993* is the current enabling legislation.

The Department of the Environment, Climate Change, Energy and Water and Shared Services (in the Department of Territory and Municipal Services) provide corporate support for matters such as accommodation, financial reporting, recruitment and other personnel services. InTACT (in the Department of Territory and Municipal Services) provides information management and information technology support.

Our Office has a memorandum of understanding with the Department of the Environment, Climate Change, Energy and Water for administrative matters.

Significant organisation change

The Government, in late 2007, decided to expand the Commissioner's role to explicitly include amongst other things sustainability as related to environmental issues. The Commissioner was requested to consult widely on the scope of the legislative change needed to support the expanded role.

This was undertaken and a report, *Expanded Role of the Office of the Commissioner for Sustainability and the Environment*, was submitted to the Minister for Environment, Climate Change and Water on 24 September 2009. The Government is yet to respond to this report.

Administration of legislation or other regulatory activities

The *Commissioner for the Environment Act 1993* is the current enabling legislation. Our Office administers no other legislation and has no regulatory activities.

A.3 Highlights

Our achievements during 2009–10 covered our key functions, in which we:

Statutory

- submitted the report, *Expanded Role of the Office of the Commissioner for Sustainability and the Environment*, to the Minister
- progressed a review of the ACT State of the Environment Report Framework.

Investigations

- progressed an audit/assessment of ACT Government agencies' environmental performance reporting
- submitted the *Interim report on street and park tree removals undertaken by the Department of Territory and Municipal Services under classification of 'dangerous' and 'hazardous' trees* to the Minister as part of our *Investigation into the Government's tree management practices and the renewal of Canberra's urban forest*
- commenced the *Canberra Nature Park (nature reserves)*, *Molonglo River Corridor (nature reserves)* and *Googong Foreshores Investigation*
- facilitated the inaugural Annual Grassland Forum in partnership with the Friends of Grassland, Natural Resource Management Council and the Department of Territory and Municipal Services.

Advocacy

- released the *Regional State of the Environment Report 2004–09*
- launched the Young People Ambassadors Group
- launched the *What Can I Do?* campaign
- conducted our inaugural Stakeholder Forum
- coordinated the 1 Million Women launch in Canberra, and the Women in Climate Change National Forum Series in Canberra, in partnership with the Department of Territory

and Municipal Services and the Department of the Environment, Climate Change, Energy and Water and 1 Million Women

- progressed the Dickson Motor Vehicle Registry Sustainability Working Group

Statutory

Expanded Role of the Office

The report, *Expanded Role of the Office of the Commissioner for Sustainability and the Environment*, was submitted to the Minister for the Environment, Climate Change and Water on 24 September 2009.

This report was produced in response to the Chief Minister's announcement, and subsequent discussion in the Legislative Assembly in late 2007, on the expanded role of the Commissioner, that:

- the Commissioner's role would be expanded to explicitly include, among other things, sustainability as related to environmental issues
- the Commissioner would consult widely on the scope of legislative change.

The key findings and recommendations presented in *Expanded Role of the Office of the Commissioner for Sustainability and the Environment* were informed by:

- extensive consultation with the community and government agencies
- a review of the Commissioner's role by Mr Darro Stinson in 2007 (Stinson Review 2007)
- advice from a Reference Group (Appendix 1)
- a report by Mr Darro Stinson on Drinking Water Catchments in 2009 (Stinson Report 2009)
- advice from Barrister Mr David Mossop
- consideration of the roles of similar Commissioners in other jurisdictions
- consideration of the roles of independent ACT Commissioners.

The Government is yet to respond to this report.

ACT State of the Environment Report review

In 2009, the Office initiated a review of the ACT State of the Environment Report Framework to assess it against leading State of the Environment approaches used in Australia and internationally to inform future ACT State of the Environment reporting. This is the first review of the ACT State of the Environment Report framework since its commencement in 1993–94, during which time, six reports have been prepared.

An iterative process to strategically review, assess and refine the State of the Environment reporting framework was undertaken. This process included:

- engaging a consultant (Halcrow Pacific Pty Ltd) to review the 2007–08 State of the Environment Report framework, develop a draft reporting framework, and advise on final indicator definitions
- consulting with a Reference Group (Appendix 2) and four focus groups (Appendix 2) on a draft reporting framework
- assessing proposed themes and indicators and, where appropriate, removing or adding indicators to best report on the condition of the ACT environment, key trends, and progress towards sustainability.

Once finalised, the review of the ACT State of the Environment Report Framework will be publicly released.

Investigations

Audit/assessment of ACT Government agencies' environmental performance reporting

Action 2 of *Weathering the Change: Action Plan 1, 2007–11*, states that the Commissioner 'will scrutinise agency resource management plans', which are taken to include energy and water use, waste production and transport.

In response, our Office is undertaking an audit/assessment of ACT Government agencies' environmental performance reporting in accordance with the terms of reference (Appendix 3).

Our report on this audit/assessment will be submitted to the Minister for the Environment, Climate Change and Water in the 2010–11 financial year.

Government's tree management practices and the renewal of Canberra's urban forest

On 3 December 2009, the Minister for the Environment, Climate Change and Water, Mr Simon Corbell MLA, directed the Commissioner to investigate the Government's tree management practices and the renewal of Canberra's urban forest (known as the Tree Investigation).

The Minister established 11 terms of reference to guide the investigation (Appendix 4).

To date the following has occurred:

- a Reference Panel (Appendix 5) was established, it comprised experts in related fields and community members
- community participation was invited through public forums and a call for public submissions
- a workshop on birds in relation to managing urban trees was conducted
- a strategic communications workshop to discuss effective communication relating to trees was undertaken
- public presentations and meetings with experts, government agencies and interested parties
- site visits to Brisbane and Melbourne with meetings with local government representatives
- experts and government agencies have been consulted
- three external papers were commissioned to inform the investigation on specific topics.

These papers will be released for public information prior to the investigation being concluded. The papers are:

- *Report on the sustainable reuse of timber from felled trees in the ACT* – Ian McArthur (Farm Forestry Consulting)
- *Planning advice: development of a remnant tree management strategy for the ACT* – Kip Tanner and Sam Patmore (CB Richard Ellis)
- *Solar access: enquiry into tree management practices and renewal of Canberra's urban forest* – Robert Purdon and Samantha Wilson (Purdon and Associates).

A fourth paper, *A brief review of papers by Dr Cris Brack and by the Department of Territory and Municipal Services relevant to population modelling of Canberra's urban trees*, was prepared by Dr Greg Moore an Associate of the University of Melbourne and a member of the Tree Investigation Reference Panel.

The Commissioner submitted an *Interim report on street and park tree removals undertaken by the Department of Territory and Municipal Services under classification of 'dangerous' and 'hazardous' trees* to the Minister on 13 April 2010. The Minister is yet to respond to this report.

In the 2010–11 financial year, the Commissioner will submit the final report on the Tree Investigation to the Minister for the Environment, Climate Change and Water.

Canberra Nature Park (nature reserves), Molonglo River Corridor (nature reserves) and Googong Foreshores

On 13 October 2009, the Minister for the Environment, Climate Change and Water, Mr Simon Corbell, directed the Commissioner to undertake an investigation into the Canberra Nature Park (nature reserves), Molonglo River Corridor (nature reserves) and Googong Foreshores (known as the Canberra Nature Park Investigation).

The Minister established eight terms of reference to guide this investigation (Appendix 6).

To date the following has occurred:

- an expert panel (Appendix 7) comprising members with expertise in natural resource management, ecology, flora, fauna (including and in particular relating to kangaroos), recreation and community matters has been established
- community participation was initiated through workshops and a call for public submissions
- experts and government agencies have been consulted
- a major field-based ecological assessment of the functional status of all sites is being undertaken.

In the 2010–11 financial year, the Commissioner will submit a report on the Canberra Nature Park Investigation to the Minister for the Environment, Climate Change and Water.

Grassland Forum

Our Office, at the request of the Minister for the Environment, Climate Change and Water, Mr Simon Corbell, in partnership with the Friends of Grasslands, the ACT Natural Resource Management Council and the Department of Territory and Municipal Services conducted the inaugural Grassland Forum on 20 May 2010 at CSIRO Gunghalin. This forum was a result of the Commissioner's *Report on ACT Lowland Native Grassland Investigation* that included:

Recommendation 30: conduct an annual community and stakeholder lowland native grassland forum to, among other things, coordinate research, monitoring and data collection, and raise awareness.

The objectives of this forum were to:

- share information, research, monitoring and data collection on lowland native grasslands with other stakeholders
- enhance coordination of management, education and awareness between stakeholders and across sites

- identify priorities for further action to progress conservation of lowland native grasslands.

The forum identified four key areas for priority attention:

- promotion of the grasslands throughout ACT
- improved public knowledge of the grasslands
- identified strategic vision
- improved Government/resident/organisation relationships.

Advocacy

Regional State of the Environment Report

The Commissioner and the Mayor of Yass, Mr Nic Carmody, launched the *Regional State of the Environment Report 2004–09* at the Public Library in Yass on 30 November 2009. The report was prepared to meet the requirements of the *Local Government Act 1993* (NSW). It represents collaboration between the 17 local councils in the Region (see footnote 2) and our Office. The report builds on, and continues to develop, the strategic directions and learning from previous regional reports and the ‘Regional State of Environment and Sustainability Steps’ workshops that were conducted as part of the reporting process.

Release of the report was supported by a ‘Sustainability Steps’ paper which provides practical steps for choosing and reporting on core environmental indicators. Our Office also held ‘Sustainability Steps’ workshops in Goulburn, Harden and Cooma. These were attended by representatives from all 17 local councils.

Young People Ambassadors Group

Ten Young People Ambassadors³ were announced on 3 June 2010 to help our Office promote actions for our community, particularly

in the youth sector (12–25 years), to become more sustainable. Our ambassadors are a mix of school students, university students and young professionals who in partnership with us:

- identify opportunities for engagement with youth
- provide advice on updating the website and electronic communication
- provide links with the Office of the Commissioner for Children and Youth
- provide links with key sustainability and environmental youth groups, such as the Australian Youth Climate Coalition and ACT Otherwise.

Other activities of our ambassadors include producing a Fact Sheet titled *Retrofitting Buildings to Reduce Greenhouse Gas Emissions*, social media communications (blog, Facebook, Twitter) and general advocacy and awareness of sustainability and environmental issues particularly through the support of their peers.

What Can I Do? Campaign

Our Office launched the *What Can I Do?* campaign on 25 August 2009. This campaign focuses on what individuals can do to promote a better environment and work towards sustainability. The theme is Living Sustainably and the goal is to reduce our ecological footprint. Components of the campaign have included:

- *What Can I Do in my Home?* highlighting ways to reduce energy consumption and greenhouse gas emissions, ran from 25 August until late September, to incorporate Sustainable Home Day (7 September) and Energy Awareness month (September)
- *What Can I Do in my Travels?* highlighting ways to reduce greenhouse gas emissions from travel, ran in October to encourage participation in Walk to School month (October) and Walk to Work Day on 2 October

³ The Young People Ambassadors are Ms Maiy Azize, Mr Simon Copland, Ms Emily Davies, Mr Xin Qiao Don, Ms Jillian Foley, Mr Murray Holdom, Ms Ellie Malbon, Mr Michael Mazengarb, Mr Bennett Schneider and Ms Erika Strazdins

- **What Can I Do for the Festive Season?**
incorporated National Recycling Week (9–15 November), ran from late November to end of December. Key messages for the campaign included: do it, not give it (give an experience such as visiting a museum, going to a movie, rather than a material present) and if you do give a gift make it one that lasts.

Stakeholder Forum

Our Office held its inaugural Stakeholder Forum on 7 September 2009 to coincide with Sustainable House Day. The forum included the launch of our *What Can I Do in My Home?* campaign. This forum was a component of the overall advocacy and awareness role of our Office and was attended by about 50 members of the community ranging from members of the legislative assembly, government agencies, industry and business sectors and community interest groups.

1 Million Women

Our Office, in partnership with the Department of Territory and Municipal Services, the Department of the Environment, Climate Change, Energy and Water and 1 Million Women, coordinated the ACT launch of 1 Million Women on 6 May 2010. Our Office also participated in the Canberra Women in Climate Change national forum series on 24 June 2010.

This campaign urges women across Canberra to take action to reduce their carbon emissions by making simple changes in their daily life. This action will help achieve the goal of empowering one million women across Australia to collectively cut one million tonnes of carbon dioxide, the main greenhouse gas pollutant triggering climate change.

Dickson Motor Vehicle Registry Sustainability Working Group

Pursuing carbon neutrality in government buildings is one of the key actions under the ACT Government's climate change strategy, *Weathering the Change*. To help achieve this, our Office initiated the Dickson Motor Vehicle Registry Sustainability Working Group. The work being done in the Dickson Motor Vehicle Registry, both to the building and by the staff, to promote and encourage a reduction in resource use highlights actions that address climate change and sustainability.

Working Group initiatives have included introduction of mobile phone recycling, installation of sensor lights in the stairwell, and progression of the resource management plan. An achievement for the group was gaining ACT Smart Office Accreditation in May 2010. This accreditation recognises that the staff in the Dickson Motor Vehicle Registry building are actively recycling. Future plans for the Dickson Motor Vehicle Registry building include installation of rainwater tanks (providing water for toilets) and waterless urinals, external building cladding and solar powered water heating.

A.4 Outlook

During 2010–11 the Commissioner will continue to undertake her functions and roles as mandated in the *Commissioner for the Environment Act 1993*. Our Office will:

Statutory

- investigate complaints about management of the Territory's environment by the ACT Government and/or its agencies
- release the 2004–09 Ecological Footprint⁴ for Canberra and progress the 2011 ACT State of the Environment Report.

Investigations

- submit a report on an audit/assessment of ACT Government agencies' environmental performance reporting to the Minister for the Environment, Climate Change and Water
- submit a report on the Tree Investigation to the Minister for the Environment, Climate Change and Water
- submit a report on the Canberra Nature Park Investigation to the Minister for the Environment, Climate Change and Water.

Advocacy

- progress the Young People Ambassadors Group initiative
- continue the *What Can I Do?* campaign
- progress the Dickson Motor Vehicle Registry Sustainability Working Group
- continue to give talks and presentations, particularly to local community groups.

A.5 Management discussion and analysis

During 2009–10, the Department of the Environment, Climate Change, Energy and Water commissioned Walter Turnbull to audit credit cards and staff flex, attendance and leave forms as part of the Department's Internal Audit Program. Our Office asked to be included in that program. No recommendations were made about our Office.

A.6 Financial report

The ACT Government appropriation for the Office in 2009–10 was \$1,408,000.

The financial transactions for the Office are formally reported in the consolidated financial statements of the Department of the Environment, Climate Change, Energy and Water for 2009–10 Annual Reports as part of 'Expenses on Behalf of the Territory'.

⁴ An ecological footprint is a measure of the area of land needed to support the lifestyles of urban residents; it includes raw materials for food, building, energy and so on, as well as the area required to absorb the carbon dioxide emitted from consumption of resources

A.7 Statement of performance

The statement of performance for our Office is included in the Department of the Environment, Climate Change, Energy and Water Annual Report as 'Expenses on Behalf of the Territory'.

The Commissioner reports outputs against accountability indicators in the Department of the Environment, Climate Change, Energy and Water portfolio report. The report for 2009–10 is set out in Table 1.

Table 1: Accountability indicators for the Office of the Commissioner for Sustainability and the Environment, 2009–10

Description: Publication of the State of the Environment Report, investigation of complaints by Ministerial direction, or where a Territory agency's actions would have a substantial impact on the environment.

Accountability indicators*	Original target 2009–10	Actual result 2009–10		Variance from amended target
Report on uptake of recommendations on the ACT State of the Environment and special reports	Sept 2009	Sept 2009	0%	–
Completion of Ministerial initiated investigations in accordance with Minister's direction**	100%	100%	0%	–
Completion of Commissioner initiated investigations in accordance with terms of reference	100%	n/a	n/a	There were no Commissioner initiated investigations
Completion of complaint-generated investigations in accordance with terms of reference	100%	n/a	n/a	There were no complaint-generated investigations
Report on complaints about management of environment by Territory or a Territory agency	Sept 2009	Sept 2009	0%	–
Completion of <i>Australian Capital Region State of the Environment Report 2009</i>	Dec 2009	Nov 2009	–1 month	Reports completed in June 2009 and published November 2009

Note: *Accountability indicators were examined by the ACT Auditor-General's Office in accordance with the *Financial Management Act 1996* and the *Financial Management (Statement of Performance Scrutiny) Guidelines 2008*.

** Two investigations have commenced. They are the Tree Investigation and the Canberra Nature Park Investigation. In accordance with the Minister's directions, both are scheduled for completion in 2010–11.

A.8 Strategic indicators

Our Office is not required to present strategic indicators.

A.9 Analysis of agency performance

This section of the report complies with the *Commissioner for the Environment Act 1993* specifically:

- Section 14(8) which requires reporting of complaints that were received which did not proceed to a full investigation, and the reasons for the decision
- Section 20(a) any special factor that the commissioner believes had a significant impact on the environment during the year
- Section 20(b) measures taken during the year by or for the Territory in relation to implementation of any recommendations in a state of the environment report under section 19 or special report under section 21
- Section 23 information to be included in agency annual reports.

Commissioner for the Environment Act 1993 – section 14(8) requirements

During 2009–10, our Office received 157 **general enquires** by telephone or email. This number represents a decrease of approximately 28 per cent from the previous year of 219.

Our Office received 17 **complaints**, three more than the previous year. Our Office closed 13 complaints, three of which were lodged in 2008–09 (Table 2) and 10 lodged in 2009–10 (Table 3). The Office has eight unresolved complaints.

Table 2: Complaints lodged in 2008-09

Complaint	Month	Nature of complaint	Comment	closed
Mugga Lane Tip and Parkwood Landfill Sites	August 2008	Management of fluid waste and leachate at the Mugga Lane Tip and atmospheric contaminants at the old Parkwood Landfill Site.	The complainant was advised that there was no evidence of practices not conforming to the required standards or procedures.	July 2009
Rural landholder concerns about kangaroos	24 March 2009	Three issues about kangaroo culling: <ul style="list-style-type: none"> • Kangaroo Cull Allocations (Licence to Cull) for 2009 • the process for accreditation for a Kangaroo Cull Permit (Shooter) for the 2009-10 season • excessive kangaroo numbers in reserves. 	The Commissioner made three recommendations, in summary these were: <ul style="list-style-type: none"> • improving the management of the Kangaroo Cull Allocation (Licence to Cull) process • improving the process for undertaking a survey on the Kangaroo Cull Allocation (Licence to Cull) • with respect to accreditation for a Kangaroo Cull Permit (Shooter). 	July 2009
Tuggeranong Canberra Technology City – proposed development	March 2009	Environmental and health issues, in particular the health risk, of air pollution through particulate matter 2.5 and the environmental and climate consequences of air pollution	The complainant was advised that the development application was assessed under the <i>Planning and Development Act 2007</i> and that the development application was approved with conditions on 6 March 2009.	Sept 2009
Water reuse innovation	June 2009	Constraints on water re-use innovation.	This is a complicated policy issue which involves many agencies and the Independent Commission Against Corruption (ICAC). Discussions are continuing with the ICAC Commissioner. Due to Office workload, addressing this complaint has been delayed.	Pending

Table 3: Complaints lodged in 2009-10

Complaint	Month lodged	Nature of complaint	Comment	Month closed
Dead wildlife on the ACT/ NSW border roads	August 2009	Lack of action by the Department of Territory and Municipal Services in response to dead wildlife on the ACT/ NSW border roads.	The complainant was advised of the process regarding managing dead wildlife on roadsides. Issues raised by the complainant will be addressed in the Canberra Nature Park Investigation.	November 2009
In defence of the kangaroo inhabiting our grasslands and grassy woodlands	October 2009	Management of the grassland parallel to Athlon Drive between Woden and the Mawson Centre; and the Farrer Nature Reserve.	The complainant was advised that the <i>Report on ACT Lowland Native Grassland Investigation (March 2009)</i> was aimed at better protecting the Territory's lowland native grassland, in particular Natural Temperate Grassland, and threatened grassland species. Issues raised by the complainant were addressed in this Report and will also be considered in the Canberra Nature Park Investigation.	October 2009
Air quality monitoring	Nov 2009	Lack of monitoring of air quality on an ongoing basis within the ACT and the lack of availability of daily data.	Waiting on information from the Environment Protection Authority.	Pending
Removal of hazardous trees on Captain Cook Avenue	Nov 2009	Concern about the decision to remove rather remediate and prune before removal of trees on the median strip on Captain Cook Avenue.	Waiting on information from the Department of Territory and Municipal Services.	Pending
Corroboree Tree, Ainslie	Nov 2009	Mismanagement and neglect by ACT Government agencies of the ailing Corroboree Tree, in Corroboree Park, Ainslie.	The Commissioner made five recommendations, in summary these were: <ul style="list-style-type: none"> • restricting vehicle access to the park • removing competing vegetation and replacement planting in another location • improving soil, available moisture and relieving compaction • remedial pruning of 'Corroboree Tree' to remove dead wood and ongoing monitoring 	February 2010

Complaint	Month lodged	Nature of complaint	Comment	Month closed
			<ul style="list-style-type: none"> • other park management issues, including recognising the heritage value of the park with signage, recording the tree on the Significant Tree Register, collecting seed from the tree for propagation, and an individual tree condition assessment of trees within and surrounding the park, with the results made public as part of developing a tree management plan for the site. 	
Tall Tree, Ainslie	Nov 2009	Tall Tree in Corroboree Park, Ainslie.	<p>The Commissioner made three recommendations, in summary these were:</p> <ul style="list-style-type: none"> • extensive pruning of 'Tall Tree' to reduce risk to public • discussing longer-term decisions for the tree with the community, experts and the Heritage Council • other park management issues, including limiting contractor, Government and public vehicles in the park, and undertaking an individual tree condition assessment of trees within and surrounding the park, with the results made public as part of developing a tree management plan for the site. 	February 2010
Tall Tree notification process, Ainslie	Dec 2009	A resident was not notified about pruning of a tree in a nearby park, despite other residents being notified and he being able to see the tree from his property. Additional issues included use of timber from the tree and vehicle access to park the public as well as Government and utility vehicles and contractors.	The complainant agreed to their issues being considered as part of the Tree Investigation.	February 2010

Complaint	Month lodged	Nature of complaint	Comment	Month closed
Tree pruning and removal, Corroboree Park, Ainslie	Dec 2009	The severity of pruning to the 'Tall Tree' and removal of two other dead trees previously retained for habitat.	The complainant was given the same information as for both the 'Corroboree Tree' and the 'Tall Tree' complaints. The Department of Territory and Municipal Services advised that pruning was done to reduce potential hazard.	February 2010
Corroboree Park	February 2010	Concern regarding Corroboree Park.	The complainant was given the same information as for both the 'Corroboree Tree' and the 'Tall Tree' complaints.	February 2010
Hack Street, notification process for tree removal	Nov 2009	Appropriateness of tree removal and the assessment of green trees for removal.	This issue is being considered in the Tree Investigation.	Pending*
Request to erect a sign at Hume landfill	Nov 2009	Regarding a request to put up a sign at the Hume landfill 'to tell the community to drop off at Revolve on John Cory Crt'.	Advice from the Department of Territory and Municipal Services to the Office was that the request to place a sign at the Mugga Land Resource Management Centre was denied because: <ul style="list-style-type: none"> • there are many businesses in the resource recovery and second hand goods field • it would be difficult to grant any one organisation competitive advantage over the others by granting special advertising and signage privileges. The Commissioner advised the complainant and took no further action.	January 2010
Site Audit Statement for the Belconnen Naval Transmitting Station, Baldwin Drive	February 2010	Concerns about contaminated land at the Belconnen Naval Transmitting Station, Baldwin Drive, Lawson ACT.	The complainant was advised of the Site Audit Statement under the <i>Environment Protection Act 1997</i> .	February 2010
Tree removal for driveways and damage to streetscape	February 2010	Complaint relating to removing street trees to make way for dual driveways in new apartments.	Waiting on information from the Department of Territory and Municipal Services.	Pending

Complaint	Month lodged	Nature of complaint	Comment	Month closed
Solar access	February 2010	Complaint about tree blocking solar access and the management of this. Suspected tree health issues arose in May.	Waiting of information from the Department of Territory and Municipal Services regarding potential poisoning of the tree.	Pending
Tree removal and impact on property values	March 2010	Approval for removal of two regulated trees and the affect on neighbour's property values.	The complainant was advised they could ask the Conservator to reconsider if they could present new information.	April 2010
Spotted Quoll	March 2010	Removal of Spotted Quoll from its Territory.	Our Office is seeking a response from the complainant on certain privacy issues before furthering the complaint.	Pending
Consideration of tree in relation to works by ActewAGL	May 2010	Complaint about ActewAGL potential removal or damage to tree in Barton to access sewerage drain for works to be undertaken.	ActewAGL delayed sewerage works until the tree was dormant. Works were then undertaken with consideration given to the tree (hand digging where necessary, branches protected, etc.).	Pending**

Notes: * Closed August 2010, ** Closed July 2010.

Commissioner for the Environment Act 1993 – section 20(a) requirements

Within the context of some of the key sustainability challenges confronting the ACT, this section presents natural and human factors that had a significant impact on our environment during 2009–10.

Key sustainability challenges for the ACT continue to be the same as those in the *State of the Environment Report 2007–08*. These include:

- reducing and managing greenhouse gas emissions and responding to climate change
- progressing sustainable transport
- managing consumption of resources especially non-renewables
- conserving and managing biodiversity.

Greenhouse gas emissions and climate change

Climate change represents one of the most significant challenges to our society. Scientists suggest that an international agreement that sets the world on a path to limit the increase in global average temperatures to no more than 2 degrees Celsius will provide the best chance of avoiding catastrophic climate change.⁵

Internationally, a binding agreement to address climate change was not reached through the United Nations Framework Convention on Climate Change Conference of Parties in Copenhagen in December 2009. Locally, in contrast, a target was set by the ACT Government of zero net greenhouse gas emissions by 2060. While this commitment indicates the importance the Government and community have placed on climate change, we struggle to take the need actions in a timely manner.

Our per capita use of both electricity and gas continues to increase. Australia has the highest

per capita greenhouse gas emissions and the ACT remained second only to Tasmania in residential use of electricity per person; however, as Tasmania uses hydro, our emissions from electricity are higher.

Our use of these energy sources to heat, cool and light our buildings accounts for 72.2 per cent of our greenhouse gas emissions (in 2005)⁶. In addition, transport makes up 23 per cent of our greenhouse gas emissions (in 2005) and is another significant source of energy consumption.

Given the current trends in our use of energy, particularly that from non-renewable sources, meeting our target of zero net greenhouse gas emissions by 2060, is a major challenge.

To assist meeting this challenge, the Canberra community is debating the important issue of an interim target. This debate highlights two key issues for us locally: the need to take local action urgently and how best to mobilise people and our society to actually change. Tackling climate change early will avoid larger costs for future generations, including consequences for the economy, water availability and our unique environment.⁷

The ACT Government is pursuing initiatives to reduce our greenhouse gas emissions. The initiatives of particular note in 2009–10 included:

- specifying an interim target for reducing greenhouse gas emissions
- expanding the ‘feed-in tariff scheme’ to large-scale generators in order to further encourage deployment of clean energy generation. The scheme is currently limited to installations of 30 kW capacity – about 180 standard PV panels
- progressing the feasibility for developing a large-scale solar power facility in the ACT that is capable of powering at least 10,000 homes

⁵ Commonwealth of Australia 2010, Australia to 2050: Future Challenges, Circulated by the Treasurer, Canberra, at <http://www.treasury.gov.au/igr/igr2010/report/pdf/IGR_2010.pdf>

⁶ Office of the Commissioner for Sustainability and the Environment, 2008, State of the Environment Report 2007–08, Canberra

⁷ Commonwealth of Australia 2010, Australia to 2050: Future Challenges, Circulated by the Treasurer, Canberra, at <http://www.treasury.gov.au/igr/igr2010/report/pdf/IGR_2010.pdf>

- finalising the *Draft Sustainable Energy Policy 2010–20* (released in December 2009)
- implementing the Monenergy campaign aimed at reduce Canberra's carbon emissions by highlighting different rebates available to make homes more energy efficient, appealing to both the hip pocket and a desire to act on climate change⁸
- updating *Weathering the Change – the ACT Climate Change Strategy 2007–25* (released in July 2007).

While the above initiatives combined with existing policies provide a strong policy framework to guide actions, it is critical that actions currently underway continue and new actions are developed and implemented quickly. These initiatives should be a catalyst for advancing action to address other challenging issues affecting our environment and sustainability, such as consumption and transport.

Consumption

Inappropriate and over consumption of resources is a major contributor to our greenhouse gas emissions and other environmental issues, such as managing waste. Australia has the highest per capita greenhouse gas emissions, the second highest water consumption and the third highest generation of waste of all Organisation for Economic Co-operation and Development (OECD) countries.⁹

Ecological footprint

Our ecological footprint¹⁰ of 8.5 global hectares,¹¹ which is nearly four times higher than the global average, and a 15 per cent increase per person since 1998–99,¹² indicates that we are consuming

at an unsustainable rate. Our Office intends to update the ecological footprint during 2009–10 and this will provide a good indication of our progress in making Canberra sustainable.

Waste

The ACT No Waste Strategy – *No Waste by 2010*, resulted in an unprecedented improvement in resource recovery with recycling rates increasing from 42 per cent in 1996 to 74 per cent in 2008. However, total waste produced in 2006–07 compared to 1994–95 was 87 per cent more, yet population growth was around 10 per cent. Further, Canberrans spend, on average, \$1,457 per annum on unused items, mostly food.

A 2008 review of the *No Waste by 2010* strategy found that the goals were not achievable within current budget allocations. It also indicated that 'the Government recognises the achievements of the ACT community and remains committed to reducing landfill waste, but will review targets to an affordable and achievable level'.¹³ It is understood that the Department of the Environment, Climate Change, Energy and Water will develop a draft waste strategy in 2011, to replace *No Waste by 2010* for the Government to consider. This is welcomed given the importance of such a strategy. Additionally, as e-waste has emerged as an issue since the *No Waste by 2010* policy, it will be important that this is explicitly addressed.

Water

Water consumption¹⁴ per person in the ACT is significantly higher than that of NSW with average water consumption at 860,000 litres per person per year, with some suburbs using over 1

⁸ City News, 4–10 March 2010

⁹ Amy Russell, 'Lighten Your Footprint', Good Health Magazine, July 2010

¹⁰ An ecological footprint is a measure of the area of land needed to support the lifestyles of urban residents; it includes raw material for food, building, energy and so on, as well as the area required to absorb the carbon dioxide emitted from our consumption of resources

¹¹ A global hectare is where one hectare of biologically productive space with 'world average productivity' is equal to one unit

¹² Centre of Integrated Sustainability Analysis (University of Sydney) 2008, The 2003–04 Ecological Footprint of the population of the Australian Capital Territory, as reported in the ACT State of the Environment Report 2007–08

¹³ Wright Corporate Strategy 2008, ACT No Waste Strategy and targets review and Assessment of Options revised Final Report, July 2008

¹⁴ The water used to produce the foods, goods and services we use

¹⁵ Department of Environment and Climate Change 2008, Summary of Climate Change Impacts, South East Region, NSW Climate Change Action Plan at <www.environment.nsw.gov.au/resources/climatechange/08507SouthEast.pdf>

million litres per person per year.¹⁵ This compares with the NSW average of 740,000 litres per person per year. The ACT Government's water resource management strategy *Think water, Act water* (released in April 2004) provides long-term guidance for managing ACT water resources. Given climate variability, the drought we have been experiencing is likely to break. However, with increasing dry periods and drought predicted for Canberra, we all need to conserve water to adapt to the changes in our climate and plan for future droughts. It would be prudent for the current water conservation measure to remain, even if water restrictions were lifted.

Energy

As mentioned previously, our per capita use of both electricity and gas continues to increase, particularly from stationary sources, such as heating, cooling and lighting for our buildings and urban form.

As highlighted above, our ecological footprint, which is a reflection of our consumption of resources such as water and energy and generation of waste, are major contributors to our greenhouse gas emissions and impacts on our natural environment. The challenge for us is to reduce our level of consumption and change the composition of our consumption towards less harmful or even beneficial forms of consumption.¹⁶

For the ACT and the ACT Region, there are some significant opportunities with respect to renewable energy.

Population

Managing population may be one of the biggest challenges facing Australia and indeed Canberra. Too large a population may have adverse effects, but conversely, too small a population may also be problematic.

As one of the least populated cities on the planet (a population density of 150 people per square kilometre in 2009),¹⁷ Canberra is likely to feel the impact of increasing population size and density.¹⁸ It is predicated that Canberra's current population of about 353,000 will increase to 400,000 by 2022; and 500,000 by 2050. We are also expected to experience significant population ageing: the number of people aged 85 years and over will increase by 509 per cent, reaching 22,500 in 2056. This ageing is typical of projections elsewhere in Australia and throughout the western world.¹⁹

A growing and aging population will accelerate the demand for all resources, particularly transport, water, energy and telecommunication services.²⁰ This in turn has associated environmental impacts, such as increasing demands on our scarce natural resources.

Community discussion on populations seems to have become more prevalent in the past year and is likely to remain on the agenda. Our Office will encourage, and be part of, discussions on population as it has an impact on natural resources, either directly by our consumption, or indirectly by our urban forms and transport systems.

Transport

As reported in 2008–09, achieving sustainable transport remains a key challenge, as Canberra is a city highly dependent on cars fuelled from non-renewable resources. We are a community dependent on motor vehicles, with 81 per cent of us using cars to get to and from work; this is 5 per cent higher than the national figure of 76.1 per cent.

Engineers Australia ACT Infrastructure Report Card 2010, which reports on the Government's efforts to build and maintain the Territory's non-green infrastructure, noted the Government's lack of progress towards using light and heavy

¹⁶ Manning Clark House 2005, *Making Canberra Sustainable*, Ginninderra Press, Canberra, page 184

¹⁷ ABS 2009, *Regional Population Growth, Australia, 2008–09*, Australian Bureau of Statistics, Canberra

¹⁸ Manning Clark House 2005, *Making Canberra Sustainable*, Ginninderra Press, Canberra, page 184

¹⁹ ABS 2009, *Regional Population Growth, Australia, 2008–09*, Australian Bureau of Statistics, Canberra

²⁰ Engineers Australia 2010, *ACT Infrastructure Report Card 2010*, Engineers Australia, Canberra

rail to alleviate current and future transport issues.²¹ There has been considerable community discussion regarding a light rail system for Canberra. Such discussions are likely to continue with an ever increasing focus on two of the challenges to its implementation, our low density and funding to cover its high cost.

A commendable attribute of Canberra, from a sustainable transport perspective, is the high number of cyclists and walkers for work trips. In contrast, our use of buses is low. To raise usage, the ACT Government introduced a Rapid Express Direct (REDEX) bus services which runs every 15 minutes during peak times between Canberra's major hubs in a bid to lure more people into public transport, commenced in October 2009 for a 12-month trial.

Given our high dependence on motor vehicles, it is encouraging that electric cars are being fostered in Canberra. The ACT Government has established an interdepartmental working group to develop a policy position for electric vehicles and has signed a memorandum of understanding with Nissan. Other initiatives being progressed include deployment in Canberra of Better Place Australia.²² It is aiming to have electric car recharge points installed in homes, workplaces and shopping centres by 2012. It is understood that ActewAGL will work with Better Place to supply and distribute electricity from renewable sources. The Canberra-based Rock Development Group is one of the first Australia companies to receive Mitsubishi's new electric car and the Belconnen Fresh Food Markets will be the first place in Canberra to cater for electric cars, with plug-in points in the car park.²³ However it will be important that electric cars are powered by renewable energy otherwise their environmental benefits will not be achieved.

To provide a framework to guide sustainable transport actions, the ACT Government is progressing:

- **Transport for Canberra** (previously referred to as the *Sustainable Transport Action Plan 2010–16*) which we understand will draw together transport policies and programs, deliver the next stage of the *Sustainable Transport Plan (2004)*, and provide a further commitment to the objectives of the *Canberra Plan*. The *Transport for Canberra* plan will consist of a number of policies on public transport, parking, cycling and walking
- **Greater Canberra City Area – Coordinated Action Plan 2010–16**, released in February 2010 for consultation.²⁴ This plan looks at making the city's transport more sustainable by decreasing road traffic and therefore emissions and fuel usage as well as promoting a healthier lifestyle.²⁵

Finalisation of the above two plans soon is encouraged so that actions to support these can be implemented.

Managing and conserving biodiversity

The ACT has an extensive open space network which links the ACT's ecosystems with:

- 54 per cent of the ACT in nature reserves
- 13 per cent of the ACT in urban lands
- 20 per cent of urban lands in open space.

Maintaining and managing this valuable open space network is essential to protecting the ACT's ecosystems, species and natural resources. Urban activities and expansion can compromise biodiversity conservation. The green infrastructure of open spaces is an important buffer to urban pressures and provides important linkages and corridors for species.

²¹ Engineers Australia 2010, ACT Infrastructure Report Card 2010, Engineers Australia, Canberra

²² Better Place Australia is the global provider of electric vehicle network and services; see <<http://australia.betterplace.com/>>

²³ Email from Dianne O'Hara, General Manager Business Development and Strategy, ActewAGL, 28 July 2010

²⁴ See <http://www.communityengagement.act.gov.au/__data/assets/pdf_file/0019/112375/DGCCA_action_plan.pdf>

²⁵ City News, 4–10 March 2010.

Kangaroo management

Kangaroo management has received and is likely to continue to receive significant media attention. In March 2010, the Government released the *ACT Kangaroo Management Plan*. This plan sets out the policy for maintaining wild populations of eastern grey kangaroos in the ACT while managing their environmental, economic and social impacts and ensuring their welfare. The goals of kangaroo management in the ACT are to:

- maintain populations of kangaroos as a significant part of the fauna of the 'bush capital' and a component of the grassy ecosystem of the Territory
- manage and minimise the environmental, economic and social impacts of those kangaroo populations on other biota, grassy ecosystems, ACT residents and visitors.

The *ACT Kangaroo Management Plan* is an important document as it clearly presents the Government's policy along with the information used to derive this policy.

In line with this policy, the Government undertook a culling program in 2008–09 and again in 2009–10. While some sectors of the community oppose culling, there is currently no practical alternative for removing large numbers of kangaroos.

Green infrastructure

Green infrastructure is an emerging issue for Canberra in our quest for sustainability. As we increasingly try to maximise our efficiency and reduce resource use in response to increasing social, environmental and economic pressures from population growth, global urbanization, pollution and climate change impacts.²⁶ Green Infrastructure urban planning and management concepts applied to the natural and designed aspects of cities and towns can assist in reducing the impacts of these global pressures.

Green Infrastructure can provide essential ecosystem services such as; climate amelioration, carbon sequestration, pollution reduction, water adsorption and biodiversity habitats.

Green infrastructure comprises natural features including vegetation, parks, waterways, and assets designed to improve the quality of urban living. A key principle of green infrastructure is that it is an asset recognised as an essential part of the urban environment. The Department of Territory and Municipal Services uses an Integrated Asset Management System for managing roads and infrastructure. This system has been designed to record trees in streets and parks. Populating this system with data on urban trees is important and will recognise our green infrastructure assets and aid their strategic management.

An ACT Biodiversity Assessment and Offsets Policy is being developed. It is understood that one of the objectives of this policy is to ensure no net loss of significant biodiversity values (including the extent, quality and connectivity of native vegetation). This policy can provide an important mechanism for ensuring that our green infrastructure, from an ecological perspective, is managed. Given the urban development pressures it is important that it be finalised soon.

²⁶ Adapting to Climate Change - Green Infrastructure, Electronic booklet, Australian Institute of Landscape Architects, Canberra, ACT, <http://www.aila.org.au/greeninfrastructure/>, Accessed 12 July 2010.

Commissioner for the Environment Act 1993 – section 20(b) requirements

The *State of the Environment Report 2007–08* covers the period from 1 July 2003 to 30 June 2007 and contains 59 recommendations. The report was tabled in the Legislative Assembly on 7 August 2008. The Government tabled its response in June 2009. The Government's response was positive and agrees or agrees in principle with the Commissioner's recommendations.

Measures taken during the year by or for the Territory to implement these recommendations is summarised in Table 4.

Table 4: Progress on implementing recommendations from the *State of the Environment Report 2007–08*

Recommendation	Progress
<p>Climate change</p> <p>1. Ensure an effective response to climate change by:</p> <p>a. Giving a high priority to implementing the ACT Government's <i>Weathering the Change</i> strategy and action plan.</p> <p>b. The Commissioner's Office annually assessing the progress made in implementing <i>Weathering the Change</i>, in particular the ACT Government's progress towards carbon neutrality.</p> <p>c. The Commissioner, working with the ACT Government and key environmental and business groups, advocating climate change actions and community involvement.</p>	<p>In 2009-10 targets were established by the ACT Government for reducing the ACT's greenhouse emissions. These are:</p> <ul style="list-style-type: none"> • zero net greenhouse gas emissions by 2060 • peaking per capita emissions by 2013. <p>A commitment was also made by the Government to establish an interim emission reduction target which will be informed by the Legislative Assembly Inquiry on ACT greenhouse reductions targets. The Government review of the merits of expanding the Feed-in Tariff Scheme to support larger generators has been completed. The Office was advised that a decision will be taken by Government in late 2010.</p> <p>1a. The Office was advised that DECCEW¹ has reviewed <i>Weathering the Change: Action Plan 1</i> which has 43 actions. The review found that:</p> <ul style="list-style-type: none"> • 20 actions have been completed • 22 actions are ongoing (the review indicates how and in what format these actions may be continued in future years) • one action has been overtaken by Commonwealth Policy • a limited number of actions have identified quantitative greenhouse gas emission reductions. <p>The priority given to implementing <i>Weathering the Change</i> is notable.</p> <p>The Office was advised that DECCEW is currently developing <i>Weathering the Change Action Plan 2</i>, which it plans to release in 2010.</p> <p>1b. As reported in our Annual Report.</p> <p>1c. Advocacy and awareness with respect to sustainability and environmental issues are part of the expanded role of the Commissioner. During 2009-10 we worked with a range of ACT Government and key environmental and business groups, advocating climate change and community involvement including releasing the <i>Regional State of the</i></p>

¹ All abbreviations used in this Table 4 are in the *Notes* at the end of the Table

Recommendation	Progress
<p>d. Asking the Australian Government to establish a new weather station in the ACT and ensuring data is adequately correlated with previous data from the weather station at Canberra International Airport.</p>	<p><i>Environment Report 2004–09</i>; progressing our Young People Ambassadors Group, continuing our <i>What Can I Do?</i> campaign, conducting our Stakeholder Forum and Grassland Forum and progressed the Dickson Motor Vehicle Registry Sustainability Working Group.</p> <p>1d. The weather station at Canberra International Airport has been relocated onsite.</p>
<p>Air quality</p> <ol style="list-style-type: none"> 1. Make outdoor air quality data and information available to the public through an annual air quality report prepared by the EPA 2. Gain a better understanding of indoor air quality to inform building design, maintenance and use by: <ol style="list-style-type: none"> a. Monitoring selected public and private buildings with the results being made public and used to inform management of the buildings. b. Providing information to the community on the importance of regularly introducing fresh air into buildings. c. Advising occupants of new or renovated buildings and those with new furniture and fittings (such as carpet and underlay) to air the house as much as possible in the first few days following installation. 	<ol style="list-style-type: none"> 1. The EPA released the first outdoor ambient ACT Air Quality Report in July 2010. The report is available at: http://www.environment.act.gov.au/data/assets/pdf_file/0010/198523/ACTAirQualityReport2009.pdf 2 a-c. Indoor air quality in the work place is an Occupational Health and Safety issue which is the responsibility of the Office of Regulatory Services. The Commonwealth Department of Health and Ageing have a publication dealing with this issue, which is referenced in the Indoor Air Quality indicator.
<p>Conserving biodiversity</p> <ol style="list-style-type: none"> 1. Strengthen the nature conservation estate by: <ol style="list-style-type: none"> a. Completing the Territory's nature conservation estate by protecting the few remaining areas of high conservation value including natural temperate grasslands (in the Majura and Jerrabomberra valleys), Yellow Box-Red Gum Grassy Woodlands (at Kinlyside, Kama-Molonglo Valley) and the Snow Gum-Candlebark Tableland Woodland. This must include full assessment and recording of the location and condition of remaining examples of Snow Gum-Candlebark Tableland Woodland. 	<ol style="list-style-type: none"> 1a. The boundaries of the proposed Kinlyside Nature Reserve have been agreed. However, the proposed draft variation, as well as DV297 that relates to the Jerrabomberra East Reserve, is on hold pending resolution of a number of matters at a whole-of-government level. The proposed Kinlyside Nature Reserve has been fenced and is been managed under a rural lease consistent with conservation values of the area. <p>The Kama Nature Reserve has been established. Other biodiversity issues in this area are being addressed through the Molonglo Strategic Assessment that addresses matters of national significance under the <i>Environmental Protection and Biodiversity Conservation Act 1991</i> (Cwlth).</p>

Recommendation	Progress
<p>b. Protecting lands identified for nature conservation under the Territory Plan in a timely manner. Priority should be given to Jerrabomberra East native grassland nature reserves.</p> <p>c. Considering Gorooyaroo and Mulligan's Flat nature reserves (Yellow Box-Red Gum Grassy Woodlands) for designation as a national park. It may be that Gorooyaroo-Mulligan's Flat should be part of a network of areas considered for designation as a national park or be given additional protection and recognition by some other overarching designation.</p>	<p>Further investigations are being undertaken in the Majura and Jerrabomberra Valleys following release of the Eastern Broadacre Study.</p> <p>The Flora and Fauna Committee considered a nomination to list Snow Gum-Candlebark Tableland Woodland as threatened. The committee found that the criteria for defining the ecological community were inconsistent with NSW and that that more information was needed.</p> <p>1b. Boundaries have been confirmed for the Jerrabomberra East Grasslands and TaMS is managing the area as nature reserves. It is understood that a Territory Plan variation will proceed when the ACT Biodiversity Offset Policy is finalised.</p> <p>1c. The ACT Government is not pursuing a national park designation for Gorooyaroo and Mulligan's Flat is as the reserves are not large enough to meet the IUCN criteria for national park.</p>
<p>2. Strengthen partnerships by:</p> <p>a. ACT Government agencies working with qualified community groups (such as the Canberra Ornithologists Group) to ensure data collected are made available for use in planning and managing the Territory's natural resources.</p> <p>b. ACT Government and Australian Government agencies, and private landholders responsible for managing native grasslands cooperating with the</p>	<p>2a. ACTPLA has advised that consultation with key stakeholders is occurring on a project-by-project basis, and their information is being including where relevant.</p> <p>Conservation Planning and Research (in TaMS) has a memorandum of understanding with the Canberra Ornithologists Group and regularly meets with conservation stakeholder groups to discuss current issues. The ACT Natural Resource Management Council hosted the ACT Climate Change Vulnerability and Adaptation - Knowledge Needs for Natural Resource Management workshop in March 2010, in partnership with DECCEW and the ANU Climate Institute. This workshop had a number of goals, including identifying priority policy-driven research gaps and developing options for a knowledge management system that supports ongoing research and policy development. It is intended that the development of this Knowledge System will assist data collected by qualified community groups is made available for use by the community, government and researchers. Participants at the workshop supported the development of an ACT Knowledge Web and the employment of an ACT Knowledge Broker to facilitate making available all data collected by community, researchers and government to inform on-ground works and policy.</p> <p>2b. Monitoring of grasslands and specific threatened grasslands species is ongoing and undertaken by TaMS. The 2010-11 ACT Budget provides for ongoing research partnerships with the ANU and UC on grassy ecosystems</p>

Recommendation	Progress
<p>scientific community and community groups in developing management actions that will ensure survival of threatened grassland communities and the species they support.</p>	<p>research initiatives to inform conservation management outcomes.</p>
<p>3. Achieve effective nature conservation management by:</p> <ul style="list-style-type: none"> a. Finalising, implementing and monitoring management plans, with all stakeholders participating and progress being publicly reported, particularly for: <ul style="list-style-type: none"> (i) Jerrabomberra Wetlands Nature Reserve Management Plan (ii) Lower Cotter Catchment (iii) Namadgi National Park (iv) Googong Foreshores. b. Finalising, implementing and monitoring the ACT Weeds Strategy. c. Maintaining and enhancing connectivity between core nature conservation areas. This needs to be given a high priority in planning greenfield and urban renewal developments and major infrastructure projects. d. Developing and implementing an interim policy to allow for limited commercial seed collection on selected unleased sites, pending completion of the review of the <i>Nature Conservation Act</i>. e. Assessing and implementing mitigation actions on the potential impact of illegal fishing on the remnant population of the threatened Macquarie Perch (<i>Macquaria australasica</i>) in the Cotter Reservoir and the Cotter River between the reservoir and Pierces Creek junction. f. Finalising, implementing and monitoring the kangaroo management plan for the whole Territory. Consultation with the community is to occur at the planning stage. 	<p>The Office was advised by TaMS that:</p> <ul style="list-style-type: none"> 3a. (i) The Jerrabomberra Wetlands Management Plan is expected to be notified in the assembly as a disallowable instrument in October 2010. 3a. (ii) Lower Cotter Catchment Strategic Management Plan was finalised and endorsed by Government in 2008. 3a. (iii) The Namadgi National Park Plan of Management will be notified in the ACT Legislative Assembly as a disallowable instrument in August 2010. 3a. (iv) The Googong Foreshores management plan is completed subject to Commonwealth and ACT Government approval. 3b. The ACT Weeds Strategy was finalised and endorsed by the ACT Government in 2009. Implementation is guided by an annual weed plan and annual report. 3c. Planning for connectivity is ongoing. TaMS (Research and Planning) has commissioned scientists at the Fenner School at ANU to undertake a connectivity study to assist in defining ecological corridors for the ACT. 3d. The Conservator has endorsed an interim policy for limited commercial seed collection, and guides licencing for seed collection. Considering a policy for commercial seed collection is within scope of the ongoing review of the <i>Nature Conservation Act 1980</i> being conducted by DECCEW. 3e. Macquarie Perch populations in the Cotter Dam and River are monitored annually. The population is continuing to recover and expand its range into the upstream of the Cotter River. The impacts of recreational fishing are unknown although monitoring of illegal fishing is ongoing. 3f. The Kangaroo Management Plan was finalised and adopted by Government in March 2010. Monitoring of kangaroo populations and grazing impacts is ongoing. The ACT Government culled nearly 2,000 kangaroos in nature reserves in 2010.

Recommendation	Progress
<p>4. Improve the scientific knowledge of managers and custodians of the ACT nature conservation estate by:</p> <p>a. Continuing existing research, monitoring and evaluation programs.</p> <p>b. Ensuring threatened species and communities, and river biodiversity are the subject of research and monitoring programs, with results from these informing management actions.</p> <p>c. Monitoring and evaluating fire fuel management effectiveness and its effects on ecological and catchment conditions. A central and uniform source of information on all ACT fuel reduction activities, research, monitoring and evaluations should be created.</p>	<p>4a. The Office was advised that research and monitoring programs are continuing.</p> <p>4b. In 2009–10 the following monitoring programs were conducted:</p> <ul style="list-style-type: none"> • corroborree frog wild populations • grassland earless dragon • macquarie perch • two-spined blackfish • grazing impacts on grasslands and woodlands • kangaroo density counts • kangaroo grazing impacts on biomass • kangaroo range and movement study • feral pig control methods • post fire recovery of small mammals and vegetation. <p>4c. Monitoring and evaluation of fire fuel reduction impacts is ongoing. In 2009–10 two sites in Namadgi National Park were fully surveyed pre and post fire. Specific resources were dedicated to ecological advice for the BOP and preparation of a BOP monitoring strategy. It is understood that all BOP activities are assessed before their implementation for any potential impacts on threatened species and communities and riparian zones. The Fire Management is the custodian of all fire information (spatial and other) as a central repository.</p>
<p>5. Effectively control pest plants and animals to minimise adverse affects on nature conservation by:</p> <p>a. Continuing existing programs to manage known pest animals (foxes, dingoes/wild dogs, pigs, rabbits, feral horses) and plants (Serrated Tussock, St John's Wort, Chilean Needlegrass, African Lovegrass). Given the significant increase in rabbits, existing rabbit control programs may need to be enhanced.</p>	<p>5a. Continuing existing pest animal programs include:</p> <p>Foxes</p> <p>Fox baiting programs to reduce fox predation on native species and lambs were conducted at Googong, Rob Roy-Gigerline Nature Reserves, Tidbinbilla (discontinued in January), Jerrabomberra East Grasslands (in cooperation with surrounding sheep graziers), and within the Mulligans Flat predator fence.</p> <p>Dingoes/wild dogs</p> <p>Management of wild dogs along the interface between reserve and rural land in the ACT and NSW to minimise attacks on sheep was ongoing. This involved monthly 1080 poisoned baiting, 1080 poison ejectors (M44s) and trapping.</p>

Recommendation	Progress
	<p>Wild dog management in designated control areas is conducted in accordance with two cooperative wild dog and fox management plans between PCL, NSW National Parks and Wildlife Service, South East Livestock Health and Pest Authority, and other NSW land management agencies and landholders.</p> <p>Wild dogs are not controlled in central areas of reserves as they are thought to perform an important role as high-order predators in natural ecosystems.</p> <p>Pigs</p> <p>The annual Namadgi National Park feral pig poisoning program was conducted in May 2010. Use of remote cameras at central bait stations provided vital information for the continued refinement of the program, which is in its second year since changing the toxin from warfarin to 1080, to comply with upcoming Federal animal welfare regulations.</p> <p>Rabbits</p> <p>PCL received \$150,000 for rabbit management in 2009–10 and an additional \$40,000 was sourced from efficiencies in other recurrent funds, and from rural land budgets. Priority was given to follow-up rabbit management in reserves treated in 2008 and 2009 at Mount Majura, Mount Ainslie, The Pinnacle, Kama agistment, East Jerrabomberra and Red Hill. Primary rabbit management was initiated at Jerrabomberra Wetlands (in cooperation with ActewAGL and Canturf), Mount Painter and Callum Brae. Contractors undertook the work that involved ripping, fumigation and poisoning. Park care groups helped PCL map rabbit warrens before works at Mount Ainslie, Mount Majura, Mount Painter, The Pinnacle and Red Hill.</p> <p>Feral horses</p> <p>One horse was trapped from the herd that use Bimberi Flat, bringing the total removed from Namadgi to 20 animals over the last four years and leaving only four know horses in the Bimberi herd. Jack's Flat remained free of horses for the second year since removal of 12 horses in 2007 and 2008.</p> <p>Installation of a remote, internet accessible camera on the Bimberi horse trap in April substantially reduced helicopter costs for trap checking at this site. It is understood that he camera will allow the program to run for much longer in future years.</p> <p>Environmental weed or pest plant</p> <p>The cost of environmental weed or pest plant control was \$1.92 million in 2007–08, \$1.88 million in 2008–09 and \$1.67 million in 2009–10. Expenditure over these years was prioritised so projects in high conservation value areas, controlling the most invasive environmental weeds, were more likely to be funded.</p>

Recommendation	Progress
<p>b. Monitoring and controlling emerging pests, such as European wasps and deer. Given that European wasps affect humans as well as biodiversity there is a need to give priority to this species.</p> <p>c. Evaluating the effectiveness of pest animal and weed control programs in achieving pest control, biodiversity conservation and catchment management objectives. This information should be used in the ongoing management of such programs, and be made public.</p>	<p>Examples are Serrated Tussock control in Yellow Box-Red Gum Tableland Grassy Woodland, Blackberry control in Southern Namadgi National Park and African Lovegrass Control on rural roadsides adjacent to nature reserves, Namadgi National Park and Tidbinbilla National Park and Nature Reserve.</p> <p>The 2009-10 Environmental Weed Control Annual Report produced by PCL is available on request from <steve.taylor@act.gov.au>.</p> <p>Six species of new environmental weeds in the ACT have been contained or eradicated over the past three years. The most invasive of these was Mexican Feather Grass. It has been contained to infestations in several suburban gardens and one small infestation in Northern Namadgi National Park.</p> <p>5b. Monitoring and controlling emerging pests includes:</p> <p>European wasps</p> <p>A 50% drop in European wasp nests was reported in 2009-10 compared to 2008-09. However, Parks Rangers submitted more anecdotal reports of nests in remote parts of Namadgi National Park. All reported nests on public land were destroyed to protect public safety and biodiversity. PCL has proposed a study across the Australian Alps to determine biodiversity impacts. This study would require a PhD student and a sponsoring university.</p> <p>Deer</p> <p>PCL established a central deer sightings register in 2010 for deer sightings reported by staff, landholders and the public. A feral deer workshop was held in September for PCL staff. Speakers included deer researchers and NSW National Parks staff involved in deer management at Royal National Park. The workshop resulted in a significant increase in deer sightings reports received from PCL field staff.</p> <p>PCL staff have also begun using remote cameras to monitor deer activity at deer hot spots and a trial is underway to test the effectiveness of game feeders for attracting deer to known locations for culling.</p> <p>5c. Evaluating the effectiveness of pest animal programs.</p> <p>It is understood that impact assessment is the preferred means of determining the need for, and success of, pest animal management programs. However, in practice actual pest animal impact is difficult and costly to assess so pest animal abundance is often used in its place.</p> <p>Foxes</p> <p>Sand pad monitoring is currently used to monitor the effectiveness of PCL's fox management programs in reducing fox abundance at Googong and Rob Roy-Gigerline. Foxes were assessed as being at medium density (CSIRO index) in Spring 2009 at both Googong and Rob Roy suggesting improvements are required in the effectiveness of these programs.</p>

Recommendation	Progress
	<p>Dingoes/wild dogs</p> <p>The impact of wild dogs on local sheep grazing enterprises is assessed from records of reported stock losses. Stock losses to wild dogs in 2009–10 were 59 sheep reported killed and 17 injured (60 sheep killed, 17 injured in 2008–09). These numbers are a great improvement on 2007–08 (193 sheep killed, 30 injured) and reflect the substantial increase in resources allocated to wild dog management in dog control areas in the ACT by PCL and in NSW by the South East Livestock, Health and Pest Authority since September 2008.</p> <p>Within the dog control area in southern Namadgi, both wild dogs and foxes were assessed by sand monitoring as being scarce (CSIRO index) indicating the effectiveness of the 1080 baiting program in this area.</p> <p>Within the core area of Namadgi where wild dogs are conserved, spotlight monitoring is used to assess their abundance, as sand pads are not effective in open grassland where animals do not routinely use tracks. Quarterly spotlight counts at Gudgenby show a trend for increasing wild dog abundance since 2007.</p> <p>Pigs</p> <p>Professor Jim Hone (UC) has assessed abundance of pigs in Namadgi annually since the mid-eighties by examining pig dung and ground rooting damage on 700 monitoring plots in the Park. However, Professor Hone ceased monitoring in 2007–08. It is understood that PCL will be working with him to design an alternative monitoring program to start in Summer 2010–11.</p> <p>Rabbits</p> <p>Rabbit abundance is monitored by spotlight counts. Long-term spotlight monitoring within Namadgi was continued in 2009–10 with counts conducted in August, November, February and June. Counts show rabbit numbers are increasing on all transects (Orroral, Glendale, Boboyan, Mount Clear and Gudgenby). Spotlight counts at Googong show rabbit numbers have remained stable.</p> <p>The effectiveness of rabbit management programs is assessed by spotlight counts before and after management. The initial results of this monitoring for 2009–10 rabbit programs has been supplied to the Commissioner’s Office and the remaining post-management count results will be available after August.</p> <p>Feral horses</p> <p>Helicopter surveillance during 2009–10 indicated the presence of only five feral horses in Namadgi, at Bimberi Flat. One of these animals was removed. Photo points monitor feral horse impact at Jack’s and Bimberi Flats annually as part of the bogs monitoring program.</p> <p>Environmental weed or pest plant</p> <p>The annual Environmental Weed Control Operations Plan lists the 2019 targets for cover of environmental weeds in the ACT. Progress towards these targets was achieved for the most invasive environmental weeds in high conservation value reserves (Tableland Native Grasslands, Yellow Box–Red Gum Tableland Grassy Woodlands, Namadgi National Park, and Tidbinbilla National Park and Nature Reserve). However there were mixed results along Canberra’s waterways – with the middle reaches of the Molonglo River still dominated by two weeds of national significance (Crack Willows and Blackberry).</p>

Recommendation	Progress
<p>Catchment quality</p> <p>1. Improve catchment management by:</p> <ol style="list-style-type: none"> Developing an ACT integrated water supply catchment management policy and strategy to guide, among other things, coordination of: <ol style="list-style-type: none"> scientific research, data collection, monitoring and reporting (including public information). Monitoring the effects of urbanisation on the ACT region's water catchment and using the information in developing and implementing strategies in response to specific issues (for example, development of greenfield sites). 	<p>1a. The Office has been informed that an integrated water supply catchment management policy and strategy is currently being developed. The strategy will form part of the development of the revised <i>Think water, Act water</i> Strategy which is scheduled to be released next year. The policy and related strategy will incorporate a framework for including and dealing with scientific research, data collection and monitoring and reporting. Monitoring and reporting on some aspects are being undertaken now.</p> <p>1b. Projects currently underway or completed in the past 12 months include:</p> <ul style="list-style-type: none"> Lake Molonglo Water Balance Study, 2009. Investigate the water level variation within a proposed lake on the Molonglo River under a number of environmental flow release schemes Molonglo Valley Stormwater Management Options & Triple Bottom Line study (2010) investigated a range of stormwater management options for the Molonglo Valley, including a triple bottom line analysis of all options Preliminary Sketch Plans for Weston Creek Pond, 2009 - Detailed designs of a Pond on Weston Creek Coombs Ponds Study and Sketch Plans, 2009 - Analyse Options and develop detailed designs for 3 Ponds within the suburb of Coombs Molonglo River Riparian Management Study - EcoLogical for the Land Development Authority (LDA) and ACTPLA 2010 - Investigate environmental quality, landscape concepts and remediation plans for the Riparian Corridor adjacent to the suburb of Coombs East Lake Pond, Lake Symonston Feasibility Study, 2009 - Analyse stormwater quality and flooding Options for Jerrabomberra Creek in Symonston and East Lake Kenny Pond and Floodways Preliminary Sketch Plan, 2009. - Further develop designs for a stormwater pond and floodways in Kenny. Specifically addressing water quality and flooding issues in Sullivans Creek North Gungahlin Pond Feasibility and Preliminary Sketch Plan, 2009 - Further develop designs for a stormwater pond/wetland and floodways in Jacka. Specifically addressing water quality and flooding issues Woolshed Creek flooding and WSUD, 2010 - Review of the Hydrology and flooding of Woolshed Creek, with comments on WSUD potential through the valley. <p>Note that these studies do not include the water quality monitoring after the construction, only the design. Post construction monitoring is undertaken by Environment Protection and reported annually in the ACT Water Report.</p>

Recommendation	Progress
<p>c. Monitoring the effectiveness of the Gross Pollutant Trap network (including its supporting maintenance program) to identify ways to improve its overall effectiveness in protecting surface water quality.</p> <p>d. Determining the sources and loads of salts entering the wastewater treatment networks and using the information to develop strategies to reduce salt discharges to the Molonglo and Murrumbidgee Rivers.</p> <p>e. Ensuring the key indicators in the <i>State of the Environment Report</i>, <i>Natural Resource Management Plan</i> and other relevant ACT Government reports are reviewed and aligned.</p>	<p>1c. TaMS regularly monitors gross pollutant traps. An inspection occurs after every rain event of 25 ml or more and action taken if necessary. Roads ACT also responds to public complaints and cleans gross pollutant traps accordingly.</p> <p>1d. The sources and loads of salts entering the wastewater treatment networks is undertaken by ACTEW and ActewAGL. There are set limits on the level of salt concentration as required under the Environmental Authorisations set by the EPA. It is understood that this information has been collected and analysed to develop a comprehensive salt reduction strategy for the ACT for the Molonglo and Murrumbidgee Rivers.</p> <p>In addition, the ACT has set a target and base load for its salinity loads as required under the ACT's obligation under the Murray-Darling Basin Agreement. The ACT is below its salt load target.</p> <p>1e. Dr Sarah Ryan, Chair of the ACT Natural Resource Management Council, is a member of the ACT 2011 State of the Environment Report Reference Group and a participant in the Water and Air Catchment Focus Groups. In this capacity, she has advised the Commissioner on the alignment between the targets in the ACT Natural Resource Management Plan Bush Capital Legacy, and appropriate indicators for the 2011 ACT State of the Environment Report. This has informed the review of the State of the Environment Report Framework.</p>
<p>2. Further progress restoration efforts in the Lower Cotter Catchment by:</p> <p>a. Continuing the science-based approach to management, with an emphasis given to monitoring and publicly reporting on recovery of this catchment.</p> <p>b. Further reducing water turbidity in streams through targeting areas of greatest vulnerability that have high rehabilitation potential.</p> <p>c. Clearly defining recreational activities, with protection of water being the highest priority.</p>	<p>2a. Remote sensing was completed in January 2010. There is a new turbidity monitoring agreement with UC in place until March 2013. Follow up landscape function analysis monitoring is to be undertaken in March 2011.</p> <p>2b. Revegetation, through contract planting of native species, was completed in September 2009. Ongoing revegetation actions are now being undertaken under agreement with Greening Australia to enhance identified sites through various planting methods.</p> <p>2c. Consultation for the Lower Cotter Catchment recreation strategy has been undertaken.</p> <p>The Office was advised that a statutory plan of management for the Lower Cotter Catchment has not progressed due to other planning priorities.</p>

Recommendation	Progress
<p>Resource use</p> <p>1. Use resources more wisely by:</p> <p>a. Developing and implementing a sustainability community awareness program(s) on:</p> <p>(i) waste minimisation and/or avoidance that emphasises this as the fundamental first step (before re-use, recycling or disposal) in effective waste management,</p> <p>(ii) prudent and smart use of water and energy,</p> <p>(iii) better building design, particularly for energy and water efficiency,</p> <p>(iv) the relationship between i., ii. and iii, climate change and sustainability including the effect on the natural environment.</p> <p>b. Requiring all ACT Government agencies to report annually on their use of water, energy consumption, waste generation, and actions they propose undertaking to use resources more efficiently.</p>	<p>1a (i). The Office was advised that during 2009-10, DECCEW focused on providing support and education to the business and commercial waste sectors through the delivery of programs such as ACTSmart Business, ACTSmart Office and City Switch. All of these programs have a waste minimisation and re-use focus. As at 30 June 2010, 100 offices and 56 businesses had been signed up to these programs and 25 had completed their accreditation programs. Reduction of waste to landfill by the 25 accredited businesses and offices is equivalent to 878 household garbage bins being diverted from landfill each week.</p> <p>1a (ii). DECCEW continues to offer free energy efficiency advice through the Home Energy Advice Team and offer household rebates through ACTEnergyWise. DECCEW is also trialling an Outreach Program with front-line community groups (providing free energy and water efficient whitegoods to low income/disadvantaged households) and actively supporting the WEST program focussed on assisting low income households experiencing energy poverty. The 2009-10 the ToiletSmart program assisted ACT residential property owners to replace single flush toilets with four-star, water efficient 4.5/3 litre dual flush toilets. Full pension concession card holders' had access to a free toilet upgrade. As at 30 June 2010, 26,329 households had received advice through the HEAT program and 4,235 had audits on their homes as part of the ACT Energy Wise program. 4,958 single flush toilets have been replaced through the ToiletSmart program. Of these 1,342 have been supplied and installed free of charge to holders of Pension Concession Cards. The Office was advised that in 2010-11, ToiletSmart and the new ToiletSmart Plus program will continue to provide to pensioners a free toilet upgrade and also a free home water audit and showerhead.</p> <p>1a (iii). The Draft Sustainable Energy Policy 2010-2020 has been released and DECCEW advise that a large number of comments were received and are currently being considered in the drafting of the final policy. It is also understood that there is ongoing activity in Ministerial Council via Energy Working Groups, including those on the built environment.</p> <p>1a (iv). The Office understands that the ACT Government will release the results of its 2007-08 ACT Greenhouse Inventory in July 2010.</p> <p>1b. All Government agencies report on these matters in their Annual Report. The Office is currently undertaking an audit/assessment of ACT government agencies' environmental performance reporting.</p>

Recommendation	Progress
<p>c. Ensuring sustainability criteria are used to guide the assessment, planning and management of new uses for buildings no longer needed for school purposes (as per the <i>Towards 2020: Renewing Our Schools</i> program) and any other buildings disposed of as surplus to Government requirements.</p>	<p>1c. The Office was advised that during 2009-10, a consultant was employed to prepare a template for Triple Bottom Line (TBL) evaluations of surplus properties. The consultant was also required to use the template to conduct a TBL evaluation of a potentially surplus property – Throsby House in Griffiths. The Consultant's report was considered by the Owned Assets Working Group (OAWG) which reports to the ACT Property Forum. Members of the OAWG agreed with the TBL approach to the evaluation of surplus properties although further work is required to clarify aspects as to how the template will be applied.</p>
<p>2. Progress sustainable transport by:</p> <p>a. Continuing to implement and support the Territory's <i>Sustainable Transport Plan</i> by:</p> <p>(i) finalising and implementing a Territory parking strategy (with supporting actions) for ACT lands and those in the parliamentary triangle (it will be important to ensure that the Australian Government supports this strategy),</p> <p>(ii) developing a pedestrian action plan, in consultation with the community, to foster walking, particularly for commuter trips.</p> <p>b. Amending the Territory's <i>Sustainable Transport Plan</i> to include greenhouse gas emissions, energy efficiency and/or carbon neutrality targets for the transport sector, and specific efficiency targets, such as energy efficiency per person or persons per kilometre travelled.</p> <p>c. Developing and discussing with the community a paper on long-term innovative sustainable transport options for the Territory. Pending the results of this work, update the Territory's <i>Sustainable Transport Plan</i> to include any government-adopted options. An independently chaired, multidisciplinary taskforce should be charged with developing options, consulting the community and reporting to government.</p> <p>d. The Commissioner's Office annually assessing the progress made in implementing the <i>Sustainable Transport Plan</i>.</p>	<p>2a-c. It is understood that a new action plan, <i>Transport for Canberra</i>, is being developed. This plan (previously referred to as the <i>Sustainable Transport Action Plan 2010-16</i>) will draw together transport policies and programs, deliver the next stage of the <i>Sustainable Transport Plan (2004)</i>, and provide a further commitment to the objectives of the <i>Canberra Plan</i>. It is also understood that the <i>Transport for Canberra</i> will include new public transport, parking, cycling and walking strategies.</p> <p>The first stage of <i>Transport for Canberra</i> was announced in the 2010-11 ACT Budget, which included investment of over \$97 million in infrastructure and programs to support implementation of the <i>Sustainable Transport Plan</i>.</p> <p>It is understood that the <i>Transport for Canberra</i> policies will be released in 2010-11, and will include linkages to the government's new and revised climate change, energy, emissions and spatial planning policies and plans.</p> <p>2d. As reported in our Annual Report.</p>

Recommendation	Progress
<p>e. The Commissioner working with the ACT Government and key environmental and business groups to advocate that the community travel in a sustainable manner.</p>	<p>2e. On 27 July 2009, in response to a request by the ACT Government, the Commissioner chaired the Transport Roundtable, the first community engagement activity during the development of <i>Transport for Canberra</i>.</p> <p>Our Office ran a <i>What Can I Do In my Travels?</i> campaign which highlighted ways to reduce greenhouse emissions from travel. The campaign was conducted in October to encourage participation in Walk to School month (October) and Walk to Work day on 2 October.</p>
<p>3. Manage land effectively by:</p> <p>a. Continuing to implement the <i>Canberra Spatial Plan</i>, particularly focusing on achieving higher densities and maintaining ecological corridors.</p> <p>b. Undertaking a Territory-wide land degradation assessment of erosion and soil salinity, and mapping the results.</p> <p>c. Determining the long-term use of all forestry land burned in the 2003 bushfire (some significant areas have already had their long-term land uses defined).</p>	<p>3a. ACTPLA is currently evaluating the <i>Canberra Spatial Plan</i> and will release a directions report (to inform any future amendments to the ACT Planning Strategy) in early 2011. TaMS (Research and Planning) has commissioned scientists at the Fenner School at ANU to undertake a connectivity study to assist in defining ecological corridors for the ACT.</p> <p>3b. Soils mapping at 1:100,000 scale has been completed for the eastern half of the ACT (Canberra and Michelago mapsheets). Preliminary work has begun on mapping the western half of the ACT (Brindabella and Tantangara mapsheets). Land capability assessment based on soil and/or hydrogeological mapping is being explored as initiative for the ACT. Soil monitoring kits developed for use by the Catchment Management Authorities in NSW are available. These standard sampling and analysis kits could be used in the ACT to monitor the changes and outcomes of Caring for the Country Natural Resource Management projects in the ACT.</p> <p>3c. Zonings for fire-affected lands have been confirmed through Variation to the Territory Plan No. 281 (Molonglo). No further variations or structure plans are proposed. It is understood that Government is currently considering the future of forestry area burned in the 2003 fires. It is further understood that the ex-plantation areas of the Lower Cotter Catchment, Block 60 Tidbinbilla and Gibraltar are not being considered for pine plantation use.</p>
<p>4. Further advance waste management by:</p> <p>a. Developing and implementing a waste minimisation/avoidance action plan with specific measurable performance measures; No Waste would be an appropriate inspirational goal rather than being used as a target (for example, <i>No Waste by 2010</i>).</p>	<p>4a. The 2009–10 ACT Budget provided \$3.3 million over four years for the Mugga Lane recycling transfer station initiative, which aimed to sort and recycle more of the waste delivered to the transfer stations to reduce waste to landfill and reduce greenhouse gas emissions. This initiative was launched in 2009–10 and is still in the trial phase. DECCEW developed a draft <i>ACT Sustainable Waste Strategy</i> during 2009–10 and expects this document will be finalised for public consultation by the end of 2010. The new waste strategy will include targets for improved resource recovery.</p>

Recommendation	Progress
<p>d. Increasing community education and promotion to further reduce recyclables in potential landfill waste.</p> <p>e. Providing more facilities for recycling in public places and at major events.</p> <p>f. Establishing an ACT e-waste consortium, including Australian and ACT Government agencies, universities and CIT, CSIRO, businesses, industry and other major e-waste generators to:</p> <ul style="list-style-type: none"> (i) provide data on e-waste, (ii) raise awareness about e-waste, (iii) develop e-waste minimisation and management strategies, (iv) promoting waste minimisation as a practical way to advance sustainability. 	<p>4d. In 2009–10, TaMS conducted open days and tours at the Material Recovery Facility in Hume to help educate Canberrans about recycling; more than 10,000 people visited the facility. In addition, the Department published recycling guides, produced radio and newsprint media advertising, and developed educational tools for schoolchildren to encourage greater recycling in the community.</p> <p>4e. The only public place recycling currently undertaken is in Glebe Park. The Office was advised that due to the cost of installing public place recycling bins and shrouds and the ongoing maintenance and emptying of public bins, a dirty material recovery facility is considered to be a more cost effective way to recover recyclables from public bins and events.</p> <p>4f. The Office was advised that the recovery and recycling of electronic waste, including computer terminals, computer monitors, mobile phones and televisions, is a high priority for the ACT Government in pursuing opportunities to minimise waste to landfill. E-recycling has been occurring through initiatives such as a free e-waste drop-off event and a grant for helping establish a Canberra-based recycling facility at Parkwood Recycling Estate in Macgregor. Additionally, under the 'Mobile Muster' program, mobile phones and their batteries are collected free of charge at the Mugga Lane and Mitchell Resource Management Centres and regional recycling drop off centres. To further promote resource recovery and minimise waste to landfill, from 27 April 2010 televisions were banned from going to landfill and recycled for a fee at the Mitchell and Mugga Lane Resource Management Centres. The ACT is the first jurisdiction to ban televisions from going to landfill. The ban is an interim measure to reduce the amount of waste going to landfill in the ACT ahead of the introduction of the National Television and Computer Recycling Scheme. On 5 November 2009, the Environment Protection and Heritage Council agreed that the Australian Government would, under the new product stewardship legislative framework, implement regulation to support an industry-led scheme that will collect and recycle end of life televisions and computers. This will include collection of legacy e-waste. It is understood that the ACT strongly supported development of national product stewardship arrangements which will involve organising drop-off facilities for end of life televisions and computers at no cost to consumers. The national scheme is expected to be implemented on a phased basis, commencing in 2011, with the ACT to be one of the first jurisdictions to benefit from the scheme. The ACT is actively participating in the development of the scheme to ensure a seamless transition from the current arrangements.</p>
<p>Community wellbeing</p> <p>1. The community is kept informed and engaged in progressing the implementation of key government community strategies including:</p> <p>a. Affordable Housing Action Plan</p>	<p>1a. The Office was advised that the Affordable Housing Action Plan 2007 is currently being implemented.</p>

Recommendation	Progress
<p>b. <i>A New Way – Aboriginal and Torres Strait Islander Health and Family Wellbeing Plan 2006–11</i></p> <p>c. <i>Towards 2020: Renewing Our Schools.</i> Associated environmental and social equity implications need to be monitored in the long-term.</p>	<p>1b. The Office was advised that A New Way – Aboriginal and Torres Strait Islander Health and Family Wellbeing Plan 2006-11 is currently being implemented.</p> <p>1c. The Office was advised that the environmental and social equity implications of Towards 2020: renewing our School continues to be monitored. The Department of Education and Training Annual Report 2009-10 shows energy consumption by ACT public schools. Implementation of Towards 2020: renewing our School and schools' ecologically sustainable practices is included in the Department of Education and Training Annual Report.</p>
<p>2. Community wellbeing and safety is strengthened by:</p> <p>a. Encouraging community health programs, particularly those aimed at exercise, healthy eating, mental wellbeing and minimising excessive alcohol consumption.</p> <p>b. Implementing an ongoing awareness program is implemented aimed at preventing vehicular collisions with kangaroos.</p>	<p>2a. The Office was advised by ACT Health that health promotion activities funded through the Health Promotion Grants and the Healthy Futures Preventative Health Programs have focused on the promotion of healthy nutrition, adequate levels of physical activity and minimising alcohol and tobacco use. In particular good nutrition and physical activity is being promoted within child care and school settings for children aged 0-16 years and within workplaces to target the adult population.</p> <p>2b. An ongoing awareness program aimed at preventing vehicular collisions with kangaroos is pursued through media alerts and media releases at times of the year when the likelihood of collisions is highest (particularly in Winter).</p>
<p>3. Noise management is improved by:</p> <p>a. Informing the community, at point of sale, of ways to mitigate the noise impacts from air conditioners with external fans (Information on energy consumption should also be supplied at point of sale).</p>	<p>3a. The EPA now has a program in place to provide information on air-conditioners to retailers and installers which includes design information on locating the external fan units. The program includes an annual mail out of the EPA's information Sheet 'Air Conditioner Noise in Residential Areas' which includes the acceptable noise levels for the different land uses in the ACT and the Australian Institute of Refrigeration, Air Conditioning & Heating Inc. (AIRAH) 'Air Conditioning Residential Best Practice Guideline (ACT)' which includes a calculator for determining the appropriate location for the external air conditioning unit. It is understood that the EPA will continue to work with the HIA and the MBA to include information in publications on noise in their newsletters to members as well as providing display information and guidelines at the MBA and HIA display centres in Fyshwick. All air conditioning units have energy ratings up to 65Kw capacity have energy ratings supplied in the product information at point of sale in accordance with the National MEPS Scheme. New MEPS and energy labelling requirements for air conditioners with a cooling output up to 65Kw came in to force on 1 April 2010 with transitional arrangements commencing in October 2009. Further changes are anticipated in 2011. Details are set out in the Labelling and MEPS Transition Fact Sheet (October 2009) and in AS/</p>

Recommendation	Progress
<p>b. Ensuring entertainment venues provide appropriate noise attenuation. In so doing they will need to meet planning and environmental conditions. The effectiveness of conditions that the Planning and Environmental Protection agencies impose should be monitored.</p>	<p>NZS3823.2-2009 which was published on 6 October 2009. information and guidelines at the MBA and HIA display centres in Fyshwick. All air conditioning units have energy ratings up to 65Kw capacity have energy ratings supplied in the product information at point of sale in accordance with the National MEPS Scheme. New MEPS and energy labelling requirements for air conditioners with a cooling output up to 65Kw came in to force on 1 April 2010 with transitional arrangements commencing in October 2009. Further changes are anticipated in 2011. Details are set out in the Labelling and MEPS Transition Fact Sheet (October 2009) and in AS/NZS3823.2-2009 which was published on 6 October 2009.</p> <p>3b. The EPA is a referral agency for development application which have the potential to generate excessive noise. The EPA's standard conditions provided to ACTPLA for these developments include that a noise management plan must be prepared by an acoustic consultant who is a member of the Australian Acoustic Society and submitted and endorsed by the EPA prior to construction. It is understood that the EPA as part of its compliance role investigates complaints regarding noise from entertainment venues and follows up on any non-compliance with appropriate education and enforcement tools. The EPA will continue to liaise with the ACTPLA to ensure development proposals for entertainment venue are appropriately designed to minimise impacts on surrounding residents.</p>
<p>4. The Territory's heritage is better protected by:</p> <p>a. Asking the Australian Government to take account of the need for adequate heritage protection in the ACT when making changes to National Capital Authority responsibilities, including requiring the Authority to observe and comply with ACT heritage legislation.</p> <p>b. Asking the Australian Government to ensure heritage places affected by changes to federal legislation (due to take effect in 2012) are given the appropriate level of protection (for example, the Yarralumla Woolshed).</p>	<p>4 a & b. It is understood that the Heritage Council is in dialogue with the Australian Government Heritage Division in relation to heritage places affected by changes to federal legislation, particularly concerning the abolition of the Register of the National Estate (due to take effect in 2012). It is understood that the NCA have given assurance that the heritage values of assets and places on Territory Land within Designated Areas will be protected through the requirement of Conservation Management Plans appropriate to the standards set in the <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i> (the EPBC Act) and EPBC Regulations.</p> <p>While it is understood that the EPBC Act ceases to apply after disposal, before disposal the Commonwealth has to take every step that is feasible and prudent to ensure the place is either protected under Territory law or by covenant. If the land is transferred to ACT control, the Heritage Act will apply and the places will have protection on the ACT Heritage Register.</p>

Notes: ACT – Australian Capital Territory; ACTPLA – ACT Planning and Land Authority; ANU – Australian National University; BOP – Bushfire Operational Plan; CIT – Canberra Institute of Technology; CSIRO – Commonwealth Scientific and Industrial Research Organisation; DECCEW – Department of the Environment, Climate Change, Energy and Water; EPA – Environment Protection Authority; HIA – Housing Industry Association; Master Builders Association; (MEPS) – National Minimum Energy Performance Standards; NCA – National Capital Authority; NSW – New South Wales; PCL – Parks, Conservation and Lands; TaMS – Department of Territory and Municipal Services; UC – University of Canberra.

Measures taken during the year by or for the Territory to implement recommendations in the *Report on the ACT Lowland Native Grassland Investigation*

In November 2007 the Minister for the Environment, Water and Climate Change, Mr Jon Stanhope, directed the Office to undertake an Inquiry into Lowland Native Grasslands.

On 12 March 2009, the Commissioner provided a copy of her *Report on ACT Lowland Native Grassland Investigation* to the Minister for the Environment, Climate Change and Water, Mr Simon Corbell.

The report contains 32 recommendations of which Recommendation 21 and 15 were given the highest priority.

The Government's response, tabled in the Legislative Assembly on 16 March 2010, was positive and agreed or agreed in principle with all recommendations. The report was tabled in the Legislative Assembly on 26 March 2010.

Measures taken during the year by or for the Territory to implement these recommendations is summarised in Table 5.

Table 5: Progress on implementing recommendations from the *Report on ACT Lowland Native Grassland Investigation*

Recommendation	Progress
Urgent recommendations	
<p>Recommendation 21: Improve the ecological condition of sites that are in a critical condition or approaching this state, by reducing current threatening processes of weed invasion, inappropriate mowing and overgrazing by stock, rabbits and kangaroos as a matter of urgency, specifically:</p> <p>In Majura Valley:</p> <ul style="list-style-type: none"> Grazing pressure should be reduced by: <ul style="list-style-type: none"> Reducing the number of kangaroos on 'Malcolm Vale' (MA04) and Majura West (MA06). There is also a need to continue to manage kangaroos on the Majura Training Area (MA01) while not detrimentally affecting adjacent native woodland. Strategically managing (and in the short-term temporarily removing) stock and controlling rabbits on Majura West (MA06). Weed management controls should be enhanced on Majura Training Area (MA01) and 'Malcolm Vale' (MA04). <p>(Strategically located temporary kangaroo management fencing should be considered for placement around Campbell Park (MA05) and possibly parts of Majura West (MA06) if the stock and kangaroo densities in this general area are not reduced within the next six months. This is a</p>	<p>Reducing kangaroos</p> <p>In 2010 culling was undertaken at most ACT Government managed sites except Dunlop and Jarramlee where kangaroo numbers are low.</p> <p>The Office was advised that culling was not undertaken at Caswell Drive, Majura West and Jerrabomberra East due to a number of issues including safety.</p> <p>Controlling rabbits</p> <p>Cookanalla – The lessee has advised that there are currently low levels of rabbits on the property. Parks and Conservation confirmed this when the property was inspected in 2009.</p> <p>Crace Nature Reserve – A visual inspection of the area has been undertaken showing few rabbits present. Regular monitoring for rabbits is undertaken.</p> <p>Dunlop Nature Reserve – A visual inspection of the area has been undertaken showing few rabbits present. No control necessary.</p> <p>Jarramlee – Rabbits were not controlled in February–March 2010 as planned due to resource constraints.</p> <p>Majura West – Rabbits have been controlled in conjunction with the Mt Ainslie control program. Very few rabbits were on this block. Regular monitoring has taken place.</p>

Recommendation	Progress
<p>temporary measure to protect the Grassland Earless Dragon habitat.)</p> <p>In Jerrabomberra Valley:</p> <ul style="list-style-type: none"> Grazing pressure should be reduced by: <ul style="list-style-type: none"> Reducing the number of kangaroos on Jerrabomberra East Reserve (JE05). Strategically managing (and in the short-term temporarily removing) stock and controlling rabbits on 'Cookanalla' (JE08). Weed management controls should be enhanced on Harman Bonshaw South (JE06) and Harman Bonshaw North (JE07). <p>In Gungahlin:</p> <ul style="list-style-type: none"> Grazing pressure should be reduced on Crace Nature Reserve (GU03) by: <ul style="list-style-type: none"> Reducing the number of kangaroos. Strategically managing (and in the short-term temporarily removing) stock and controlling rabbits. Weed management controls should be enhanced on Crace Nature Reserve (GU03), at Wells Station Road (GU07) and Nicholls (GU08). <p>In Belconnen:</p> <ul style="list-style-type: none"> Grazing pressure should be reduced by: <ul style="list-style-type: none"> Strategically managing (and in the short-term temporarily removing) stock and reducing the number of kangaroos and controlling rabbits on Dunlop Nature Reserve (BE02) and 'Jarramlee' (BE03). Reducing the number of kangaroos on Ginninderra Experimental Station (BE01). Reducing the number of kangaroos and controlling rabbits on Caswell Drive (BE10). Given the size and location of this site, it may be necessary to reduce the number of kangaroos on land in the vicinity of this site rather than concentrating only on this site Weed management controls should be enhanced on Umbagog Park North (BE04 (b)), and in the areas of Lawson Territory (BE07) that may affect the Lawson Commonwealth – Belconnen Naval Transmission Station (BE08 (a)) site. <p>In Canberra Central:</p> <ul style="list-style-type: none"> Weed management controls should be enhanced on York Park, Barton (CC05); Yarramundi Reach (CC06); Lady Denman Drive, Yarralumla (CC07); Dudley Street, Yarralumla (CC08); and Guilfoyle Street, Yarralumla (CC09). 	<p>Dunlop Nature Reserve – Stock grazing is undertaken every Spring in parts of the reserve for fire fuel reduction. New fencing installed in May 2010 will enable targeted grazing.</p> <p>Jarramlee – Stock were removed on 3 July 2009, and reintroduced for short periods from late Spring to Winter for conservation and fire fuel reduction. Grazing is necessary for maintenance of Golden Sun Moth populations.</p> <p>Majura West – All stock were removed in September 2009.</p> <p>Weed control</p> <p>Crace Nature Reserve – Follow-up weed control is included in the 2010–11 weed plan.</p> <p>Dudley Street Yarralumla – \$200,000 was allocated in 2009–10 specifically to control weeds on native grassland across the ACT. Chilean Needlegrass was sprayed in July 2009.</p> <p>Guilfoyle Street Yarralumla – Managed by the National Capital Authority that has prepared and is implementing an operation plan for the site.</p> <p>Lawson Territory – Serrated tussock weed control programmed for 2009–10.</p> <p>Nicholls – Follow-up spraying of weeds was undertaken in 2009–10.</p> <p>Umbagog – Chilean Needlegrass, African Love Grass and St John's Wort are present. Chilean Needlegrass sprayed in July–August 2009.</p> <p>Wells Station Road – Weeds will continue to be controlled under the Rural Roadside Weed Control Contract.</p> <p>Yarramundi Reach – The National Capital Authority has prepared an operation plan for the site, which it is implementing; the plan includes enhanced weed management and mowing. The Authority has sponsored a program of works by the Friends of Grasslands to conduct weed control projects on Lowland Native Grasslands, including Stirling Ridge and Yarramundi Reach. They undertook weed control in Yarramundi Reach on 19 September 2009 and 29 December 2009. In addition, the Authority engaged contractors in April and July 2010.</p> <p>Lady Denman Drive (CC07) and Guilfoyle Street (CC09) – No weed control or mowing was undertaken in 2009–10 due to budgetary limitations.</p> <p>The Office was advised that mowing regimes for other sites is followed as per recommendations in the report.</p>

Recommendation	Progress
<ul style="list-style-type: none"> • Mowing regimes should be revised to enhance grassland conservation for Lady Denman Drive, Yarralumla (CC07); Dudley Street, Yarralumla (CC08); Guilfoyle Street, Yarralumla (CC09); Novar Street, Yarralumla (CC10); and Black Street, Yarralumla (CC11). 	
<p>Recommendation 15: Immediately enforce the provisions and conditions in the land management agreement, which is a part of the rural lease for 'Cookanalla' (JE08).</p>	<p>Parks and Conservation has met with the lessee in relation to lease/Land Management Agreement compliance. The lessee subsequently reduced grazing pressure by removing stock for a period of time.</p>
Other recommendations	
<p>Recommendation 1: Streamline ACT Government planning and nature conservation legislation to ensure all land management matters are covered by the <i>Nature Conservation Act 1980</i> (ACT) (currently under review).</p>	<p>A draft discussion paper on the review of the <i>Nature Conservation Act 1980</i> is in preparation. The Office was advised that the discussion paper is an opportunity for the Commissioner's views to be taken into account and seeks comment both on the relationship between the planning and conservation acts, and how conservation objectives can be better achieved through land management arrangements and regulation.</p>
<p>Recommendation 2: The <i>Environmental Protection and Biodiversity Conservation Act 1991</i> (Cwlth) should be strengthened so sites and species are more effectively protected and managed.</p>	<p>Addressed in review of the <i>Environment Protection and Biodiversity Conservation Act 1999</i>.</p>
<p>Recommendation 3: As part of the current review of the <i>Nature Conservation Act 1980</i> (ACT), ensure that lowland native grassland, in particular Natural Temperate Grassland ecosystems are protected by the Conservator of Flora and Fauna having powers to direct, when necessary, that land management actions be undertaken.</p>	<p>The Conservator of Flora and Fauna currently has the power to give directions to an occupier of land for the protection or conservation of native animals, native plants and native timber under section 60 of the <i>Nature Conservation Act 1980</i>. The Office was advised that the draft discussion paper on the review of the <i>Nature Conservation Act 1980</i> is an opportunity for the Commissioner's views to be taken into account.</p>
<p>Recommendation 4: Resolve the heritage status of lowland native grassland sites, in a timely manner, to assist long-term planning.</p>	<p>Pending provisional nomination for: Majura Training Area (MA01), Air Services Beacon (MA02), Canberra International Airport (MA03), 'Malcolm Vale' (MA04), Campbell Park (MA05), Majura West Reserve (JE03), 'Callum Brae' (JE02), Jerrabomberra West Reserve (JE05), Jerrabomberra East Reserve (JE06), Harmon Bonshaw South (JE07), Harmon Bonshaw North (JE08), Lawson Territory (BE07), Lawson Commonwealth (BE08(a) and (b)), Kama South (BE12), Black Street, Yarralumla (CC11).</p>
<p>Recommendation 5: As part of the current review of the <i>Nature Conservation Act 1980</i> (ACT), ensure that lowland native grassland, in particular Natural Temperate Grassland, ecosystems are protected by innovative mechanisms such as conservation leases, voluntary agreements, bio-banking and offsets are investigated and progressed.</p>	<p>The Office was advised that conservation leases and voluntary agreements are discussed in the draft discussion paper on the review of the <i>Nature Conservation Act 1980</i>. A separate draft policy has been prepared in relation to biodiversity offsets. This policy is expected to be considered by the Government by late 2010.</p>

Recommendation	Progress
<p>Recommendation 6: Existing memoranda of understanding between the ACT Government and Department of Defence, the National Capital Authority and CSIRO, with the Department of Environment, Water, Heritage and the Arts being a signatory, should be updated and implemented.</p> <p>Recommendation 7: Develop memoranda of understanding between the ACT Government and the Department of Finance, Air Services Australia and the Canberra Airport Group, with the Department of Environment, Water, Heritage and the Arts being a signatory.</p> <p>Recommendation 8: Establish a memorandum of understanding coordination and implementation group with an ACT Government agency being the lead agent.</p> <p>Recommendation 9: Amend the <i>Canberra Nature Park Management Plan (1999)</i> to incorporate:</p> <ul style="list-style-type: none"> • Action Plan No. 28, <i>ACT Lowland Native Grassland Conservation Strategy (2005)</i> • the new nature reserves of 'Callum Brae' (part JE02), Jerrabomberra West Reserve (JE03), Jerrabomberra East Reserve (JE05). <p>Recommendation 10: Develop and implement annual site operation plans for all lowland native grassland sites.</p> <p>Recommendation 11: Amend the Belconnen Urban Parks, Sportsgrounds and Lake Ginninderra Plan of Management to include the lowland native grassland site of Lake Ginninderra (BE06).</p> <p>Recommendation 12: Simplify administration of agistment licences covering lowland native grassland sites through standardising their conditions, including termination dates; and have one government agency signatory to an agistment lease.</p> <p>Recommendation 13: Ensure rural lease processes (including those for land management agreements) are simplified and responsibilities are clarified</p> <p>Recommendation 14: Review the land management agreements covering Crace Nature Reserve (GU03) and Caswell Drive (BE10)</p>	<p>The Department of Defence has advised that the introduction of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> addressed all the issues previously covered by the memorandums of understanding.</p> <p>The Department of Defence has advised that the introduction of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> addressed all the issues previously covered by the memorandums of understanding.</p> <p>The Department of Defence has advised that the introduction of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> addressed all the issues previously covered by the memorandums of understanding.</p> <p>The Office is advised that a review of the Canberra Nature Park Plan of Management is scheduled to occur in 2011-12, subject to resourcing.</p> <p>The Office was advised that annual site operation plans have been prepared for all major grassland sites managed by the ACT Government.</p> <p>The Office was advised that the native grassland site on Lake Ginninderra will be included in a revised management plan (the revision schedule is yet to be determined).</p> <p>TaMS is reviewing current agistment licence processes in relation to standardization and conditions imposed. It is understood that this will include consideration of administration arrangements, such as issuing of licences, compliance, regulation and auditing.</p> <p>A revised and simplified Land Management Agreement was notified on the legislation register on 8 June 2010. It is understood that TaMS has revised the Land Management Agreement template and is working with lessees to review their land management agreements.</p> <p>TaMS has revised the Land Management Agreement template and is working with lessees to review their land management agreements.</p>

Recommendation	Progress
<p>Recommendation 16: Foster a strong culture of compliance, monitoring and enforcement within the government department responsible for administering land management agreements.</p> <p>Recommendation 17: Establish a formal monitoring, assessment and auditing process aimed at ensuring conditions in land management agreements achieve the desired ecological results.</p> <p>Recommendation 18: Permit grazing under rural leases and licences, on lowland native grassland sites if it is part of a long-term conservation management strategy.</p> <p>Recommendation 19: Undertake experimental ecological burns on selected sites to determine the appropriateness of a wider application for managing lowland native grassland sites in the ACT.</p> <p>Recommendation 20: Give priority to weed management and implementing appropriate mowing practices as part of routine work programs.</p> <p>Recommendation 21: Improve the ecological condition of sites that are in a critical condition or approaching this state, by reducing current threatening processes of weed invasion, inappropriate mowing and overgrazing by stock, rabbits and kangaroos as a matter of urgency, specifically:</p> <p>In Canberra Central:</p> <ul style="list-style-type: none"> • Weed management controls should be enhanced on York Park, Barton (CC05); Yarramundi Reach (CC06); Lady Denman Drive, Yarralumla (CC07); Dudley Street, Yarralumla (CC08); and Guilfoyle Street, Yarralumla (CC09). 	<p>The Office was advised that TaMS and ACTPLA will continue working together with a focus on implementing a strong culture and formal process of compliance, monitoring and enforcement of Land Management Agreements. This will occur through strengthening existing processes and clearly delineating responsibilities. The Conservator of Flora and Fauna, with the assistance of both departments, will report annually in the Department of the Environment, Climate Change, Energy and Water annual report.</p> <p>The Office was advised that a Land Management Agreement monitoring strategy has been prepared by TaMS.</p> <p>ACTPLA convened a workshop with representatives of the Department of the Environment, Climate Change, Energy and Water and TaMS to discuss and develop options in relation to conservation leases in March. Options examined included:</p> <ol style="list-style-type: none"> 1. NSW Model – register a covenant against the title to highlight that the lease is a ‘conservation lease’. 2. Operate within the existing legislative framework with conservation requirements addressed through the Land Management Agreement. 3. Amendments to the <i>Nature Conservation Act 1980</i> and <i>Planning and Development Act 2007</i> to facilitate variation to the purpose clause of a lease. <p>Not all options are supported by all agencies. Agency liaison is ongoing.</p> <p>In 2009 an ecological burn was undertaken at Umbagog. A fuel reduction burn was undertaken at Dunlop Nature Reserve.</p> <p>Guidelines for appropriate mowing are now in place across grassland sites.</p> <p>The National Capital Authority has sponsored a program of works by the Friends of Grasslands to conduct weed control projects on Lowland Native Grasslands. They undertook weed control in Yarramundi Reach (CC06) on 19 September 2009 and 29 December 2009. In addition, the National Capital Authority engaged contractors in April and July 2010. No weed control or moving were undertaken on Lady Denman Drive (CC07) and Guilfoyle Street (CC09) in 2009–10 due to budgetary limitations.</p>

Recommendation	Progress
<ul style="list-style-type: none"> • Mowing regimes should be revised to enhance grassland conservation for Lady Denman Drive, Yarralumla (CC07); Dudley Street, Yarralumla (CC08); Guilfoyle Street, Yarralumla (CC09); Novar Street, Yarralumla (CC10); and Black Street, Yarralumla (CC11). <p>Recommendation 22: The ACT Government and the Australian Government commit to taking a strategic approach to protecting lowland native grassland, in particular Natural Temperate Grassland, threatened grassland species and fostering sustainable development by:</p> <ul style="list-style-type: none"> • Giving priority to protecting all Category 1: Core Conservation Sites that contain Natural Temperate Grassland and key threatened grassland species, and ensuring that these areas are not affected by development proposals • Placing in a reserve, where appropriate, Natural Temperate Grassland sites in Category 1: Core Conservation Sites. If this is not possible, these grassland areas and associated species should be conserved and managed as if they were in a reserve • Integrating conservation values with development considerations for all Category 2: Complementary Conservation Sites and Category 3: Landscape and Urban Sites and ensuring connectivity is retained or enhanced • Developing an offset policy (that includes identification of offset restoration sites) for loss of lowland native grassland, particularly Natural Temperate Grassland, due to development. 	<p>The only recent development in protecting Category 1 grassland has been at Canberra Airport over which the ACT Government made comment but has no planning or development control. The Canberra Airport released its Threatened Species Management Plan on 18 August 2010 which was approved by the Minister for Environmental Protection, Heritage and the Arts on 9 March 2010. The Plan is a condition of Referral No. 2009/4748 under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth.) for the Infrastructure upgrade and Construction at Canberra Airport. The ACT Government and the ACT Conservator of Flora and Fauna has supported the transfer of part of the Belconnen Naval Transmission Station to become an ACT conservation reserve, and has urged Commonwealth decision makers to protect grassland in the vicinity of Canberra Airport. It is understood that a connectivity assessment will be incorporated into the proposed ACT Biodiversity Offsets Policy. Furthermore, it is also understood that connectivity is a key issue to be addressed in the draft Discussion Paper: Review of the Nature Conservation Act 1980.</p> <p>It is understood that ACTPLA has advised the following: Category 1 and 2 sites will be considered as part of planning studies, structure and concept planning processes, in consultation with government agencies and the community, as required.</p> <p>In particular certain Category 1 grassland sites in the east of the city (Majura and Jerrabomberra Valleys) will be considered in the context of the Eastern Broadacre and Kowen planning processes. The progression of a nature reserve in the Majura Valley needs to be considered in the context of investigations into the Kowen link road.</p> <p>Future possible nature reserves (or management regimes) to protect Category 1 sites at Campbell Park, Majura West, Jerrabomberra East, Harman Bonshaw North and Harman Bonshaw South are consistent with the Eastern Broadacre planning work. However, further ecological investigations are required in respect of Callam Brae (Category 1 site) and Cookanalla (Category 2 site) and these will be undertaken in coming years as part of the Eastern Broadacre project. The project also considers the future of Woods Lane (Category 2 site).</p>

Recommendation	Progress
<p>Recommendation 23: Plan a Majura Valley Reserve to protect Natural Temperate Grassland and its supporting species, particularly the Grassland Earless Dragon, by defining the boundaries of this proposed reserve in the near future.</p> <p>Recommendation 24: Expand the Mount Ainslie Reserve to include areas of lowland native grassland in Campbell Park (MA05) and Majura West (MA06).</p> <p>Recommendation 25: Expand Aranda Bushland and Black Mountain Reserve by including areas of lowland native grassland in Caswell Drive (BE10) and Glenloch Interchange (BE11).</p> <p>Recommendation 26: Define the long-term land use for lowland native grassland sites, while strategically protecting lowland native grassland, particularly Natural Temperate Grassland, and progressing appropriate developments, specifically:</p> <ul style="list-style-type: none"> • 'Callum Brae' (part JE02) – excluding the land swap site. The areas of ecological connectivity need to be defined. Areas of ecological connectivity could be managed under a conservation lease or, depending on location, amalgamated with the adjoining rural lease. If development occurs, an offset should be required. • 'Cookanalla' (JE08) – a Grassland Earless Dragon survey is needed in conjunction with a survey to identify habitat that would support this species. Given the condition of the site, it may be appropriate to undertake surveys when the site has recovered, at least to some degree, from its current threatening processes. This site appears to lend itself to a land use that integrates conservation values with development. If areas of grassland are developed an offset should be required. 	<p>ACTPLA will be conducting community consultation on the Eastern Broadacre project between July and September 2010. It will then report to government on the outcomes of consultation and next steps, including recommendations on priority areas for future land release and for conservation.</p> <p>The ANU connectivity study has been completed and is in publication.</p> <p>Jerrabomberra East Reserve and Glenloch interchange are subject to ACT Government endorsement of an ACT Biodiversity Offset Policy, which is currently in preparation.</p> <p>The Office was advised that whilst this is a matter for the Commonwealth as it concerns National Land, any ACT Government response will be informed (among other matters) by the Eastern Broadacre project and Kowen investigations.</p> <p>While this is a matter for the Commonwealth as it concerns National Land, any ACT Government response will be informed (among other matters) by the Eastern Broadacre project. The Eastern Broadacre work to date supports in principle, establishment of nature reserves at Campbell Park and Majura West.</p> <p>Addition of grassland at Glenloch Interchange to nature reserve is subject to ACT Government endorsement of an ACT Biodiversity Offset policy, which is currently in preparation.</p> <p>ACTPLA has advised:</p> <ul style="list-style-type: none"> • The ecological values of Callum Brae will be investigated as part of the detailed planning under the Eastern Broadacre project • A Grassland Earless Dragon habitat survey was conducted in early 2009 and identified areas of low, moderate and high Grassland Earless Dragon habitat. This information will be used in the preparation of a future structure plan for the site as part of the Eastern Broadacre work • The Office understands that the Land Development Authority is progressing ecological investigations for the Amtech site • Lawson Commonwealth – Lawson north is the responsibility of the Commonwealth. On 30 April 2010, the National Capital Authority approved a Development Control Plan (No. 10/03) for the Commonwealth land. The Development Control Plan identifies areas for conservation and development.

Recommendation	Progress
<ul style="list-style-type: none"> • AMTECH (JE09) – reassess the site’s ecological values as these may have changed. If this site no longer meets criteria for its current classification as a Category 2: Complementary Conservation Site and changes to Category 3: Landscape and Urban Sites, its development potential could be realised. If areas of grassland are developed an offset should be required. • Kaleen East Paddocks (BE09) – reassess the site’s ecological values, as they were not obvious at the time of inspection. If these values still exist and development were to occur, given the likelihood that there is only a small area of Natural Temperate Grassland remaining, this may be able to be integrated with any future developments. • Lawson Commonwealth – East (BE08 (b)) – given the overall context of this site it appears to lend itself to a land use that integrates conservation values with development. An offset should be required if areas of grassland are developed. • Constitution Avenue, Reid (CC02) – if a decision is made to develop the Natural Temperate Grassland area, an offset should be required. <p>Recommendation 27: Publish a map that shows the location of lowland native grassland sites relative to planning zones. This should be readily available through the ACT Planning and Land Authority (ACTPLA) and the Department of Territory and Municipal Services (TAMS).</p> <p>Recommendation 28: Use adaptive management to guide land management so that sites in good condition (40%) are maintained, and those in a critical condition (20%) or approaching a critical condition (40%) are restored.</p> <p>Recommendation 29: Assess the ecological values of Evatt Footbridge; Wells Station Road (GU07); Nicholls (GU08); Novar Street, Yarralumla (CC10); Belconnen Pony Club (GU06); Lawson Commonwealth – East (BE08(b)); and Mitchell (GU05).</p> <p>Recommendation 30: Conduct an annual community and stakeholder lowland native grassland forum to, among other things, coordinate research, monitoring and data collection, and raise awareness.</p>	<p>The Office was advised that TaMS is working towards making all biodiversity data available on its website. Once the spatial layers are web ready, the Department will liaise with ACTPLA to make these data layers available on ACTMAPi.</p> <p>ACTPLA advises that the data are available and maps can be produced on request. For example, maps have recently been prepared that show these sites in relation to land use zones for Gungahlin and the Eastern Broadacre study area.</p> <p>The Office was advised by TaMS that this recommendation is being progressed in conjunction with recommendations 8 and 10.</p> <p>The Office was advised by TaMS that this is scheduled to occur in Spring 2010.</p> <p>Our Office in partnership with the Friends of Grassland, the ACT Natural Resource Management Council and TaMS conducted the inaugural Grassland Forum on 20 May 2009.</p>

Recommendation	Progress
<p>Recommendation 31: Establish an accessible central register of information and expertise on lowland native grassland.</p> <p>Recommendation 32: Increase community awareness of the importance of lowland native grassland, in particular Natural Temperate Grassland and the endangered grassland species.</p>	<p>The Office was advised that TaMS is working towards including spatial information on the web through its corporate Geospatial Database.</p> <p>The Office was advised by TaMS that community awareness is being progressed by a number of community groups such as Friends of Grassland and the Nature Conservation Council and the Grassland Forum held on 20 May 2009.</p>
Progress on implementing recommendations in the Report on the Belconnen Naval Transmission Station (BNTS)	
Recommendation	Implementation
<p>Recommendation 1: Urgent action is to be taken to restore the ecological condition of the Grasslands, and provide opportunities for the Perunga Grasshopper, Golden Sun Moth and Ginninderra Peppercreep to survive and thrive at BNTS.</p> <p>Recommendation 2: Kangaroos are to be removed immediately from BNTS to achieve a stocking rate of 1 kangaroo per hectare or less. This is to be done by the land manager, preferably before the end of April 2008, to prevent impacts on pasture biomass occurring during the dormant 2008 Winter.</p> <p>Recommendation 3: Kangaroo population numbers are to be maintained at the targeted level for the foreseeable future using fertility-controlled kangaroos only. A program to maintain this situation is to be implemented as needed. (This recommendation is made on the assumption that all remaining kangaroos at BNTS will be part of fertility control research programs.)</p> <p>Recommendation 4: Further reduction in the number of kangaroos at BNTS (even below the proposed stocking rate of 1 kangaroo per hectare) is to occur if recovery of the grasslands does not improve over the next growing season even if research projects are compromised.</p> <p>Recommendation 5: Kangaroos are to be removed from BNTS by the most humane method suitable for that site having regard to advice from the AFP that firearms are not to be used. (The Expert Panel has recommended sedating by darting followed by euthanasia by lethal injection.)</p> <p>Recommendation 6: The policy of the Conservator of Flora and Fauna, to the effect that translocation of eastern grey kangaroos is not an appropriate management technique, is to remain unchanged and this policy position is to be confirmed with the Department of Defence.</p>	<p>Culling of kangaroos on the site has significantly reduced grazing pressure. The Department of Defence has fenced off the areas containing the Ginninderra Peppercreep.</p> <p>A cull was completed in May and December 2008. The Department of Defence is responsible for ongoing monitoring and managing of the population.</p> <p>Approximately 100 kangaroos remain onsite as part of a fertility control program between the University of Newcastle and the ACT Government. This research program is continuing onsite.</p> <p>Kangaroo numbers are currently at sustainable levels.</p> <p>The kangaroos were culled by herding, sedation by darting followed by euthanasia by lethal injection. The culls were conducted under the guidance of a suitably qualified and experienced veterinarian.</p> <p>No translocation has been undertaken.</p>

Recommendation	Progress
<p>Recommendation 7: The interim grasslands management plan and interim kangaroo management plan for BNTS are to be completed by the end of August 2008, by the land manager, in consultation with key stakeholders. These plans are to adopt adaptive management principles and be based on a stocking rate of 1 kangaroo per hectare or less before the 2008 Winter.</p> <p>Recommendation 8: Conditions at BNTS are to be reported quarterly to all relevant agencies and to the Commissioner's Office. The Commissioner is to establish an independent group to help evaluate progress and report on this in the Office's annual report.</p> <p>Recommendation 9: A long-term grasslands management plan covering BNTS is to be developed before the abutting Lawson lands are developed for residential purposes. This plan should incorporate clear management objectives and be based on an adaptive management approach to protect the Grasslands, Perunga Grasshopper, Golden Sun Moth and Ginninderra Peppercress at the BNTS. (The interim grasslands management plan and interim kangaroo management plan (Recommendation 7) should be incorporated into the long-term plan. This long-term plan could cover all ACT natural temperate grasslands areas.)</p> <p>Recommendation 10: The Territory is to ensure that legal measures are implemented to protect and preserve the high conservation value of the Grasslands and its threatened species when the land at BNTS is transferred from the Commonwealth to another entity. (This recommendation is made on the assumption that Territory laws will fully prevail after transfer.)</p> <p>Recommendation 11: Review of the memorandum of understanding between the Department of Defence and TaMS is to be completed by August 2008.</p>	<p>The Department of Defence has developed a number of environmental management plans and strategies including a kangaroo management plan, a grassland management strategy and annual threatened species monitoring.</p> <p>Monitoring conducted since the cull indicates that populations of threatened species either remain stable or are slightly increasing.</p> <p>The Office was advised that if the site comes into government ownership, this will be the responsibility of TaMS.</p> <p>No transfer of land has occurred to date and negotiations are continuing.</p> <p>The Department of Defence does not consider it necessary to review and update the memorandum of understanding, as the introduction of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> addresses all the issues previously covered by the memorandum of understanding.</p>

Notes: ACT – Australian Capital Territory; ACTPLA – ACT Planning and Land Authority; AFP – Australian Federal Police; BNTS – Belconnen Naval Transmission Station; NSW – New South Wales; PCL – Parks, Conservation and Lands; TaMS – Department of Territory and Municipal Services.

Commissioner for the Environment Act 1993 – section 23 requirements

Our Office has no additional information to include for the 2009–10 reporting period.

Table 6: Summary of enquiries, complaints and investigations in 2009–10

General enquiries	157
Enquirer directed to appropriate contact*	157
Complaints	21**
Complaints on hand at end 2008–09	4
Complaints received during 2009–10	17
Complaints closed during 2009–10	13
Complaints pending	8
Investigations directed by the Minister	2
Investigation on hand at end 2008–09	0
Investigations commenced in 2009–10	2
Investigations closed during 2009–10	0
Investigations initiated by the Commissioner	0
Investigations initiated in 2009–10	0

Notes: * For example, Canberra Connect, Environment Protection Authority, ActewAGL

** This is the number of complaints our Office dealt with during 2009–10, it includes the four complaints received but not closed in 2008–09.

A.10 Triple bottom line report

	Indicator	2009–10 result	2008–09 result	% change
Economic	Employee expenses			
	Number of staff employed (head count, not FTE)	7	5	14
	Total employee expenditure (\$)	\$857,000	\$854,000	0.35
	Operating statement*			
	Total expenditure (\$)	\$1,299,000	\$1,451,000	10.48
	Total own source revenue (\$)	0	\$315,000**	-100
	Total net cost of services (\$)	\$1,299,000	\$1,136,000	-12.55
	Economic viability			
	Total assets (\$)	n/a	n/a	
	Total liabilities (\$)	n/a	n/a	
Environmental	Transport			
	Total number of fleet vehicles	1***	1	0
	Total transport fuel used (kilolitres)	0.2	n/a	
	Total direct greenhouse emissions of the fleet (tonnes of CO ₂ -e)	0.5	n/a	
	Energy use			
	Total office energy use (megajoules)	134,000	169,816	-21
	Office energy use per person (megajoules)	19,143	33,963	-44
	Office energy use per m ² (megajoules)	865	1,096	-21
	Greenhouse emissions			
	Total office greenhouse emissions, direct and indirect (tonnes of CO ₂ -e)	39.39	n/a	
	Total office greenhouse emissions, per person (tonnes of CO ₂ -e)	5.62	n/a	
	Total office greenhouse emissions, per m ² (tonnes of CO ₂ -e)	0.25	n/a	
	Water consumption			
	Total water use (kilolitres)	101	181	-44
	Office water use per person (kilolitres)	14.4	36.2	-60
	Office water use per m ² (kilolitres)	0.7	1.2	-42
	Resource efficiency and waste			
	Total co-mingled office waste, per FTE (litres)	35.7	n/a	
	Total paper recycled (litres)	1,600	n/a	
	Total paper used (reams), per FTE (litres)	28	15	87
	Percentage of paper recycled (%)	100	n/a	
Social	The diversity of our workforce			
	Women (female FTEs as a % of total workforce)	69	80	-11
	People with a disability (as a % of total workforce)	0	0	0
	Aboriginal and Torres Strait Islander people (as a % of total workforce)	0	0	0
	Staff with English as a second language (as a percentage of the total workforce)	0	0	0
	Staff health and wellbeing			
	Occupational health and safety incident reports	0	0	0
	Accepted claims for compensation (as at 31 August 2010)	0	0	0
	Staff receiving influenza vaccinations	2	0	0
	Workstation assessments requested	7	0	0

Note: *As provided by the Department of the Environment, Climate Change, Energy and Water. This excludes rollover funding.

**This revenue is fee-for-service for producing the Regional State of the Environment Reports for the councils in the Australian Capital Region. FTE = full-time equivalents; n/a = not applicable and/or not available.

***This is the Commissioner's package vehicle, which is available for use by our staff.



Section B - Consultation and scrutiny reporting

B.1 Community engagement

Our Office undertook a variety of community engagement activities involving a number of engagement techniques, such as a deliberative polling exercise, focus groups, community workshops and expert and reference groups (Table 7). Our major community engagement activities related to the:

- Tree Investigation
- Canberra Nature Park Investigation
- Young People Ambassadors
- Regional State of the Environment Report 2004–08
- ACT State of the Environment Report Review
- Stakeholder Forum.

In addition, the Commissioner participated in a number of major events ranging from chairing the Transport Roundtable, giving the opening address at the Environment Institute of Australia and New Zealand Conference, being a keynote speaker at ACT Chapter of Australian Institute of Architects, presenting to ACT Conservation Council and Field Naturalists and the United Nations Forum, Switch to Green, to being in the poetry debate at the National Folk Festival, along with numerous other local engagements.

Table 7: Community engagement, 2009–10

Line Area	Project	Consultation process (tools used)	Groups/ Individuals consulted	Outcome
Advocacy	Young People Ambassadors Group	Reference group	Young people from 12–25 years	Increased engagement with the 12 to 25 year old sector
	Stakeholder Forum	Information session	Community	Increased awareness of the role of our Office
Investigations	Tree Investigation	Facilitated workshops (2) Ainslie Manuka	Community	Community input into investigation and increased awareness of issues
	Tree and CNP* Investigation	Chaired workshop	Experts and relevant community members by invitation	Advice to Commissioner and identification of key areas for action
	Tree Investigation	Deliberative democracy and facilitated workshops	Experts and relevant community members by invitation	Shared understanding of complexity of issues and charting of community perspectives

Line Area	Project	Consultation process (tools used)	Groups/ Individuals consulted	Outcome
	Tree Investigation	Reference Panel	Experts by invitation	Advice to the Commissioner
	Tree and CNP Investigation	Chaired meeting	ACT Indigenous Elected Body	Advice to the Commissioner
	Tree Investigation	Presentation and activities	1 x primary school class	Increased understanding of trees and their benefits
	CNP Investigation	Facilitated Workshops (3) Kambah, Belconnen Ainslie	Community	Community input into investigation and increased awareness of issues
	CNP	Expert Panel	Experts by Invitation	Advice to the Commissioner
Statutory	Lowland Native Grassland	Workshop	Experts and relevant community members by Invitations	Sharing of information on grasslands
	Review of the SoER**	Four Focus Groups	Experts and relevant community members by invitation	Revised Framework, Themes, Indicators for the 2011 SoER
	Expanded Role of the Office	Reference Group	Experts and community members by invitation	Advice to the Commissioner
	Review of the SoER	Reference Group	Experts by invitation	Advice to the Commissioner

Notes: * Canberra Nature Park Investigation; ** ACT State of the Environment Report

B.2 Internal and external scrutiny

Our Office has not been notified of any internal or external scrutiny during 2009-10.

B.3 Legislative Assembly committee inquires and reports

Table 8: Legislative Assembly committee inquiries and reports, 2009–10

Report no. 1 Appropriation Bill 2009–10			
Date presented	Recommendation	Government response	Commissioner's implementation
The Committee Report was tabled in the Legislative Assembly on 16 June 2009; and the Government Response was tabled on 23 June 2009.	Recommendation 50 The Committee recommends that the <i>Commissioner for the Environment Act 1993</i> (ACT) and the <i>Environment Protection Act 1997</i> (ACT) be amended to grant the Commissioner for Sustainability and the Environment the power to audit in relation to sections of annual reports prepared under section 158A of the <i>Environment Protection Act 1997</i> .	Noted. The <i>Weathering the Change</i> Action Plan, Action 2, commits the Government to developing resource management plans which will be subject to scrutiny by the Commissioner for Sustainability and the Environment. Under the existing <i>Commissioner for Environment Act 1993</i> , the Commissioner can undertake such an audit and she will be commencing an ACT Government Agencies Environmental Performance Audit Assessment in the future.	Our report <i>Expanded Role of the Office of the Commissioner for Sustainability and the Environment</i> was submitted to the Minister for the Environment, Climate Change and Water on 24 September 2009. Our Office is undertaking an Audit Assessment of ACT Government Agencies Environmental Performance Reporting. Our report on this Audit Assessment will be submitted to the Minister for the Environment, Climate Change and Water in late 2010.
Report no. 7 Report on Annual and Financial Reports 2008–09			
Date presented	Recommendation	Government response	Commissioner's implementation
17 December 2009*	That the Department of the Environment, Climate Change, Energy and Water and the Office of the Commissioner for Sustainability and the Environment immediately implement measures to accurately to account for resource use and to outline these measures in future annual reports.	The Government response to the 2008–09 Annual Report is yet to be tabled.	This is reported in this Annual Report.
	That future annual reports of the Office of the Commissioner for Sustainability and the Environment include a table which charts the number of complaints received and their broad subject areas.	The Government response to the 2008–09 Annual Report is yet to be tabled.	This is done in this Annual Report.

Note: * Date the Commissioner presented to the Standing Committee on Climate Change, Environment and Water 01. Annual and Financial Reports (Climate Change, Environment and Water) 2007–08

B.4 Legislation report

The Office is responsible for administering the *Commissioner for the Environment Act 1993*.



Section C - Legislative and policy based reporting

C.1 Risk management and internal audit

Our Office is covered under the Department of the Environment, Climate Change, Energy and Water Annual Report

C.2 Fraud prevention

Our Office is covered under the Department of the Environment, Climate Change, Energy and Water Annual Report.

C.3 Public interest disclosure

Our Office is covered by the Department of the Environment, Climate Change, Energy and Water public interest disclosure policies.

Our Office did not receive any public interest disclosures during 2009–10.

C.4 Freedom of information

The *Freedom of Information Act 1989* provides a legally enforceable right of access by citizens to all documents in the possession of the ACT Government, subject only to exemptions to protect the legitimate interests of the ACT Government, and of the third parties who deal with the ACT Government.

The *Freedom of Information Act 1989* requires certain reports to be compiled and included in the agency annual report. This report comprises three sections; a section 7 statement, a section 8 statement, and a section 79(2) statement.

Section 7 statement

In accordance with the requirements of section 7 of the *Freedom of Information Act 1989*, the following statement is correct to 30 June 2010. It reports on the particulars, functions and powers of the Office, as well as certain categories of documents held by each agency, and the arrangements for public participation in formulation of policy and operations.

Organisation functions and powers

Our enabling legislation is the *Commissioner for the Environment Act 1993*. The Act specifies that the Commissioner shall:

- produce State of the Environment reports for the ACT
- investigate complaints from the community regarding the management of the Territory's environment by the ACT Government and/or its agencies
- conduct investigations directed by the Minister
- initiate investigations into actions of the ACT Government or its agencies, where those actions have a substantial impact on the Territory's environment
- make recommendations for consideration by the ACT Government, and include in our Annual Report the outcomes of those recommendations.

Our Office administers the *Commissioner for the Environment Act 1993*.

Public participation

Our Office has consulted extensively during the reporting period on a range of activities, including the review of the State of the Environment Report, the Tree Investigation and the Canberra Nature Park Investigation.

Our consultation processes include:

- public submissions
- discussion at public meetings
- focus groups, expert panels and reference groups for specific purposes
- comments on draft documents
- briefings and discussions with Ministers and other members of the Legislative Assembly.

Documents

Documents produced by our Office on various aspects of our activities are available without charge on our website or on request. These include:

- annual reports from 2000–01 to the present
- ACT State of the Environment reports from 1997 to the present
- Regional State of the Environment reports from 2004 to the present
- investigation reports
- discussion papers, information pamphlets and fact sheets

These documents are also available by phoning or emailing the Office and can be posted to any member of the community.

Other kinds of documents that may be available under the *Freedom of Information Act 1989* include:

- general records, including internal, interdepartmental and public documents such as minutes of meetings, agendas and background papers, policy statements, correspondence and administrative records
- personnel records
- financial records
- details of contracts and tenders.

Facilities for access

Documents produced by our Office are available to the public on our website <www.envcomm.act.gov.au> or in hard copy upon request.

Our Office can be reached by public transport and has disabled access.

Section 8 statement

The *Commissioner for the Environment Act 1993* provides guidance for the role and functions of the Commissioner as well as detailed specifications for the conduct of investigations. The Act forms the basis of our operational procedures; it is available to the public and can be provided in hard copy upon request.

Section 79(2) statement

Our Office did not receive any freedom of information requests in 2009–10.

C.5 Internal accountability

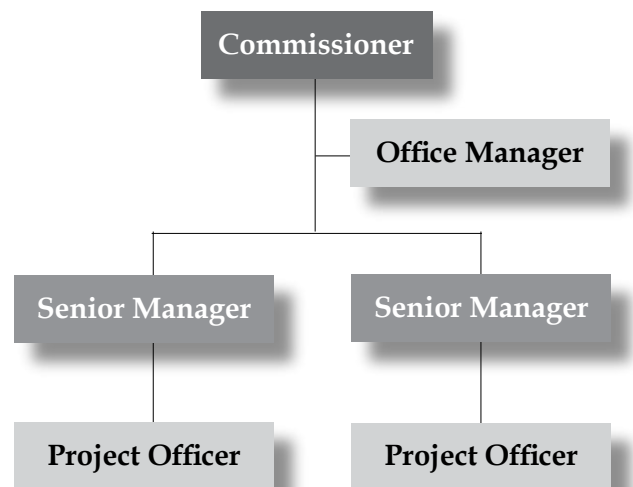
Organisational structure

During the reporting period the Commissioner was Dr Maxine Cooper.

The Commissioner is accountable for both the legislative and contractual functions of the Office and for ensuring the execution of these functions is consistent with the intent of the enabling legislation.

The structure of our Office at 30 June 2010 is shown in Figure 1.

Figure 1: Organisation chart, 2009–10



Senior committees

There are no senior management or other significant committees or boards within the Office.

Key corporate plans

Our Strategic Plan provides our vision, mission, values and objectives as detailed in A1.

C.6 Human resource performance

Our Office has a Strategic Plan, which reflects the environmental context in which we operate and sets a clear direction for us. Our Strategic Plan states our visions, mission, values and objectives as detailed in A.1. Our Strategic Plan is reviewed quarterly.

Our Office is committed to being an employer of choice. All staff have an Achievement Plan which contain a workplan and an individual learning and development plan and are reviewed quarterly.

C.7 Staffing profile

Our Office is covered under the Department of the Environment, Climate Change, Energy and Water Annual Report.

C.8 Learning and development

Our Office has a commitment to strengthening workforce and organisational capacity through building skills and capabilities. This learning and development is guided by individual Achievement Plans and supported through our Strategic Plan.

Staff from our Office participated in a number of whole-of-government learning and development initiatives during 2009–10 including:

- human rights, discrimination, harassment and bullying
- conflict resolution and dispute handling
- workplace health and safety
- government procurement.

In addition, some staff attended training in specialised courses, including Applied Project Management and Communication and Negotiation skills.

One officer successfully completed the Public Sector Management Program. One officer will be participating in the Future Leaders Program to be run later in the year.

C.9 Workplace health and safety

Our Office is committed to providing a safe and healthy workplace and maintaining the health, safety and welfare of its employees. Occupational health and safety is managed in accordance with the statutory provisions of the *Occupational Health and Safety Act 1989* (as modified by the *Public Sector Management Act 1994*).

During 2009–10 the Office did not receive any notices under sections 146, 155 or 212 of the *Occupational Health and Safety Act 1989* and there were no section 204 notifiable incidents.

The Office does not pay a first tier worker's compensation premium.

Our Office is covered by the Department of the Environment, Climate Change, Energy and Water for Annual Report workplace health and safety policy purposes.

Our Office has acted on monthly leave reports (provided by Shared Services) by encouraging staff to use accrued leave, especially staff members who were identified as having excess leave, and to maintain a healthy work-life balance.

Workstation assessments were conducted for all staff during the year and have been made available to staff as required, and specifically for new staff.

C.10 Workplace relations

Special employment arrangements

Our Office is covered under the Department of the Environment, Climate Change, Energy and Water Annual Report.

C.11 Strategic Bushfire Management Plan

Our Office does not own or manage any Territory land and is therefore not required to report its operations in relation to the either the strategic bushfire management plan or the bushfire operations plan.

C.12 Strategic asset management

Assets managed

Our Office does not own or manage any major assets.

Office accommodation

During 2009–10 our Office was accommodated on Level 2 of the Dickson Motor Vehicle Registry Building at 13–15 Challis Street, Dickson. The Office occupies 155 square metres. This Building is a multi-purpose building used for office accommodation, customer service shopfront and a vehicle inspection station area (which is light industry).

Our Office has been working with the Dickson Motor Vehicle Registry Sustainability Working Group to create a more sustainable building and office space.

C.13 Capital Works

Our Office has no capital works projects.

C.14 Government contracting

Procurement principles and processes

Procurement selection and management processes for all contractors including consultants complied with the Government Procurement Act 2001 and Government Procurement Regulation 2007.

Consistent with the provisions of the Government Procurement Regulation 2007, ACT Procurement Solutions, and if necessary, the Government Procurement Board reviewed purchases over \$20,000.

External sources of labour and services individual contracts exceeding \$20,000

The contracts for works and services for individual contracts that exceeded \$20,000 and smaller contracts awarded to the same contractor that in total exceeded \$20,000 are detailed in Table 9.

Table 9: Summary of contracts over \$20,000, 2009–10

Contractor	Description and reason for contract	\$	Procurement type	Date contract let
Halcrow Pacific Pty Ltd	Provide workshops and regional snapshots for Regional State of the Environment Reporting 2009	21,560	Request for quotation	9/10/2009
Ms Sarah Sharp	Field assessment for the Canberra Nature Park (nature reserves), Molonglo River Corridor (nature reserves), and Googong Foreshores (CNP) Investigation	53,300	Single select	12/2/2010
Beaconhill Consulting	Facilitation and reporting services for two community forums for the Government's tree management practices and the renewal of Canberra's urban forest (Tree) Investigation	2,800	Request for quotation	12/2/2010
Beaconhill Consulting	Scribing and report writing services for the Bird Forum on 19 February 2010	1,408	Single select	18/2/2010
Beaconhill Consulting	Scribing and report writing services for the Grassland Forum on 20 May 2010.	1,408	Single select	9/3/2010
Mr Richard Reilly	To assist the Commissioner in two investigations being the Tree Investigation and the CNP Investigation	20,000	Single select	16/3/2010
EngageAus*	To prepare, conduct and report on a Communications Workshop for Tree Management to inform the Tree Investigation	17,652	Single select	23/4/2010
Dr Christopher Dey, Centre for Integrated Sustainability Analysis, University of Sydney	To calculate the ACT 2009 Ecological Footprint	20,000	Single select	9/6/2010
Mr Richard Reilly	To assist the Commissioner in two investigations being the Tree Investigation and the CNP Investigation	20,000	Single select	28/6/2010

Note: * An alliance of Beaconhill Consulting

C.15 Community grants/assistance/sponsorship

Our Office did not provide financial support to any community grants, assistance or sponsorships during the reporting period.

C.16 Territory records

Our Office is independent of Government and administers its own records.

C.17 Human Rights Act 2004

Our Office has a responsibility to be the advocate of human rights for the public, with regard to environmental concerns. This role is outlined in the *Commissioner for the Environment Act 1993* and usually takes the form of a response to a submitted complaint from a member of the public about management of the environment by Territory agencies.

During the reporting period, staff attended the following workshops:

- Harassment and Bullying
- Introduction to the Human Rights Act
- Introduction to the Discrimination Act
- Discrimination in Employment.

C.18 Commissioner for the Environment

This Annual Report is for the Commissioner for Sustainability and the Environment.

C.19 ACT Multicultural Strategy 2010–13

Our Office is covered under the Department of the Environment, Climate Change, Energy and Water Annual Report.

C.20 Aboriginal and Torres Strait Islander reporting

Our Office is covered under the Department of the Environment, Climate Change, Energy and Water Annual Report.

C.21 Ecologically sustainable development

Our Office is co-located with a number of Department of Territory and Municipal Services Business Units in the Dickson Motor Vehicle Registry Building. This provides a challenge in reporting accurate data on energy and water use. We are billed for our energy and water use based on an estimated proportion of the total building energy and water consumption. This is not necessarily reflective of our use as the building has many purposes including shopfront and vehicle inspection station area which use energy differently to that of an office. In some instances, data was unable to be collected or supplied at either the building or office level, due to co-location difficulties and the nature of the activities conducted by the business units. Data collection is expected to be more accurate when installed 'smart meters' are linked to the computer network. Data for energy, waste and water has been supplied for the whole building by the Department of Land & Property Services.

The data supplied for the Dickson Motor Vehicle Registry Building (which occupies 1,937.02 square metres) was proportionally estimated for our Office which occupies 155 square metres or 8 per cent of the total.

	Indicator as at 30 June		Unit		2008–09	2009–10
	General					
A	Occupancy – office staff full-time equivalent ¹		Numeric (FTE)		5	7
	Occupancy – total staff full-time equivalent (including non-office)		Numeric (FTE)		5	7
B	Area office space – net lettable area		Square metres (m²)		155	155
	Area non-office space – net lettable office area		Square metres (m²)		0	0
	Stationary energy use ²					
	Electricity use (total)		Kilowatt hours		47,173	37,149
X	Electricity use (office)		Kilowatt hours		47,173	37,149
Y	Renewable energy use (GreenPower)		Kilowatt hours		3,172	12,296
	Percentage of renewable energy used (Y/X x 100)		Percentage		8	33
	Gas use (total) ³		Megajoules		n/a	0
	Gas use (office)		Megajoules		n/a	0
C	Total office energy use		Megajoules		169,816	134,000
	Intensities (office)					
	Energy intensity per office FTE (C/A)		Megajoules/FTE		33,963	19,143
	Energy intensity per square metre (C/B)		Megajoules/m²		1,096	865
	Transport Energy		Office	Other	Office	Other
D	Total number of vehicles	Numeric	1 ⁴	0	1	0
	Transport fuel (Petrol) ⁵	Kilolitres	n/a	0	0.2	0
	Transport fuel (Diesel)	Kilolitres	0	0	0	0
	Transport fuel (LPG)	Kilolitres	0	0	0	0
	Transport fuel (CNG)	Kilolitres	0	0	0	0
	Transport fuel (Aviation)	Kilolitres	0	0	0	0
E*	Total transport energy use	Gigajoules	n/a	0	6.84	0
	Water consumption					
	Water use (total)		Kilolitres		181	101
F	Water use (office)		Kilolitres		181	101
	Intensities (office)					
	Water use per office FTE (F/A)		Kilolitres/FTE		36.2	14.4
	Water use per square metre floor area (F/B)		Kilolitres/m²		1.2	0.7

¹ The Office establishment is six, the additional FTE is a contractor working on the Tree Investigation

² These data are calculated on the basis of totals provided by the Department of Land & Property Services for the whole of the Dickson Motor Vehicle Registry (DMVR) building and then proportionately allocating data to the Office at 8 per cent of the total, this percentage being the Office's approximate proportion of total floor space. On this basis, the figures for stationary energy, water and emissions are not accurate.

³ Following upgrades to the DMVR Heating, Ventilation and Air Conditioning system during the reporting period, gas is no longer used in the part of the building occupied by the Office. Therefore no gas usage is attributed to the Office.

⁴ This is the Commissioner's package vehicle, which is available for use by our staff.

⁵ Figures are calculated by estimating the distance travelled for official business and fuel consumption based on the Green Vehicle Guide.

	Indicator as at 30 June	Unit	2008-09	2009-10
	Waste⁶			
	Reams of paper purchased	Reams	76	214 ⁷
	Recycled content of paper purchased	Percentage	100	100
	Estimate of general waste (based on bins collected) ⁸	Litres	n/a	50
	Estimate of comingled material recycled (based on bins collected) ⁹	Litres	n/a	250
	Estimate of waste paper recycled (based on bins collected)	Litres	n/a	1,600
	Estimate of secure paper recycled (based on bins collected)	Litres	0	0
	Office Greenhouse Gas Emissions			
*	Direct greenhouse gas emissions (Scope 1)	Tonnes CO ₂ -e	n/a	0
*	Indirect greenhouse gas emissions (Scope 2)	Tonnes CO ₂ -e	n/a	33.97
*	Other indirect greenhouse gas emissions (Scope 3)	Tonnes CO ₂ -e	n/a	5.42
G*	Total office greenhouse gas emissions (All Scopes)	Tonnes CO ₂ -e	47.74	39.39
	Transport Greenhouse Gas Emissions			
*	Direct greenhouse gas emissions (Scope 1)	Tonnes CO ₂ -e	n/a	0.46
*	Indirect greenhouse gas emissions (Scope 2)	Tonnes CO ₂ -e	n/a	0
*	Other indirect greenhouse gas emissions (Scope 3)	Tonnes CO ₂ -e	n/a	0.04
H*	Total transport greenhouse gas emissions (All Scopes)	Tonnes CO ₂ -e	n/a	0.5
	Greenhouse Gas Intensities			
	Office greenhouse gas emissions per person (G/A)	Tonnes CO ₂ -e/FTE	n/a	5.62
	Office emissions per square metre (G/B)	Tonnes CO ₂ -e/m ²	n/a	0.25
	Transport greenhouse gas emissions per person (H/A)	Tonnes CO ₂ -e/FTE	n/a	0.07

⁶ The office manages a recycled paper collection contract as a separate arrangement to other agencies in the building. All secure documents are shredded before recycling obviating the need for a separate secure paper arrangement. During the reporting period, the Office registered with the DECCEW Office Smart program and staff now separate their waste at source, including putrescible waste which is composted (estimated at about 150kg per year).

⁷ 194 reams were used.

⁸ This is material placed in bins to go to landfill.

⁹ This is the estimate of materials generated in the Office which are placed in the bin to go for recycling (as for ACT domestic yellow-lidded bins) and is an extrapolation of an audit of office bins and a survey of staff.

Notes:

* calculated with information entered into OSCAR

FTE = full time equivalent; LPG = liquefied petroleum gas; CNG = compressed natural gas

n/a – not available and/or not applicable

C.22 ACT Women's Plan 2010-15

As part of state of the environment reporting, we assess many of the objectives of the ACT Women's Plan including:

- Objective 1: Representation and recognition – through the 'Population', 'Socio-Economic Equity' and 'Community Participation' indicators.
- Objective 2: Good health and wellbeing – through the 'Community Health' and 'Health Services' indicators.
- Objective 3: Responsive housing – through the 'Housing' indicator.
- Objective 4: Safe, inclusive communities – through the 'Safety', 'Community Participation' and 'Socio-economic Equity' indicators.
- Objective 5: Economic security and opportunities – through the 'Socio-economic Equity' indicator.
- Objective 6: Flexible education and training – through the 'Education' indicator.

Our Office provides a supportive environment for women through training and development.

C.23 Model Litigant Guidelines

Our Office is covered under the Department of the Environment, Climate Change, Energy and Water Annual Report.



Appendixes

Appendix 1: Expanded Role of the Office of the Commissioner for Sustainability and the Environment Reference Group Members

Ms Maiy Azize

Youth Coalition of the ACT

Professor Joe Baker AO, OBE

Former ACT Commissioner for the Environment

Professor Val Brown

Visiting Professor at Fenner School, Australian National University

Ms Chris Faulks

CEO, Canberra Business Council

Mr Michael Galluzzo

President of Reconciliation ACT

Mr Phil Lown

CEO, ACT Division of General Practitioners

Mr David Marshall

Chair, ACT Tourism Advisory Council

Dr Rosemary Purdie

Former Commissioner

Professor Brian Roberts

Chair, former ACT Sustainable Expert Reference Group

Professor Will Steffen

Head, Climate Change School, Australian National University

Mr Darro Stinson

Former Commissioner

Ms Charlie (Charlotte) Wood

Youth member

Appendix 2: Review of the ACT State of the Environment Report Reference and Focus Group Members

Professor Joe Baker AO, OBE

Former ACT Commissioner for the Environment

Ms Maureen Cane

Chief Executive Officer, Communities@Work

Mr David Marshall

Chair, Canberra Business Council, Tourism Sports and Arts Taskforce

Mr Geoffrey McAlpine

Former CSIRO Principal Adviser Environment

Dr Sarah Ryan

Chair, ACT Natural Resource Management Council

Professor Will Steffen

Executive Director, Australian National University Climate Change Institute

Members of the Water and Catchments Focus Group were:

Mr Stewart Chapman

Department of the Environment, Climate Change, Energy and Water

Professor Ian Falconer

Water Consultant

Ms Ruth Kharis

Office of the Commissioner for Sustainability and the Environment

Mr Ross Knee

ACTEW

Mr Boon Lim

Department of the Environment, Water, Heritage and the Arts

Mr Jonathan Millard

Department of the Environment, Water, Heritage and the Arts

Mr Michael Ross

Department of the Environment, Climate Change, Energy and Water

Dr Sarah Ryan

Chair, Natural Resource Management Council

Mrs Narelle Sargent

Office of the Commissioner for Sustainability and the Environment

Members of the Biodiversity Focus Group were:

Ms Jenny Bounds

Canberra Ornithologists Group

Ms Dayani Gunawardana

Department of the Environment, Water, Heritage and the Arts

Mr John Hibberd

Conservation Council

Ms Ruth Kharis

Office of the Commissioner for Sustainability and the Environment

Ms Sharon Lane

Department of Territory and Municipal Services

Mr Jonathan Millard

Department of the Environment, Water, Heritage and the Arts

Mrs Narelle Sargent

Office of the Commissioner for Sustainability and the Environment

Dr David Shorthouse

Visiting Fellow at Fenner School, Australian National University

Members of the Climate Change and Greenhouse Focus Group were:

Ms Kylie Carman-Brown

ACT Planning and Land Management Authority

Mr Michael Doherty

CSIRO

Ms Ruth Kharis

Office of the Commissioner for Sustainability and the Environment

Dr Janette Lindesay

Australian National University

Mr Jonathan Millard

Department of the Environment, Water, Heritage and the Arts

Mr Larry O'Loughlin

Office of the Commissioner for Sustainability and the Environment

Mrs Narelle Sargent

Office of the Commissioner for Sustainability and the Environment

Ms Lynette Sebo

Department of the Environment, Water, Heritage and the Arts

Members of the Communities and Settlements Focus Group were:

Ms Kylie Carman-Brown

ACT Planning and Land Management Authority

Mr John Hibberd

Conservation Council

Ms Ruth Kharis

Office of the Commissioner for Sustainability and the Environment

Ms Lee-Ann Shepherd

Department of the Environment, Water, Heritage and the Arts

Mr Jonathan Millard

Department of the Environment, Water, Heritage and the Arts

Mr Jonathan Miller

Chief Minister's Department

Mr Warren Nicholls

Community member

Mrs Narelle Sargent

Office of the Commissioner for Sustainability and the Environment

Appendix 3: Audit/assessment of ACT Government agencies' environmental performance reporting Terms of Reference

The Commissioner will prepare a report which:

1. scrutinises public reporting (including in annual reports) by ACT Government agencies, corporations and statutory entities (agencies) covering the last five years, with respect to their use of energy and water use, waste production, and transport resources
2. audits/assesses agency compliance with existing government reporting requirements
3. identifies key actions to reduce consumption of resources, being progressed, if applicable, but not reported, and identify reasons for this
4. identifies opportunities for improving resource management plans and their guidelines
5. highlights ways to advance ongoing implementation, and continuous improvement of, resource management plans.

Appendix 4: Investigation into the Government's tree management practices and the renewal of Canberra's urban forest Terms of Reference

The Commissioner will investigate and report on the following matters:

1. the scope and efficiency of any enhancement that may be required to the Government's existing tree management programs
2. the benefits and drawbacks of considering funding for urban tree programs separately to climate change initiatives
3. improved notification and consultation processes to support greater community involvement in urban tree planning and management, including risk mitigation, tree removal and planting
4. the priority given in tree management decisions to environmental values, solar access and the retention of communities of trees in parks
5. the sustainable reuse of timber from felled trees
6. when replanting should occur following the removal of trees, the scope for pre-planting, and principles for the number and species of trees that should be replanted
7. the need for enhanced management to maintain the survival and good health of trees
8. appropriate safeguards to ensure contractors follow best practice and adhere to Government tree policies
9. principles for the decision-making process where it is proposed that a tree is removed or is retained
10. improvements to the Tree Protection Act or other relevant Acts in light of the above matters
11. resource implications associated with an enhanced program.

Appendix 5: Investigation into the Government's tree management practices and renewal of Canberra's urban forest Reference Panel Members

Professor Don Aitkin AO

Chair National Capital Authority

Mr Geoff Butler

Environmental and Horticultural Consultant

Dr Dianne Firth

Head of Landscape Architecture, University of Canberra

Ms Gabrielle Hurley

Director of Investigations, ACT Ombudsman

Dr Dorothy Jauncey

Resident

Mr Alan Kerlin

Resident

Dr Greg Moore

Research Associate, University of Melbourne

Ms Lyndal Plan

Principal Urban Forest Policy Officer, Brisbane City Council

Appendix 6: Canberra Nature Park (nature reserves), Molonglo River Corridor (nature reserves) and Googong Foreshores Investigation Terms of Reference

An investigation will be undertaken into Canberra Nature Park (nature reserves); Molonglo River Corridor (nature reserves) and Googong Foreshores that:

1. assesses the condition of the forests, woodlands and grassy woodlands in these areas, including the effects of grazing by stock and/or kangaroos, vertebrate, pests and weeds
2. identifies actions to protect and enhance these areas, including land use or boundary changes while taking into account their purpose, values, and location and the status of indigenous species and communities protected in the nature reserve system
3. reviews existing land management programs and practices for these areas and areas that adjoin them. This is to include but not be limited to agistment, leasing, culling arrangements, Land Management Agreements or plans of management which may apply

4. identifies any urgent actions and longer-term changes that are needed to improve the management of these areas. This is to include identifying successful management measures that should be retained
5. identifies knowledge gaps, research or survey needs, and compliance and monitoring requirements that may be necessary to support improved management programs and practices while taking into account the context of the areas and effects of climate variability
6. identifies ways for ensuring effective communication and involvement of stakeholders, including Aboriginal people, whose actions potentially, indirectly or directly, affect these areas
7. identifies potential biodiversity offset management actions or sites
8. identifies the evidence justifying the need for managing grazing pressure in the context of sound reserve management practices.

In undertaking the investigation, the Commissioner is to consult with all relevant experts and key stakeholders, including staff in TAMS and in the Department of the Environment, Climate Change, Energy and water.

Note: The management of grassland nature reserves in Canberra Nature Park was recently reviewed as part of the Commissioners inquiry into Lowland Grasslands of the ACT and will not be included in this study.

Appendix 7: Canberra Nature Park (nature reserves), Molonglo River Corridor (nature reserves) and Googong Foreshores Investigation Expert Panel Members

Mr Robert de Castella

Executive Director, SmartStart

Dr Lyn Hinds

Vertebrate Pest Stream Leader, CSIRO Entomology

Dr Tony Peacock

Chief Executive of the Invasive Animals Cooperative Research Centre

Dr Sarah Ryan

Chair, Natural Resource Management Council

Dr David Shorthouse

Visiting Fellow at Fenner School, Australian National University