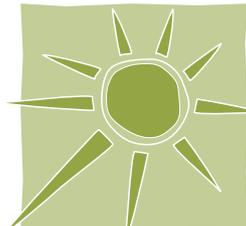
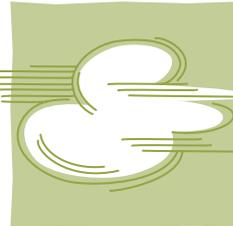
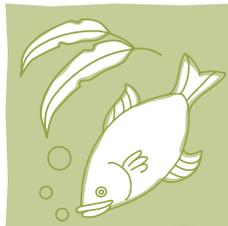




Office of the Commissioner for  
Sustainability and the Environment

# annual report 2013-14



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## Transmittal certificate



Office of the Commissioner for  
Sustainability and the Environment

## TRANSMITTAL CERTIFICATE

Mr Simon Corbell, MLC  
Minister for the Environment and Sustainable Development  
ACT Legislative Assembly  
GPO Box 1020  
Canberra ACT 2601

Dear Minister

I am pleased to submit the Annual Report of the Office of the Commissioner for Sustainability and the Environment for the year ended 30 June 2014. 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 2013–2014 Annual Report Directions*. It has been prepared in conformity with other legislation applicable to the preparation of the annual report by the Office of the Commissioner for Sustainability and the Environment.

I hereby certify that the attached annual report is an honest and accurate account and that all material information on the operations of the Office of the Commissioner for Sustainability and the Environment during the period 1 July 2013 to 30 June 2014 has been included.

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

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

Mr Robert Neil

Commissioner for Sustainability and the Environment

30 August, 2014

# Contents

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<b>Transmittal certificate</b>	<b>iii</b>
<b>Section B — Performance reporting</b>	<b>1</b>
B1 Organisational overview	1
B2 Performance analysis	2
B3 Community engagement and support	49
B4 Ecologically sustainable development	51
<b>Section C — Governance and accountability reporting</b>	<b>53</b>
C1 Internal accountability	53
C2 Risk management and internal audit	53
C3 Fraud prevention	53
C4 Legislative Assembly inquiries and reports	53
C5 Auditor-General and Ombudsman reports	53
<b>Section D — Legislation-based reporting</b>	<b>54</b>
D1 Public interest disclosure	54
D2 Freedom of Information	54
D3 Human Rights Act	55
D4 Territory Records Act	55
D5 Legal services directions	56
D6 Notices of non-compliance	56
D7 Bushfire risk management	56
D8 Commissioner for the Environment	56
<b>Section E — Human resources management reporting</b>	<b>57</b>
E1 Human resource performance	57
E2 Learning and development	57
E3 Work health and safety	57
E4 Workplace relations	57
E5 Staffing profile	57
<b>Section F — Financial management analysis</b>	<b>58</b>
F1 Financial management	58
F2 Financial statements	58
F3 Capital works	58
F4 Asset management	58
F5 Government contracting	58
F6 Statement of performance	60



### B1 Organisational overview

#### B1.1 Role

The Commissioner for Sustainability and the Environment is appointed by the Minister for the Environment and Sustainable Development under the *Commissioner for Sustainability and the Environment Act 1993*. The Commissioner is accountable to the Legislative Assembly through the Minister. This Office exists to support the Commissioner's role.

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, and issues relating to ecologically sustainable development (ESD);
- 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; and
- make recommendations for consideration by government and include in its annual report the outcomes of those recommendations.

The Office administers no other legislation and has no other regulatory activities.

#### B1.2 Vision

The vision of the Office of the Commissioner is 'Living Sustainably'. The vision captures our commitment to help the community and government act in ways that advance sustainability and good management of the environment.

#### B1.3 Mission

Our mission is to advance sustainability through advocacy, independent scrutiny, reporting and advice.

#### B1.4 Values



## B1.5 Objectives

The Office of the Commissioner for Sustainability and the Environment has four main objectives.

**Investigation and resolution:** to enhance understanding and provide guidance by investigating and resolving complaints.

**Monitoring and reporting:** to advance sustainable practices and better management of the environment through independent monitoring, analysis and reporting.

**Engagement and advocacy:** to be an independent voice that advocates for, and raises awareness of, sustainable practices and environmental matters.

**Capability:** to foster a collaborative culture built on professional expertise and networks.

## B1.6 Structure

The Office comprises a full-time Commissioner, two senior managers (SOG B equivalent), two project officers (PO 2) and one office manager (APS 5). This year the office has hosted a graduate from the Environment and Sustainable Development Directorate (ESDD) who worked in the office from February until June, as well as a temporary part-time contractor.

## B1.7 Clients and stakeholders

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

- the ACT Government and members of the Legislative Assembly;
- the community, including current and future generations;
- environment and sustainability interest groups;
- other Commissioners locally, nationally and internationally;
- business and industry;
- academics;
- professional bodies and interest groups;
- media;
- Councils of the Australian Capital region, and
- the NSW and Australian governments.

## B1.8 Directorate relationships

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 ACT Government via the ESDD and the Commerce and Works Directorate provides corporate support for matters such as accommodation, financial reporting, recruitment and other personnel services.

Shared Services ICT located within the Commerce and Works Directorate provides information management, procurement and information technology support.

## B2 Performance analysis

Our achievements during 2013–14 cover our key functions:

- statutory;
- complaints;
- advocacy; and
- investigations.

### B2.1 Statutory

Our statutory work included:

- development of updated methodology for 2015 SoE report;
- preparation and planning for the 2015 ACT SoE report; and
- preparing the Implementation Status Report for AP2. A new climate change strategy and action plan for the Australian Capital Territory.

### ACT State of the Environment report

The Office is progressing the next State of the Environment (SoE) report, due in 2015. As part of this process we have undertaken the following:

- completed the review of the 2011 SoE report;
- incorporated the 2011 review outcomes into the 2015 SoE report framework;
- developed and conducted a series of consultation workshops to gain input for the 2015 SoE report framework and indicators;
- developed the framework in-house with the assistance of an expert ‘conceptual modeller’;

- commissioned a group of SoE report writing and editing experts to assist OCSE staff with the 2015 SoE report;
- finalised the 2015 SoE report framework;
- developed and commenced implementation of a data collection and analysis plan; and
- commissioned an independent assessment of the effectiveness of ACT Government and environmental management responses. The process for this assessment included the running of two workshops with key ACT Government decision-makers to obtain input into the management effectiveness assessment process.

The reporting period for the SoE report is from 1 July 2011 to 30 June 2015, and the report will be delivered to the Minister on 21 December 2015.

The Office continues to refine the framework for the 2015 SoE report following the review of the 2011 SoE report, and in light of the feedback received. The framework still uses the Driving Forces-Pressures-State-Impacts-Responses (DPSIR) model and reports on themes and indicators within this model—as was the case in the 2011 report. However the 2015 SoE report will include an independent review of management responses; reporting on and analysis of ecosystem services; and the resilience and adaptive capacity of the ACT and region. The 2015 SoE report will, where possible, incorporate data from the surrounding region outside the ACT.

The Office has continued to engage individual councils on environmental reporting in the region by attending workshops and meetings throughout the year. The Office has also engaged with other areas of the wider ACT Government to share information and resources and to enhance cooperation with government across the region on local issues.

The Office recognises the need for a greater emphasis on how ACT-based decisions and actions impact the region and vice versa.

### Implementation Status Report for Action Plan 2

In working on the Implementation Status Report for Action Plan 2 (AP2) we:

- worked with the ESDD and the Climate Change Council to develop a framework for the AP2 reports;
- determined a method for national and international comparison of ACT target and actions;
- sought advice on methodology for determining ‘fit for purpose’ for climate change adaptation; and
- produced a draft of the first report.

### B2.3 Complaints

In our complaints investigating role we:

- received, acknowledged and progressed three new complaints; and
- finalised two complaints from the previous financial year

These latter complaints included components that raised systemic problems across the Territory.

A full description of our complaints handling for 2013–14 can be found at Section B2.6

### B2.4 Advocacy

Advocating for, and raising awareness of sustainable practices and environmental matters is one of our key objectives. A discussion of our community engagement efforts can be found at Section B3 of this report.

In 2013–14 the Office:

- met with business leaders and held workshops with innovative thinkers;
- delivered ecologically sustainable development (ESD) workshops and an expert paper;
- engaged an expert to further inspect specified ACT natural temperate grasslands sites and provide a report to the Commissioner; and
- monitored progress on government implementation of key environmental strategies and policies.

### Workshops and thought-leadership

At an international level the Office delivered a presentation at a conference<sup>1</sup> hosted by the Hungarian Ombudsman For Future Generations in April 2014. The agenda included the establishment of a UN Commissioner for Future Generations with a specific mandate to take the longer term view. It also highlighted the scope for corresponding Commissioners at a national level

<sup>1</sup> Staff member self-funded the trip and took leave to attend.

### Ecologically sustainable development (ESD) project

In response to the objects clause within our legislation the Office initiated a project focused on ecologically sustainable development (ESD) asking what ESD means in a practical day-to-day sense. The project aimed to benchmark best practice ESD and to progress the understanding and implementation of ESD within government decision making. The project examined the steps that need to be taken to address and satisfy the core components of ESD as part of both the longer term and daily decision making processes of the ACT Government. For more information about the report generated from this project, see Section B4 of this annual report.

To remain involved with the wider functions of the Environment and Sustainable Development Directorate, the Office is a member of the ESDD green team, and will continue to attend meetings throughout 2014–15.

### Follow up from the Report on the ACT Lowland Native Grassland Investigation

In November 2007 the previous Minister for the Environment, Water and Climate Change, Mr Jon Stanhope, directed the Commissioner to undertake an Investigation into Lowland Native Grassland ('the Grasslands Investigation'). The final report was tabled in the Legislative Assembly in 2009 by Minister for the Environment and Sustainable Development, Mr Simon Corbell.

Following an audit of the 32 recommendations about the grasslands in our 2011–12 annual report, the Office engaged Dr Kenneth Hodgkinson to further inspect specified natural temperate grassland sites and undertake photographic and floristic assessments. Dr Hodgkinson's delivered his recommendations to the Commissioner in early 2014. His key findings were that the condition of 14 remnant sites of Natural Temperate Grasslands (NTG) in Canberra ranged from 0–40 in Fleuristic Value Score.<sup>2</sup> Dr Hodgkinson also found that this variation can be attributed to past and current land management practices and that current management of these sites will not ensure their survival. The native plants and animals of these remnants of NTG in Canberra are threatened by overgrazing from kangaroos, animal pests and

domestic herbivores; by excessive and untimely mowing regimes; by failure to eradicate weeds; and by failure to apply fire regimes essential for the survival of most of the native plant species. Dr Hodgkinson warned that many of the grassland patches are approaching critical thresholds beyond which they will change to a different and less desirable state.

### Monitoring progress

The Commissioner acknowledges the work which has been done by the government in developing policies on key issues including:

- Action plan 2 (AP2);
- ACT Planning Strategy, July 2012;
- City Plan, April 2013;
- *Transport for Canberra 2012–2031* policy, March 2012;
- Draft Nature Conservation Strategy 2012–2022;
- Nature Conservation Bill 2013;
- Review of the Environment Protection Act, September 2012; and
- *Water for the future – striking the balance: Draft ACT Water Strategy 2013*.

In 2013–14 the Office continued to monitor the progress towards implementing these policies and strategies.

The Office will also continue to track and report on the implementation of specific recommendations via our annual reports.

<sup>2</sup> Fleuristic Value Score is the method used by ACT Government and NSW Office of Environment and Heritage for determining the conservation value of grassland on the Southern Tablelands and for monitoring sites.

## B2.5 Investigations

The Office of the Commissioner for Sustainability and the Environment has not undertaken any Investigations during fiscal 2013–14, however it has prepared, as directed in AP2 (Chapter 11 Monitoring and Reporting), the first of three implementation status reports (2014, 2017, 2020).

AP2 provides for the Office to triennially assess whether the ACT Government is reducing greenhouse gas emissions, adapting to climate change and leading a sustainable future. This assessment is to be conducted by answering a number of questions:

1. How are we tracking against sector greenhouse gas reduction targets?
2. What new opportunities or challenges have emerged?
3. What are the implications for the Territory from developments in climate science?
4. How fit-for-purpose are the Territory's climate change adaptation policies?
5. How do the Territory's targets and actions stand in relation to developments at the national or international level?

These questions will be answered in this implementation status report by providing:

- an outline of the methods used for calculating and reporting upon greenhouse gas emissions through a greenhouse gas inventory (GGI) and AP2. This outline includes a description of the conversion methodology used to allow the GGI to report on greenhouse gas emissions by AP2-sector;
- an analysis of the challenges relating to making an assessment of AP2-sector greenhouse gas targets including issues relating to timing, target setting, emissions modelling and measuring the effect of AP2's 14 mitigation actions achievement against the legislated greenhouse gas reduction targets;
- an analysis of international best-practice greenhouse gas emissions calculations and reporting and the probable effect of this on the targets set both by the legislation and by AP2;
- a comparative analysis of the science which underpinned AP2 and the latest comparable scientific developments since the 2012 release of AP2;

- a methodology designed to determine what constitutes an ACT Government policy or action being 'fit-for-purpose' in terms of climate change adaptation;
- a fit-for-purpose assessment against identified climate change risks and vulnerabilities to the ACT using the methodology; and
- a jurisdictional comparison of the greenhouse gas emissions reduction and renewable energy targets and the actions developed to effect these targets.

## B2.6 Report of legislated functions

This section of the report complies with the Act; specifically:

Section 14(8), which requires reporting of complaints 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 a special report under Section 21; and

Section 23, information to be included in agency annual reports.

### ***Commissioner for Sustainability and the Environment Act 1993: Section 14(8) requirements***

Our Office received three new complaints during 2013–14 that were complex and potentially raised systemic issues for further assessment. However, as indicated in our previous annual reports, the Office also receives inquiries that are generally resolved before becoming section 14 (8) complaints. These are resolved through discussions with the Commissioner, site visits and—where relevant—introductions to appropriate individuals within the directorates. Bringing all the parties together around a table often leads to a resolution of matters.

**Table 1: Summary of complaints and investigations**

Complaints	No. of complaints
Complaints on hand at end 2012–13	2
Complaints received during 2013–14	3
Complaints closed during 2013–14	2
Complaints pending	3
<b>Investigations directed by the Minister</b>	0
Investigations on hand at end 2012–13	0
Investigations commenced in 2013–14	0
Investigations closed during 2013–14	0
<b>Investigations initiated by the Commissioner</b>	0
Investigations initiated in 2013–14	0

**Table 2: Summary of broad subject area of complaints**

Broad subject area	No. of complaints
Air quality	0
Biodiversity	2
Water	0
Trees	0
Waste	0
Planning process and decisions	1
Other	0

**Table 3: Complaints lodged in 2011–12**

Month lodged	Broad subject area	Nature of complaint	Comment	Month closed
April 2012	Biodiversity/ grassland management	Non compliance with land-management agreements in the Glenloch rural lease, and associated deterioration of conservation values on the lots	<p>The complaint was closed in February 2013 after discussions with both ESDD and Territory and Municipal Services Directorate (TAMSD).</p> <p>The outcomes of the complaints inquiry had four recommendations. These were:</p> <ul style="list-style-type: none"> <li>Determining the current ecological value of the site and processes should be put in place to ensure follow up on the implementation of Conservator’s directions.</li> <li>Encouraging ongoing weed management by the leasee.</li> <li>Formal processes are implemented for improved communication regarding the management, monitoring and enforcement of land management agreements (LMAs).</li> <li>A review of the LMA process be undertaken in the next 18 months.</li> </ul>	March 2013

**Table 4: Complaints lodged in 2012–13**

Month lodged	Broad subject area	Nature of complaint	Comment	Month closed
Feb 2013	Building heights in town centres	Heights in town centre of Belconnen	<p>The Office gathered information to assess if the complaint is systemic across all town centres. This included reviewing the status of master plans and precinct codes with regard to height requirements.</p> <p>It also looked at the accessibility of finding the information easily and then interpreting it.</p>	Pending
March 2013	Biodiversity/recreation	Potential conflicts between conservation values and recreational opportunities	<p>This complaint raised concerns over the construction of bike trails within the Bruce Ridge Nature Reserve (Bruce Ridge) and the potential for the construction of these trails to compromise the ecological values of the reserve. In investigating the complaint the Commissioner’s office looked into the following matters:</p> <ul style="list-style-type: none"> <li>• What was the process used to determine the suitability of the site at Bruce Ridge for mountain bike recreation?</li> <li>• What process was undertaken to determine how many bike trails are sustainable in Bruce Ridge and their appropriate location?</li> <li>• What strategy or processes are in place to manage and monitor conservation on Bruce Ridge?</li> <li>• What processes are in place to balance recreational and conservation needs on the ridge?</li> <li>• What is the role of Friends of Bruce Ridge and how are their actions monitored?</li> <li>• Are there any proposals currently under consideration for similar recreation facilities in other areas of the Canberra Nature Park?</li> </ul> <p>The ACT Government, through legislation and policy, is committed to environmentally sustainable development (ESD). ESD mandates the precautionary principle:</p> <p><i>when an activity raises threats of harm to the environment, precautionary measures should be taken even if some cause and effect relationships are not fully established scientifically.</i></p> <p>So in association with the above issues specific to this complaint, the Office has also investigated the broader ranging issue of recreation management across the Canberra Nature Park (CNP).</p> <p>These issues relate to the challenges associated with applying the precautionary principle in practice. They include the:</p> <ul style="list-style-type: none"> <li>• lack of scientific and monitoring data pertaining to the current state of reserve ecology; and</li> <li>• the compromises or trade-offs that need to be made when priorities for environmental management are determined.</li> </ul> <p>These issues, particularly in relation to resource allocation, are endemic to all governments in the business of environmental protection</p>	October 2013

**Table 5: Complaints lodged in 2013–14**

Month lodged	Broad subject area	Nature of complaint	Comment	Month closed
July 2013	Compliance with management plans for new development	Compliance with management plans for Woden Green development	Potential for failure to occur in comprehensively implementing the requirements of management plans on the ground. The number of parties involved in the day-to-day management and development of sites may be a factor in making best practice implementation of the plans a challenge.	Pending
October 2013	Biodiversity	The management of the cat-curfew area adjoining Mount Majura	Complaint related to the lack of enforcement and monitoring of cat-curfew areas, specifically the curfew area adjoining Mount Majura, and broad systemic issues within the ACT.	Report finalised June
Dec 2013	Biodiversity	The scientific rationale relating to kangaroo culls in the ACT	This complaint raised 12 specific points based on a range of issues.	Pending

**Commissioner for Sustainability and the Environment Act 1993: Section 20(a) requirements (any special factor that had significant impact on environment)**

While Canberra remains a very liveable city there is a need for vigilance and action to maintain the health and integrity of our environment, now and for future generations.

It is critical that implementation, monitoring and reporting on the ACT’s strategies and policies remain a strong priority. This particularly applies with regard to the implementation pathways to achieve the outcomes detailed in policies and plans.

In financially uncertain times, there is a need for even greater responsible and efficient use of resources. However, it is essential that in this setting we continue to recognise that the environment underpins our social and economic wellbeing and we invest appropriately for the future of our city, our community, and our ecosystems.

**Commissioner for Sustainability and the Environment Act 1993—Section 20(b) requirements**

As required by Section 20(b) of the Act, this Office reports on progress made by the ACT Government directorates in implementing any recommendation made in a State of the Environment report under Section 19, or in a special report under Section 21. Special reports are those arising from any investigation

initiated by the Minister or the Commissioner. This annual report outlines progress in implementing recommendations in relation to the theme of ‘water’. The Commissioner’s assessments are presented below in an audit of past recommendations (Table 6). Table 7 then summarises measures taken during the year by, or for, the Territory to implement other water-related recommendations in the State of the Environment reports 2011 and 2007.

The information in Table 7 is directly as advised by the relevant ACT Government directorates.

Table 8 covers all other directorate responses demonstrating progress in implementing the *ACT State of the Environment 2011* report recommendations

**Audit of past recommendations**

During 2011–12, the Office began a process to conduct thorough audits of previous recommendations. The process involved selecting recommendations arising from past investigations, complaints and the *ACT State of the Environment Report 2011*, to examine their implementation.

The help and assistance provided by these directorates and their staff is greatly appreciated.

The Commissioner’s assessment of progress is presented in Table 6, with his comments.

**Table 6: Audit responses to recommendations on Water Audit**

**Lake Burley Griffin Investigation**

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>Lake Closure Protocols</p> <p>1: The ACT Government (Health Directorate) undertakes periodic reviews of the ACT <i>Guidelines for Recreational Water Quality</i> at intervals of not less than five years and includes consultation with relevant stakeholders. The reviews should consider:</p> <ul style="list-style-type: none"> <li>a) developments in use of Enterococci bacteria as an indicator of faecal contamination and research on the health risks associated with regrowth pathogens;</li> <li>b) improvements in knowledge and technologies to determine whether toxin testing or blue-green algal concentration and algal biovolume testing is most relevant for ACT lakes; and</li> <li>c) the characteristics and regrowth challenges of the lake embayments.</li> </ul>	<p>Health</p>	<p>Health responded on 9 May 2014:</p> <p><i>In relation to recommendations one and two ... a review of the ACT Guidelines for Recreational Water Quality has been undertaken by ACT Health. This has included lake closure protocols as outlined in the recommendations. The review was circulated to Government agencies for comment in October 2013. It will now go to community consultation with a range of lake user groups.</i></p>	<p><i>A draft of the lake closure guidelines was provided to the OCSE. I understand that this review is ongoing.</i></p>
<p>2: The current guidelines should be amended to recognise:</p> <ul style="list-style-type: none"> <li>a) the potential for lake or part-lake closure on a case-by-case basis, based on unusually extreme levels of blue-green algae; and</li> <li>b) closure practices in relation to very high bacteria concentrations.</li> </ul>	<p>Health/ESDD (EPA)</p>	<p>See response above.</p>	

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>3: In line with the current guidelines, the ACT Government and the Queanbeyan City Council, should identify and map sources of faecal contamination entering urban stormwater systems, the significance of the sources, and long-term strategies for reducing loading. In addition, a rigorous and comprehensive procedure for rapid 'sanitary surveys' in the event of elevated indicator concentrations should be established.</p>	<p>Health/ESDD</p>	<p>Health responded on 9 May 2014:  <i>In regard to recommendation three ACT Health has developed a procedure for sanitary surveys. These surveys can be undertaken where the ACT Government and the Queanbeyan City Council, in conjunction with ACTEW Water, have identified sources of contamination.</i></p>	<p><i>Noted and I look forward to seeing copies of these surveys.</i></p>
<p>4: The ACT Government and the National Capital Authority improve communication with lake user groups and the general public in the following key areas:</p> <ul style="list-style-type: none"> <li>a) during prolonged lake closures, so that lake users are aware that a lake is closed and why;</li> <li>b) during closures or restrictions, lake managers should undertake random checks on lake use, and where necessary amend public notification methods to ensure lake users are aware of the alerts and management responses; and</li> <li>c) advise when a lake is reopened.</li> </ul>	<p>ESDD/TAMSD</p>	<p>TAMS responded:  <i>Parks and City Services (PACS) currently provides weekly bacteria and blue green algae updates on TAMS website for all public swimming areas under its responsibility. PACS ensures water quality information signs are present at swimming areas under its responsibility and that those signs reflect information posted weekly on the water website.</i>   <i>PACS maintains a lake user register of stakeholders associated with Lake Ginninderra.</i></p>	<p><i>Noted.</i></p>

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>Options for 'in lake' management to improve water quality</p> <p>5: The National Capital Authority and the ACT Government undertake a feasibility study, including a triple bottom line analysis, of macrophyte restoration across the Lake. Priorities for consideration should include:</p> <ul style="list-style-type: none"> <li>a) construction of a wetland in the Lake between Springbank Island and the mouth of Sullivans Creek;</li> <li>b) construction of a wetland in the Lake at East Basin; and</li> <li>c) restoration of macrophyte beds in Lotus bay, Orana Bay, and at Weston Park East Beach.</li> </ul>	<p>ESDD/TAMSD</p>	<p>ESDD responded on 8 May 2014:</p> <p><i>The Government's response to this recommendation indicated that the NCA and ACT Government has [sic] already commenced exploration of these options, but pointed out that the testing of the full range of options would require the NCA, is directly responsible for the management of the Lake water and immediate Foreshores.</i></p> <p><i>The response also indicated that the ACT Government was constructing a \$4.5 million shallow retrofitted wetland adjacent to Eastern Valley Way in Lake Ginninderra which has been completed. The wetland development will be assessed as to its performance in improving water quality in Lake Ginninderra. The response indicated that this project will inform the suitability, efficacy and value for money of this kind of intervention for Lake Burley Griffin. This is work is being undertaken by TAMS.</i></p> <p>TAMS responded:</p> <ul style="list-style-type: none"> <li>a) Not TAMS</li> <li>b) The Eastern Valley Way Inlet Wetlands project was completed in late 2013.</li> </ul> <p><b>ESDD to provide completed information on testing of water quality.</b> Testing of the effectiveness of the wetland system on water quality is planned for 2014.</p> <ul style="list-style-type: none"> <li>c) at Jerrabomberra Wetlands about 300 metres of lake foreshore have had macrophyte beds re-established following removal of willow, alder and other weeds.</li> </ul> <p>TAMSD provided evidence of this work to the Commissioner</p>	<p>Directorate responsibilities need clarification and it is encouraging to see improving coordination of water matters in the ACT.</p> <p>(see recommendation 7 below)</p>
<p>6: The National Capital Authority and the ACT Government jointly explore initiatives for in-lake interventions aiming to control blue-green algae in Lake Burley Griffin and other Canberra lakes. Desktop research, physical trials and cost-benefit analyses could examine (but not be limited to) systems for:</p> <ul style="list-style-type: none"> <li>a) re-aerating sediments;</li> <li>b) stirring the water column;</li> <li>c) adsorbing and removing phosphorus from the water via additions of clay- or chemical-based substances; and/or</li> <li>d) treating lake sediments to reduce phosphorus release, including by addition of nitrates or iron chloride to the water.</li> </ul>	<p>ESDD/Health</p>	<p>Health responded on 9 May 2014:</p> <p><i>Water quality issues such as the management of blue-green algae in Canberra lakes is not undertaken by ACT Health. It is suggested the Environment and Sustainable Development Directorate, together with Territory and Municipal Services and the National Capital Authority, are the leads for these initiatives.</i></p>	

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>Catchment management to improve the Lake's water quality</p> <p>7: The ACT Government should develop a strategic approach to water-sensitive urban design (WSUD). This should include:</p> <ul style="list-style-type: none"> <li>a) identifying sites where installing catchment intervention, such as wetlands and pollution control ponds, would improve water quality entering Lake Burley Griffin. This should include:               <ul style="list-style-type: none"> <li>i. initial feasibility studies into the construction of pollution control ponds or wetlands on the Yarralumla drainage line and Jerrabomberra Creek should be undertaken. Any installations should be designed to be of an appropriate size to treat the catchment area they service; and</li> <li>ii. identifying WSUD that complements current programs of installing wetlands and water control ponds in both new urban areas and retrofitting in existing suburbs where applicable.</li> </ul> </li> <li>b) Ensuring that WSUD requirements are enforced in particular:               <ul style="list-style-type: none"> <li>i. ensuring that wetlands and ponds are of appropriate sizes to service their catchments; and</li> <li>ii. undertaking auditing/compliance arrangements to ensure that temporary pollution control ponds for sediment control during the construction phase in new estates are maintained and functioning effectively.</li> <li>c) Improving monitoring of the effectiveness of WSUD in urban developments to determine whether water quality meets WSUD general code targets. Results should be used to inform improvements in WSUD standards.</li> </ul> </li> </ul>	<p>ESDD, EDD, TAMSD</p>	<p>ESDD responded on 8 May 2014:</p> <p>The Government's response indicated that the Government is currently reviewing the ACT water resources strategy Think Water, Act Water. The Government released a new draft strategy in July 2013 Water for the Future – Striking the Balance for public consultation (<a href="http://www.environment.act.gov.au/water/act_water_strategy/draft_act_water_strategy_2013">http://www.environment.act.gov.au/water/act_water_strategy/draft_act_water_strategy_2013</a>)</p> <p>The Government has been finalising the strategy, taking account of consultation comments with a view to releasing the final strategy by mid 2014.</p> <p>The response also indicated that a comprehensive review of the Water Sensitive Urban Design (WSUD) guidelines is being considered as part of the review of the water strategy to ensure compliance with national standards or better and that the water quality outcomes are achieved at the most economical cost. The Government announced the commencement of this review in July 2013 to inquire into and report on Water Sensitive Urban Design regulation against a Government objective of a forty per cent reduction in water usage in new developments and refurbishments/extensions (compared with pre-2003 levels). The report is to provide recommendations on significantly expanding the acceptable mandated measures to achieve the targets, and to provide maximum flexibility to developers to lower development costs. Environment and Sustainable Development Directorate (ESDD) lead the review.</p> <p>The review is being assisted by a technical panel of industry and academic professionals in the WSUD field and a cross-agency working group.</p> <p>ESDD undertook extensive consultation with industry, community and academic institutions as well as benchmarking the ACT with other parts of Australia and elsewhere.</p> <p>The review consideration of the effectiveness of current WSUD infrastructure, infrastructure design and costs, and maintenance requirements and resourcing. The review final report will be considered by the Government in June 2014.</p> <p>e) The Government response indicated that, subject to funding availability, the ACT Government supports a review of the condition and effectiveness of all gross pollutant traps flowing into Lake Burley Griffin. The review was to include the suitability of location, their efficiency, impact and maintenance requirements and frequency of maintenance. This work is being undertaken by TAMs.</p> <p>The Government (Environment Protection Authority) is also reviewing the Environment Protection Act 1997 <a href="http://www.environment.act.gov.au/environment/environment_protection_authority/review_of_the_environment_protection_act">http://www.environment.act.gov.au/environment/environment_protection_authority/review_of_the_environment_protection_act</a> to streamline regulatory processes, ensuring the integrity and operation of the legislation whilst encouraging better environmental practices.</p>	<p>I look forward to the release of the Final Strategy in the near future. I am pleased that ESDD is the lead agency and will be the focal point for all information on implementation of the strategy and progress reports. It is a positive step to see all Directorates closely co-ordinating their actions including cross jurisdictional matters in their work.</p>

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>d) Comparison of ACT approaches to WSUD with those of other Australian urban areas to help the Territory remain consistent with developing technology and best practice.</p> <p>e) Reviewing the efficacy of existing gross pollutant traps (GPTs). The review should include:</p> <ul style="list-style-type: none"> <li>i. effectiveness in pollutant reduction;</li> <li>ii. effectiveness of current maintenance of pollution control measures</li> <li>iii. capital costs;</li> <li>iv. ongoing maintenance costs to ensure the current drainage infrastructure remains high-standard and is in line with current best practice, protecting downstream environments;</li> <li>v. reduction of polluted leachate water; and</li> <li>vi. the capacity to manage requirements of future urban growth and development.</li> </ul> <p>f) working with the NCA and NSW councils</p>		<p>The Commonwealth Government provided in-principle agreement to provide funding under the Water Management Partnership Agreement on 26 February 2014 for the ACT's State Priority Project (<a href="http://www.environment.act.gov.au/water/water_quality">http://www.environment.act.gov.au/water/water_quality</a>) as set out in the ACT's Basin Priority Business Case. This agreement will see the provision of up to \$85 million to the ACT, with \$8.5million in complementary ACT Government investment, for long term improved water quality and catchment management in the ACT by:</p> <ul style="list-style-type: none"> <li>• Phase 1: Implementing a comprehensive ACT-wide water quality monitoring program with a focus on six priority catchments, including associated monitoring to provide evidence to underpin priority projects.</li> <li>• Phase 2: Development of infrastructure options for each sub-catchment, based on the analysis of the data collected from the monitoring, that will assist in improving the water quality flowing from these catchments.</li> </ul> <p>The analysis from Phase 1 will be used to inform the business case required for the second phase of the project – the construction of major water quality interception/improvement structures.</p> <p>The priority catchments are:</p> <ul style="list-style-type: none"> <li>• Lower Molonglo (new development)</li> <li>• Upper Molonglo (source water)</li> <li>• Tuggeranong (lake)</li> <li>• Yarralumla Creek (infill/developed)</li> <li>• Riverview, West Belconnen (Greenfields development)</li> <li>• Fyshwick (industrial/wetlands development)</li> </ul> <p>Phase 1 is due to be completed by June 2016. Finalisation of Phase 2 funding is to be provided by 2019. Funding will be subject to assessment and approval from the Commonwealth, particularly the process to implement Phase 2.</p> <p>Governance for the project includes the establishment of an inter-jurisdictional committee, including representation from Palerang, Yass Valley, Cooma and Queanbeyan City Councils and the NSW Government, as well as a technical panel of relevant experts.</p> <p>ESDD are taking carriage of this action (catchment management to improve the Lake's water quality) with input from TAMS as required. TAMS is represented on the WSUD Review Working Group and has provided input into the development of the ACT Water Strategy.</p> <p>Environment and Sustainable Development (ESDD) are taking carriage of this action with input from TAMS as required.</p>	

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
		<p>TAMS are represented on the Water Sensitive Urban Design Review Working Group and have provided input into the development of the ACT Water Management Strategy.</p> <p>7e) These are being covered by the ESDD's review.</p> <p>iv) The ongoing maintenance costs of the Gross Pollutant Traps can be provided by Roads ACT—Road Maintenance.</p> <p>The maintenance does not include testing of the water. This testing is conducted by ACTEW Water.</p> <p>Sample of the maintenance procedures is attached.</p> <p>ESDD provided evidence of this work to the Commissioner.</p> <p>Economic and Development Directorate responded in April 2014 as follows:</p> <p>ESDD is currently developing a strategic approach to Water Sensitive Urban Design (WSUD) through the review of WSUD requirements in the ACT. The LDA and EDD are participating in this review process. During this process the LDA and EDD are continuing to implement WSUD in developments based on existing requirements.</p> <p>a) The LDA has identified key sites such as Kingston Foreshore where measures have been implemented to improve the quality of the water entering Lake Burley Griffin. For example the pond and wetlands at Norgrove Park in Kingston Foreshore serve this function. Future sites such as Campbell 5, Parkes Section 3 and City to the Lake also have planned WSUD features to improve the quality of the water entering Lake Burley Griffin.</p> <p>EDD is also undertaking a thorough flood study for the entire Yarralumla Creek catchment. This includes confirmation of flood flows and levels. The design of a retarding basin and wetlands at Mawson is on hold pending the outcome of this study, however is likely to achieve an improvement in water quality.</p> <p>b) Through initial studies, the LDA ensures that wetlands and ponds are of appropriate size to service their catchments. The LDA also requires all contractors to implement sediment and erosion control measures during construction.</p> <p>c) The LDA is aiming to work with ESDD to ensure funding for further water quality monitoring is implemented in appropriate areas. The LDA already undertakes monitoring of water quality in Kingston Foreshore at Norgrove Park to ensure the targets are being met. Evidence from Norgrove Park can be made available.</p> <p>d) The LDA understands that comparative work is being undertaken by ESDD. However the LDA, as a Government Land Organisation (GLO), participates in a network with other GLOs which includes sharing of information from other jurisdictions.</p> <p>e) The maintenance of GPTs including ongoing effectiveness and costs is the responsibility of TAMS.</p> <p>The LDA understands this is primarily the responsibility of ESDD. However the LDA works closely with the NCA in designated areas.</p>	

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>8: The ACT Government, Queanbeyan City Council and National Capital Authority work collectively to raise awareness of the impact of organic matter, and other household or commercial materials (for example, garden and lawn fertilizers) on the Lake Burley Griffin catchment. Information should include the contribution that all sectors of the community can make to improving water quality by appropriately using and disposing of such materials</p>		<p>ESDD responded on 8 May 2014:  <i>The Government response commits the Government to work with the NCA and Queanbeyan City Council to develop a comprehensive community awareness education and behaviour change program, including ongoing development of an enhanced web presence for Lake information, awareness and education. There has been limited progress on this action due to no dedicated funding being available for the proposed program on account of other competing priorities. Both the NCA and the ACT Government have upgraded their web-based information on lake water quality and health warnings.</i></p>	<p><i>I think it is a very important step to minimise the contributors to poor water quality at their source and prioritising funding for this is critical.</i></p>
<p>9: The ACT Government and Queanbeyan City Council evaluate their street sweeping practices and schedules to minimise leaf litter and other organic matter from having adverse impacts on Lake Burley Griffin's water quality.</p>		<p>TAMS responded:  <i>The Government's Response commits the Government to exploring options for the potential for market driven mechanisms, for using organic matter collected from streets and verges for commercial purposes. This option was recently considered as part of a procurement process undertaken by Urban Treescapes Section to explore options for managing green by-product from urban tree maintenance activities. Unfortunately leaf material collected during street sweeping programs is classified as A Class waste that needs to be transferred to landfill because of the presence of Hydrocarbons. Urban Treescapes Section and Roads ACT will continue to explore options for treatment of this material so it does not need to be transferred to landfill. Savings generated by this approach that could include composting of suitable material may allow for further expansion of existing sweeping programmes particularly during autumn. Roads ACT – Road Maintenance has a targeted program that gives priority to inner north and south suburbs where heavy autumn leaf fall has the potential to provide nutrient loads for Lake Burley Griffin. The program is attached. (see Appendix 3) Road Maintenance has an improved fleet of street sweepers with better efficiency and greater capacity. The fleet has now increased from four to six brooms. A copy of the benefits analysis is attached. TAMS provided evidence of this work to the Commissioner. There was also a night shift trial conducted but it is not being introduced on a permanent basis for the time being.</i></p>	<p><i>Noted, including TAM's on ground actions to reduce leaf litter within current resourcing constraints.</i></p>

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
		<p>ESDD responded:</p> <p>The Government response indicated that the Government agrees that leaves and other organic matter entering the stormwater system and then into the Lake are a key contributor to increasing nutrient availability. This is especially evident in autumn when deciduous trees drop leaves and in wetter periods when plant growth is more vigorous. The response also indicates that the Government will seek to identify additional resources to increase the frequency of street sweeping with a focus on suburbs with autumn leaf fall affecting the Lake.</p> <p>The Government will also review existing street sweeping practices and investigate opportunities to increase the effectiveness of street sweeping and landscape maintenance programs to capture material before it enters drains.</p> <p>The response notes that management of public land and roads needs to compliment efforts to inform landholders in the Lake catchment about the potential impact of their own behaviour in managing their leased land.</p> <p>The response also commits the Government considering opportunities within the urban tree replacement policy, to replace deciduous trees along waterways with evergreen species.</p> <p>The response commits the Government to exploring options for the potential for market driven mechanisms, for using organic matter collected from streets and verges for commercial purposes, will also be explored, as will community based options, including local composting facilities.</p> <p>The response indicates the Government supports a review of the condition and effectiveness of all GPTs in stormwater channels flowing into the Lake. The review should include their location, efficiency, impact and maintenance requirements. Funding will be sought to review the efficacy of existing GPTs. The ACT Government will introduce revised guidelines on design and installation of GPTs if warranted by the WSUD review.</p> <p>Options for the ongoing resourcing of community-based water quality monitoring (Waterwatch) is being considered given the tightening of funding conditions by the Commonwealth Government which effectively excludes this activity from national resource management funding, where it had received support from for the past 10 years.</p> <p>Recent work by the Centre for Freshwater Ecology at the University of Canberra has confirmed the comparability of water quality monitoring data from Waterwatch with data collected under contract to the ACT Government by commercial laboratories. This affirms the value of previous investment in this activity and provides a solid platform for integration of community and professional data in a future water quality monitoring arrangement.</p>	

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>Rural Catchment Management</p> <p>10: That the ACT and NSW governments and the National Capital Authority support planning and implementation of on-ground actions to reduce the potential for soil erosion in the upper Queanbeyan River, upper Molonglo River and Jerrabomberra Creek. In doing so active involvement of Palerang Council, the Molonglo Catchment Management Group, ACTEW and other NRM groups should continue to be strongly encouraged and supported.</p>		<p>ESDD responded:</p> <p>The Government response agreed-in-principle with this recommendation noting that the cooperation of the NSW Government and Palerang Council is required to address erosion and other land management issues at their source. The response points to the need for building on existing cross-border cooperation in catchment management.</p> <p>The ACT Basin Priority project detailed above includes the Upper Molonglo as a targeted catchment where monitoring of current conditions will assist the identification of erosion hot spots for treatment. Strong cross-border collaboration with local government, the NSW Government and the local catchment community is envisaged as part of the roll out of this project through a dedicated inter-jurisdictional committee.</p> <p>Economic Development Directorate responded:</p> <p>The LDA and EDD understand that ESDD bears primary responsibility for liaison with other agencies about soil erosion measures.</p> <p>However the LDA works closely with the NCA in relation to LDA developments in designated areas.</p>	<p>It is essential that a cooperative approach is not only envisaged but implemented.</p>
<p>11: That the ACT Government finalise and implement the Googong Foreshores Draft Plan of Management. The plan should include adequate monitoring, reporting and review, and mechanisms to ensure effective cooperation between ACTEW, NSW and ACT in the management of the Googong Foreshores.</p>	<p>ESDD/TAMSD</p>	<p>ESDD responded:</p> <p>The Government response agreed in-principle with the recommendation and indicated that the Googong Foreshores Draft Plan of Management was being finalised and proposed additional monitoring of recreational use and grazing pressure to protect water quality. The response indicated that implementation of the Plan would depend on available resources.</p> <p>The Government is yet to bring the finalised plan into operation, which would require its endorsement by the Minister for Territory and Municipal Services.</p> <p>TAMS responded:</p> <p>The Government response agreed in-principle with the recommendation and indicated that the Googong Foreshores Draft Plan of management was being finalised and proposed additional monitoring of recreational use and grazing pressure to protect water quality. The Response indicated that implementation of the Plan would depend on available resources.</p> <p>The Googong Foreshores Draft Plan of Management is being finalised. ESDD have provided TAMS with a final draft of the plan for review.</p>	<p>I look forward to seeing the Final Plan of Management and the implementation of this plan in a timely and effective way.</p>

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>12: That the Jerrabomberra Wetlands Board of Management, ACT Government, and NCA investigate management of the Jerrabomberra Wetlands watercourses in improving water quality in Lake Burley Griffin. This should include:</p> <ul style="list-style-type: none"> <li>a) advancing identification and implementation of cattle exclusion zones in the Jerrabomberra wetlands; and</li> <li>b) Investigate improving the way the Wetlands currently function through alteration of the watercourses. However any changes should not detrimentally impact the environmental, cultural, recreational scientific and educational values of the Wetlands.</li> </ul>	<p>ESDD/TAMSD</p>	<p>ESDD responded:  <i>The Government response indicated that in August 2012, the Government invited community feedback on a draft master plan which will guide the future development of the Jerrabomberra Wetlands.</i>  <i>Management arrangements for the Jerrabomberra Wetlands are a matter for TAMS.</i>            TAMS responded:  <i>During 2013/14, the ACT Government and Jerrabomberra Board of Management have:</i></p> <ul style="list-style-type: none"> <li>• <i>built 1.8 kilometre of new stock fence and provided off-stream watering to exclude cattle from the sensitive Molonglo River riparian zone and paleochannels</i></li> <li>• <i>established both surface and groundwater monitoring systems Reserve-wide</i></li> <li>• <i>contracted studies on the Reserve's hydrology and geomorphology</i></li> <li>• <i>prepared a 'Resources and Values of Jerrabomberra Wetlands' document, collating and analysing considerable new information regarding water in the Wetlands</i></li> <li>• <i>initiated a feasibility study into the construction of a weir across the Causeway Channel to improve the ecology, water quality and feral fish management of that area.</i></li> </ul> <p>TAMSD provided evidence of this work to the Commissioner.</p>	<p><i>It is refreshing to see the activities that are in place to manage the wetland environment.</i></p>
<p>Sewerage Management</p>			
<p>13: The ACT Environment Protection Authority (EPA) review and update the Environmental Authorisation number 0417 for sewage treatment within the Queanbeyan City Council Sewage Treatment Plant to ensure that the treatment process results in discharge quality that matches contemporary best practise for a modern, urban sewerage treatment plant. In line with this, the QCCSTWP should continually review and improve its mitigating practises for inundation and washout events at the treatment plant.</p>	<p>ESDD</p>		

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>14: The ACT Government require ACTEW to report regularly on the condition of the sewer system in urban areas in the Lake Burley Griffin catchment and identify priorities for upgrading to reduce sewer blockages and possible leakages from the system, and reduce the risk of system failures.</p>	<p>ESDD/TAMSD</p>	<p>ESDD responded:  <i>The Government response indicated that the Health Directorate continues to monitor sewerage based pollution in the Lake.</i>  <i>The response also indicated that ACTEW Water is a signatory to an Environment Protection Agreement with the Environment Protection Authority for the ACT Sewerage Network (excluding sewerage treatment facilities and effluent reuse projects). This Agreement sets out reporting and notification frameworks. The EPA is working strategically through the process of updating all Environmental Authorisations issued under the Environment Protection Act 1997 for sewage treatment in the ACT. A condition of all contemporary authorisations is that they have an Environment Management Plan (EMP) approved by the EPA which identifies and assesses the risks to the environment and how they will be mitigated using best available practices. This allows flexibility for operational risk controls to be modified or improved as standards and technologies change over time.</i>  <i>The EPA approved the Environment Management Plan for ACTEW's Uriarra Treatment plant in June 2013 which enabled changes to the Authorisation to more accurately categorise risks that could cause environmental harm. A draft EMP has been received for ACTEW's Lower Molonglo Water Quality Control Centre with changes to the authorisation currently being drafted. The experience and knowledge developed through the development and approval of these EMP's will be transferred to the Queanbeyan plant and facilitate changes to the Authorisation held by Queanbeyan City Council (QCC).</i>  <i>QCC has commenced a strategic review of sewage treatment operations which will inform the development of their Environment Management Plan (EMP). The EPA will work closely with QCC on their EMP with a final expected to be completed in late 2014 with changes to the Authorisation to follow from its completion.</i>  <i>Following the significant flooding event of 2010 the QCC has implemented procedures which include regular inspections of dam infrastructure to mitigate wash out events at the plant. The EMP will include practices and procedures for inundation and wash out events at the plant.</i>                      TAMSD responded:  <i>That they respond to the ACTEW report when an upgrade is identified.</i> </p>	<p>Noted.  <i>I look forward to the finalisation of an updated Environmental Authorisation and EMP.</i> </p>

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>River Flow Management</p> <p>15: The National Capital Authority should investigate the feasibility, costs and benefits of providing water releases, for example increased flow over the summer months as part of Googong Dam's multi-objective role. This should be undertaken in consultation with the ACT and NSW Government, relevant local government and community stake holders.</p>	<p>All relevant ACT Directorates</p>	<p>ESDD responded:  <i>The Government response was to agree in principle and indicate that the NCA has commenced discussions with ACTEW Water about the feasibility of managed water releases from Googong Dam with the objective of manipulating temperature gradients in the Lake. This is a matter for the NCA.</i>                      TAMS stated nil response at this time.                      EDD stated nil response.</p>	<p><i>Noted and I look forward to the outcomes of the discussions in the near future.</i></p>
<p>Management of other Recreational Waterways</p> <p>16: A comprehensive assessment of the environmental, social and economic value of key lakes in the ACT be undertaken and take into account current and predicted challenges to water quality. This assessment should inform:</p> <ul style="list-style-type: none"> <li>a) a review and update of Canberra's Urban Lakes and Ponds Plan of Management involving extensive community consultation and taking into account the long-term challenges to water quality in the urban catchments;</li> <li>b) the need for government investments in water quality;</li> <li>c) decisions regarding trials of appropriate in-lake and catchment management measures, with the results assessed from scientific (environmental), social and economic perspectives; and</li> <li>d) decisions regarding implementation of lake and catchment management options.</li> </ul>	<p>ESDD/TAMSD</p>	<p>ESDD responded:  <i>The Government response was to agree in principle and note that the findings of the Lake Burley Griffin enquiry can be extended to other key waterways, with priority given to Lake Tuggeranong and Woden catchments. The response also indicates that the 2009 CSIRO study commissioned by the Canberra Integrated Urban Waterways Program identifies potential locations, applicability and construction of wetlands throughout Canberra's urban catchments. The recently announced ACT Basin Priority Project proposes work to address water quality issues in six priority catchments in the ACT and region over the next 6 years. The nature and extent of these works are to be determined based on new comprehensive monitoring over the next two years in the priority catchments as part of a new ACT-wide monitoring program. A review and update of Canberra's Urban Lakes and Ponds Plan of Management is a matter for TAMS.</i>                      TAMS responded:  <i>The review of the Canberra's Urban Lakes and Ponds Plan of Management is included on a priority list of Plans of Management that require updating. Additional funding will be sought through the 2014-15 budget process to update this Plan.</i>                      CMTD responded on 15 May 2014:  <i>We have now had the chance to review the response that ESDD has provided to ... [this] recommendation..., and CMTD has no further information or report to provide.</i>                      However, CMTD added by way of a policy response that:  <i>It is worth noting that the ACT Government is actively contributing to progress work in relation to water policy. Since your reports were published there have been two major developments of relevance:</i> <ul style="list-style-type: none"> <li>• <i>A Murray-Darling Basin priority project has been agreed with the Commonwealth. This project will address water quality and catchment issues in an integrated way across six priority catchments in the ACT and surrounding regions, including ACT lakes.</i></li> <li>• <i>ESDD has been amending and updating the ACT Water Strategy – Striking the Balance, and this work is expected to be made public in the near future."</i></li> </ul> </p>	<p><i>Noted however the Urban Lakes and Ponds Plan of Management is due to be revised, however I understand this is dependent on future funding bids.</i></p>

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>17: The ACT, Australian, NSW and local governments establish a Burley Griffin-Molonglo-Queanbeyan catchment management agreement. Such an agreement should outline:</p> <ul style="list-style-type: none"> <li>a) strategic objectives for the integrated and coordinated management of the Lake and catchments, to encompass water quality, environmental flows, potable water, land use, wastewater, and future urban and climate change impacts on the catchment;</li> <li>b) each party's responsibilities for water quality in the Lake and its catchments;</li> <li>c) a long-term catchment planning framework; and</li> <li>d) an evidence-based, adaptive, management workplan.</li> </ul> <p>To avoid past challenges of multi-jurisdictional catchment management co-ordination, such an agreement should include a dedicated governance group with representation from all jurisdictions, a consistent and persistent mechanism to ensure implementation and accountability, and reporting requirements.</p> <p>The National Capital Authority, as Lake manager, should in the first instance convene a meeting of relevant jurisdictional representatives to guide the above recommendations.</p>	<p>ESDD/TAMSD</p>	<p>ESDD responded:</p> <p>The Government response agreed with this recommendation and indicated that the ACT is committed to seeking the ratification of a form of cross border agreement relating to the management of Lake Burley Griffin and its catchment. The response also indicated that the ACT Government is exploring options for creating a statutory office responsible for coordination of the range of actions recommended by the Commissioner and the Lake Burley Griffin Task Force.</p> <p>The Government has sought the cooperation of key stakeholders in NSW and the Commonwealth to continue the operation of the Task Force. The Government is continuing to consider options for improved catchment management governance. The new draft Water Strategy for the Territory, which will be finalised shortly, also includes a commitment to preparation of an ACT-wide-catchment management strategy to guide restoration and protection works.</p> <p>The recently announced ACT Basin Priority Project includes the establishment of an interjurisdictional committee to coordinate and manage cross-border issues and investment especially in relation to the Upper Molonglo priority catchment and cross border catchment management more generally. The formation of this committee will add renewed vitality to cross-border consideration of catchment management issues.</p> <p>TAMS responded:</p> <p>Nil response from TAMS at this time.</p>	<p>I note the positive steps and look forward to the release of the water strategy to see the extent of any proposed ACT wide catchment management strategy.</p>

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>Report on the Canberra Nature Park (nature reserves), Molonglo River Corridor (nature reserves) and Googong Foreshores Investigation</p> <p>4.2 Reviewing the Canberra Nature Park Management Plan 1999 as mandated under the Planning and Development Act 2007 and in so doing include:</p> <ul style="list-style-type: none"> <li>• nature reserves added to the reserve system since 1999;</li> <li>• addresses categorising nature reserves (recommendation 3.4);</li> <li>• polices to address current issues and those developed since 1999, particularly;</li> <li>• Action Plan No. 27 — ACT Lowland Woodland Conservation Strategy;</li> <li>• Action Plan No. 28 — ACT Lowland Native Grassland Conservation Strategy;</li> <li>• Action Plan. No 29 — ACT Aquatic Species and Riparian Zone Conservation Strategy; and</li> <li>• consideration of climate change (including Impacts of Climate on the Canberra Nature Park: Risks and responses by Dr Bob Webb — Appendix E) and connectivity (including Ecological Connectivity for Climate Change in the ACT and surrounding region by Manning et al.).</li> </ul>	<p><b>DIRECTORATE</b></p> <p>NOTE: within the scope of this audit, only policies relating to Action Plan. No 29 are relevant, further audits may check the status of Action Plans 28 and 27</p> <p>ESDD/TAMSD</p>	<p><b>ACTION (with evidence)</b></p> <p>The Government response agreed with this recommendation and noted that review of the Canberra Nature Park Plan of Management 1999 will include the nature reserves added since 1999 and policies to address current issues including the Action Plans developed since 1999. The review will consider climate change and connectivity. The review of the Canberra Nature Park Plan of Management has commenced with the preparation of a Reserve Profile for each of the Canberra Nature Park reserves, including the reserves added since 1999 and those that have been agreed as offsets under the Gungahlin Strategic Assessment. The work is being closely coordinated with the preparation of Reserve Operational Plans being prepared by TAMS. The Commissioner will be consulted as work progresses on the plan. TAMS responded:</p> <p>The review of the Canberra Nature Park Plan of management has commenced and is being led by ESDD. The development of the revised Plan of management is being undertaken in close coordination with the creation of reserve operational plans by TAMS.</p>	<p><b>COMMISSIONER'S COMMENTS</b></p> <p>I am keen to see these profiles and plans as soon as they are available.</p>

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>2011 Molonglo River Corridor Complaint</p> <p>3: that the Molonglo Riparian Strategy is released publicly on the ACTPLA website, along with an explanation of how it will be incorporated into the Molonglo River Park Plan. This should be updated regularly. The Directorate that has carriage of implementing the NES plan should also host this information on their website.</p>	<p>TAMSD/ ESDD</p>	<p>ESDD responded:</p> <p>The ESDD response to this recommendation indicated that the Molonglo Riparian Strategy was superseded by the Molonglo River Park Concept and had been previously published by the LDA and did not need to be released on the ESDD website. The response notes that key stakeholders, including the Conservation Council, were given full access at the relevant time. The River Park Concept plan, incorporating the Molonglo Riparian Strategy, is published on ESDD's website. Ongoing nature conservation planning for the River Park is being undertaken by TAMS as part of the Plan of Management and implementation program. This includes ongoing consultation and communication with public stakeholders.</p> <p>The response indicates that a number of directorates are responsible for Molonglo Valley Plan for the protection of Matters of National Environmental Significance, 2011 (NES Plan) an implementation, including ESDD, EDD and TAMS. There is information on these directorates' websites about the NES Plan and implementation actions. It is a requirement of Section 6 of the NES Plan that an annual report be prepared on the implementation actions during the relevant year. These reports are available on the EDD website at <a href="http://www.economicdevelopment.act.gov.au/about_us/publications">www.economicdevelopment.act.gov.au/about_us/publications</a></p> <p>Website information on the Molonglo River Park Plan of Management and the NES Plan is regularly updated as required.</p> <p>TAMS responded:</p> <p>The Molonglo Riparian Strategy Coombs and North Weston 2011, was a foundation document prepared by Land Development Agency and informed the preparation of the Molonglo River Concept Plan by ESDD.</p> <p>TAMS has completed a draft Plan of Management for the Molonglo River Reserve which has been distributed to Government stakeholders for review and comment. The draft plan was prepared by Dr Sarah Ryan with direction from a joint ESDD/ TAMS Steering Committee chaired by TAMS Parks and Conservation. Stakeholder consultation to date has included the distribution of issues papers to both community and Government stakeholders, interviews and information sessions with community stakeholders and Community reference Group workshops. Comments from the consultation process are incorporated in the draft.</p> <p>The draft plan will be presented to the public in August/September 2014. A revised plan will be prepared on the basis of the public response/ a final draft will be ready for legislative approval by the end of October 2014.</p> <p>The Molonglo Adaptive Management Strategy, endorsed by the Commonwealth in May 2013, guides the implementation of the National Environmental Significance Plan Commitments and is now available on the TAMS website. The Riparian Strategy even though applying only to Coombs and North Weston, is a useful background document and will also be available on TAMS website.</p>	<p>This complaint stemmed from a lack of accessible and current data. In my view it is essential that projects can be easily tracked from the initial concept stages, through the planning and development stages, as well as the requisite monitoring and reporting required during and post development.</p>

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>4: that the Environment and Sustainable Development Directorate demonstrate how the precautionary principle is being applied in policy and decision making in relation to the River Corridor and the protections of species in Molonglo.</p>	<p>ESDD/EDD</p>	<p>ESDD responded:  <i>ESDD's response indicated that the application of the precautionary principle in policy and decision making in relation to the river corridor and the protection of species in Molonglo is considered to be well demonstrated. To prevent environmental degradation in the River Corridor, consistent with the precautionary principle, environmental planning has been undertaken through the NES Plan and River Park Concept Plan. The response adds that TAMS has commenced a comprehensive program of landscape and ecological remediation work, and is well advanced in the preparation of the Plan of Management. The response concludes by indicating that environmental planning by ESDD, and the Plan of Management and implementation programs by TAMS, are satisfactorily demonstrated through current online publishing and consultation activities.</i>  <i>The preparation of the Molonglo River Corridor Plan of Management is a matter for TAMS.</i>                      EDD responded:  <i>The LDA and EDD have included several precautionary measures in new estates that are adjacent to the Molonglo River Corridor. For example in Coombs, the Molonglo River Corridor has been protected through WSUD including use of Hydrocon™ and pollutant traps. The LDA has also partnered with Greening Australia to produce a Molonglo Planting Guide to help residents choose appropriate plant species for their gardens.</i>  <i>TAMS is responsible for the Molonglo River Park and maintenance of the river area.</i></p>	<p>Noted.</p>
<p>6: Greater efforts be made by ESDD towards public consultation and communication especially in relation to future plans for Molonglo and that resulting views, ESDD responses, and related information including timeframes be made available on the ESDD website and updated regularly.</p>	<p>ESDD/EDD</p>	<p>ESDD responded:  <i>ESDD's response indicated that public consultation and communication in relation to Molonglo continues to be actively conducted by ESDD.</i>  <i>Evidence of continuing communication about future plans for Molonglo can be found at <a href="http://www.actpla.act.gov.au/topics/significant_projects/planning_studies/molonglo_valley_stage_2_planning_project">http://www.actpla.act.gov.au/topics/significant_projects/planning_studies/molonglo_valley_stage_2_planning_project</a></i></p>	
<p>7: that such a study is conducted and inclusive of the entire area of the Molonglo Valley River Park. Further, if this study has been conducted, that the results be made available on the ESDD website.</p>	<p>ESDD</p>	<p>ESDD responded:  <i>ESDD's response indicated that the study referred to in the OCSE report has been conducted and resulted published on ACTMAPI. The response further indicated that the publication of the full report on the ESDD website was imminent. The report has now been published at <a href="http://www.environment.act.gov.au/___data/assets/pdf_file/0006/268692/Fine_scale_modelling_of_fauna_habitat_and_connectivity_values_in_ACT_Final_for_trish.pdf">http://www.environment.act.gov.au/___data/assets/pdf_file/0006/268692/Fine_scale_modelling_of_fauna_habitat_and_connectivity_values_in_ACT_Final_for_trish.pdf</a></i></p>	

**Table 7 2011 State of the Environment Report — Water recommendations**

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>1: Establish cross-boundary management of the ACT's water resources including:</p> <ul style="list-style-type: none"> <li>i. developing catchment policy and an integrated water supply catchment management strategy, as recommended in previous State of Environment Reports; and</li> <li>ii. strengthening integrated management action by facilitating improved exchange and use of information, such as spatial information, between government agencies, Natural Resource Management groups and Catchment Management Authorities, and by promoting sustainable catchment management with landholders and the community.</li> </ul>	<p>ESDD/TAMSD/ CMTD</p>	<p>ESDD responded:</p> <p>The Government response supported this recommendation, noting the Government has a strong record in water and catchment management, aiming always to achieve sustainable and appropriate conditions for water resource management. The Government has acted both on previous recommendations of the Commissioner and on the information and data it gathers as part of its own and regional programs to implement a range of policies, programs and activities to ensure the viability of the ACT's water supply into the long term.</p> <p>The response goes on to indicate that the Government takes an integrated and 'whole of process' approach to catchment management that incorporates planning and policy, development controls, controls on water abstraction, discharge licensing and regulation, sediment and erosion controls and improved design and management of urban stormwater systems. The response notes that this integrated approach to water responsibilities has been recognised in the Commissioner's Report.</p> <p>Beyond the ongoing water monitoring and assessment program that includes water quality, stream flow and biological monitoring, all of which feeds into our water management strategies and programs, a number of projects demonstrate our commitment to improving Canberra's water and urban outcomes.</p> <p>The Government has invested strongly in the design and construction of wetlands throughout urban Canberra, providing a range of water management and community education and recreation benefits. These wetlands are restoring concrete channels to 'living systems', improving water quality and flood protection and creating aquatic habitats that are revitalising native species. The harvested stormwater will be trialled as a secondary water source for irrigation of school and sports grounds, saving, further supplementing the availability of our potable water supplies. Beyond these water harvesting opportunities, the wetlands will provide water recreational and education opportunities in our suburbs, with volunteering opportunities bringing communities together to invest in our water systems.</p> <p>The Waterways WSUD General Code was given effect as part of the Territory Plan in 2009. It requires developments to consider WSUD principles. The implementation of mandatory WSUD into developments assists in building a system-wide approach to managing non-potable water systems, our waterways and the broader catchments, moving to effectively integrate the management of the urban water at all points in the water cycle.</p>	<p>It is encouraging that the government thinks in terms of cross border management and that this is clearly in their thinking however; until the water strategy is released and implemented there remains a lack of practical on-ground evidence.</p> <p>I note the current work that is occurring around WSUD review.</p>

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
		<p><i>Within that strong water management context, the Government supports the recommendations:</i></p> <p>a. One of the Government's priorities is to review and revitalise its Think water, act water policy that has been in place since 2004 and has supported much of the progress the Government has made in water management and quality over that time.</p> <p><i>The Government is implementing administrative changes that have, for the first time, brought water policy and catchment management together in a single unit. This will bring an enhanced management and monitoring focus to water policy that will be reflected in a revised and refreshed water strategy that updates Think water, act water. That revised strategy will embed catchment management as a central part of the Government's approaches to water planning and management.</i></p> <p><i>A broader, catchment-focussed water strategy could develop prioritised plans for our urban, rural and natural landscapes that address identified the various water issues those areas face and provide a coordinated response.</i></p> <p>b. The response also notes that to promote development and implementation of an integrated regional approach to ACT/NSW cross-border water supply and management, the ACT and NSW Governments already have in place agreements on a regional management framework as well as Cross Border Agreements on water resources and settlement.</p> <p><i>The Government is establishing a governance structure for catchment management which aims to adopt an integrated approach to water and land management. It will seek to address cross border catchment management issues involving key stakeholders and expert advice. The Government's collaborative relationships with Natural Resource Management groups, Catchment Management Authorities and other non-government organisations and community groups will also be strengthened through that process.</i></p> <p>TAMS responded:  <i>Nil response from TAMS at this time.</i>            CMTD responded on 15 May 2014:  <i>We have now had the chance to review the response that ESDD has provided to ... [this] recommendation..., and CMTD has no further information or report to provide.</i>            However, CMTD added by way of a policy response that:  <i>It is worth noting that the ACT Government is actively contributing to progress work in relation to water policy. Since your reports were published there have been two major developments of relevance:</i>  <i>A Murray-Darling Basin priority project has been agreed with the Commonwealth. This project will address water quality and catchment issues in an integrated way across six priority catchments in the ACT and surrounding regions, including ACT lakes.</i>  <i>ESDD has been amending and updating the ACT Water Strategy – Striking the Balance, and this work is expected to be made public in the near future.</i></p>	

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>2: Complete assessment of the ACT's at risk groundwater resources.</p>	<p>ESDD/TAMSD</p>	<p>ESDD responded:</p> <p><i>The Government response supported this recommendation in-principle and acknowledged the importance of continuing to improve understanding of aquifers at risk of over-use and contamination, and to identify and manage impacts on groundwater quality. The response goes on to indicate that given that groundwater in the ACT is a relatively small resource compared to surface water, the Government has taken a risk-based approach to groundwater monitoring. Aquifers under highest demand for abstraction and therefore most at risk are afforded proportionally more resources for measuring and monitoring — aquifers in conservation reserves where no abstraction is occurring require minimal information to manage risk; aquifers in urban areas with higher use along with other changes to the catchment such as increased impervious surfaces require more information. More monitoring bores are located in aquifers in urban areas and a wide range of methods are used to determine sustainable yield.</i></p> <p><i>The response points out that the Government has 15 groundwater monitoring bores in high demand areas and receives information from another six sites provided from interested groundwater abstractors. These bores provide accurate groundwater assessment based on information about the transmissivity (capacity for water to move through the aquifer), hydraulic conductivity, storage capacity potential and recharge rates of the various aquifer types. In particular, aquifer recharge responses to rainfall are monitored for the information they may provide in quantifying the effects of changed rainfall patterns expected from climate change.</i></p> <p><i>The ACT through Commonwealth funding has developed a compliance and enforcement program and management plan for groundwater.</i></p> <p><i>In August 2013, ESDD received an updated report on groundwater recharge rates in the sub-catchments that have the majority of abstraction bores. The recharge assessment covers a full range of recharge conditions i.e. a period of extreme drought followed by an El Nina high rainfall cycle.</i></p> <p><i>The latest recharge assessment validates previous calculations on sub-catchment recharge rates. Groundwater monitoring has not yet been further augmented, as only a handful of low volume bores have been installed during the past 2 years and these have not significantly increased the risk profile of the sub-catchments.</i></p> <p>TAMS responded:</p> <p><i>Nil response from TAMS at this time.</i></p>	<p>Noted, and current approach supported.</p>

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>3: Update water management, monitoring and reporting programs to inform:</p> <ul style="list-style-type: none"> <li>i. actions to mitigate impacts of urban development on water quality;</li> <li>ii. the efficacy of Water Sensitive Urban Design measures;</li> <li>iii. improvements in sediment and erosion mitigation actions; and</li> <li>iv. management of ACT lakes.</li> </ul>	<p>ESDD/TAMSD/ EDD</p>	<p>ESDD responded:</p> <p><i>The Government response indicates that the water policy and catchment management areas are to be moved to one administrative area within the Environment and Sustainable Development Directorate (ESDD). This will enable more effective development and implementation of 'whole of supply' policy and programs for ACT water resources.</i></p> <p><i>The response indicated that the Government is currently reviewing it's Think water, act water policy and has identified the four areas nominated in this recommendation as integral to a broader catchment management policy approach. As part of that review, options to improve data collection and reporting across those key areas are being explored. In particular, a means to monitor WSUD implementation is being considered, with a view to understanding the ways in which it can have best effect in broader catchment management.</i></p> <p><i>The response also notes that not only will this work improve our understanding and management of our own catchment areas, it will better support the Government in fulfilling its obligations under the National Water Initiative agreed by the Council of Australian Governments.</i></p> <p><i>Water for the Future – Striking the Balance, the revised ACT Draft Water Strategy 2013, was launched on 3 July 2013 for public consultation. The Review of the previous strategy, Think water, act water was also released as a supporting document to the Draft Strategy.</i></p> <p><i>The consultation period closed on 30 August 2013 and included seven workshops across the ACT as well as a presentation to the ACTEW Water Board. 22 written submissions were received and have now been assessed. The final Strategy is scheduled to be released in mid 2014. The finalised strategy will be accompanied by a 5-year Implementation Plan.</i></p> <p><i>Submissions received on the draft strategy are available from the ESDD website at <a href="http://www.environment.act.gov.au/water/act_water_strategy/draft_act_water_strategy_2013">http://www.environment.act.gov.au/water/act_water_strategy/draft_act_water_strategy_2013</a></i></p> <p>TAMS responded:</p> <p><i>Nil response from TAMS at this time.</i></p> <p>EDD responded:</p> <p><i>The LDA implements WSUD and sediment and erosion control measures in all projects. These are based on initial assessments about requirements and aim to reduce the impact of urban development on water quality.</i></p> <p><i>The LDA has developed and implemented sustainability reporting across all LDA projects. Different indicators are reported against depending on what phase of the development process the project is in. WSUD and sediment and erosion control measures are reported on annually.</i></p>	<p>Noted.</p> <p><i>The release of the final water strategy and it's implementation will help to clarify progress.</i></p>

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>4: Improve monitoring to assess the impact of erosion on local land and water resources, and to help to understand the interactions between the ACT's catchment and ecosystem services in particular:</p> <ul style="list-style-type: none"> <li>i. undertake baseline soils mapping for the ACT to facilitate monitoring and assessment of soil condition;</li> <li>ii. identify indicators of land health including soil health, vegetation quality and change, and land use changes, and monitor and publicly report on these on a regular basis;</li> <li>iii. improve limited land health data by including land health assessments in water catchment data to inform soil condition across the ACT; and</li> <li>iv. improve actions related to sediment and erosion mitigation.</li> </ul>		<p>For example eight projects in 2011–12 and seven projects in 2012–13 were reported on in the Planning Phase. All of these included WSUD strategies appropriate to the size and location of the project. Six projects in 2011-12 and six projects in 2012–13 were reported in the Civil Works Phase. All of these implemented sediment and erosion control measures.</p> <p>The LDA is aiming to work with ESDD to ensure funding for further water quality monitoring is implemented in appropriate areas. It is important for the LDA that WSUD measures are implemented in the most cost effective way.</p> <p>ESDD responded:</p> <p>The Government response supported the recommendation in-principle noting that healthy soils are a fundamental part of our landscape and understanding their condition is important to broader catchment management outcomes. The ACT Natural Resource Management Council has reported that, despite the impacts of urban and rural use over extended periods of time, current ACT land uses and our existing land capability are not inconsistent.</p> <p>A range of conservation planning, research and mapping activities are being undertaken by the Government to support a better understanding of ecological processes and the effects of management actions. This includes, for example, vegetation mapping of ACT lowland vegetation using aerial photography that allows the classification of vegetation areas according to percent tree cover. The amount of tree/canopy cover in an area has a profound effect on how an ecosystem functions, and what species are present. Ecologists have consistently found that this 'structure' of the vegetation is more important than the particular plant species, in determining what assemblage of animals is present and on bush fire behaviour. Mapping programs of this kind are providing accurate and sound advice to land managers, government agencies and the community and building the understanding of ecosystem process needed to better manage our land resources.</p> <p>a. The Government, working with the relevant NSW agencies, has mapped approximately half of the ACT's soils, with the data supporting a range of natural resource management activities. The Government will consider mapping the remaining proportions within the context of its broader strategic programs and subject to resource availability, including through Commonwealth funding programs. Consideration can be given to the development of a soils policy.</p> <p>b. The Council of Australian Government's Standing Council on Environment and Water is reviewing Australia's Native Vegetation Framework that, once agreed, requires jurisdictions to monitor the extent and condition of vegetation. Opportunities to expand current programs or enhance policy outcomes will be considered within overarching environmental responses and as resource availability permits.</p>	<p>I appreciated this considered response and the progress in implementing the recommendations.</p>

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
		<p>c. The assessment of likely hotspots for soil erosion leading to in-stream turbidity is being undertaken for the Upper Murrumbidgee catchment as collaboration between ACTEW Water, ESDD and the Murrumbidgee Catchment Management Authority. Further consideration of catchment health measurement and reporting will be undertaken following the development of the new water strategy and its implementation.</p> <p>d. See response to item c.</p> <p>The following progress has been made on recommendation parts:</p> <p>a. The NSW Government has mapped approximately half of the ACT's soils, with the data supporting a range of natural resource management activities. The ACT Government will consider contracting the NSW Government to map the remaining proportions within the context of its broader strategic programs and subject to resource availability, including through Commonwealth funding programs. Consideration can be given to the development of a soils policy. NSW Office of Environment and Heritage has been contracted by ESDD to complete soil landscape mapping for the western half of the ACT and produce a consolidated ACT soil landscape map that will be made publicly available on ACTMAPI. This project is funded by Natural Environment, ESDD, and is scheduled for completion by June 2015.</p> <p>b. The assessment of likely hotspots for soil erosion leading to in stream turbidity is being undertaken for the Upper Murrumbidgee catchment as collaboration between ACTEW Water, ESDD and the Murrumbidgee Catchment Management Authority. Further consideration of catchment health measurement and reporting will be undertaken following the review of the Think water, act water and the development of the new water strategy and its implementation. In addition, ESDD has contracted the NSW Office of Environment and Heritage to complete a Hydrogeological Landscape Framework for the ACT. This project will provide the ACT with a comprehensive salinity assessment, showing areas of high, low and medium risk in a salinity hazard risk assessment map. The HGL Framework will also assist in determining the capability of rural, urban and conserved lands for a range of land uses and management objectives. Mapping will help identify key problems in each HGL and management area, and the options available to address them within land use capability. The project was developed by NSW Office of Environment and Heritage for ESDD with the support of the Australian Government Regional Natural Resource Management Planning for Climate Change Fund (Stream 1) and is scheduled for completion by July 2015</p>	

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
2007 State of the Environment report Water recommendations			
<p>1a. developing an ACT integrated water supply catchment management policy and strategy to guide, among other things, coordination of:</p> <ul style="list-style-type: none"> <li>(i) scientific research,</li> <li>(ii) data collection,</li> <li>(iii) monitoring and reporting (including public information).</li> </ul>	ESDD/TAMSD	<p>ESDD responded:</p> <p>The Government response agreed to this recommendation.</p> <p>The Government released a new draft water strategy in July 2013 <i>Water for the Future – Striking the Balance for public consultation</i> (<a href="http://www.environment.act.gov.au/water/act_water_strategy/draft_act_water_strategy_2013">http://www.environment.act.gov.au/water/act_water_strategy/draft_act_water_strategy_2013</a>)</p> <p>The Government has been finalising this strategy, taking account of consultation comments, with a view to releasing the final strategy by mid 2014.</p> <p>The finalisation and implementation of the strategy includes consideration of the matters raised in this recommendation.</p> <p>TAMS responded:</p> <p>Nil response from TAMS at this time.</p>	<p>I look forward to the release and implementation of the new strategy which I understand is imminent.</p>
<p>1b: 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>	ESDD/TAMSD	<p>ESDD responded:</p> <p>The Government response agreed to this recommendation.</p> <p>A review of ACT water quality monitoring and an audit of the performance of existing water quality infrastructure is being undertaken in conjunction with the implementation of the Basin Priority Project, which requires monitoring to be undertaken in 6 priority sub-catchments in the ACT and adjacent NSW prior to the determination of best on-ground interventions. This work will inform the development of a new water quality monitoring program for the Territory.</p> <p>TAMS responded:</p> <p>Nil response from TAMS at this time.</p>	<p>Noted.</p>
<p>1c: 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>	TAMSD	<p>ESDD responded:</p> <p>The Government response agreed to this recommendation.</p> <p>This is a matter for TAMS.</p> <p>TAMS responded:</p> <p>Roads ACT – Roads Maintenance inspects all the trash racks and GPT's after every storm event &gt;25mm/hr as well as undertakes twice yearly cleaning of the GPT's. See GPT procedures attached.</p> <p>TAMSD provided evidence of this work to the Commissioner.</p>	<p>I note that TAMS has an established schedule of GPT cleaning however more recent information is required on the efficacy of the GPTs.</p>

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>1d: 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>ACTEW/ ESDD/ TAMSD</p>	<p>ESDD responded: <i>The Government response agreed to this recommendation.</i> <i>ACTEW Water upgraded the Lower Molonglo Water Quality Control in 2010 to ensure that treated water discharged from the plant continues to minimise the impact of the Murrumbidgee River system whilst catering for forecast population growth. The annual Salinity Report to the Murray Darling Basin Authority details the levels of salt discharged. A copy of the latest Salinity Report can be provided to the Commissioner's office on request.</i> TAMS responded: <i>Nil response from TAMS at this time.</i></p>	<p><i>Noted.</i></p>
<p>1e: ensuring the key indicators in the State of the Environment Report, Natural Resource Management Plan and other relevant ACT Government reports are reviewed and aligned</p>	<p>All relevant directorates</p>	<p>The LDA has participated in the review of the State of the Environment Report with the Office for the Commissioner of Sustainability and the Environment. The LDA has developed and implemented a sustainability reporting system with a series of indicators that are reported on across all projects.  The indicators were developed through research into other reporting and have been compared to the indicators included in the State of the Environment report. Where appropriate, these align.</p>	<p><i>Noted.</i></p>
<p>2a: Further progress restoration efforts in the Lower Cotter Catchment by continuing the science-based approach to management with an emphasis given to monitoring and publicly reporting on recovery of this catchment;</p>	<p>ESDD/TAMSD</p>	<p>ESDD responded: <i>The Government response agreed to this recommendation.</i> TAMS responded: <i>The science based approach to restoration works within the Lower Cotter Catchment continues with the ANU and UC undertaking catchment wide studies into aquatic and terrestrial factors. These various studies are also published and peer reviewed. Conservations Planning and research also undertake various studies throughout the northern section of Namadji National park, including the southern most areas of the LCC. On ground works in the form of tree planting, erosion and sediment control and road maintenance also form a large part of the physical-based approach to managing this area and the provision of restoration works through the LCC.</i> TAMSD provided evidence of this work to the Commissioner.</p>	

RECOMMENDATION	DIRECTORATE	ACTION (with evidence)	COMMISSIONER'S COMMENTS
<p>2b: further reducing water turbidity in streams through targeting areas of greatest vulnerability that have high rehabilitation potential</p>	<p>ESDD/TAMSD</p>	<p>ESDD responded:  <i>The Government response agreed to this recommendation.</i>                      TAMSD responded:  <i>TAMS has an ongoing program of barrier installation to protect parkland areas exposed to illegal vehicle access and erosion. [A photograph was included]</i></p>	<p><i>Noted.</i></p>
<p>2c: clearly defining recreational activities, with protection of water being the highest priority</p>	<p>ESDD/TAMSD</p>	<p>ESDD responded:  <i>The Government response agreed to this recommendation.</i>                      TAMSD responded:  <i>Nil response from TAMS at this time.</i></p>	<p><i>Noted.</i>  <i>Further work is needed to ensure an appropriate balance between recreational opportunities and conservation outcomes.</i></p>

### Recommendations in the ACT State of the Environment Report 2011

Following the release of the ACT State of the Environment Report 2011 tabled in the Legislative Assembly on 5 June 2012 the Government supported or supported in-principle nineteen of the twenty-two recommendations, and gave in-part support for recommendations seven, ten and nineteen. This year’s annual report examines the implementation of actions by the Territory under these recommendations.

**Table 8: Progress on implementing recommendations from the ACT State of the Environment Report 2011**

Directorate	Broad subject area	Government Response
ESDD and TAMSD	<p>1) Establish cross-boundary management of the ACT’s water resources including:</p> <p>i. developing catchment policy and an integrated water supply catchment management strategy, as recommended in previous State of the Environment reports; and</p> <p>ii. strengthening integrated management action by facilitating improved exchange and use of information, such as spatial information, between government agencies, Natural Resource Management groups and Catchment Management Authorities, and by promoting sustainable catchment management with landholders and the community.</p>	<p>The final ACT water strategy, scheduled for release in mid-2014, will guide management of the Territory’s and region’s water supply, management and catchment practices over the next 30 years.</p> <p>The water strategy includes outcomes, strategies and actions that incorporate the full breadth of water management activities in the ACT, including but not limited to: catchment management; stormwater and flood management; water supply and services; water for the environment; recreational water use; and public health.</p> <p>The strategy is focussed on achieving three outcomes:</p> <ol style="list-style-type: none"> <li>1. healthy catchments and waterbodies;</li> <li>2. a sustainable water supply used efficiently; and</li> <li>3. a community that values and enjoys clean, healthy catchments.</li> </ol> <p>A number of the actions within the water strategy will deliver against recommendation 1 (2011 SoE Report) , in particular the requirement to:</p> <ul style="list-style-type: none"> <li>• establish catchment management arrangements to better integrate water and land management for improved water quality and catchment health in the ACT and region;</li> <li>• further developing an evidence base on which the ACT can make planning and investment decisions will require ongoing efforts to collect data;</li> <li>• develop an integrated catchment management plan for the ACT to guide land and water management for protection of water quality and water supply; and</li> <li>• enhance ACT spatial planning framework for natural resource management (NRM) to inform management of land, water and biodiversity.</li> </ul> <p>Establishing catchment management arrangements are a key focus for the ACT Government. The Environment and Planning Directorate has considered a range of possible catchment governance models, with the government to determine a way forward in mid-2014.</p> <p>In the development of these options the Directorate was cognisant of the need to:</p> <ul style="list-style-type: none"> <li>• enhance coordination and collaboration across the ACT and region around catchment-related government policy and investments (infrastructure, program funding);</li> <li>• build regional relationships (recognition of, and need to work cooperatively);</li> <li>• value and encourage community involvement; and</li> <li>• the need for better coordination of internal Territory decisions related to improving water quality and catchment health.</li> </ul> <p>All considered models reflect closer integration of water and land management and build on the ACT’s community engagement in catchment management, natural resource management and land care.</p>

Directorate	Broad subject area	Government Response
		<p>In addition to these significant policy initiatives, the ACT and Australian Government have signed a funding agreement under the Water Management Partnership Agreement on 26 February 2014 for the ACT's state priority project (<a href="http://www.environment.act.gov.au/water/water_quality">http://www.environment.act.gov.au/water/water_quality</a>) to deliver the ACT's basin priority project. This agreement will see the provision of up to \$85 million to the ACT, with \$8.5 million in ACT Government investment, for long term improved water quality and catchment management in the ACT. The project will be delivered in two phases:</p> <ul style="list-style-type: none"> <li>• Phase 1: Implementing a comprehensive ACT-wide water quality monitoring program with a focus on six priority catchments, including associated monitoring to provide evidence to underpin priority projects.</li> <li>• Phase 2: Development of infrastructure options for each sub-catchment, based on the analysis of the data collected from the monitoring, that will assist in improving the water quality flowing from these catchments.</li> </ul> <p>The analysis from Phase 1 will be used to inform the business case required for the second phase of the project – the construction of major water quality interception/improvement structures.</p> <p>The priority catchments are:</p> <ul style="list-style-type: none"> <li>• Lower Molonglo (new development)</li> <li>• Upper Molonglo (source water)</li> <li>• Tuggeranong (lake)</li> <li>• Yarralumla Creek (infill/developed)</li> <li>• Riverview, West Belconnen (Greenfields development)</li> <li>• Fyshwick (industrial/wetlands development)</li> </ul> <p>Phase 1 is due to be completed by June 2016. Finalisation of Phase 2 funding is to be provided by 2019. Funding for Phase 2 projects will be subject to assessment and approval from the Commonwealth.</p> <p>A number of governance committees and working groups have been established to ensure the appropriate management and oversight of the project. These committees and/or working groups include Commonwealth, NSW, ACT, and local government representation. There are also two project advisory groups to represent scientific, academic, peak professional and a wide range of community /catchment management groups.</p> <p>Inception meetings for these committees and groups occurred during May 2014 and memberships and terms of reference for each were confirmed.</p>
ESDD	2) Complete assessment of the ACT's at-risk groundwater resources.	<p>In August 2013, ESDD (now EPD)* received an updated report on groundwater recharge rates in the sub-catchments that have the majority of abstraction bores. The recharge assessment covers a full range of recharge conditions (that is, a period of extreme drought followed by an El Nina high rainfall cycle).</p> <p>The latest recharge assessment validates previous calculations on sub-catchment recharge rates. Groundwater monitoring has not yet been further augmented, as only a handful of low-volume bores have been installed during the past two years and these have not significantly increased the risk profile of the sub-catchments.</p> <p>*Post-2013–14 the ESDD became the Environment and Planning Directorate and issued its report on actions fulfilling SoE requirements under its new name.</p>

Directorate	Broad subject area	Government Response
<p>ESDD and TAMSD</p>	<p>3) Update water management, monitoring and reporting programs to inform:</p> <ul style="list-style-type: none"> <li>i. actions to mitigate impacts of urban development on water quality;</li> <li>ii. the efficacy of Water Sensitive Urban Design measures;</li> <li>iii. improvements in sediment and erosion mitigation actions; and</li> <li>iv. management of ACT lakes.</li> </ul>	<p>As part of Phase 1 of the ACT basin priority project an ACT-wide water quality monitoring program will be put in place, updating and realigning existing monitoring arrangements to reflect changes in land use and technology. As well as addressing water quality monitoring across the whole of the ACT, more intensive monitoring will also occur in the six priority catchments. A detailed audit of the performance of existing infrastructure will also be undertaken.</p> <p>Tenders for this work have been issued by the Directorate.</p> <p>These are currently being assessed to determine preferred tenderers.</p> <p>A further project (under Phase 1) to investigate, audit and analyse existing ACT Government water quality infrastructure assets is currently being advertised and is due to close 31 July 2014. This project will assess the effectiveness of existing water quality infrastructure and recommend possible augmentation and improvement opportunities. This will support the overarching objective of improving water quality in a cost-effective and efficient manner.</p> <p>Work is also progressing on the review being undertaken by EPD of WSUD regulations.</p> <p>Extensive consultation has been undertaken during the review, including industry and community workshops as well as a survey of stakeholders who had submitted development or building applications in the past three years. Research was also undertaken on WSUD implementation in other jurisdictions and WSUD's influence on housing affordability. The review was assisted by an expert technical panel. TAMS is represented on the expert technical panel and has also provided input into the development of the ACT Water Strategy.</p> <p>The final WSUD report was considered by the Executive in early July 2014.</p> <p>Nil response from TAMS at this time.</p> <p>Sedimentation and erosion mitigation activities:</p> <p>In 2013–14 Fyshwick boat ramp access track to Molonglo River was resurfaced to address erosion which was washing sediment into the river.</p> <p>In 2013–14 follow-up environmental weed control was undertaken in the restoration of the foreshore area of Molonglo Reach. The works were completed from both conventional spray vehicles and working from a floating spray barge to access difficult areas. Greening Australia volunteers manually removed weeds from around newly planted trees and shrubs in the restoration area.</p> <p>Water management is an aspect of the increased collaborative emphasis of flood management and assessment of major urban design proposals, both of which are focuses for the Emergency Services Agency (ESA).</p>

Directorate	Broad subject area	Government Response
ESDD and TAMSD	<p>4) Improve monitoring to assess the impact of erosion on local land and water resources, and to help to understand the interactions between the ACT's catchment and ecosystem services in particular:</p> <ul style="list-style-type: none"> <li>i. undertake baseline soils mapping for the ACT to facilitate monitoring and assessment of soil condition;</li> <li>ii. identify indicators of land health including soil health, vegetation quality and change, and land use changes, and monitor and publicly report on these on a regular basis;</li> <li>iii. improve limited land-health data by including land health assessments in water catchment data to inform soil condition across the ACT; and</li> <li>iv. improve actions related to sediment and erosion mitigation.</li> </ul>	<ul style="list-style-type: none"> <li>i) (i) Soil landscape mapping was completed previously at the 1:100,000 scale for the eastern half of the ACT by the NSW Government (Jenkins 1993, 2000). The NSW Office of Environment and Heritage (OEH) has been contracted by the ACT Government to fill data gaps for existing ACT soil landscapes and identify new landscapes for the western half of the ACT using standard Australian soil survey and analytical methods. As part of the mapping process, related soil types in each landscape are described and their chemical and physical properties and constraints identified.</li> <li>(ii) EPD and TAMS have partnered in a project to develop a framework for monitoring reserve condition. This project started in early 2014.</li> <li>iii) and (iv) Hydrogeological landscape (HGL) frameworks build on soil landscape mapping by using additional information on geology, lithology, slope, soil depth, vegetation and climate to identify functional units for management within the landscape. The HGL framework concept was originally developed to assist in managing land and water quality issues associated with salinity. The concept has subsequently been broadened to address a wider range of land management issues such as soil degradation (for example, sodicity, acidity, erosion), soil carbon, biodiversity and vegetation, revegetation and wetland processes (for example, for hanging swamps, bogs and fens).</li> </ul> <p>NSW OEH and partners (NSW Department of Primary Industries, University of Canberra) have been contracted to develop an HGL framework for the ACT. Mapping will help identify key problems in each HGL and management area, and the options available to address them within land use capability. The HGL project is funded through the Commonwealth Regional Natural Resource Management Planning for Climate Change Fund.</p>
ESDD	<p>5) Management of knowledge and the coordination of scientific research, data collection, monitoring and reporting (including public information) is an area of concern across all themes. A specific recommendation to address this is provided under the recommendations section of the Biodiversity Theme paper.</p>	<p>Scientific research, data and monitoring in relation to biodiversity and conservation continues to be undertaken by the Conservation Planning and Research unit. A report was released in 2014 which includes a summary of projects from 2011–13 which is available on the EPD website. There are a number of research projects (for example, kangaroo and fire management) that are coordinated across the Directorates of TAMS and EPD.</p>

Directorate	Broad subject area	Government Response
<p>CMTD, ESDD and TAMSD</p>	<p>6) Strengthen research, planning and practical projects to enhance biodiversity conservation in the ACT through:</p> <p>i. developing a biodiversity monitoring strategy, building on existing government and non-government skills, capacity and programs, and focused on periodic reporting. This should include, where appropriate, systematic statistical methodologies which support monitoring of trends and changes to biodiversity assets in the ACT;</p> <p>ii. funding a dedicated senior officer position to facilitate knowledge development and consolidation, across disparate sources, including more strategic integration within and between government, research/academic institutions and community groups and members. To support this role, systems should be developed to provide wide public access to information to guide research, teaching, planning and practical projects to enhance the sustainability of the ACT and Region;</p>	<p>(i.) Strategy 3.5 of the Nature Conservation Strategy makes a commitment to monitor five priority ecosystems most vulnerable to threats. In order to ensure that appropriate and timely management responses are developed and implemented, the ACT Government will continue to monitor the five priority ecosystems based on a common set of indicators. The Nature Conservation Bill 2014 commits the Conservator to monitoring biodiversity in the ACT. This would involve developing a monitoring and research program and reporting on this. This will complement the current program of survey and monitoring already undertaken by the Conservation Research unit (referenced above).</p> <p>During 2013–14:</p> <p>A database of current biodiversity monitoring programs occurring on reserves has been compiled as part of the reserve condition monitoring project. This database has informed a gap analysis and review of current reserve monitoring programs and also the development of a reserve condition monitoring framework. This framework will link current biodiversity monitoring investments across TAMS, EPD, academic institutions and community groups into a coordinated, strategic reserve condition monitoring program focused on monitoring ecological values of eight broad ecological communities contained within ACT nature reserves. The framework requires the understanding and identification of the key influences of ACT reserve condition (including ecological processes, threat agents, threatening processes, management response, and ecological values). Conceptual models are now being developed for each of the eight ecological communities to demonstrate understanding of the ecological interactions that affect condition of reserves. This will allow us to identify appropriate measurable indicators and monitoring questions.</p> <p>ii) Systems have been used to make biodiversity data publically available including on some of the threatened species and communities. The ACT Government digital mapping system ACTMAPi now includes mapping information of ‘Significant Plants, Animals and Registered Trees’.</p> <p>A reserve condition monitoring project officer has been employed for the past six months and has facilitated improved integration across government and community monitoring and research programs.</p> <p>iii) A framework for developing a reserve condition monitoring program for the ACT is being developed between TAMS and EPD. Where possible it will include current monitoring projects that are being undertaken such as the monitoring of some nature reserves through funding available for kangaroo monitoring and research project.</p> <p>A review of current reserve monitoring programs has identified monitoring program synergies to link conservation outcome monitoring to management action monitoring within ACT nature reserves. The proposed reserve condition monitoring project is developing a framework that will link threatening processes to management response and ecological values. Conceptual models formed as part of this framework will inform ecological community monitoring plans for ACT nature reserves.</p>

Directorate	Broad subject area	Government Response
	<p>iii. identifying opportunities to integrate multiple environmental assessments. For example, when monitoring nature reserves for vegetation qualities, land-health indicators and grazing impacts should also be monitored at the same sites. Assessing sites in Canberra Nature Park on a rolling 3-year basis over a 10-year period would provide the basic information for monitoring trends in environmental condition;</p> <p>iv. publicly reporting decisions and activities relating to individual species, populations and ecological communities in the ACT. This should include both qualitative and quantitative information;</p> <p>v. reviewing and updating action plans where appropriate, and publicly reporting on progress against action plan objectives and proposed actions; and</p> <p>vi. collaborating with NSW Government and regional organisations to contribute to regional and national biodiversity data sets.</p>	<p>(iv) The Nature Conservation Bill 2014 commits to making the outcomes of the Bill publicly available. Qualitative and quantitative information on ACT threatened species and communities was reported publicly in the <i>Conservation Research report 2011–2013</i> (<a href="http://www.environment.act.gov.au/cpr">http://www.environment.act.gov.au/cpr</a>).</p> <p>v. Three new action plans were prepared for the Flora and Fauna Committee and released in November 2013. These were: Glossy Black Cockatoo (<i>Calyptorhynchus lathami</i>), Little Eagle (<i>Hieraaetus morphnoides</i>), and Murrumbidgee Bossiaea (<i>Bossiaea grayi</i>). A revised Action Plan for Smoky Mouse (<i>Pseudomys fumeus</i>) was also completed.</p> <p>A review of the Aquatic Species and Riparian Zone Conservation Strategy in 2013 has highlighted activities that should lead to more native fish and plants, less erosion, improved water flow and fewer weeds in the longer-term. See <i>Rehabilitating ACT rivers: highlights from the last three years</i> at <a href="http://www.environment.act.gov.au/home">http://www.environment.act.gov.au/home</a>.</p> <p>(vi) NSW OEH and partners (NSW Department of Primary Industries) have been contracted by the ACT Government to fill data gaps for existing ACT soil landscapes and to develop an HGL framework for the ACT. NSW OEH and EPD continue to work together on consistent vegetation classifications across the region and the ACT continues to be an active member in the Australian Alps joint-management committee which includes sharing data. ESSD has policy and operational leadership for biodiversity and conservation, and regional dataset development.</p>

Directorate	Broad subject area	Government Response
<p>EDD, ESDD and TAMSD</p>	<p>7) Better integrating biodiversity values within urban planning through:</p> <p>i. integrating biodiversity corridors and habitat connectivity in the Territory Plan process;</p> <p>ii. identifying, where possible, appropriate clearance thresholds for ecological communities across the ACT to maintain and improve biodiversity values and guide development decisions. To complement this, the draft biodiversity offset policy should be finalised to ensure no net loss in ecosystems.</p>	<p>(i.) A connectivity layer has been included in ACTMAPi. A study into woodland connectivity was outlined in the Nature Conservation Strategy. A new study by CSIRO, Flyways &amp; Byways: Guiding restoration of wildlife corridors: Monitoring connectivity restoration in the Australian Capital Territory, was funded by EPD and will be used to inform a range of programs (yet to be publicly released).</p> <p>(ii.) A position paper <i>ACT Environmental Offsets Policy and Delivery Framework</i> and associated guidelines was released for public consultation in 2014. The proposed policy is based on the Australian Government’s offsets policy that incorporates the principle of ‘improve or maintain’ and includes supplementary information to meet the ACT’s unique conditions. Assessment tools including an ACT Environmental Offsets Calculator and Environmental Offsets Assessment Methodology incorporate a range of thresholds for individual species and ecological communities.</p> <p>The Land Development Agency (LDA) has considered biodiversity values within urban planning.</p> <p>The results of the Gungahlin Strategic Assessment have been incorporated into delivery of the Land Release Program in the Gungahlin area. This means for example, that Kinlyside will no longer be developed, and that the developable area of Throsby has been reduced.</p> <p>The development of Wright and Coombs in the Molonglo Valley has considered the relationship of the estates with the Molonglo River Corridor. This corridor has important biodiversity and habitat values. A planting guide has been developed in conjunction with Greening Australia to inform residents about appropriate plant species for use in the area. The impact of stormwater run-off on the Molonglo River has also been considered. Innovative Hydrocon™ technology has been used to filter stormwater and improve water quality. Extensive sediment control ponds are also in place and are intended to remain functional until more of the development is completed. This will help prevent sediment entering the Molonglo River.</p> <p>The LDA retains habitat connectivity in a number of ways such as by retaining important trees in pocket parks and creating green corridors along waterways. For example, early planning for Throsby has considered the best way to maintain habitat for the migration of Superb Parrots. This has included consultation with ANU PhD and research students about tree placement, tree species and habitat structures. A number of these PhD students receive funding from the LDA to support their research. Early planning for Throsby has also retained many significant trees and created a green corridor along the central creek line.</p> <p>The retention of open spaces is also important in infill sites. For example in Campbell 5 a large open-space area is to be created.</p> <p>In LDA estates where there are threatened or endangered species identified and these cannot be protected entirely, offset areas are created elsewhere to protect those species. In these cases the development and offset areas must be approved in accordance with Commonwealth and ACT policies and legislation.</p> <p>EDD supports the development of an Environmental Offsets Policy and continues to work with EPD to facilitate the finalisation of this policy.</p> <p>The provision of bushfire protection zones around the urban edge is undertaken, as much as is practical, within the existing development footprint.</p>

Directorate	Broad subject area	Government Response
ESDD and TAMSD	<p>8) Improve transparency of biodiversity integration into legislative and planning frameworks through:</p> <ul style="list-style-type: none"> <li>i. including objectives for the protection of biodiversity and a definition for 'biodiversity' as part of the <i>Nature Conservation (NC) Act 1980</i> review;</li> <li>ii. aligning provisions in the Environment Protection Act 1997 and Planning and Development Act with any relevant changes to the NC Act including biodiversity definitions and reviewing the definition of environmental harm to determine whether unauthorised loss of biodiversity should be included as an offence;</li> <li>iii. assessing the effectiveness of managing threatening processes through action plans and determining if management of key threatening processes needs strengthening through listing under the NC Act.</li> </ul>	<p>(i.) The Nature Conservation Bill 2014 (yet to be presented) includes objectives for biodiversity and a definition of biodiversity. Biodiversity is however a term which does not include abiotic elements of ecosystems so the term nature is also used.</p> <p>(ii.) provisions within the Nature Conservation Bill 2014 have been aligned as much as possible with the Environment Protection Act. This has primarily been through the alignment of some penalty provisions for clearing and damaging land in reserves. There is a range of provisions in the Bill relating to offences for the loss of biodiversity.</p> <p>(iii.) Key threatening processes are able to be listed under the Nature Conservation Bill. The criteria are proposed to be aligned with those of the Commonwealth.</p> <p>Biodiversity — Territory Plan Section is currently working on two draft variations to the Territory Plan—DV297 and DV319—which are considered relevant to these recommendations. DV297 is to implement biodiversity offsets based on the Commonwealth approval under the <i>Environment Protection and Biodiversity Conservation Act 1999</i>. DV319 is to implement biodiversity outcomes from the Gungahlin Strategic Assessment.</p> <p>A draft framework for monitoring reserve condition has been developed that requires the development of monitoring plans for eight ecological communities across the ACT. These plans require the identification and understanding of key influences of reserve condition including: ecological values, threat agents, threatening processes, ecological processes, and management response. Once developed, these plans will report on effectiveness of management actions in achieving conservation objectives.</p>
HEALTH Directorate	<p>To improve knowledge of our indoor air quality, the Chief Health Officer should consider the health impact of indoor air quality in the ACT in the 2014 Chief Health Officer Report.</p>	<p>The Chief Health Officer decided against including health impact of indoor air quality in the ACT in the 2014 Chief Health Officer Report. It is not considered a health priority at present.</p>

Directorate	Broad subject area	Government Response
HEALTHD and ESDD	<p>10) Improve local air quality outdoors through:</p> <ul style="list-style-type: none"> <li>i. requiring air quality assessments in all new greenfield developments, to identify and manage air emissions, potentially detrimental to human health and the environment;</li> <li>ii. installing and operating a second performance air monitoring station to ensure that the ACT is compliant with NEPM standards; and</li> <li>iii determining the feasibility including costs of mobile monitoring of appropriate ambient air quality NEPM standards at locations in and around Canberra.</li> </ul>	<p>Note: recommendation 10 (iii) was not supported in the government response to the 2011 SoE Report.</p> <p>ACT Health supports the recommendation. EPD is responsible.</p> <p>The Ambient Air Quality (AAQ) National Environmental Protection Measure (NEPM) Performance Monitoring station (PMS) at Florey was fully operational as of 28 February 2014. ACT is now compliant with the AAQ NEPM.</p> <p>This recommendation is not supported. It would be cost-prohibitive and the quality of obtained data would be insufficient for any meaningful evaluation/policy making.</p>
ESDD and CMTD	<p>11) As a priority the ACT Government develop and implement pathways to achieve carbon neutrality in ACT Government buildings and services. These should be implemented through the second action plan of Weathering the Change and include monitoring, evaluation of actions and annual public reporting on progress.</p>	<p>The ACT Government endorsed the Carbon Neutral Government (CNG) Framework in 2012 to commence in 2013, with the target of carbon neutral in its operations by 2020. This is a supporting action to AP2. The first annual report on implementation was presented to Strategic Board in June 2014. The public release of the CNG Framework by the Minister was delayed until the Enterprise Sustainability Platform (ESP) was operational. Its release is expected in the third quarter of 2014.</p> <p>EPD is leading the implementation of carbon-neutral government initiatives, as part of AP2 initiatives. An overview of the Carbon Neutral Government’s progress is available of the EPD intranet. Annual progress reporting is ongoing.</p>

Directorate	Broad subject area	Government Response
<p>ESDD, CMTD and TAMSD</p>	<p>12) The ACT Government develop and implement a pathway to achieve the legislated climate change emission reduction and renewable energy targets. This should be implemented through the second action plan of Weathering the Change and include:</p> <ul style="list-style-type: none"> <li>i. focus on reducing emissions from transport and our buildings (especially improving energy efficiency of old building stock);</li> <li>ii. responsive regulatory, governance and investment arrangements for renewable energy;</li> <li>iii. continued engagement with ACT community; and</li> <li>iv. regular monitoring, evaluation of actions and public reporting on progress against the targets.</li> </ul>	<p>The ACT's second climate change policy and action plan AP2, 2012 addresses all these issues. The progress since implementation commenced in 2013 is:</p> <ul style="list-style-type: none"> <li>i. The combined actions in <i>Transport for Canberra</i> are projected, in aggregate, to reduce the transport-specific emissions in the ACT in line with targets in AP2. This includes improving vehicle efficiency, with next steps to be articulated in the upcoming Low Emission Vehicle Strategy, currently out for public comment, and increasing use of non-car transport modes. This relates to land use planning to provide greater opportunities for people to live closer to where they work, minimising travel, as well as numerous <i>Transport for Canberra</i> actions that relate to making it easier to walk, cycle or use public transport.</li> </ul> <p>Improving energy efficiency of old building stock is AP2 action 4—Zero Emission Buildings, and progress on this is being done as part of the adaptation strategy, commencing with research.</p> <ul style="list-style-type: none"> <li>ii. Renewable energy</li> <li>iii. Engagement with the community has been ongoing through individual AP2 actions and the ACTSmart program. To inform the Community Engagement Strategy on climate change (AP2 action 5), in 2013 a community survey of 1200 households was undertaken. This survey of attitudes to climate change found a high degree of awareness of the issues, but not what the ACT Government was doing. A key stakeholder workshop was conducted in early 2014. The Community Engagement Strategy will be released in the third quarter of 2014.</li> </ul> <p>The six-monthly progress updates on the 18 AP2 actions is published on the EPD web page <a href="http://www.environment.act.gov.au/cc/what-government-is-doing/emissions-and-mitigation">http://www.environment.act.gov.au/cc/what-government-is-doing/emissions-and-mitigation</a></p> <p>Nil response from TAMS at this time.</p> <p>EPD is leading the implementation of carbon emission reduction through various AP2 initiatives.</p>

Directorate	Broad subject area	Government Response
ESDD, JACSD and CMTD	<p>13) Develop a climate change adaptation planning and implementation response through:</p> <ul style="list-style-type: none"> <li>i. building on existing and undertaking additional sector vulnerability risk assessments;</li> <li>ii. establishing a monitoring, evaluation, reporting and improvement methodology and framework as a consistent guide for Government, to develop, progress and report against adaptation planning; and</li> <li>iii. integrating adaptation planning outcomes into existing ACT planning and management frameworks.</li> </ul>	<p>The work on climate change adaptation across government has been progressing and was given greater focus with the Ministerial Statement (AP2 action 16) in May 2014 and the release of the adaptation directions brochure which commits to a draft policy in 2014 and a final by end 2015.</p> <ul style="list-style-type: none"> <li>i. Sectoral vulnerability risk assessments have been undertaken by Health, Emergency Services and strategic planning in EPD</li> <li>ii. The ACT approach to adaptation is consistent with the draft framework published by the Australian Government in 2013 and the National Climate Change Adaptation Research Facility (NCCARF) work.</li> <li>iii. The ACT Planning Strategy, 2012, includes climate change adaptation considerations. Changes to the Territory Plan may follow on from the completion of the adaptation strategy.</li> </ul> <p>Climate change adaptation planning is led by EPD.</p>
CMTD and ESDD	<p>14) Develop a regional approach to planning for climate change. This needs to be done in partnership with NSW Government, local councils and regional organisations. Key areas of focus should include opportunities for renewable energy development, water security, urban and regional planning, transport management and adaptation of ecosystem services to climate change.</p>	<p>The Memorandum of Understanding (MoU) between ACT and NSW in December 2012 defined the focus areas for working together.</p> <p>Implementing AP2 actions for renewable energy and the new adaptation strategy have and are taking a regional approach.</p> <p>The ACT is partnering with NSW's Office for Environment and Heritage (OEH) to ensure cross-border harmonisation on climate change adaptation across sectoral issues.</p> <p>Through the ACT Regional NRM Planning for Climate Change Project, EPD is consulting and collaborating extensively on the application of spatial planning products and decision support tools to guide adaptation planning for the NRM sector. Ongoing collaborations include work with regional stakeholders from NSW (for example, NSW Office of Environment and Heritage (OEH), NSW Department of Primary Industry (DPI), NSW South East Local Land Services, NSW and ACT Regional Climate Model Project (NARClIM)) as well as Commonwealth (for example, Atlas of Living Australia (ALA), Australian Bureau of Agricultural and Resource Economics and Science (ABARES), Bureau of Meteorology Climate Information Services, CSIRO National Climate Projections Program (NCP), CSIRO Climate Adaptation Flagship (CAF), CSIRO Land and Water Terrain Analysis Team).</p> <p>CMTD has supported regional approaches to these matters through engagement on the ACT–NSW on Regional Collaboration and through the ('C Plus 1') group [sic]. This group includes Canberra plus those councils within an approximate one-hour commute from Canberra ('C Plus 1') – Queanbeyan, Yass, Goulburn-Mulwaree, Upper Lachlan, Palerang, Cooma-Monaro.</p>

Directorate	Broad subject area	Government Response
ESDD and EDD	<p>15) Finalise and implement the draft ACT Planning Strategy to provide an integrated approach to future planning. Particular attention should be paid to:</p> <p>i. determining indicators and measures for urban quality in the ACT that includes the benefits provided by green infrastructure and access to open space; and</p> <p>ii. developing greenfield and infill targets, which take into account both the need for green infrastructure as well as strengthening a sense of community and self containment.</p>	<p>The ACT Planning Strategy became effective from 1 September 2012. The strategy replaced the Canberra Spatial Plan 2004 as the key strategic plan that guides spatial planning and development and management of the ACT to help achieve the economic, cultural and environmental aspirations of its people. It sets out clear actions under nine strategies to deliver five outcomes, each of which reflect the intent of The Canberra Plan. Implementing this whole-of-government policy involves considerable cross-agency co-ordination across all directorates.</p> <p>The strategy is a companion document to other key policy documents, including:</p> <ul style="list-style-type: none"> <li>• <i>Transport for Canberra 2012–2031</i>, 2012;</li> <li>• <i>Weathering the Change - Action Plan 2</i>, 2012;</li> <li>• <i>Nature Conservation Strategy</i>, 2013; and</li> <li>• <i>Water for the Future – Striking the Balance: ACT Draft Water Strategy 2013</i>.</li> </ul> <p>The strategy calls for master plans to be prepared for centres to provide direction for future change and growth, including sustainable design outcomes. Master plans for the Tuggeranong town centre, four group centres and the Pialligo rural village have been completed. Current studies underway include the Woden town centre, Mawson and Weston group centres and Oaks Estate. A further five master plans are scheduled to commence in 2014–15, including Belconnen town centre.</p> <p>The LDA has developed both greenfield and infill developments. In 2012–13, there were more LDA residential and mixed-use projects reported in infill locations than in greenfield locations. Many of these projects were single block or section releases in established areas, however a number of projects were larger and more complex. For example Campbell 5 is located in the established suburb of Campbell. It is seeking to increase density in the area and along Constitution Avenue, while also maintaining high quality public open spaces.</p> <p>In LDA developments green infrastructure is considered through the provision of public open spaces and the delivery of WSUD infrastructure. For example in Coombs a number of local parks are being delivered; relationships with the Molonglo River corridor are being considered; and a green corridor along the former Uriarra Road alignment is being maintained. Another example of the delivery of WSUD infrastructure is the installation of the innovative Stratacell™ technology at the Amaroo Group Centre.</p> <p>The LDA runs the ‘Mingle’ community program in a number of LDA estates including Bonner, Wright and Coombs. The ‘Mingle’ program includes a range of events such as Christmas lights competitions, brunch in the park, rugby skills training sessions, tree plantings and trivia nights. ‘Mingle’ aims to strengthen the sense of community in new estates as residents move in.</p> <p>The LDA, in conjunction with EDD, also undertakes a range of community engagement activities.</p>

Directorate	Broad subject area	Government Response
CMTD, EDD and CSD	16) Develop a housing strategy to address the needs of changing population demographics into the future.	<p>During 2013–14, the government continued implementation of its Affordable Housing Action Plan, which is now in its third phase. Affordability for renters and homebuyers has continued to improve. Through its land release activities, the government has continued to bring a diverse range of housing options to the market, including multi-unit and detached housing choices in new suburbs as well as infill sites in established communities.</p> <p>CMTD does not have a lead involvement in housing policy, operations or management. Policy and operational matters are overseen by EDD and CSD.</p>
ESDD and TAMSD	<p>17) Finalise and implement the draft Sustainable Transport Action Plan to provide an integrated approach to transport and urban planning. In doing so:</p> <ul style="list-style-type: none"> <li>i. obtain additional non-work related travel data, similar to the annual Sydney Household Travel Survey, to ensure a more complete understanding of Canberra's transport habits;</li> <li>ii. focus on strategies and targets to improve access to sustainable forms of transport outside of transport corridors;</li> <li>iii. develop targets for; <ul style="list-style-type: none"> <li>i. reducing in greenhouse gas emissions from transport;</li> <li>ii. increase sustainable transport usage for non-work travel to complement the existing targets for work travel; and</li> <li>iv. track progress towards Sustainable Transport targets on an annual basis.</li> </ul> </li> </ul>	<p>The government released <i>Transport for Canberra</i> in March 2012, which supersedes the earlier draft Sustainable Transport Action Plan. <i>Transport for Canberra</i> includes 34 actions and monitoring and reporting framework that aim to improve the sustainability of Canberra's transport system, alongside goals of efficiency, active travel, accessibility and social inclusion, safety and integration with land use planning.</p> <p>In relation to items i) and iii), budget funding has been requested but not provided to allow EPD to undertake regular household travel surveys and otherwise improve data to monitor progress around sustainable transport. We note that the combined actions in <i>Transport for Canberra</i> are projected, in aggregate, to reduce the transport-specific emissions in the ACT in line with targets in AP2. <i>Transport for Canberra</i> will also include a regular report card to track progress in its implementation. Cabinet is scheduled to note a revised 2014 report card in September 2014.</p> <p>In relation to ii), initiatives currently underway that relate to improving sustainable transport outside of transport corridors include:</p> <ul style="list-style-type: none"> <li>i) The active travel to school program (Health Directorate).</li> <li>ii) Review of community transport completed in mid-2014 (EPD) and community transport coordination project (TAMS).</li> <li>iii) Coverage study/review into transport disadvantage in the Territory, completed in 2012 (EPD), and informing bus network improvements accounting for walkability (TAMS).</li> <li>iv) Flexible transport services trial (TAMS).</li> <li>v) Strategic cycle network plan (EPD) and updated Design Standards for active travel (TAMS), both to be completed in 2014.</li> <li>vi) Development of an active travel strategy with targeted actions to deliver higher travel to work and non-work trips mode share by active travel (EPD, 2014-15).</li> <li>vii) Parking policy strategy, including agreement by Cabinet to develop a parking offset mechanism to allow developers to offset parking requirements by providing on-site active travel options or paying into a fund (EPD-led, 2014–15).;</li> <li>viii) Low Emission Vehicles and ACT Sustainable Fleet strategy (EPD, 2014–15) to make car-based transport more efficient (for example, better vehicles, higher occupancies, car sharing).</li> </ul> <p>Nil response from TAMS at this time.</p>

Directorate	Broad subject area	Government Response
ESDD and TAMSD	<p>18) Finalise and implement a new ACT waste management strategy with a focus on reducing waste generation, in particular:</p> <p>i. examine and implement options for diverting wastes from landfill to higher order beneficial reuse opportunities. These actions should be measured, recorded and reported publicly;</p> <p>ii. focusing community education on the link between consumption and waste; and</p> <p>iii. targeting specific programs to reduce waste from the construction and demolition, and commercial and industrial sectors.</p>	<p>The ACT Waste Management Strategy was finalised in 2011 and the ban on lightweight plastic bags was introduced in November 2011. The review of the plastic bag ban undertaken in 2014 found high community support and a reduction in plastic in the waste stream.</p> <p>The ACTSmart program gives advice and incentives to change behaviour across all sectors with their water, energy and waste projects.</p> <p>Under AP2 energy from waste is being investigated.</p> <p>Due to global financial conditions and commodity markets, an agreement with SITA Australia to construct a facility to sort and recycle material from commercial and industrial waste streams has now lapsed. ACT NOWaste is now working with EPD to explore approaching the market for options on the full range of possible material recovery and recycling activities. Options would include a domestic facility, a commercial facility, a 'dirty' materials recycling facility and an energy-from-waste facility. The outcome would maximise the economic recovery of materials and minimise residual waste.</p> <p>In 2013–14 ACT NOWaste had a strong focus on encouraging the broader community to 'rethink their recycling' with innovative campaigns aimed at problematic waste like disposable nappies and soft plastics. Over 17,000 ACT residents from preschoolers to seniors were reached through visits to the Materials Recycling Facility at Hume, visits to school, guest speaker opportunities, displays at local shopping centres during recycling week and attendance at large-scale community events. This total number of people engaged in our education program is an increase of 70.5% on the previous year. It illustrates the demand for quality waste education programs and an increased awareness in the community of the importance of the 'reduce, reuse, recycle' message.</p> <p>Resources and promotional campaigns were developed to engage ACT residents in traditionally hard-to-reach demographics. These included:</p> <ul style="list-style-type: none"> <li>• increased use of free card media campaigns displayed in cafes and cultural venues to appeal to 15–30-year-olds</li> <li>• the design of interactive visual displays including a model house with electronic light-up display</li> <li>• using the side and back panels of the new waste and recycling truck fleet as a mobile advertising platform</li> <li>• competitions and live reads on commercial radio</li> <li>• resource boxes to encourage interactive play, posters and books for loan to early childhood educators</li> <li>• information flyers and new bin lid stickers that rely on photographs and universal visual cues like red crosses and green ticks rather than text</li> <li>• presentations and resources translated into eight languages (including sign language) to inform new Australians about waste and recycling services in the ACT.</li> </ul> <p>ACT NOWaste tailors school programs to link to the new national curriculum on sustainability. New programs trialled this year include being a conscious consumer, cradle-to-grave systems and 'nude food' lunches.</p> <p>ACT NOWaste is now finalising a new licence agreement to enable the continued recovery of material from construction and demolition waste within the Mugga Lane Resource Management Centre.</p> <p>ESA participates in the Justice and Community Safety Directorate (JACSD) waste management program. ESA's new facilities use modern energy supply systems, reducing our carbon footprint.</p>

Directorate	Broad subject area	Government Response
ESDD	<p>19) Strengthen heritage protection in the ACT by:</p> <ul style="list-style-type: none"> <li>i. developing an action plan for heritage which addresses the backlog of heritage nominations and recognises key future sites for protection;</li> <li>ii. strengthening audit, compliance and enforcement processes in line with recommendations of the Marshall report;</li> <li>iii [Note that recommendation iii was not accepted]; and</li> <li>iv. promoting ACT heritage values as a part of the Canberra 2013 Centenary celebrations.</li> </ul>	<ul style="list-style-type: none"> <li>i. ACT Heritage, together with the ACT Heritage Council, has prepared a priority list to reduce the backlog of nominations to the ACT Heritage Register. From a backlog of approximately 210 nominations in 2011, seventy-nine decisions on provisional registration (including decisions not to provisionally register) have been made, and there have been twelve decisions on full registration. Between 2012 and 2014, seven new nominations to the register have been received. A number of probable duplications of nominations have also been identified. The backlog of nominations has been reduced to approximately 173.</li> <li>ii. Two officers in ACT Heritage are now trained in Government Investigations. ACT Heritage has developed a compliance enforcement policy to guide appropriate action to be taken in relation to compliance matters. This has enabled ACT Heritage to take responsibility for compliance investigations and enforcement processes in relation to the <i>Heritage Act 2004</i>.</li> <li>iv. The theme for the 2013 Canberra and Region Heritage Festival was Milestones to promote the Centenary of Canberra. The centenary logo, banners and bunting were used during the festival.</li> </ul> <p>There were a total 125 events involving seventy-five groups and individuals from the private, government and community sectors. The festival included twenty-seven new event organisers compared to the previous year.</p> <p>Eleven ACT Heritage Grants were showcased during the festival.</p> <p>Special assistance funding was made available to seven event organisers to lift their profile in the centenary year by 'thinking differently' and growing and diversifying audiences.</p>
ESDD, HealthD, CMTD and JACSD	<p>20) Align and integrate climate adaptation planning and disaster risk management where appropriate. This should include lessons learned from changes to fire management.</p>	<p>The adaptation strategy is a whole-of-government policy and action plan, and acknowledges and incorporates the roles and work of other agencies, for example the <i>Territory-Wide Risk Assessment and the Strategic Bushfire Management Plan version 3, 2014</i>.</p> <p>CMTD does not have an ongoing operational role in climate adaptation planning, for the Service. However, CMTD has developed and published a climate change vulnerability assessment framework for infrastructure. This is used as a reference point for infrastructure and physical asset management.</p> <p>ACT Health supports the recommendation. This is a whole-of-government issue and has little direct health program input.</p> <p>ESA participates in research activities with the Bushfire &amp; Natural Hazard Cooperative Research Centre and a range of other partners examining the effects of climate change on natural hazards.</p> <p>ESA has incorporated climate change considerations into the current draft of the Strategic Bushfire Management Plan and will continue to consider climate change in other planning and risk mitigation processes.</p>
ESDD and CMTD	<p>21) In collaboration with NSW Government and local councils, develop a regional approach to planning and risk management to address future challenges of population and climate change.</p>	<p>The adaptation strategy and the AP2 action 4 Community Engagement Strategy is taking a regional approach. This work has commenced (refer to recommendations 11, 12, 13, 14 and 20).</p> <p>CMTD has been working closely with EPD to coordinate input from other ACT Government agencies in the development of a regional strategic plan. This plan is intended to cover the growth challenges affecting the region.</p> <p>Liaison to agree the plan is ongoing.</p>

Directorate	Broad subject area	Government Response
ESDD, TAMSD and CMTD	<p>22) Strengthen community engagement in sustainability by:</p> <p>i. Undertaking research on attitudes to sustainability and consumption patterns and behaviours. This could be done through regular community surveys similar to the annual NSW 'Who cares about the environment?' with the outcomes informing focus areas for community engagement.; and</p> <p>ii. Fostering behaviour change through community engagement to reduce our ecological footprint with a particular focus on:</p> <p>i. sustainable transport; and</p> <p>ii. impacts of consumption.</p>	<p>The work on the sustainable futures series was completed in 2009–10 and fed into the <i>Time to Talk: Canberra 2030</i>, in 2010, the ACT's most extensive community consultation campaign. Sustainability issues were progressed with preparation of the draft ACT Planning Strategy in 2011 and the finals in 2012.</p> <p><i>Transport for Canberra</i> also involved community engagement around sustainable transport. Ongoing projects, including Capital Metro Light rail, City Plan and the Light Rail Master Plan, will continue this engagement.</p> <p>Nil response from TAMS at this time.</p> <p>EPD periodically commissions surveys to research community views and issues about climate change and sustainability in the ACT.</p> <p>Periodically CMTD facilitates this consultation through the 'Time to Talk' consultation process.</p>

### B2.7 Accountability indicators

The statement of performance for our Office is included in the Environment and Sustainable Development Directorate's annual report as 'Expenses on behalf of the Territory'.

The Commissioner reports outputs against accountability indicators in the Environment and Sustainable Development Directorate portfolio report. The outputs for 2013–14 can be found in Table 11 in Section F6 of this annual report.

## B3 Community engagement and support

As mandated in the *Commissioner for Sustainability and the Environment Act 1993*, our Office works to enhance knowledge and understanding of issues relating to ecologically sustainable development and the environment. We do this both through advocacy (see Section B2.4 of this report) and community engagement.

The major engagement activities the Office undertook this year included:

- celebrating and promoting our 20th anniversary;
- developing information products;
- updating our website;
- delivering presentations; and
- site visits and meetings to discuss and assist with general environmental enquiries.

### Twentieth anniversary

Past Commissioners, community members, Minister for the Environment and Sustainable Development Simon Corbell and other government stakeholders were among those who gathered for a morning tea to help the Office celebrate its twentieth anniversary on 1 July 2013. At this event the Office launched a publication about the 20-year history of the Office, two videos, a slide show and a 'Who are we?' marketing postcard. All of these are available on the Office's website at <[www.envcomm.act.gov.au](http://www.envcomm.act.gov.au)>.

### Information products

The Office prepared Commissioner fact sheets for students involved in the SEE-Change Centenary Parliament of Youth on Sustainability held on 2 and 6 November 2013 at the Australian National University.

### Digital outreach

The Office planned and began the process of revitalising the design of our website to make it more accessible and tablet and iPhone-user friendly.

### Presentations

The Commissioner spoke at a number of events in 2013–14. These included:

- the Centennial Symposium (panel participation) Australia and New Zealand School of Government (ANZSOG);
- 2020 Vision Project judging;
- Top 5 Awards for policy briefs to Fenner School Australian National University (ANU) students;
- Launch of the Victorian SOE report presentation at the environmental reporting symposium;
- the Australian Water Association Conference in Sydney;
- Canberra Urban Regional Futures (CURF), South East Regional Organisation of Councils (SERO);
- South East Region of Energy Excellence (SEREE) renewable energy showcase day;

- Prize-giving at the SEE-Change 2020 Vision Competition winners announcement on 13 November at the CSIRO Discovery Centre in Canberra; and
- an information session for students at Lanyon High School, ANU and the University of Canberra about the role of the Office.

### Stakeholder engagement

Throughout the year the Office participated in a wide variety of stakeholder forums including events with ACTSmart office and business, and meetings with academics at both the Australian National University Fenner School and the University of Canberra.

The Commissioner continued regularly meeting with a range of ACT Government directorates, advisory boards and ACT Commissioners. He also met with a number of other key stakeholders including:

- the ACT and Region Chamber of Commerce;
- the Business Council of Canberra;
- the Conservation Council of Canberra;
- South East Regional Organisation of Councils (SERO);
- the Environmental Defender's Office;
- the Friends of Grasslands;
- the Friends of the Aranda Bushland; and
- the Victorian Commissioner for Environmental Sustainability.

In addition, the Legislative Assembly passed a motion directing the Commissioner to convene a Roundtable to discuss the Nature Conservation Bill. The Commissioner then reported to the Legislative Assembly on the issues raised by stakeholders.

Staff members and the Commissioner represented the Office at 49 stakeholder events throughout the year.

## B4 Ecologically sustainable development

### Ecologically sustainable development project

In 2013–14 the Office initiated a project aiming to benchmark best practice ESD and to progress the understanding and implementation of ESD within government decision-making in the ACT.

A report generated from this project acknowledged and incorporated some of the triple bottom line reporting work that has been undertaken by the ACT Government since 2009. The key recommendations of this ESD report included that the Office of the Commissioner for Sustainability and the Environment be entrusted with the following major functions:

1. To develop key indicators of sustainability performance. These indicators should be set by consultation with relevant government agencies, and informed by government policies.
2. Recognising that directorates have a legal duty to report on ESD within their annual reports, to review whether these key indicators are being used by government agencies in decision-making.
3. To encourage the preparation of an annual whole of government sustainability report to determine to what extent directorates are adopting a whole of government approach to delivering the intent of policy and legislated objectives.
4. To act as a focal point for developing whole of government approaches to sustainability when agencies are developing or modifying standards, policies and plans.

### ACTSmart Office accreditation

The Office gained ACTSmart Office accreditation in Nara House in 2013 and we are working with facilities management in the Nara Centre to complete ACTSmart accreditation for all directorates housed within the building. (*Our waste and power usage has been based on a pro rata percentage of the total usage within Nara House. For the Office this is 1.58 percent of the tenancy area.*) The Office will renew ACTSmart accreditation in August 2014.

**Table 9: Sustainable development performance 2012–13 and 2013–14**

Indicator as at 30 June	Unit	2012–13	2013–14
<b>Agency Staff and Floor area</b>			
Occupancy — staff full-time equivalent <sup>(a)</sup>	Number (FTE)	7 <sup>(a)</sup>	7 <sup>(a)</sup>
Work-place floor area	Square metres (m <sup>2</sup> )	118.59	118.59
<b>Energy<sup>(b)</sup></b>			
Stationary Energy Use			
Electricity use	Kilowatt hours	14,843.30	14,348.9*
Renewable energy use (GreenPower + EDL landfill gases)	Kilowatt hours	1,901.80	00**
Natural Gas use	Megajoules	24,259.66	29131.27***
<b>Transport fuel usage</b>			
Total number of vehicles <sup>(b)</sup>	Numeric	1	1
Total vehicle kilometres travelled	Kilometres	2036	2015
Transport fuel (Petrol) <sup>(c)</sup>	Kilolitres	0.0163	0.0163
Transport fuel (Diesel)	Kilolitres	0	
Transport fuel (LPG)	Kilolitres	0	
Transport fuel (CNG)	Kilolitres	0	
<b>Water</b>			
Water Usage			
Water use	Kilolitres	61.45	64.75****
<b>Waste</b>			
Resource Efficiency and Waste			
Reams of paper purchased	Reams	25 <sup>†</sup>	55
Recycled content of paper purchased	Percentage	100	100
Waste to Landfill <sup>(d)</sup>	Litres	6,069.1	6,235.1
Estimate of co-mingled material recycled (based on bins collected) <sup>(d)</sup>	Litres	1,258.94	1,440.96
Estimate of paper recycled (based on bins collected) <sup>(d)</sup>	Litres	1,601.93	1,357.06
Estimate of organic material recycled (based on bins collected)	Litres	829.50	165.90 <sup>#</sup>
<b>Greenhouse Gas Emissions</b>			
Greenhouse gas emissions			
emissions from stationary energy use*	Tonnes CO <sub>2</sub> -e	15.38	8.06
Emissions from transport greenhouse gas emissions*	Tonnes CO <sub>2</sub> -e	0.05	1.76
Total emissions			9.82

\* incl. common house areas

\*\* ACT Property Group purchased 7,530 MWh (mega watt hours) of GreenPower on behalf of the ACT Government, representing 5% of the ACT Government's energy consumption for 2013–14.

\*\*\* incl. common house areas i.e. gas to run the plant and not tenancy directly.

\*\*\*\* incl. common house areas

# company went out of business in the financial year

† In 2012–13 the Office moved premises and purchased 25 new reams of recycled paper, however the Office also used paper stock from previous years that was not purchased in fiscal 2012–13.

(a) The Office establishment is six. An additional contractor in 2013–14

(b) This is the Commissioner's package vehicle, which is available for use by our staff, totals provided are based on business usage only.

(c) Figures are calculated as the distance travelled for official business and fuel consumption based on the Green Vehicle Guide.

(d) Figures are calculated as on pro rata allocation to the office on proportion of floor space



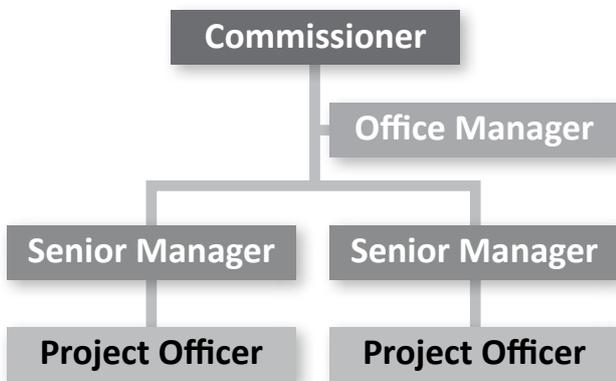
### C1 Internal accountability

#### C1.1 Organisational structure

Mr Robert Neil is the Commissioner for Sustainability and the Environment. The Commissioner is accountable for both the legislative and the contractual functions of the Office and for ensuring that the execution of these functions is consistent with the intent of the enabling legislation.

The structure of our Office at 30 June 2014 is shown in Figure 1.

**Figure 1: Organisation chart, 2013–14**



#### C1.2 Senior committees

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

#### C1.3 Key corporate plans

Our strategic plan provides our vision, mission, values and objectives as detailed in Section B1 of this report.

### C2 Risk management and internal audit

#### C2.1 Procedures

The Office continually updates our procedures manual which documents processes for a range of office activities including file management, procurement, inquiries and complaints.

The procedures manual has been reviewed during 2013 to ensure that all procedures and processes are up-to-date and relevant.

The Office is continuing to work towards becoming a paperless office by using electronic data management via Objective electronic data management (EDM) software, for filing processes, and to minimise the amount of printing.

The Office has formally requested to be included in the ESDD internal audit program. This request has been agreed.

Further information on our Office's risk management and auditing is covered in the Environment and Sustainable Development Directorate's annual report.

### C3 Fraud prevention

Further information on our Office's fraud prevention processes is covered in the Environment and Sustainable Development Directorate's annual report.

### C4 Legislative Assembly inquiries and reports

The Commissioner was not directed to take action as a result of any Legislative Assembly inquiries or reports, however he was called on to Chair a Roundtable to explore the issues relating to the draft Nature Conservation Bill and to provide a detailed report to the Assembly by May 2014 on the range and extent of issues raised by stakeholders on the draft Nature Conservation Bill.

The Roundtable was held on 14 April 2014 and the final report delivered to the Assembly on 6 May 2014.

### C5 Auditor-General and Ombudsman reports

No recommendations were made with regards to the Commissioner.



### D1 Public interest disclosure

Our Office did not receive any public interest disclosures during 2013–14.

### D2 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 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.

#### D2.1 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 2014. 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 Sustainability and 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; and
- make recommendations for consideration by the ACT Government, and include in our Annual Report the outcomes of those recommendations.

The Act includes an objects clause and specified timelines, with reports presented by the Minister to the Legislative Assembly by six sitting days, and a government response to State of the Environment reports within six months of the day the Minister receives the report. Our Office administers the Act.

#### **Public participation**

Our Office has consulted with different government and non-government stakeholders during the reporting period on a range of activities, including *Weathering the Change: Action Plan 2 Implementation Status Report (ISR)*, and the 2015 State of the Environment report.

Our consultation processes include:

- a public submission on the Nature Conservation Bill 2013 Exposure Draft;
- 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; and
- seeking and sharing information via the Office's website and Twitter.

#### **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 (1997 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; and
- recommendations from State of the Environment reports and investigations.

These documents are also available by phoning the Office and can be posted to any member of the community. They are also available through our website, which is the preferred method of transmittal.

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; and
- details of contracts and tenders.

### **Facilities for access**

Documents produced by our Office are available to the public as accessible PDF documents on our website <[www.envcomm.act.gov.au](http://www.envcomm.act.gov.au)> or in hard copy (where available) upon request.

Our Office can be reached by bus and has access for people with disabilities.

### **D2.2 Section 8 statement**

The Act 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 found on our website: [www.envcomm.act.gov.au](http://www.envcomm.act.gov.au).

### **D2.3 Section 79(2) statement**

In accordance with Section 79(2) of the *Freedom of Information Act 1989*, the following is a report on decision-making in relation to FOI requests received by our Office during the year. Access decisions in relation to FOI requests are categorised in terms of full release, partial release, entirely exempt, technical refusal (no documents located), still being processed, transferred, and withdrawn.

### **Requests for access**

In 2013–14 the Office did not receive any requests for access to documents through FOI legislation.

## **D3 Human Rights Act**

The *Human Rights Act 2004* (HRA) came into force on 1 July 2004. Its purpose is to respect, protect and promote human rights in the ACT. The HRA aims to ensure, to the maximum extent possible, that all Territory statutes and statutory instruments are interpreted in a way that respects and protects human rights. The HRA also creates a duty on public authorities to act consistently with human rights. All Office work policies and practices adhere to the HRA. In addition, HRA principles are adopted by the Office through the promotion and advocacy of ESD.

Office staff members are employed through the Environment and Sustainable Development Directorate. All staff members receive an induction which includes training on the ACT Public Service Respect, Equity and Diversity (RED) framework. The RED framework aims to foster a workplace that values individual differences and is respectful, courteous and fair. RED training includes information on legislative obligations including the HRA.

## **D4 Territory Records Act**

Our Office is independent of the ACT Government; however, our records are managed in accordance with the *Territory Records Act 2002*.

‘Objective’, an Electronic Document and Records Management System (EDRMS) has been adopted by the Office and is now used for record and file management with support from ESDD.

The Office is committed to ensuring records containing sensitive information, including those that contain personal information and those which enable people to establish links with their Aboriginal and Torres Strait Islander heritage are appropriately managed and preserved.

The Office will continue to work to identify and preserve valuable records as part of its records management program. The Office uses the tools developed by Archives ACT to assist members of the community to interpret older records that are released for public access.

In 2013–14 the Office received no requests for information under the open access to records provision of the Act.

## D5 Legal services directions

Further information on our Office's model litigant guideline is covered in the Environment and Sustainable Development Directorate's annual report.

## D6 Notices of non-compliance

Our Office did not receive any notices of non-compliance in 2013–14.

## D7 Bushfire risk management

Our Office does not own or manage any Territory land and is therefore not required to report its operations in relation to either the Strategic Bushfire Management Plan or the Bushfire Operations Plan.

## D8 Commissioner for the Environment

Amendments to broaden the scope of the *Commissioner for the Environment Act 1993* including a name change to Commissioner for Sustainability and the Environment Act 1993 took effect in May 2012.

The *Commissioner for Sustainability and the Environment Act 1993* requires that all ACT Government agencies preparing their annual reports for a financial year must include in those reports information on:

- legislated requests from the Commissioner;
- responses to any Commissioner-legislated requests;
- any investigations of their actions by the Commissioner;
- any recommendations made by the Commissioner as a result of any investigations; and
- any action the agency has taken during the year in relation to any Commissioner recommendations.

The Office then provides a whole of government overview of agencies' responses to these requirements. This overview can be seen in Section B2.6 of our annual report.



### **E1 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 vision, mission, values and objectives as detailed in Section B1. Our strategic plan is reviewed regularly to ensure that it remains valid.

This year office staff members have undertaken a range of training and development courses, while achievement frameworks have been in place since March 2014.

### **E2 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 achievement plans and supported through the strategic plan.

### **E3 Work 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 provisions of the *Work Health and Safety Act 2011*, (effective as of 14 June 2013).

During 2013–14 the Office did not receive any notices under the revised Act, and there were no notifiable incidents. The Office does not pay a first-tier worker's compensation premium. Two stand-up desks were provided in 2013–14 to aid staff health management.

Further information on our Office's work health and safety is covered in the Environment and Sustainable Development Directorate's annual report.

### **E4 Workplace relations**

Further information on our Office's workplace relations is covered in the Environment and Sustainable Development Directorate's annual report.

### **E5 Staffing profile**

Further information on our Office's staffing profile is covered in the Environment and Sustainable Development Directorate's annual report.



### F1 Financial management

Further information on our Office's financial management is covered in the Environment and Sustainable Development Directorate's annual report.

### F2 Financial statements

The ACT Government appropriation for the Office in 2013–14 was \$1,580,000, comprising a base budget of \$1,306 000 plus \$262,000 in rolled-over funding for the ACT State of the Environment report 2015 and potential investigations, as well as \$12,000 for the revised wage parameters in the Supplementary Appropriation.

The financial transactions for our Office are formally reported in the consolidated financial statements of the Environment and Sustainable Development Directorate Annual Report as part of 'Expenses on Behalf of the Territory'.

### F3 Capital works

Our Office is not undertaking any capital works.

### F4 Asset management

#### F4.1 Assets managed

Our Office does not own or manage any major assets, but maintains a portable asset register.

#### *Office accommodation*

The Office is accommodated at 1 Constitution Avenue, level 2 of the Canberra Nara Centre. This building is a single-purpose office building which houses staff from different directorates across the ACT public service, predominantly staff from the Chief Minister and Treasury Directorate (CMTD).

The current office occupies 118.59 square metres (this includes access to kitchens and public amenities for all staff based on a proportion of the tenancy floor space).

### F5 Government contracting

#### F5.1 Procurement principles and processes

Consistent with the newly updated provisions governing procurements up to \$200,000, the Office has worked, and will continue to work with ACT Procurement Solutions to complete procurement actions where necessary.

#### F5.2 External sources of labour and services individual contracts exceeding \$25,000

During 2013–14 the Office has six contracts exceeding \$25,000 (details below).

Table 10 details the contracts for works and services for individual contracts that exceeded \$25,000 and smaller contracts awarded to the same contractor that in total exceeded \$25,000.

**Table 10 Summary of contracts over \$25,000**

Contractor	Description and reason for contract	\$ (inc GST)	Procurement type	Date contract let
Australia National University (ANU) – Quentin Grafton	Report to evaluate the approaches to measure performance towards achieving the ACT-legislated greenhouse gas emission targets. Establish methods to link, where possible, causation or association from the AP2 actions in each sector to current trends in ACT greenhouse gas emissions. In addition, a graded assessment scheme will be developed for each relevant sector.	\$55,000	Simple purchase	22/11/2013
Uniquet – Professor Mark Hockings and Dr Andrea Leverington <sup>+</sup>	Develop a methodology for assessing the effectiveness of management responses. This includes workshops with Office staff and other relevant stakeholders. Conduct assessments for two State of the Environment themes. Provide advice and assistance to the Office to conduct the remaining assessments.	\$50,264.50	Single select	22/11/2013
Enolnsights – Dr Steven Cork <sup>§</sup>	Provide written and oral advice to OCSE during the writing of the 2015 SoE Report. This includes research and liaison with experts on matters related to the SoE Report. Draft reports and review documents prepared or commissioned by the Office for the SoE Report.	\$50,288	Single select	18/07/2013
Biotext	Biotext are Canberra based experts in science writing. They have expertise with both the 2011 Australian State of the Environment Report and South Australia's SoER. They have been engaged to provide consultancy services and advice in relation to the data collection and analysis for, and the structure of, the 2015 State of the Environment Report (SoER), to edit all the papers and contents for the 2015 SoER and to design and prepare the content for the SoER website	up to a maximum of \$141,394	single select	17/7/2013
Dr Kenneth Hodgkinson*	Inspection of specified natural temperate grassland sites within urban Canberra and undertaking of photographic and floristic assessments.	\$47,500	Single select	13/04/2013

<sup>+</sup> Uniquet was a single select. The minute was signed off for the following reasons; the project requires in-depth knowledge of both Australian and international research into all aspects of management effectiveness evaluation. Uniquet's experts, Professor Mark Hockings and Dr Andrea Leverington have the specialist skills in the requisite area and the necessary experience through their work with authorities and governments to develop a suitable methodology for assessing the effectiveness of management responses in the ACT.

<sup>§</sup> Dr Steven Cork was a single select. The minute was signed off because the project was also specialist in nature and required specific skills and knowledge. Dr Cork is a leader in his field, specialising in the relation between the environment and human health and well-being and has extensive SoE reporting experience. Furthermore, Dr Cork is the only available provider of these services in Canberra.

<sup>\*</sup> Dr Hodgkinson was single select. The minute was signed off for the following reasons; Dr Hodgkinson could meet the necessary timeframes, as implementation was urgent to cover both Autumn and Spring periods for 2013, the project was also specialist in nature and required specific skills and knowledge, from his work on the Grassland Investigation, Dr Hodgkinson was also familiar with the background of the advice required.

## F6 Statement of performance

**Table 11: Accountability indicators for the Office of the Commissioner for Sustainability and the Environment**

Accountability indicators <sup>(a)</sup>	Original target 2013–14	Actual result 2013–14	Variance from amended target	
Report on the uptake of recommendations on the ACT <i>State of Environment Report 2011</i> and special reports.	June 2014	June 2014	0%	
Completion of ministerial-initiated investigations in accordance with Minister’s direction.	100%	n/a	n/a	
Completion of Commissioner-initiated investigations in accordance with terms of reference.	100%	n/a	n/a	No Commissioner-initiated investigations were conducted in the 2013–14 financial year.
Completion of complaints-generated investigations in accordance with terms of reference.	100%	n/a	n/a	No complaints generated investigations were initiated in the 2013–14 financial year.
Reports on complaints about management of environment by Territory or territory agency.	June 2014	June 2014	0%	Two complaint reports delivered. Three further complaints investigated yet to be finalised.