

**Commissioner for the Environment
Australian Capital Territory**

Annual Report 2003–04

Australian Capital Territory Government



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

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ISSN 1322-8056

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TRANSMITTAL CERTIFICATE



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

ABN: 52 427 642 151

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

Dear Minister,

This Report has been prepared under section 5(1) of the *Annual Reports (Government Agencies) Act 2004* and in accordance with the requirements referred to in the Chief Minister's Annual Report Directions. It has been prepared in conformity with other legislation applicable to the preparation of the annual report by the Commissioner for the Environment, in particular the requirements of the *Commissioner for the Environment Act 1993*.

I hereby certify that the attached annual report is an honest and accurate account and that all material information on the operations of the Office of the Commissioner for the Environment during the period 1 July 2003 to 30 June 2004 has been included and that it complies with the Chief Minister's Annual Report Directions.

I also hereby certify that fraud prevention has been managed in accordance with the Public Sector Management Standard 1, Part 4.

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

Yours faithfully,

Rosemary Purdie
Commissioner
24 September 2004

TABLE OF CONTENTS

TRANSMITTAL CERTIFICATE	I
1 COMMISSIONER’S REVIEW	1
1.1 MAJOR ISSUES, CHALLENGES AND ACHIEVEMENTS FOR THE REPORTING YEAR	1
1.2 OVERVIEW OF PERFORMANCE AND FINANCIAL RESULTS	2
1.3 OUTLOOK FOR THE COMING YEAR	2
2 ROLE AND OVERALL PERFORMANCE.....	3
2.1 OVERVIEW	3
2.2 REPORT ON OVERALL AGENCY PERFORMANCE	3
<i>State of the environment reporting</i>	4
<i>Investigations</i>	6
<i>Special annual reporting requirements</i>	7
<i>Progress on implementation of recommendations from the 2000 SoE Report</i>	11
<i>Progress on implementation of recommendations from the 1997 SoE Report</i>	34
3. ORGANISATIONAL GOVERNANCE ARRANGEMENTS.....	40
3.1 INTERNAL ACCOUNTABILITY STRUCTURES AND PROCESSES	40
3.2 STRATEGIC AND ORGANISATIONAL PLANNING	40
3.3 RISK MANAGEMENT AND INTERNAL AUDIT ARRANGEMENTS	40
3.4 FRAUD PREVENTION ARRANGEMENTS	41
3.5 CULTURE AND VALUES	41
3.6 PROCUREMENT CONTRACTING PRINCIPLES AND PROCESSES.....	41
3.7 EXTERNAL SCRUTINY	41
4 FINANCIAL AND PERFORMANCE REPORTING.....	42
4.1 FINANCIAL RESULTS AND ANALYSIS OF FINANCIAL PERFORMANCE	42
4.2 CAPITAL WORKS MANAGEMENT	42
4.3 ASSET MANAGEMENT STRATEGY	42
4.4 GOVERNMENT CONTRACTUAL DEBTS (INTEREST).....	42
5. HUMAN RESOURCE PERFORMANCE.....	43
5.1 ANALYSIS OF HUMAN RESOURCE PERFORMANCE	43
<i>Agency staffing profile information</i>	43
5.2 WORKPLACE RELATIONS	43
5.3 WORKPLACE INJURY PREVENTION AND MANAGEMENT	44
<i>Workplace health and safety</i>	44
5.4 WORKPLACE DIVERSITY	44
5.5 LEARNING AND DEVELOPMENT	44
6. INFORMATION AND ACCESS.....	45
6.1 FREEDOM OF INFORMATION	45
6.2 PUBLIC INTEREST DISCLOSURE	46
6.3 TERRITORY RECORDS	46
7 COMMUNITY AND ENVIRONMENT.....	47
7.1 COMMUNITY ENGAGEMENT	47
7.2 COST-BENEFIT ANALYSIS OF BUSINESS REGULATION REFORM	47
7.3 COMMISSIONER FOR ENVIRONMENT REPORTING	47
7.4 ECOLOGICALLY SUSTAINABLE DEVELOPMENT	47
7.5 FUEL MANAGEMENT PLANS	49
7.6 ABORIGINAL AND TORRES STRAIT ISLANDER REPORTING	49
7.7 MULTICULTURAL FRAMEWORK	49
7.8 JUSTICE, OPTIONS AND PREVENTION POLICY FRAMEWORK.....	49
<i>Outcomes</i>	49
APPENDIX	50

FINANCIAL STATEMENTS	50
EXTERNAL SOURCES OF LABOUR AND SERVICES	50
<i>Construction-related activities</i>	50
STAFFING PROFILE	50
REPORTS BY AUDITOR-GENERAL	51
REPORTS BY THE OMBUDSMAN	51
LEGISLATIVE ASSEMBLY COMMITTEE INQUIRIES AND REPORTS	51
GOVERNMENT INQUIRIES AND REPORTS	51
LEGISLATION	51
REGULATORY ACTIVITIES	51
ADVISORY AND CONSULTATIVE BOARDS AND COMMITTEES	51
SERVICE PURCHASING ARRANGEMENTS/COMMUNITY GRANTS/ASSISTANCE/ SPONSORSHIP	51
OTHER SOURCES OF INFORMATION	52
<i>Publications</i>	52
GLOSSARY, ABBREVIATIONS AND ACRONYMS	53
INDEX	54
COMPLIANCE INDEX	56

LIST OF TABLES

Table 1. Recommendations from the 2003 State of the Environment Report for the ACT	9
Table 2. Summary of progress on implementation of recommendations from 2000 and 1997 SoE reports ...	10

LIST OF FIGURES

Figure 1. The Australian Capital Region for SoE reporting	5
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1 COMMISSIONER'S REVIEW

1.1 MAJOR ISSUES, CHALLENGES AND ACHIEVEMENTS FOR THE REPORTING YEAR

The major achievement for 2003–04 was completing the fifth State of the Environment report for the ACT. Although it was due by 31 December, it was presented to the Minister on 12 March 2004 and tabled in the Legislative Assembly on 31 March. Further details are contained in section 2.2.

It was also the year during which the inaugural Commissioner for the Environment, Dr Joe Baker, retired after almost 11 years as Commissioner.

In his *Annual Report 2002–03*, Dr Baker noted that in anticipation of his retirement he had earlier lobbied Environment ACT and the previous Minister for the Environment, Mr Bill Wood MLA, for an independent review of the functions of his office prior to the appointment of another commissioner. His reasons for the review were set out in the *Annual Report 2002–03*. Dr Baker committed the *Annual Report 2003–04* to reporting outcomes of that review.

The review of the functions of the Office of the Commissioner for the Environment commenced on 15 December 2003, and the consultant's report was completed on 31 January 2004. Dr Baker's appointment was extended from 31 December 2003 to 31 March 2004. In announcing Dr Baker's replacement on 18 May 2004, the Chief Minister noted that the government would afford the new Commissioner 'an opportunity to review the government's preliminary findings and provide input before the review is finalised'. I commenced as the new Commissioner on 10 June. This meant there was insufficient time for me to discuss the review with government before the end of the reporting period. I will therefore report on its outcomes in the 2004–05 annual report.

Due to my June starting date, this annual report is for a year during which Dr Baker was Commissioner for nine months, and for which there was no Commissioner for most of the remaining three months. During the latter period, the office continued to function very effectively under the experienced direction of the manager, Dr Helen Sims with the support of staff members and an in-house contractor. I commend their efforts during that difficult period and the support they have provided to me as incoming Commissioner.

In the forthcoming year I will be working closely with staff of this office and a range of Assembly members, government officers, representatives from the Australian Capital Region and with the community to establish a broad direction for the office. In the meantime, the office is proceeding with preparation of the third comprehensive Australian Capital Region State of the Environment report. The *2003 ACT State of the Environment Report* (2003 SoE Report) will form part of that regional report. The projected date for completion of the whole project is the end of June 2005.



1.2 OVERVIEW OF PERFORMANCE AND FINANCIAL RESULTS

State of the Environment (SoE) reports are the major output of the office. Each report includes recommendations. Twenty-four of the 25 recommendations in the *ACT 2000 State of the Environment Report* (2000 SoE Report) were 'agreed' by the ACT Government. Seven of those are considered to be implemented at 30 June 2004, as detailed in section 2.2 of this report. The ACT Government had not responded to the 25 recommendations in the 2003 SoE Report by the end of the financial year and hence it is not possible yet to judge the impact of that report.

1.3 OUTLOOK FOR THE COMING YEAR

Regional SoE reporting will be a key priority for my office during the coming year, building on previous cooperative work with regional local governments. Given the plethora of indicators now used or being developed under various forms of reporting to government, both in terms of the environment and sustainability, I also intend to give priority to clarifying the links between SoE and other forms of reporting to help ensure complementarity.

As incoming Commissioner I will focus initially on meeting with government and non-government stakeholders to help determine those issues to which my office will give priority over the coming year. This period will see government move into its implementation phase of *The Canberra Plan*, continue its fire recovery activities, and tackle significant resource issues such as water supply and management. I anticipate continued robust community debate about these and other issues. An important priority for my office will be as proactive as possible in providing advice to government on key environmental matters.

Strategic themes of *The Canberra Plan* have been addressed in recommendations made in previous SoE reports. It is my intention to keep track of implementation of those recommendations with a view to ensuring a viable and sustainable ACT.

Immediate issues facing my office in 2004–05 are the need to shift premises, the continuing challenges associated with running a small office effectively, and rising costs of basic office support functions. Some of these matters were addressed in the independent review of the office (see section 1.1), and I will be discussing them with the ACT Government.

2 ROLE AND OVERALL PERFORMANCE

2.1 OVERVIEW

The role of the Office of the Commissioner for the Environment is set out in the *Commissioner for the Environment Act 1993*. Our major functions are to:

- produce State of the Environment reports for the ACT
- investigate complaints from the community regarding the management of the environment by the ACT Government and/or its agencies
- conduct investigations as directed by the Minister
- initiate investigations into actions of an agency where those actions would have a substantial impact on the environment of the ACT
- make recommendations for consideration by government and include in our annual report the outcomes of those recommendations.

The mission of this office is ‘...to develop understanding of changes in the condition of the environment, and of the pressures that are changing that condition; to encourage responses or actions across all sectors of the community to progressively improve the environment, and to work towards ecological sustainability’.

Our customers are residents of the ACT and beyond. They include those who have an interest in the condition of the ACT environment, and people with a grievance about the way the ACT Government and its agencies are managing the Territory’s environment, where those grievances have not been resolved through other channels.

Our organisation is a very small one, with a part-time, independent Commissioner (equivalent to approximately eight days a month during 2003–04), assisted by two full-time permanent staff. Temporary staff are appointed cyclically for SoE reporting purposes. This is a resource-intensive exercise as new staff are repeatedly being trained in SoE reporting. It results in at least a three-month loss of productivity on each occasion, taking into account the new staff member and the supervisor’s time.

Because of the role of the Commissioner, office processes must, by their nature, be, and be seen to be, independent. However the size of the organisation means that the office is supported by a major agency (Department of Urban Services, through Environment ACT) for financial reporting and support, personnel delegations and support, and a range of other ACT Government initiatives. Details of these are provided in entries under chapter 3 (Organisational Governance Arrangements), chapter 4 (Financial and Performance Reporting), chapter 5 (Human Resource Performance) and chapter 7 (Community and Environment) in this report.

2.2 REPORT ON OVERALL PERFORMANCE

This section addresses key performance measures of the office: SoE reports, and investigation activities during the year.

Section 14(8) of the *Commissioner for the Environment Act 1993* also requires reporting of complaints received that did not proceed to a full investigation, and the reasons for their not doing so.

This section of the report complies with section 14(8) and also with the ‘special annual reporting requirements’ of section 20 of the Commissioner for the Environment Act. It notes any significant impacts on the environment during the year plus progress on implementation of recommendations from SoE reports and reports of investigations that were either directed by the Minister or initiated by the Commissioner.

State of the environment reporting

The ACT’s fifth SoE report for the three-year period 1 July 2000 to 30 June 2003 was the key performance measure for the year.

Following the completion of the 2000 SoE Report, the office had conducted an internal review of the reporting process—what worked, what didn’t. Among a range of comments and criticisms, two critical points were identified, namely the need to modify the environmental indicators which form the basis of the report, and to change the overall presentation of the executive summary.

The large number of indicators in the 2000 SoE Report had led to repetition, partly as a result of the way the ‘condition-pressure-response’ model had previously been implemented; this model is widely adopted for SoE reporting. As a result the environmental indicators were reorganised to reduce their total number while retaining all the necessary information for producing a SoE report. This led to a more streamlined report, although it did result in some confusion amongst ACT Government agencies because of perceptions that it would change the nature of the data required.

In response to the identified need for a more readable and attractive executive summary of the report, it was presented as eight separate documents in the 2003 SoE Report:

- six issues documents—‘Air Quality’, ‘Catchment Quality’, ‘Climate and Greenhouse’, ‘Conserving Biodiversity’, ‘Community Wellbeing’, and ‘Resource Use’
- ‘Key Findings’, which included 25 recommendations
- ‘Progress Towards Sustainability’, a higher-level assessment that applied the National Headline Sustainability Indicators to the local situation, supplemented by ten years of SoE reporting.

The 2003 SoE Report was not completed until March 2004 because some key datasets again proved difficult to obtain due to technical problems. This had a ‘knock-on’ effect on the ability to complete the report by 31 December 2003, which was exacerbated by entering the Christmas period in a year when staff of key agencies had been overwhelmed by the impacts of the January 2003 bushfires. It was simply unreasonable to expect feedback on the draft documents within the remaining timeframes.

While most indicator results are available on <<http://www.envcomm.act.gov.au>>, not all are. Delays are a result of resourcing issues after March 2004. Recommendations from the 2003 SoE Report are provided on page 9.

In February 2004 the Regional Leaders’ Forum agreed to the level of funding for the office to prepare the third SoE report for the Australian Capital Region (the Region), as shown in the accompanying map (Figure 1).

Since starting the *Australian Capital Region SoE Report 2000*, three more councils from the western side of the Region joined the Regional Leaders’ Forum—Cootamundra, Gundagai and Tumbarumba. The addition of these councils creates stronger links with the middle-Murrumbidgee catchment.

The NSW Government Boundaries Commission also revised council boundaries in February 2004. This affected almost half the councils in the Region—Queanbeyan and Goulburn City Councils and Cooma-Monaro, Yarrowlunla, Tallaganda, Mulwaree, Gunning, Yass, Crookwell and Tumut Shire Councils. The new council boundaries are shown in Figure 1.

These changes have significant implications for mapping and reporting resources that had previously been invested in SoE reporting for the Region, and for continuity of reporting against indicators in the next regional SoE report.

In the absence of an appointed Commissioner, the manager of the office initiated activities in April to commence preparation of the SoE reports for the councils. The first instalment for the cost of preparation was received from most councils before the end of the financial year.

Figure 1. The Australian Capital Region for SoE reporting



Investigations

No new investigations were commenced during the year. Although several complaints were received, none proceeded to full investigation.

s12(1)(a) (Investigations arising from complaints)

Complaints on hand at 1 July 2003	1
Complaints received in 2003–04	12
Number of investigations commenced	0
Number of investigations completed	0
Decision not to investigate	8
Decision to investigate pending as at 30 June 2004	5

New complaints—East O’Malley

The ACT Government’s decision on 6 May 2003 to auction land at East O’Malley in August 2003 was made public only five days after the *Draft ACT Lowland Woodland Conservation Strategy* had been released for public comment. That decision generated three complaints about the impending loss of endangered Yellow Box–Red Gum Grassy Woodland.¹

The auction had previously been deferred on the basis of a submission by the Commissioner, pending additional ecological work to underpin the *Draft ACT Lowland Woodland Conservation Strategy*. The Commissioner had been informed of processes and outcomes during the course of the development of the draft strategy. Such consultation ruled out the opportunity for a full investigation of the analysis involved in the preparation of the draft strategy.

In an email to the Chief Minister and Minister for the Environment, Dr Baker recommended the sale of the land be delayed to allow due public consultation process and allowing time for other aspects of complaints to be followed up. The ACT Government proceeded with the auction on 13 August 2003.

New complaints—Coolleman Ridge

During the year four residents and park carers of the Coolleman Ridge area complained to Dr Baker about aspects of Environment ACT’s fuel-management on the Ridge following the January 2003 bushfires. On 18 February 2004 Dr Baker met on-site with the disaffected residents, the Executive Director of Environment ACT and officers from that agency, and facilitated an arrangement that was more acceptable to the residents. The need for a full investigation was averted.

New complaints—Summernats

One complaint about noise and disturbance was received from a Watson resident following the January 2004 Summernats. This resident had not attempted to have his complaint addressed by Environment ACT, but several other residents had done so. The complaint was referred to Environment ACT which undertook to review the environmental authorisation.

¹ In the context of reporting the Commissioner’s response to complaints of a year earlier, the *Annual Report 2002–03* had reported the receipt of these three complaints early in 2003–04. However, I now note that one of those complaints was actually received on 13 June 2003—that is, in the last reporting period. It thus becomes a complaint on hand at 1 July 2003.

New complaints—Gungahlin Drive Extension

Towards the end of March 2004 five formal complaints were received about the proposed extension to Gungahlin Drive. Other members of the community emailed their support for these complaints. The concerns focused on the adequacy of the assessment of environmental impacts as well as on more general transport issues. Dr Baker met with some government officers and carried out a preliminary review of relevant material, mostly after he had formally retired as Commissioner. As I only commenced on 10 June, I was not in a position to decide by the end of the reporting period whether or not to proceed with a full investigation.

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

There were no directions from the Minister for the Environment during 2003–04 to conduct an investigation. There were no such investigations pending completion at the commencement of the reporting year.

s12(1)(c) (Commissioner-initiated investigations)

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

Special annual reporting requirements

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

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

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

In his *Annual Report 2002–03*, Dr Baker discontinued reporting against all previous ‘special reports’ that require reporting implementation of recommendations. Although a number of recommendations from his report *Progress Towards ‘No Waste by 2010’* were not implemented to his satisfaction, recommendations to maintain focus on the strategy were included in both the 2000 SoE Report and the 2003 SoE Report.

Readers of this annual report should also consult the Department of Urban Services Annual Report for the annexed report by the Agricultural and Veterinary (AgVet) Chemicals Coordination Network. This network resulted from Dr Baker’s 1998 investigation into the ACT Government’s use of chemicals for pest control.

Significant impacts on the environment

Drought conditions continued to operate during 2003–04, and affected both water use in the Territory, with ongoing water restrictions, as well as impacting on the regeneration of ecosystems in areas affected by the January 2003 bushfire.

Activities such as tree removal and fuel reduction burning, to mitigate the danger from falling trees post-fire and/or to minimize the perceived risk of wildfire in the 2004–05 summer, also affected some areas of the Territory.

Some areas of native vegetation, including the threatened Yellow Box–Red Gum Grassy Woodland, continued to be lost through urban or infrastructure development, and remained contentious with some sectors of the community.

Progress on implementation of recommendations from the 2003 SoE Report

Recommendations from the 2003 SoE Report are listed in Table 1. The ACT Government had yet to respond to these recommendations by the end of the 2003–04 year.

Progress on implementation of recommendations from earlier SoE reports

Table 2 provides a summary of progress on implementation of recommendations from the 2000 and 1997 SoE reports that were reported in the *Annual Report 2002–03*. Further comments for recommendations that have not yet been fully implemented are in the section following the table.

Because of the ongoing nature of many activities to progress the recommendations, I have identified those recommendations where future annual report updates will not be necessary but where relevant activities will be reviewed in future SoE reports. I have also identified those recommendations where future updates will be more appropriate under recommendations from the 2003 SoE Report.

Table 1. Recommendations from the 2003 State of the Environment Report for the ACT

Number	Recommendation
2003.1	use mobile air quality monitoring to measure and record air quality at busy intersections, near known point sources, and in other parts of Canberra that may be susceptible to high levels of airborne particles and other pollutants
2003.2	examine how indoor air quality may be monitored in the ACT
2003.3	promote and provide incentives for the use of low-emission vehicles by government agencies
2003.4	immediately develop and resource long-term research and monitoring programs of at least 30 years duration into post-fire recovery of terrestrial and aquatic components of natural and modified ecosystems as part of a joint program with other research providers in States affected by fire
2003.5	seek funding for the long-term research in Recommendation 2003.4 from the Commonwealth Government on the basis of the National Research Priority 'an environmentally sustainable Australia', announced in December 2002
2003.6	implement an appropriate post-fire works and management program to protect water supply catchment, aquatic habitat and nature conservation values of the upper Cotter River, Murrumbidgee and Molonglo River valleys, and their tributaries
2003.7	assess the contributions of existing ACT Government pest plant control programs to achieving pest plant control, biodiversity conservation, and catchment management objectives and, if appropriate, trial alternative programs
2003.8	undertake a catchment-by-catchment hydrological study of groundwater systems to assess water quality and quantity and its connectivity, spatial distribution and temporal variability
2003.9	extend existing policy and management plans to include extreme event scenarios
2003.10	adopt the six recommendations in the <i>ACT Greenhouse Strategy: 2002 Review of performance and options for the future</i> , released in March 2003
2003.11	put in place a reliable system for long-term uninterrupted weather monitoring in the ACT's water supply catchments
2003.12	ensure lower income groups have access to appropriate affordable housing
2003.13	implement programs aimed at reducing gaps in health outcomes for Aboriginal people
2003.14	assist support services and facilities to keep pace with the increasing demands of an ageing population
2003.15	increase professional development and employment opportunities for the young and disadvantaged
2003.16	improve access to support services and provide dedicated acute care, day and long-stay accommodation for children and adolescents with a mental illness
2003.17	implement the <i>Sustainable Transport Plan</i> 'principles for managing change' in <i>The Draft Canberra Spatial Plan</i> and manage parking to assist in achieving sustainable transport outcomes
2003.18	develop data records for Community Participation and Heritage that meet needs for reporting purposes, including State of the Environment and State of Heritage reports
2003.19	ensure that biodiversity conservation is always integral to ACT Government planning and management of landuse changes, post-fire recovery programs, and fire prevention programs such as fuel hazard reduction programs, expansion and management of the fire-trail network, creation of fire protection zones
2003.20	provide appropriate resources and support for improving the comprehensive, adequate and representative system of protected lowland woodland and grasslands in the ACT as outlined in the <i>Draft Lowland Woodland Conservation Strategy</i> (as detailed in the priority tasks of Table 6.2 of the Strategy), and for ongoing management of these ecosystems
2003.21	stimulate and reward innovations to minimise resource use identified in outcomes in <i>The Draft Canberra Spatial Plan</i> , <i>The Economic White Paper</i> , the <i>ACT Greenhouse Strategy: 2002 Review of performance and options for the future</i> , the 'No Waste by 2010' strategy and <i>Think water, act water</i>
2003.22	under section 158A of the <i>Environment Protection Act 1997</i> , report on the effectiveness of innovations implemented as a result of Recommendation 2003.21
2003.23	identify and implement those water use and efficiency initiatives which will yield the greatest environmental, social and economic benefits
2003.24	apply the revenue raised through the water abstraction charge directly to catchment management and water efficiency programs
2003.25	provide sufficient funding to achieve asset management standards for existing infrastructure; and ensure new infrastructure supports sustainable resource use

Table 2. Summary of progress on implementation of recommendations from 2000 and 1997 SoE reports

Recommendation	Summary of Topic	Summary of Progress on Implementation
2000.1	Funding for NEPM (PM ₁₀)	Fully implemented at 30 June 2003—no further follow up required
2000.2	Estimate fine particles (PM _{2.5})	Fully implemented at 30 June 2003—to be followed up in future SoE reports
2000.3	Reduction of wood smoke impact	Ongoing implementation—to be followed up in context of Recommendation 2003.1 in my next annual report and in future SoE reports
2000.4	Biannual report by sector on progress towards 2008 greenhouse gas targets	Not implemented—to be followed up in my next annual report, against Recommendation 2003.10 and in future SoE reports
2000.5	Verify status of native vegetation communities	Not fully implemented—to be followed up in my next annual report through action on Recommendation 2003.4. Progress towards Natural Resource Management targets to be followed up in future SoE reports
2000.6	Biodiversity conservation in ACT and Australian Capital Region	Ongoing implementation—to be followed up in my next annual report in the context of Recommendation 2003.20
2000.7	Promote job opportunities in private sector and/or sustainable industries	Ongoing implementation—to be followed up in my next annual report in the context of recommendations 2003.21 and 2003.22 and in future SoE reports
2000.8	Promote leadership in environmental education and management	Ongoing implementation—to be followed up in my next annual report in the context of recommendations 2003.21 and 2003.22
2000.9	Best environmental practice incentives scheme	Effectively implemented at 30 June 2004—associated activities to be reported in my next annual report in the context of recommendations 2003.21 and 2003.22
2000.10	Decrease crime rate	Fully implemented at 30 June 2003, though crime rate remains a critical component of SoE reporting on community wellbeing
2000.11	Plans to maintain quality of infrastructure assets	Not yet implemented—to be followed up in my next annual report and in the context of Recommendation 2003.25
2000.12	Re-invigorate the 'No Waste By 2010' strategy	Ongoing implementation—to be followed up in future SoE reports in the context of recommendations 2003.21 and 2000.22
2000.13	Investigate reporting on energy consumption	Fully implemented at 30 June 2004—no further follow up required
2000.14	Provision of data on soil condition (erosion, acidity, salinity)	Ongoing implementation—to be followed up in future SoE reports
2000.15	Monitoring of ACT groundwater levels	Not yet implemented—to be followed up in my next annual report in the context of Recommendation 2003.8
2000.16	Adequacy of environmental flows to protect aquatic ecosystems	Ongoing implementation—to be followed up in future SoE reports
2000.17	Review ACT water quality standards	Not yet implemented—to be followed up in my next annual report
2000.18	Procedures for builder compliance with sedimentation controls	Not yet implemented—to be followed up in my next annual report and in the next SoE report
2000.19	More water re-use and recycling and establish database for routine monitoring	Ongoing implementation—to be followed up in my next annual report in the context of Recommendation 2003.23, and in future SoE reports
2000.20	Baseline data for dioxin levels at Totalcare, Mitchell	Not implemented—to be followed up in my next annual report
2000.21	Spatial reporting of current fire regime against historical conditions	Implementation still progressing—to be followed up in my next annual report
2000.22	Research threats to native bird species in urban areas	Fully implemented at 30 June 2003—no further follow up required
2000.23	More detailed reporting and monitoring of target pest animals	Ongoing implementation—to be followed up in future SoE reports

Table 2. Summary of progress on implementation of recommendations... (continued)

Recommendation	Summary of Topic	Summary of Progress on Implementation
2000.24	Reduce greenhouse gas emissions from ACT Government activities and facilities	Effectively implemented at 30 June 2004—associated activities to be followed up in my next annual report in the context of recommendations 2003.3 and 2003.17, and also in future SoE reports
2000.25	Improve method to measure surface water quality	Partly implemented—to be followed up in my next annual report and developed for the next SoE report
97.1	Set dates for completion of responses to ACT SoE recommendations and publish them	Considered implemented at 30 June 2004—to be tested in my next annual report.
97.4	Development of an effective public transport system to encourage less private car use	Effectively implemented with completion of <i>The Sustainable Transport Plan</i> —further follow up in my next annual report in the context of Recommendation 2003.17.
97.5	Third air quality monitoring station at Belconnen	This recommendation is now superseded by Recommendation 2003.1 from the 2003 SoE Report
97.7	Ensure adequate funding for various nature conservation activities	Considered implemented 30 June 2003—no further action required
97.12	Improved coordination and support for community monitoring	Not yet implemented—to be followed up in my next annual report
97.16	Availability of UV monitoring data	Considered implemented 30 June 2003—no further action required
97.18	Finalise management plans and actions plans	Considered implemented 30 June 2003—no further action required

Progress on implementation of recommendations from the 2000 SoE Report

My comments in this section are confined to those recommendations that I believe have not been fully implemented. For this reason, recommendations 2000.1, 2000.10 and 2000.22 are excluded from the following discussion, as are many of the recommendations from the 1997 SoE Report in the subsequent section.

The descriptions of ‘Government action to 30 June 2004’ were provided by ACT Government agencies and they have not been substantially edited by this office.

Recommendation 2000.2

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

Government initial response, June 2001—Agreed

Government action to 30 June 2004

The ACT Government purchased and installed in the 2003–04 financial year an instrument to monitor particulate matter less than 2.5 microns (PM_{2.5}). PM_{2.5} is an excellent indicator of wood smoke, and data from this instrument, which is located at Monash, will provide valuable data as to the effectiveness of the ACT Government’s strategies.

Commissioner's comments

Fully implemented at 30 June 2003. Purchase of the new measuring equipment and the ability it provides the ACT Government to better monitor the effectiveness of its actions is very pleasing. There will be no need for further follow-up of this recommendation. Outdoor air quality will of course also be reported in the next SoE report for the ACT.

Recommendation 2000.3

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

Government initial response, June 2001—Agreed

Government action to 30 June 2004

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

The wood heater rebate scheme began on 1 January 2004. \$75,000 was available for subsidies in the 2003–04 year and \$100,000 is available in the 2004–05 financial year. The scheme has been over subscribed for the 2003–04 financial year with over 145 solid fuel heaters removed from service.

The ACT Government also purchased and installed in the 2003–04 financial year an instrument to monitor particulate matter less than 2.5 microns ($PM_{2.5}$). $PM_{2.5}$ is an excellent indicator of wood smoke and data from this instrument, which is located at Monash, will provide valuable data as to the effectiveness of the government's strategies.

In the 2004–05 financial year \$50,000 will be available to purchase additional instruments to measure particle pollution. It is envisaged that these instruments will be located in other areas of Canberra which are currently not monitored to enable the government to get a better understanding of the extent of wood smoke pollution.

Commissioner's comments

Ongoing implementation. The 2003 SoE Report reported '*It is hoped the new measures to be introduced will allow greater coverage of air quality monitoring across the ACT, especially in the north of Canberra. The lack of any north Canberra air quality data since the closure of the Belconnen monitoring site in June 1996 continues to be of concern.*'

Effectiveness of actions to reduce the impact of wood smoke will be reported in the next SoE report. My office will discuss with Environment ACT the sorts of data that will be useful for assessing effectiveness, for the purpose of SoE reporting.

No follow-up is required on this recommendation in the next annual report. However, Recommendation 2003.1 is relevant to monitoring and measuring air quality and will be reported on in my 2004–05 annual report.

Recommendation 2000.4

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

Government initial response, June 2001—Agreed

Government action to 30 June 2004

An independent review of the *ACT Greenhouse Strategy* was completed in May 2003. It concluded that the 2008 target will be extremely difficult to achieve.

A discussion paper on the *Review of the ACT Greenhouse Strategy* and the independent review were released for public comment in August 2003.

Implementation of greenhouse abatement programs contained in the 2000 *ACT Greenhouse Strategy* is continuing. This includes the ACT House Energy Ratings Scheme, home energy advisory service, solar hot water rebates, cavity wall insulation rebate, water efficient showerheads, energy performance contracts, eco-business program, ACT Government vehicle fleet energy efficiency program, and Greenfleet promotion.

On the 23 June 2004, Ms Tucker MLA and representative of the ACT Greens political party moved the following motion in the ACT Legislative Assembly:

That this Assembly calls on the Government to:

- (1) *reaffirm the Territory's commitment to meeting the Greenhouse Gas Reduction target of reducing net greenhouse emissions to 1990 levels by 2008, and reducing them by 20 per cent by 2018; and to this end;*
- (2) *commit to:*
 - (a) *introduce Greenhouse Benchmarks as a Retail Licence Condition for electricity retailers, in line with NSW;*
 - (b) *introduce a no-interest, low-interest or CPI-interest only loan scheme to facilitate house owners increasing the energy efficiency of their properties, and installing solar water heating, with particular attention to landlords;*
 - (c) *introduce an energy efficiency and water use rating system for commercial buildings, drawing on the best available Australian models;*
 - (d) *develop a program to retrofit current public housing to four star energy ratings in the short term, aiming for five stars in the medium term;*
 - (e) *introduce annual targets specifically for greenhouse emissions from transport in the ACT; and*
 - (f) *establish an additional dedicated position within Environment ACT (or other appropriate agency) to drive implementation of government targets and timelines for government agency reduction of greenhouse gas emissions.*

This motion was passed, with the support of Mr Brendan Smyth MLA, Ms Vicki Dunne MLA, Mr Steve Pratt MLA, Mr Bill Stefaniak MLA, Mr Greg Cornwell MLA and Ms Jacqui Burke MLA from the ACT Liberal Party; Ms Roslyn Dundas MLA from the Australian Democrats Party; and Ms Helen Cross, an Independent member.

The government opposed the motion.

The ACT Government is currently considering the implications of this motion. The cost of implementation is estimated at \$114 million dollars. The government is also concerned that the motion has no scientific basis and was passed with no community consultation and may have no community support.

Commissioner's comments

Not yet implemented. Despite considerable work being done in this area, in my assessment, government has not performed well in relation to this recommendation. The *ACT Greenhouse Strategy* originally stated the ACT Government's intention to report biannually on progress towards targets, by sector. Almost four years have passed since that commitment was made.

The 2003 SoE Report recommended that the ACT Government adopt the six recommendations in the *ACT Greenhouse Strategy: 2002 Review of performance and options for change* (see Recommendation 2003.10). I await a response to this recommendation.

Government's progress on its stated actions will be followed up in my annual report for 2004–05 against Recommendation 2003.10 from the 2003 SoE Report.

Recommendation 2000.5

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

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

Government initial response June 2001—Agreed

Government action to 30 June 2004

The *ACT Lowland Woodland Conservation Strategy* was completed in April 2004 and work has continued on the preparation of the *Draft Lowland Native Grassland Conservation Strategy*. These strategies identify threatening processes and provide directions for priorities for management.

Wildfires in the ACT 2003: Report on initial impacts on natural ecosystems was released in July 2003.

The *ACT Natural Resource Management Plan*, produced by the ACT Natural Resource Management Board and accredited by the ACT and Australian governments, was finalised in May 2004. The Plan sets a series of targets related to biodiversity including 'manage for biodiversity conservation, a minimum of 30 per cent of the pre-European extent of each vegetation community occurring in the ACT' and identifies a range of actions to achieve the targets. These targets and actions will guide the investment of Natural Heritage Trust funding in the ACT.

Commissioner's comments

Not fully implemented. This recommendation reflected the tentative assessment from the 2000 SoE Report that ecosystems other than the endangered Natural Temperate Grasslands and Yellow Box–Red Gum Grassy Woodlands had been highly cleared, modified or fragmented and may also be at risk.

Although it is different to the anticipated response, I fully support the approach taken by Environment ACT (reported in the last annual report) to revise the ecological communities jointly with NSW so they are more recognisable by a wider range of people. As the revised communities were still in draft form at 30 June 2004, it has not yet been possible to re-assess the status of extant communities. This is critical for biodiversity conservation in relation to both urban development and fire recovery and abatement activities, as well as in relation to achieving biodiversity targets under the *ACT Natural Resource Management Plan*.

Aspects of this recommendation will carry forward and be reported in the next annual report in relation to Recommendation 2003.4 from the 2003 SoE Report, and in future SoE reports.

Recommendation 2000.6

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

Government initial response, June 2001—Agreed

Government action to 30 June 2004

The previously announced addition of 1000 hectares of woodland to the ACT's nature reserve system has required the withdrawal of land under rural lease to establish the Goorooyaroo Nature Reserve. The Mugga Mugga Nature Reserve has been expanded by 62 hectares at East O'Malley, and another small area of woodland in the Tuggeranong Valley at Conder is also being added to the Canberra Nature Park.

The ACT Government has committed to adding native grassland in the Jerrabomberra Valley to the nature conservation estate—two reserves of about 200 hectares each.

The *ACT Lowland Woodland Conservation Strategy*, completed in April 2004, identifies off-reserve conservation as a particular focus for government and non-government activity. Implementation of the strategy commenced in 2003–04, with an allocation of \$1.67 million over four years.

In 2003–04 Land Management Agreements (LMAs) were completed for 29 new leases and two transfers. One lease has been transferred and, although the previous lessee's agreement is not enforceable, the lessee has agreed to accept the LMA. Environment ACT provides advice and assistance with weed and feral animal control, particularly in areas of high conservation value and lowland woodlands. Additional assistance has been given to find and utilise alternative areas for grazing for lessees impacted by the continuing drought.

The ACT Government has continued to provide grants from the Rural Conservation Fund to rural lessees to help protect native vegetation, waterways and wildlife habitat on their land.

Additionally, the Rural Recovery Project, delivered by Greening Australia, provided assistance totalling \$280,000 over two years (2002–03 and 2003–04) to fire-affected rural lessees for soil

stabilisation and native vegetation protection and enhancement. The on-ground outputs were 8,500 trees and shrubs, 20 kilometres of fencing, 48 kilometres of direct seeding and three soil conservation dams. Because of the drought conditions, the trees have not yet been planted.

The on-ground woodland planting activities as part of the implementation of the *ACT Lowland Woodland Conservation Strategy* were also deferred due to the drought conditions.

The government announced a new Threatened Species Recovery initiative that will support research priorities identified in ACT threatened species actions plans (*Nature Conservation Act 1980*) and ACT components of National Recovery Plans. The initiative will be implemented over four years beginning in 2004–05.

A network of Natural Resource Management facilitators and coordinators has been established through a joint ACT Government–Australian Government Natural Heritage Trust program. Its primary objective is to engage the community and support planning and on-ground natural resource management activities.

Commissioner's comments

Ongoing implementation. Biodiversity conservation in the ACT over the period 2000–03 was assessed in the ACT 2003 SoE Report. The assessment will be extended to the region in the Australian Capital Region SoE 2004 Report.

Recommendation 2003.20 from the 2003 SoE Report supported implementation of priority tasks in Table 6.2 of the *Draft Lowland Woodland Conservation Strategy*, which included off-reserve actions. I acknowledge that the Lowland Woodland Conservation Strategy has now been completed. I also acknowledge the range of activities that have been carried out over the past 12 months, including additions to the ACT's conservation reserve system, aimed to improve biodiversity conservation in the Territory.

This recommendation will be reported in next year's annual report through Recommendation 2003.20 against the relevant actions outlined in the table in section 6.2 of the final *Lowland Woodland Conservation Strategy*.

Recommendation 2000.7

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

Government initial response, June 2001—Agreed

Government action to 30 June 2004

The ACT Government's long-term economic development strategy was released in the form of a government White Paper on 3 December 2004. *The Economic White Paper* has clearly established sustainability as a key tenet of strategies to support economic growth and wealth creation.

The Economic White Paper is also a broad strategy to develop the knowledge economy; leveraging growth around imbedded information and intellectual capital, the Territory's strongest area of competitive advantage. At a sector level, *The Economic White Paper* has also

nominated nine knowledge-based industry sectors to receive targeted program assistance and policy support, which include the ACT's emerging environmental industry.

The Economic White Paper has also signalled a shift away from strategies to attract private sector companies to the ACT, and a renewed focus on developing the capability of resident ACT companies. This is being supported by a range of new program and policy initiatives articulated in the 47 Actions of the White Paper.

However, enterprise development programs will continue to be a core part of the ACT Government's business development strategy. The 2004–05 budget announced that \$14.4 million will be spent on business programs over the next four years. The government's centrepiece program, the Knowledge Fund, delivered \$4.49 million in grants to 53 organisations in 2003–04. A review of the Knowledge Fund focusing on the internal processes and administration has been undertaken. Recommendations from this review have been implemented. A longitudinal survey is currently being undertaken to evaluate the outcomes of the Knowledge Fund.

In September 2003, PJ Dawson and Associates were commissioned to undertake a review of the effectiveness of the Trade Development Program because of its low uptake and underutilisation. The review examined possible reasons for underutilisation, and possible ways of increasing uptake and effectiveness. However applications for the program increased by over 100 per cent before the review was completed.

Annual surveys of the government's Business Advisory Service clients have been undertaken to ascertain the levels of satisfaction in regard to the assistance provided by the service. In addition, in July 2003, an independent review of the service was undertaken by Acumen Alliance.

The ACT Government has also established a \$10 million commercial fund to attract additional private venture investment capital and commercialisation skills to the ACT.

Commissioner's comments

Ongoing implementation. Government's focus appears to be consistent with the thrust of this recommendation. Evaluation of the effectiveness of its programs is also highly appropriate. It is too early to comment on the effectiveness of strategies in *The Canberra Plan* and *The Economic White Paper*. Trends will need to be reviewed in the context of environmental and sustainability impacts for the next SoE report.

Government's response to this recommendation and any update of actions will be reported in my next annual report under related recommendations 2003.21 and 2003.22 from the 2003 SoE Report.

Recommendation 2000.8

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

Government initial response, June 2001—Agreed

Government action to 30 June 2004

The government's long-term economic development strategy was released in the form of a government White Paper on 3 December 2004. *The Economic White Paper* has clearly established sustainability as a key tenet of strategies to support economic growth and wealth creation.

The Economic White Paper is also a broad strategy to develop the knowledge economy; leveraging growth around imbedded information and intellectual capital, the Territory's strongest area of competitive advantage. At a sector level, *The Economic White Paper* has also nominated nine knowledge-based industry sectors to receive targeted program assistance and policy support. One of the nine is the ACT's emerging environmental industry.

The ACT Government is currently developing an Industry Development Strategy for ACT Environmental Industries. The strategies developed to grow this priority industry sector will be consistent with the existing policies and reports released by the ACT Government in regard to the environment and sustainability. This includes the Water Resources Strategy, *Think Water, act water*, the ACT Government's Sustainability Policy and the Commissioner for the Environment's reports.

The ACT Government has been active in using existing avenues, such as the Council of Education Export, the ACT Exporters Club and the Canberra Partnership Board to promote the ACT's strength in environmental management.

Furthermore the ACT Government is currently working with the Canberra Business Council's Environmental Taskforce to develop an ACT consortium to bid for upcoming events.

Commissioner's comments

Ongoing implementation. The range of activities being carried out is pleasing. However, as was the case for Recommendation 2000.7, it is too early to comment on the effectiveness of strategies in *The Canberra Plan* and *The Economic White Paper*. Information on the development of environmental industries and their contribution to the ACT economy should be available for inclusion in future SoE reports.

I anticipate that the ACT Government's response to recommendations 2003.21 and 2003.22 from the 2003 SoE Report and any update of actions may be relevant to Recommendation 2000.8 as well. Ongoing updates specifically against this recommendation should therefore be reported in my next annual report against recommendations 2003.21 and 2003.22.

Recommendation 2000.9

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

Government initial response, June 2001—Agreed

Government action to 30 June 2004

ACT NOWaste has established the No Waste Awards for excellence in waste reduction. The Awards are open to all schools, businesses, government departments and community organisations in the ACT, which have actively implemented waste minimisation initiatives. The inaugural No Waste Awards will be announced on 10 November 2004 as part of National Recycling Week and will become an annual event.

The No Waste Awards will not only encourage innovative solutions in waste reduction, but will also serve to promote innovative ideas which can be adopted by others. Case studies will be developed and promoted from award entrants that demonstrate best practice waste minimisation.

The awards will be judged against a number of criteria, including reduction in waste; innovation, creativity and originality of waste minimisation initiatives; comprehensiveness of the project; potential for broader use; and cost effectiveness.

In *Think water, act water* the government has committed to investigate the feasibility of establishing a fund to encourage innovation in water management. Complementary funding from the Commonwealth Government's Natural Heritage Trust and National Action Plan for Salinity and Water Quality and private industry partners will be sought.

The government's long-term economic development strategy was released in the form of a government White Paper on 3 December 2004. *The Economic White Paper* has clearly established sustainability as a key tenet of strategies to support economic growth and wealth creation.

The Economic White Paper is also a broad strategy to develop the knowledge economy; leveraging growth around imbedded information and intellection capital, the Territory's strongest area of competitive advantage. At a sector level, *The Economic White Paper* has also nominated nine knowledge-based industry sectors to receive targeted program assistance and policy support, including the ACT's emerging environmental industry.

The Economic White Paper also revamped and refinanced the suite of government business development programs. They will continue to provide targeted assistance to firms, particularly in areas such as environmental planning and the commercialisation of new environmental friendly processes. For example, one company that has received support through BusinessACT programs is now in the latter stages of commercialising its unique technology for the treatment and reuse of grey water.

In 2003–04, ACT NOWaste and Environment ACT partnered with the ACT and Region Chamber of Commerce and Industry to develop the Ecobusiness Program. The program delivers workshops for businesses seeking to improve their environmental and financial performance in the areas of waste management, energy efficiency and water efficiency. In May and June 2004, 33 businesses attended Ecobusiness workshops across the motor trades, small business, tourism and hospitality industries. The workshops are now moving from awareness raising to practical sessions such as focusing on drafting Environmental Management Plans for businesses.

The Ecobusiness Program will be further developed in 2004–05. For example, an awards component has been added to the program with the first awards being presented in November 2004. The program is also seeking to foster stronger partnerships with industry with Ecobusiness workshops being offered through business associations.

Commissioner's comments

Effectively implemented at 30 June 2004. While it is pleasing to note the ongoing activities, recommendations 2003.21 and 2003.22 from the 2003 SoE Report have a similar orientation to this recommendation. As my annual report for 2004–05 will address action taken in relation to the 2003 recommendations, I consider Recommendation 2000.9 to be effectively implemented.

Recommendation 2000.11

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

Government initial response, June 2001—Agreed

Government action to 30 June 2004

Agency Ownership Agreements include Agency Asset Management Plans. These plans provide varying levels of detail concerning the agency's asset portfolio, its asset management process and asset maintenance programs. These programs provide details of major maintenance issues and planned expenditure.

The Department of Urban Services has developed a Best Practice Guide for asset management to assist managers and staff to achieve asset management standards for existing infrastructure.

In 2004–05 the Property Forum, an inter-agency group established to coordinate ACT Government property matters, will coordinate the preparation of a comprehensive asset management report on the ACT's property assets.

Commissioner's comments

Not yet implemented. The Department of Urban Services *Best Practice Guide for Asset Management* was completed in November 2002. It seems from that document that this recommendation could readily be addressed under 'Major Maintenance Issues' in section 3 of each agency's Asset Management Plan.

Property ACT has indicated it will liaise with this office to ensure that the comprehensive asset management report addresses major concerns that generated this recommendation.

Recommendation 2003.25 from the 2003 SoE Report is separate from, but related to, this recommendation. Government's response to that recommendation and any update of action will also be reported in my next annual report.

Recommendation 2000.12

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

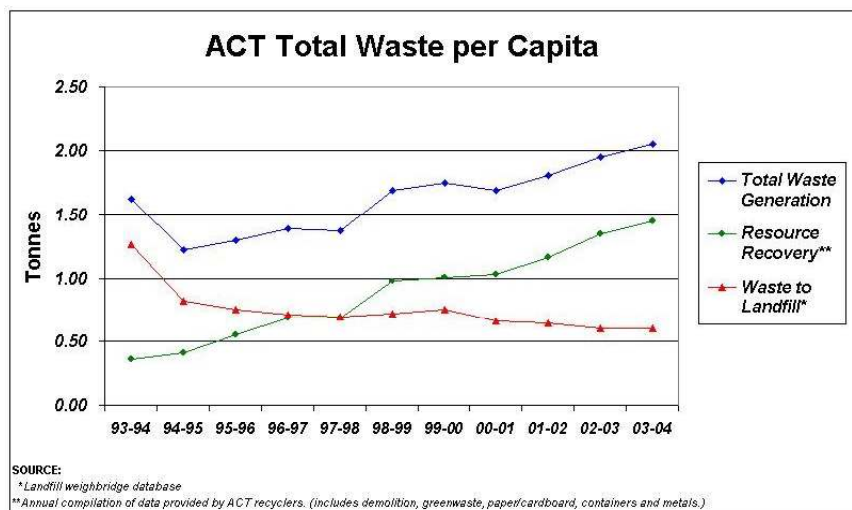
Government initial response, June 2001—Agreed

Government action to 30 June 2004

Major achievements during 2003–04 include:

- Implementation of the 'No Waste By 2010' strategy resulted in the recovery of 466,000 tonnes of material that would otherwise have been disposed to landfill. This represents a 69 per cent diversion of waste from landfill, and an increase in material recovered per person. It is an encouraging indicator of increased recycling and reuse of resources.
- ACT NOWaste was a finalist in the prestigious 2004 Banksia Environmental Awards.
- The Waste Wise Schools Program was introduced into over 100 ACT schools.
- Established the No Waste Awards for excellence in waste reduction. The Awards are open to all schools, businesses, government departments and community organisations in the ACT that have actively implemented waste minimisation initiatives.
- Initial infrastructure to provide access into the Hume Resource Recovery Estate was constructed with recycling businesses now being encouraged to make applications to establish within the Estate.
- A new Materials Recycling Facility (MRF) was constructed and opened in the first stage of the Hume Resource Recovery Estate. The new MRF has advanced sorting technologies to effectively separate an expanded range of co-mingled recyclable materials from the kerbside bins as well as from the commercial sector.
- Technologies for mixed waste processing were reviewed to enable selection and establishment of a suitable technology in Canberra subject to the outcome of the review of the 'No Waste by 2010' strategy.
- The waste pricing strategy, which is based on the principle that waste generators should pay the actual costs of waste disposal, was further implemented to help reduce waste disposal.
- The temporary disposal site at Stromlo, established for bushfire-damaged demolition waste following the January 2003 bushfires, was closed and appropriately remediated.
- Recycling at public events continued with ACT NOWaste working with event organisers to minimise waste generated at events.
- A range of educational and community service activities were conducted including Ecobusiness, composting workshops and Second-hand Sundays.

- Total waste per capita changed as shown in the graph below:



Commissioner's comments

Ongoing implementation. I acknowledge progress made in waste management over the last 12 months. Recommendations 2003.21 and 2003.22 from the 2003 SoE Report also address innovations to minimise resource use identified in outcomes in the 'No Waste by 2010' strategy and will be addressed in my next annual report.

Thus, while implementation is ongoing, no separate follow-up is required on this recommendation in the next annual report.

Recommendation 2000.13

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

Government initial response, June 2001—Agreed

Government action to 30 June 2004

The Independent Competition and Regulatory Commission's (Utilities) *Compliance and Performance Report for 2001–02* was released in January 2004. The report contained a range of environmental information that licensees are required to provide to the ICRC. As noted in the *Annual Report 2002–03*, there were problems with the information provided on greenhouse gas emissions and, as a result, the ICRC was unable to determine and compare the greenhouse gas emissions arising from the sale of electricity in the ACT for 2001–02. More detailed information will be provided in the ICRC's compliance and performance report for 2002–03, including information on greenhouse gas emissions.

The ICRC has commenced a review of its reporting arrangements for utilities, paying particular attention to the indicators currently used, and analysis and presentation of information. The current environmental reporting requirements will be considered in the context of this broader review.

The ICRC considers its current methodology for reporting greenhouse gas emissions adequate to its needs. For that reason, and to maintain consistency with the only other state requiring greenhouse gas emissions disclosure on customer accounts, the ICRC has decided not to change the reporting methodology at this time.

Commissioner's comments

Fully implemented at 30 June 2004. For the first time since 1995 the 2003 SoE Report was provided with data on gross electricity consumption. However, some data remain elusive, such as for consumption by sector and source (renewable and non-renewable). The Independent Competition and Regulatory Commission continues to improve on its reporting, but I recognise that some requirements for SoE reporting are beyond its charter under the Utilities Act.

I consider there is no need for further follow up of this recommendation, although reporting on energy consumption will no doubt continue to be contentious because of remaining difficulties with data availability. Gains since the 2000 SoE Report are considerable.

Recommendation 2000.14

That the ACT Government provides maps and supporting evidence on the extent of, and potential for:

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

Government initial response, June 2001—Agreed

Government action to 30 June 2004

The identification and remediation of soil erosion issues continued in 2003–04. These are described below.

The *Soil Conservation Priority Plan for Rural Areas of the ACT*—initially undertaken in 2001, was revised during the year in response to the impacts of the January 2003 bushfires. The new program has been presented to the affected rural lessees and rehabilitation works will commence in 2004–05. Options for funding the works identified are currently being considered. It is most likely that the program will be funded through a combination of sources including the Sustainable Catchments Capital Works project for 2004–05 and additional riparian management funding allocated in the 2004–05 ACT budget. It is intended for this information to be included into catchment scale maps. The ACT Rural Landcare Co-ordinator will be working with the relevant ACT catchment co-ordinators to collect the required information for inclusion into the maps. No additional funding will be required to undertake this project.

Cotter Catchment Priority Plan—a report on the priorities for stabilising the Cotter Water Supply catchment following the January 2003 bushfires was completed during the year, and most of the priority works identified have been completed. Although natural post-fire recovery has assisted in stabilising soils in most areas there remain a few areas where further works will be required. In addition storm events over the coming months and years may identify other areas where remedial action may be required. A copy of the report together with details of the works progressed to date has been provided to the Commissioner's office.

The *ACT Natural Resource Management Plan*—developed by the ACT Natural Resource Management Board and accredited by the ACT and Australian Government ministers, the plan outlines a range of targets and actions relating to soil health and salinity, including benchmarking soil acidity, determining the extent of known and potential salinity risk and setting groundcover targets. The targets outlined in the *ACT Natural Resource Management Plan* will guide investment, particularly of Natural Heritage Trust funding, to improve our knowledge of natural resource condition and our capacity to manage the resources.

The ACT has been successful in partnering with the Murrumbidgee, Lachlan and Murray catchment regions to obtain three year funding from the regional competitive allocation of the Natural Heritage Trust for the project ‘Healthy Soils Healthy Landscapes’. For the ACT this means access to field extension services and soil testing capability to establish, at the paddock scale, detailed benchmarks for soil chemistry as well as an assessment of the processes and trends at work in our landscape in relation to salinity and acid soils. The project will also work to build the capacity of rural lessees to understand the soils better and to be better informed about the impact of their land management actions on this fundamental resource.

Commissioner’s comments

Ongoing implementation. I acknowledge the activities carried out over the last 12 months relating to soil erosion issues, and completion of the *ACT Natural Resource Management Plan* which contains targets related to soil acidity and salinity and targets relevant to soil erosion. I will ask for regular updates in relation to progress under the *ACT Natural Resource Management Plan* and will expect some results in time for the next SoE report. Thus although action under this recommendation is ongoing, no follow up is required in my next annual report.

Recommendation 2000.15

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

Government initial response, June 2001—Disagreed

Government action to 30 June 2004

The pumping test in the Narrabundah–Symonston zone of the Jerrabomberra subcatchment has been running for approximately nine months and will continue for an additional three months to enable a complete dataset to be gathered. In addition to this study, desktop modelling studies have been undertaken for an additional eight subcatchments—Woden, Lake Burley Griffin, Lake Ginninderra, Weston, Coppins, Sullivans, Woolshed and Fyshwick. These studies were completed in June 2004 and the detailed resource management recommendations are currently being considered.

Commissioner’s comments

Not yet implemented. I note that government originally rejected this recommendation, although the 2003 SoE Report suggests it remains an important issue. The table in the ‘Progress Towards

Sustainability' chapter of that report indicated water use beyond 70 per cent of sustainable yield in several ACT subcatchments in 2002–03.

While desktop modelling studies provide an important framework for groundwater management, groundtruthing and monitoring are also essential. I will ask for results of these studies and their recommendations. I will also be keen to see water use in relation to sustainable yield in the *2003–04 Water Report* by Environment ACT.

In my next annual report follow-up against Recommendation 2000.15 should be reported under Recommendation 2003.8 which also relates to groundwater.

Recommendation 2000.16

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

Government initial response, June 2001—Agreed

Government action to 30 June 2004

The final report from the Co-operative Research Centre for Freshwater Ecology has recently been received and is currently being reviewed. Following this review the document will be finalised and made publicly available. The extensive monitoring undertaken as part of this report will provide the basis for recommendations to the Environment Protection Authority for environmental flow releases and will feed into the Environmental Flow Guideline review that is due to commence in late 2004.

Commissioner's comments

Ongoing implementation. Both the environmental flows and finalisation of the environmental flows report were affected by drought and fire. To date I have not been advised of recommendations made as a result of the technical meeting in June 2004. I will ask for an update and expect additional results in time for the next SoE report. No further reporting on this recommendation will be required in my next annual report.

Recommendation 2000.17

That the ACT Government reviews ACT water quality standards:

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

Government initial response, June 2001—Agreed

Government action to 30 June 2004

Temperature and total oxidised nitrogen are included in the ACT Water Quality Standards.

The review of the Environment Protection Regulations 1997 which contain the water quality standards is nearly complete.

Commissioner's comments

Not yet implemented. I note that the review of the Environment Protection Regulations 1997 is nearly complete. I have inspected the Water Quality Standards to see whether they have changed as a result of this recommendation. It is true that temperature and total oxidised nitrogen are included in the ACT Water Quality Standards (as they were at the time of writing the 2000 SoE Report). However, no changes have been made to either the value for temperature for primary contact recreation water quality (which remains unchanged at 15–35°C from when analysis for the 2000 SoE Report was conducted), nor to aquatic ecosystem maintenance (to include a value for total oxidised nitrogen). I will discuss with the EPA whether the concerns reflected in this recommendation are being addressed as part of the review of the regulations, and follow up this recommendation again in my next annual report.

Recommendation 2000.18

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

Government initial response, June 2001—Agreed

Government action to 30 June 2004

The ACT Government appointed an Industry Liaison Officer in December 2003. The Industry Liaison Officer is currently working closely with the Master Builders Association (MBA) and the Housing Industry Association (HIA) to develop guidelines and education material on sediment and erosion controls that are effective, simple to understand and have the backing of the development and building industries. They are specifically targeted at the level of the 'Single Building Site'. Positive messages on how environmental performance can be improved on building sites (Fact Sheets) will also include penalties for non-compliance. In addition the government is working with the MBA and HIA to have similar information periodically included in their respective publications.

Commissioner's comments

Not yet implemented. This recommendation appears to have been a low priority, particularly following the 2003 bushfires. However, while I acknowledge that more action appears to have been taken in 2003–04 than the previous year, the 2003 SoE Report indicated that water quality (to 30 June 2003) was still poorer in suburbs and catchments where development is focused. Water quality in these catchments will be closely reviewed in this context in the next SoE report as it could give an indication of the effectiveness of measures taken against this recommendation. Given the ongoing building activity in the ACT, this recommendation also warrants follow up in my next annual report.

Recommendation 2000.19

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

Government initial response, June 2001—Agreed

Government action to 30 June 2004

The process for implementation of the North Canberra Water Reuse Scheme from the Fyshwick Sewage Treatment Plant has been finalised, and ACTEW has commissioned it. This second stage of the scheme increases wastewater reuse in the ACT from 7.5 per cent to nine per cent. Further expansion of the scheme into South Canberra, particularly the Parliamentary Triangle, is being considered.

Think Water, act water identifies a range of possible future initiatives for increasing water reuse including:

- developing guidelines for the use of domestic greywater and including information in community awareness programs
- investigating the potential for the sustainable use of reclaimed water. Outcomes of the investigation may be adopted through mechanisms such as changes to urban design or modification to licensing of discharges from point sources
- requiring any government buildings (built or procured) to incorporate possible features to maximise efficiency of water use and reduce demand on mains water through the use of alternative supplies, such as stormwater, rainwater and reclaimed water.

Commissioner's comments

Ongoing implementation. Although targets for water reuse have been identified, mechanisms have not been confirmed. Implementation of *Think Water, act water* and the effectiveness of any water reuse on overall consumption will need to be critically reviewed for the next SoE report.

I will review this recommendation in the 2004–05 annual report in the context of Recommendation 2003.23 in the 2003 SoE Report which also relates to water use efficiency.

Recommendation 2000.20

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

Government initial response, June 2001—Agreed

Government action to 30 June 2004

The data collection phase of the National Dioxins Program (NDP) is now complete. The reports show that levels of dioxins in Australia are amongst the lowest in the world.

The soils study found that dioxins from urban and industrial locations are substantially higher than levels in agricultural and remote location soils. The study also found that there was not a significant difference in the concentration of dioxin like chemicals between samples collected at urban/residential locations and those that were collected in industrial parts of cities.

Three soil samples were collected in the ACT from urban, agricultural and remote landuses. The levels recorded in the ACT were some of the lowest for the study.

Table: Study results (pg TEQ g/dm)

Landuse	National Maximum	National Minimum	National Median	ACT Results
Urban	43 ¹	0.17	3.6	1.0
Agricultural	4.3	0.031	0.21	0.031
Remote	5.2	0.041	0.24	0.059
Industrial	11	0.13	2.2	- ²

1. This result was for Hobart. Given the high reading the sample was reanalysed with a result of 1.5. The second highest reading was 9.8 in Sydney.

2. Industrial soil samples were collected under the NDP from areas dominated by industry. Whilst the ACT contains industrial land, these areas are only dominated by general and light industry and fall outside the scope of the NDP. Sampling was also undertaken so as not to target any specific industry.

It should be noted that the study examined background levels and did not target specific point sources, such as the Totalcare facility. In relation to site contamination it is ACT Government policy, consistent with the contaminated sites NEPM, to only investigate a specific site when there is a proposed change to more sensitive land use unless there is risk to human health or the environment.

The results of the NDP studies show the levels of dioxins in our food, our bodies and the environment are low compared to international standards, which shows the risks to human health and the environment are low.

Even if samples were collected from areas close to the Totalcare facility it would be impossible to determine the extent to which the former medical waste incinerator has contributed to soil dioxin levels in Mitchell given the emission of other significant anthropogenic sources such as emissions from wood heating, bushfires, motor vehicles, the crematorium and oil combustion.

Copies of the technical reports can be found at:

<<http://www.deh.gov.au/industry/chemicals/dioxins>>

The ACT Government is committed to protecting the environment and will work with the Australian and State governments to formulate a range of actions to keep the level of dioxins in the environment low.

Commissioner's comments

Not implemented. This recommendation appears to have gone nowhere in over four years, largely because action depended on sampling for the National Dioxins Program, which has not delivered relevant results. It appears that when the report to 30 June 2003 was prepared it was already known that there was no sample taken for industrial land in the ACT.

The 'update' now seems to imply that there is little point in testing for dioxin levels in the soils near the former medical waste incinerator because of the generally low levels both in the ACT and in Australia generally, and also because of the inability to identify causal effects if dioxin levels were found.

As incoming Commissioner, I understand that the Totalcare incinerator has not operated for some time now and the replacement clinical waste treatment is claimed to not generate dioxins. I am concerned, however, that this may remain a potential issue. I would appreciate an assurance

that a system is in place for testing for possible land contamination, if there were to be a change in land use on or near the site in the future and will report on this recommendation again in my 2004–05 annual report.

Recommendation 2000.21

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

Government initial response, June 2001—Agreed

Government action to 30 June 2004

Following recommendations of the *McLeod Inquiry into the Operational Response to the January 2003 Bushfire*, there has been a significant review of fire management planning in the ACT.

These changes have resulted in a revocation of the *Bushfires Act 1936* and the commencement of the *Emergency Services Act* as of 1 July 2004. This Act has provided for the development of a *Strategic Bushfire Management Plan* that covers all lands in the ACT. The preparation of the *Strategic Bushfire Management Plan* and the associated Operational Plans under the new Act will encompass many of the requirements of the proposed *Fire Management Plan for Namadgi National Park*.

In addition, a review of the *Namadgi Plan of Management* is under way by Environment ACT and has identified fire management as a major issue. The draft plan currently being prepared has reviewed fire management practices in the park and will identify strategies for future management. It is critical the policy and strategies of the *Strategic Bushfire Management Plan* remain consistent with the development of this plan.

Actions that are currently in progress (or completed) for the development of these plans and which are consistent with the outcomes identified in previous reports to the Commissioner are:

A detailed study of the vegetation in Namadgi National Park, consisting of extensive field assessment to define community and ecosystems (based on classifications used for Comprehensive Regional Assessment mapping in NSW but refined for the ACT) and integration of data in spatial databases (using mapping units equivalent to the National Vegetation Information System (NVIS) level VI).

As part of this process, the fire response of vegetation communities and individual species is also being assessed which will be integrated into spatial databases. This information will be used to derive fire frequency intervals for separate communities and ecosystems.

A process of risk analysis consistent with AS 43600:1999 has commenced to provide a quantitative analysis of bushfire risk in the ACT. In preparing this analysis, a review of underlying data is being undertaken, including fire history and ignition.

A program of fuel assessment was undertaken in Namadgi National Park and other reserves in 2004. The assessment program developed encompasses permanent assessment points and will be continued.

In preparing the draft *Namadgi Plan of Management* and the *Strategic Bushfire Management Plan*, a detailed review of fire management zoning will be undertaken. This zoning has expanded

upon the zoning identified in the *2002–04 Bushfire Fuel Management Plan* and encompasses fuel hazard assessment, risk analysis, operational parameter and the fire response of communities and ecosystems.

Other activities commenced in 2004 to assist in the preparation of the *Strategic Bushfire Management Plan* and the *Namadgi Plan of Management* include:

- A study of the impacts of the January 2003 fires on the flora and fauna in the ACT has been completed as reported in *Wildfires in the ACT 2003: Report on initial impacts on natural ecosystems*. A foundation for long term monitoring of post-fire response and recovery of vegetation in the ACT has been developed. Field surveys have commenced in Namadgi National Park and established aquatic monitoring programs are being continued. Links with other agencies, particularly through the Australian Alps Agreement are being reinforced.
- A review of fire management practices in national parks in other jurisdictions in Australia is underway.
- A review of the ecological effects of prescribed burning in ACT vegetation communities is underway.
- A review of the impacts and implications of severe fire events in Australia is underway.
- A review of the impacts of fire hydrological values is underway.
- The development of guidelines for fuel management activities is underway.
- Development of policies and guidelines relating to access for fire management, approval processes for undertaking fire management activities and the monitoring and reporting of fire management activities.

The above activities have involved a significant level of consultation to date. Internal consultation with the ACT Government is ongoing and includes Environment ACT, other agencies within the Department of Urban Services, and the Emergency Services Authority. External consultation of many key stakeholders is also progressing through the development of the *Namadgi Plan of Management* and the *Strategic Bushfire Management Plan*.

In the period 2004–05, a draft plan of management and *Strategic Bushfire Management Plan* will be released for public consultation and comment. It is intended these documents be finalised within this period.

Commissioner's comments

Implementation still progressing. I acknowledge the effort that has gone into fire management and planning since the January 2003 bushfire. Planning for bushfire management will no doubt continue for some time, and I intend to be proactive in providing advice to relevant bodies.

In my next annual report I will assess the degree to which ecological aspects of fire regimes are taken into account in government fire policies and documents (such as the *Strategic Bushfire Management Plan* and operational plans) and to what extent they address the various ecosystem types present in the ACT.

Recommendation 2000.23

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

Government initial response, June 2001—Agreed

Government action to 30 June 2004

An annual control program to implement the *ACT Vertebrate Pest Strategy* was prepared. The key priorities included in the 2003–04 program included measures for wild dogs, the development and implementation of the Feral Horse Management Plan, and feral pig and fox control.

Surveys of relative rabbit abundance continues with rabbit transect counts conducted at least annually in Namadgi National Park, Googong Foreshores and Tidbinbilla Nature Reserve. Fox and cat numbers are recorded in transect counts. The combination of RCD [Rabbit Calicivirus Disease] (now RHD Rabbit Haemorrhagic Disease), myxomatosis and harbour destruction activities by park staff is thought to have contributed to a general decline in rabbit populations in the ACT. Studies conducted by CSIRO indicate that this trend is likely to contribute to a reduction in feral cat populations. It is desirable for transects counts to occur more frequently than the current level, however, this needs to be considered in the context of other management priorities and resource allocation.

In recent years there have been indications that the rabbit population in some areas subjected to long-term fox control have declined in contrast to the expected outcome of rabbits increasing when foxes were removed. It is not known whether this trend is statistically significant or related to the more effective transmission of RHD possible in the absence of foxes. Further work is planned to determine the significance of this trend and implications for future predator control.

Results from DNA samples of wild dogs captured by the Environment ACT vertebrate pest controller indicates that approximately 20 per cent of wild dogs captured at the rural reserve interface are dingos according to the genetic markers used, with the remainder mostly hybrid dogs. The implication of this research is that it is unlikely that conservation of a pure dingo population within Namadgi National Park is a viable management objective. However, regardless of their genetic origin the important ecological role performed by wild dogs within the park must continue to be acknowledged and a balance struck between livestock protection along the interface and ecosystem function within the remainder of the park. In recent years the park has adopted a zoning approach that identifies the primary objectives for wild dog management as being for either livestock protection or wildlife management. Records kept of sheep deaths due to predation indicate that the program is contributing to reduced losses.

Monitoring of wild dog activity in the ACT continues to be disrupted as a result of ongoing rehabilitation activities as a result of the January 2003 bushfires. Sand pads will not be re-established within the park until the phase of grading and restoration of the road network is completed. It is anticipated that monitoring will be possible in 2004–05 and will be co-ordinated with efforts being undertaken in adjacent areas of NSW.

The ACT Government is working with adjacent NSW land managers to develop co-operative wild dog control plans. These plans will assist in determining primary areas for controlling wild dogs, whilst still retaining wild dog populations within core areas of national park. These plans are due for completion in spring 2004.

Namadgi National Park is contributing to a research project being undertaken across the Australian Alps to determine the effectiveness of synthetic attractants added to predator baits, both in terms of improving visitation to bait stations by target animals, and limiting non-target interest. This research may also benefit a separate research project currently being undertaken to develop a canid specific toxin.

In cooperation with the Pest Animal Control Co-operative Research Centre (CRC) remote sensor cameras were placed in numerous areas of Namadgi National Park in May 2004 as part of the annual feral pig control program to monitor the impact of baiting practices on both target and non target animals visiting bait stations. The results of monitoring indicate that whilst feral pigs are frequent visitors to the bait stations there are some other non target animals that may also be consuming poisoned baits, although it is not known whether sufficient quantities of poisoned bait are being taken to cause injury or death to these animals. Further work with the CRC is planned for 2005, including the trial of new bait substrates and toxins.

Monitoring of feral pig impact and abundance indicate that the program conducted is very effective. However, there is some doubt over the ability of Environment ACT to continue with the current program due to greater restrictions on the use of the toxin (warfarin) used. It is therefore be important to consider alternative control strategies.

Monitoring undertaken over the past few years has provided confirmation of the presence of spotted tailed quolls within Namadgi National Park. This has some implication for the way in which predator control programs will need to be undertaken in some areas of the park in future to ensure that these animals are not adversely impacted.

The government implemented the Feral Horse Management Plan which outlines a range of strategies for managing the impact of feral horses within the Namadgi National Park including, fencing to prevent horses entering the park and the humane removal or destruction of feral horses from sensitive areas of the park. To date, it has been necessary to shoot four feral horses in an ecologically sensitive, yet inaccessible, area of Namadgi National Park within the ACT water catchment. Monitoring of a larger mob of feral horses in another area of Namadgi National park, close to the NSW border will continue.

Commissioner's comments

Ongoing implementation. While acknowledging the activity reported here to monitor and control feral animals, there appears to be little reporting on the impacts of the animals. The 2003 SoE Report commented that *'data on the extent and density of pest plants and animals are still not able to be provided in a way that allows assessment of their impacts – ecologically, economically and socially'*.

I do not wish to follow up actions in relation to this recommendation in future annual reports, but will work with Environment ACT to ensure more appropriate data for the next SoE report.

Recommendation 2000.24

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

Government initial response, June 2001—Agreed

Government action to 30 June 2004

The report on energy use in ACT Government operations for 2002–03 has been completed. Total energy consumption (buildings, infrastructure and transport) was 1,239,093 gigajoules with associated greenhouse gas emissions of 173,041 tonnes. Buildings consumed 56 per cent of this energy, 32 per cent was used in transport and 11 per cent for street and traffic lights. The 2002-03 report is more comprehensive than the earlier data collected for 1999–2000, and some departments have been restructured during this time. It is therefore not possible to directly compare the two sets of data. However, energy consumption for similar government functions between 1999–2000 and 2002–03 has decreased by four per cent.

A number of government agencies have undertaken various energy management initiatives in recent years as part of minor capital works and maintenance programs, e.g. more efficient lighting, upgraded water and space heating systems and power factor correction. The 2004 Budget contained an allocation of \$150,000 to undertake energy audits of government buildings to identify future energy efficiency projects.

In relation to transport, the ACT Government is in the process of leasing 25 Toyota Prius petrol-electric vehicles on a trial basis. The ACT Government has also signed up the whole passenger vehicle fleet of 1100 cars to Greenfleet, which will plant sufficient trees to offset the annual greenhouse emissions of these vehicles. ACTION has committed to purchasing 42 CNG [Compressed Natural Gas] buses over the next two years. Nine of these vehicles are already in service.

Commissioner's comments

Effectively implemented at 30 June 2004. It is very encouraging to find that a system is in place for ongoing monitoring of energy use in ACT Government operations. However, a way must be found to compare use over time given that restructuring of government departments seems to be inevitable.

Comments about transport are also relevant to Recommendation 2003.3 (incentives to use low-emission vehicles by government agencies) and Recommendation 2003.17 (implement *Draft Sustainable Transport Plan* 'principles for managing change') in the 2003 SoE Report and should be followed up in my next annual report under those recommendations. Government's role as a model for reducing greenhouse gases will also continue to be reported in future SoE reports. For these reasons I consider that for reporting purposes, this recommendation has been effectively implemented.

Recommendation 2000.25

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

Government initial response, June 2001—Agreed

Government action to 30 June 2004

As reported in June 2003 quality monitoring for surface waters in the Rivers and Lakes program currently includes physico-chemical parameters, whilst stream flow monitoring is part of our hydrographics contract. Habitat assessment is undertaken through the macroinvertebrate monitoring program. In 2003–04 sediment load monitoring has been undertaken as part of a separate contract in the water supply catchments.

The government has commenced a review of the *ACT Water Report*, which will include a review of current parameters monitored and associated quality monitoring contracts.

Commissioner's comments

Partly implemented. While acknowledging the monitoring that is now done, it appears that the integration of the measurements has been overlooked in the ACT Government's reported actions to implement this recommendation.

I would like to be able to gain a total picture of aquatic ecological health rather than reporting on different aspects of condition at different locations, so will follow this up in my next annual report.

I have asked to have input into the review of the structure and content of ACT Water Reports, as I am keen to be able to use that work more effectively to assist with SoE reporting.

Progress on implementation of recommendations from the 1997 SoE Report**Recommendation 97.1**

That dates be set for completion of all relevant legislation and actions, as identified in the Government's Response to the ACT State of the Environment Report 1995 and implementation during 1996–97, and that those dates be published at the time of the Government's response to 1997 SoE Report

Government action to 30 June 2004

Following further discussions with the Commissioner for the Environment, it was agreed that tracking of the implementation of the Commissioner's recommendations will be incorporated into the Integrated Nature Conservation Plan tool developed by Environment ACT.

This online tool allows for linking of statutory and other natural resource management plans with actions taken to implement them, presented in both text and spatial formats. Implementation reports can be generated at any time. Incorporation of SoE reporting in this system, where

implementation dates and programs are specified will allow for greater transparency as well as effectively integrating this reporting with environmental planning and management for the Territory.

Commissioner's comments

Considered implemented at 30 June 2004. I understand the difficulties experienced by the former Commissioner in relation to monitoring and reporting on implementation of his recommendations.

The Integrated Nature Conservation Plan (INCP) tool is an important development for tracking implementation of management plans and it should be possible to adapt it for reporting on SoE recommendations. I am keen to see whether it increases accountability of government agencies responsible for implementing SoE recommendations.

I will liaise with Environment ACT to have recommendations from the 2003 SoE Report included in the INCP and tracked for reporting in the 2004–05 annual report.

At this stage I am inclined to discontinue reporting on implementation of this recommendation, as it appears there may be a solution.

Recommendation 97.4

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

Government action to 30 June 2004

The ACT Government released *The Sustainable Transport Plan* on 30 April 2004.

The Sustainable Transport Plan (the Plan) provides the direction and actions to maintain the high levels of accessibility of Canberra and at the same time achieve a shift towards a more sustainable transport system over the next 20 to 30 years. With this Plan, Canberra will achieve a transport system that has lower overall costs, particularly lower greenhouse gas emissions, lower air pollution, reduced accidents and lower health costs, and more transport options for the community. The proposed transport system will also support the achievement of the economic and social goals for Canberra as outlined in *The Canberra Plan*. Key elements of the Plan feature in *The Canberra Spatial Plan*, and complement the ACT Government's Sustainability Framework² and the *ACT Greenhouse Strategy*. The Plan also helps deliver on the nationally adopted Charter for Integrated Transport and Land Use Planning.

The Plan is based on a comprehensive analysis of transport issues and options from a number of studies undertaken by consultants for the Department of Urban Services (DUS) and the ACT Planning and Land Authority (ACTPLA). The three main studies are the ACT Transport Costing Study, The ACT Transport Demand Elasticities Study and The Public Transport Futures Feasibility Study.

The Plan was prepared in conjunction with *The Canberra Plan* and, in particular, *The Canberra Spatial Plan*, to ensure integration between transport and landuse planning for Canberra and to

² This may refer to the publication *People Place Prosperity: a policy for sustainability in the ACT*.

facilitate an integrated community consultation process. The release of the final Plan closely followed the release of *The Canberra Plan* and *The Canberra Spatial Plan*.

The Plan process also involved significant community consultation. A *Transport Issues Paper* was released in June 2003 providing a background paper for the Transport Summit held on 11 June 2003. At this summit, the main issue raised by the community was the desirability of increasing densities in and around key transport nodes and corridors to improve accessibility and support public transport. This has been addressed both in *The Sustainable Transport Plan* and *The Canberra Spatial Plan*.

The final Plan included comments from the community on the *Draft Sustainable Transport Plan* that was released in December 2003. Twenty-six organisations or individuals submitted comments.

A major thrust of the Plan is the progressive improvement of the public transport system so that it becomes a more attractive and viable alternative for many people and for many trips. As congestion on the roads increases, the improved public transport system will accommodate more of the demand with a lowering of greenhouse gas emissions, lower air pollution, reduced accidents and lower health costs compared with a continuation of the current modal balance. A major initiative proposed for improving the public transport system is the development of busways on all trunk routes. These busways will be a combination of exclusive bus roadways, exclusive bus lanes, transit lanes and buses sharing with cars along with bus priority measures at traffic signals and intersections. Implementation of the busways will initially be for projects on the major routes with a long-term goal of having a busway system across the whole of Canberra in future. This system will reserve the corridors for public transport and allow for future technologies such as light rail or driverless vehicles in future if these are justified.

Other improvements proposed for the public transport system are real time information systems (which are shown to improve patronage by between 10 and 30 per cent in other cities), new interchanges, and park and ride facilities.

Walking and cycling are encouraged through the development of better infrastructure and policies to ensure that Civic, the town centres and suburban areas are planned to facilitate these modes. A key issue in the implementation of these measures is to address the safety and fear issues. In turn more walking and cycling will help encourage community safety through more people being active in their neighbourhoods.

Other key policies to support the achievement of the Plan are the management of parking and the implementation of walking, cycling and public transport use. This approach for parking management has been very successful in the ACT and other places.

The implementation of these initiatives and strategies will require funding from the ACT Government for capital and ongoing maintenance. It is clearly important that the release of the Plan is supported by investment in the proposed initiatives to continue on the momentum of the Plan process. The ACT Government is providing some immediate funding of about \$11 million through the 2004–05 Budget to progress the major priorities identified in the Plan.

The initiatives identified in the Plan are a comprehensive package of complementary measures designed to have maximum impact in achieving a shift towards a more sustainable transport system.

The measures are a combination of ‘soft’ measures like TravelSmart, better information systems and changes to parking policies as well as ‘hard’ measures such as bus priority measures, new

bus interchanges and cycling and walking paths. This package will create real synergy by improving walking, cycling and public transport opportunities as well as providing the community with better information and encouragement to use these modes—changing both the reality and the perception of sustainable transport choices.

The analysis behind the Plan shows that the resulting system will have a positive net benefit, including environmental benefits, (after costs are taken into account) for the community.

The construction of busways from Civic to the town centres will develop the dedicated corridors for public transport that will improve travel times and reliability as the city grows. These projects will also demonstrate the ACT Government's commitment to public transport and will encourage greater use of the public transport systems and development activity in areas that are well served by public transport. Real time information systems in other cities have achieved increases in public transport patronage of between 10 and 30 per cent and TravelSmart programs have achieved shifts of 10 per cent or more to alternative travel modes. Both are very cost-effective measures.

To achieve the Plan's goals there is also a need for consistent government investment over many years. The Plan provides the framework for this investment.

In addition to the release of *The Sustainable Transport Plan*, during 2003–04, the ACT Government initiated a study of strategic parking issues. This study will make recommendations about strategies and policies for the management of parking to support the development of centres in the ACT as well as to support the achievement of the goals of *The Sustainable Transport Plan*.

In 2003–04, the ACT Government also funded:

- a Master Plan for the trunk cycle network for the ACT
- the implementation of a transport information database to assist future transport planning
- the development of the transport modelling capability of ACTPLA to facilitate future transport planning, particularly for the Central Area of Canberra and the proposed Molonglo area
- TravelSmart projects designed to encourage households and workers to make greater use of walking, cycling and public transport.

Commissioner's comments

With the release of *The Sustainable Transport Plan* and commencement of implementation, there is little point in continuing with commenting on implementation of this recommendation.

The Sustainable Transport Plan and its associated planning documents were in draft form at the time of writing the 2003 SoE Report. Recommendation 2003.17 was made in support of that draft Plan's 'principles for managing change' to assist in achieving sustainable transport outcomes. I will be following up implementation of that recommendation in the 2004–05 annual report.

Recommendation 97.5

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

Government action to 30 June 2004

See 'Government action to 30 June 2004' under Recommendation 2000.3.

Commissioner's comments

Government had previously indicated that the expense of a new air monitoring facility is not warranted. However, with regular ambient air quality monitoring being done only at Monash (the official NEPM station) and Civic, there is every chance that there are locations within Canberra where poor air quality exists, particularly at times when particles from wood smoke or motor vehicles become trapped.

The purchase of mobile air quality instrumentation makes it possible to test additional sites (see Recommendation 2003.1 from the 2003 SoE Report and also my comments under Recommendation 2000.3). There will be no further follow up of this particular recommendation, but the ACT Government's response to Recommendation 2003.1 will be reported in my 2004–05 annual report.

Recommendation 97.12

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

Government action to 30 June 2004

The ACT Government, in partnership with the community, intends on expanding its existing database system, the Integrated Nature Conservation Plan (INCP) to include community project information and information on resource condition in the ACT. Much of this information will also be made available to the community via the World Wide Web. Having this information within one system, which allows information tracking and linkages to be made between activities, the ACT will be better placed to monitor community projects and evaluate progress made towards targets.

Priorities associated with the *ACT Natural Resource Management Plan* and Investment Strategy delayed the Territory review of its specific strategy for support of community environmental volunteers 'Working Together for the ACT's Environment: A Support Strategy'. It is anticipated that a review of the document will commence during 2004.

A draft Volunteer Policy and Procedures document has been developed within the ACT Parks and Conservation Service (ACTPCS) in consultation with Park Care groups.

A Site Assessment Process is currently being jointly developed between Canberra Urban Parks and Places and ACTPCS. This process will achieve an annual works program for each area through consultation with community groups and relevant government agencies.

The community based CAMPFIRE program, funded from the Australian Government Envirofund, continues to operate successfully in the ACT, monitoring the impact of the 2003 fires on water quality.

An ACT Landcare Facilitator has been engaged for an initial three-year period, with funding provided by the Australian Government through the Natural Heritage Trust. This position is responsible for the community support strategy and the current review.

Commissioner's comments

Government's intentions as stated in action to 30 June 2004 appropriately address this recommendation in a way not previously done. However, most of the intentions are still to be put into action. I will seek an update on implementation of this recommendation again for the 2004-05 annual report.

3. ORGANISATIONAL GOVERNANCE ARRANGEMENTS

3.1 INTERNAL ACCOUNTABILITY STRUCTURES AND PROCESSES

The Commissioner for the Environment for the year to 31 March 2004 was Dr Joe Baker. Dr Rosemary Purdie was gazetted as the new Commissioner for the Environment on 26 May 2004.

The output structure is directly related to the enabling *Commissioner for the Environment Act 1993*. The Commissioner is responsible for all outputs.

Through agreement of the Australian Capital Region Leaders' Forum, the Commissioner will also be responsible for producing the Region's 2004 SoE Report—the third such report for the Australian Capital Region—due in 2004–05. Arrangements for this report are described in section 2.2.

The Remuneration Tribunal sets the Commissioner's remuneration.

Five significant committees assist the Commissioner for the Environment in the performance of his/her functions in relation to State of the Environment reporting. These are:

- Atmosphere Reference Group—to advise on the environmental theme of Atmosphere, and specifically the issues Air Quality and Climate and Greenhouse
- Biodiversity Reference Group—to advise on the environmental theme of Biodiversity, and specifically the issue Conserving Biodiversity
- Catchments Reference Group—to advise on the environmental themes of Land and Water, and specifically the issue Catchment Quality (combined from two separate reference groups for the 2003 SoE Report)
- Human Settlements Reference Group—to advise on the environmental theme of Human Settlements, and specifically the issues Community Wellbeing and Resource Use
- SoE Project Team—with membership from each of the councils in the Australian Capital Region, as well as representation from the ACT, to advise and coordinate preparation of Regional SoE reports.

3.2 STRATEGIC AND ORGANISATIONAL PLANNING

Planning for SoE reporting is governed by legislated reporting due dates. Spreadsheets are used to monitor progress. After each SoE report is completed, the performance and process are reviewed with a view to improving the next report. The last review was reported in the Commissioner's *Annual Report 2001–02*, following completion of the fourth SoE report for the ACT (the 2000 SoE Report) in 2000–01.

Of all types of investigations that can be conducted by the Commissioner (see section 2.1), only investigations initiated by the Commissioner—when resources permit—can be planned. Only one such investigation has been conducted in the 11 years since the office was created.

3.3 RISK MANAGEMENT AND INTERNAL AUDIT ARRANGEMENTS

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

3.4 FRAUD PREVENTION ARRANGEMENTS

Prevention strategies

No risk assessments were conducted. This office is covered by fraud control plans of the Department of Urban Services. No fraud awareness training was conducted.

Detection strategies

There were no reports or allegations of fraud or corruption received in this office, and consequently no investigations.

3.5 CULTURE AND VALUES

As an investigating agency, ethics and integrity of staff have to be beyond reproach. Our Mission Statement includes a principle of ‘maintaining independence and objectivity in both our state of environment reporting and investigative functions’.

To achieve this objectivity in an ethical manner and with a high level of integrity, staff adhere to the appropriate standards required of ACT Public Servants.

There are no formal processes in place within this office to receive and handle allegations of potential breaches of the Code of Conduct. If such an instance were to occur, we would be guided by the ACT Public Service Code of Ethics.

3.6 PROCUREMENT CONTRACTING PRINCIPLES AND PROCESSES

During the reporting year the office let one contract for \$50,000 on behalf of the Australian Capital Region reporting councils, for analysis of satellite imagery for the Australian Capital Region SoE report. The contract has been let using funds collected from member councils of the Australian Capital Region for use in compiling their SoE reports. Staff at Environment ACT assisted the office in ensuring the process was consistent with the ACT Government Procurement Guidelines. Other expenditure for contractors and consultants was specifically associated with preparation of the 2003 SoE Report. The office actively seeks local expert writers and scientific editors who understand the particular requirements of writing these reports.

3.7 EXTERNAL SCRUTINY

The office has not been notified of any external scrutiny of it during 2003–04.

4 FINANCIAL AND PERFORMANCE REPORTING

4.1 FINANCIAL RESULTS AND ANALYSIS OF FINANCIAL PERFORMANCE

The Financial Statements of the Office of the Commissioner for the Environment form a part of the Expenses on Behalf of the Territory, and are reported in the Department of Urban Services Annual Report. During 2003–04 the major output for this office was the completion of the 2003 SoE Report. An additional appropriation of \$125,000 per year was allocated in 2002–03 and 2003–04 to allow completion of the report.

In the *Annual Report 2002–03*, it was noted that the office had not spent all of that year's allocation, as the report was still in the process of being completed. Those funds were available for use in 2003–04, and were used to finalise the 2003 SoE Report.

There were no formal investigations undertaken by this office in 2003–04. Details of enquiries that did not result in a full investigation are discussed in section 2.2.

4.2 CAPITAL WORKS MANAGEMENT

The Commissioner for the Environment is not empowered to undertake capital works.

4.3 ASSET MANAGEMENT STRATEGY

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

This office owns no assets.

As a tenant within Dame Pattie Menzies House, this office is subject to the energy reduction management strategies in place, including after hours timers on lights and air conditioning, photocopiers with power-save mode and personal computers with stand-by mode. We are also subject to condition audits, which may be conducted on behalf of all tenants by the relevant property management area.

4.4 GOVERNMENT CONTRACTUAL DEBTS (INTEREST)

The office has no overdue debts attracting interest.

5. HUMAN RESOURCE PERFORMANCE

5.1 ANALYSIS OF HUMAN RESOURCE PERFORMANCE

ACT Public Servants are appointed through the delegate for Environment ACT to support the part-time independent Commissioner. For those purposes, the office is considered to be a part of the Department of Urban Services, and as such sits within the framework of the Department of Urban Services Ownership Agreement. However, the staff of this office are not counted against the profile of the Department.

The nominal staffing for the office is two full-time staff members.

In July 2003 a third staff member was appointed on a 12-month fixed term contract as project officer to assist with the preparation of the 2003 SoE Report.

Balancing the workforce to meet the reporting requirements of the office (both legal and contractual) has met with substantial difficulties throughout the lifetime of the office. For the first eight years the absolute level of funding was a major difficulty. However, that absolute level of funding was partly addressed in 2001–02 when additional funding was provided for preparing the 2003 SoE Report, and recurrently for future reports. However, funding for preparation of ACT SoE reports was committed for only two out of every three years of the budget cycle.

The only year in this three-yearly cycle in which a major investigation could be conducted would be that year immediately following the completion of a SoE report for the ACT and that is the year when resources are at an absolute minimum.

As noted elsewhere in this report, only short-term additional staff can be appointed—a very resource-intensive way of operating an office. In addition, changes to the ACT Electoral Act to allow for four-yearly elections in the ACT mean that SoE reports will in all probability be produced every four years in the future. The current funding arrangements are no longer appropriate.

Since 1997, this office has prepared SoE reports for councils in the Australian Capital Region on a contractual basis. Agreement by the Regional Leaders' Forum of the Australian Capital Region has been negotiated on a case-by-case basis, meaning that funding for a permanent staff position to support regional reporting cannot be guaranteed.

In an office with only two full time staff, extra human resources are vital to the successful completion of a major project such as the SoE Report. As noted earlier, it was essential to use supplementary funding in 2002–03 and 2003–04 to contract science writers in various fields of expertise to complete sections of the SoE report and enable this office to complete its SoE reporting obligations under section 19 of the *Commissioner for the Environment Act 1993*.

Agency staffing profile information

The staffing profile for the office is provided in the Appendix.

5.2 WORKPLACE RELATIONS

This office is covered by the Department of Urban Services Enterprise Bargaining Agreement. There were no Australian Workplace Agreements in place in the office during 2003–04.

5.3 WORKPLACE INJURY PREVENTION AND MANAGEMENT

During 2003–04, OH&S consultants assessed office workstations for ergonomic efficiency. Staff were given advice on rest periods away from workstations and received advice on stretching exercises to help relax tight muscles and avoid eye strain.

No accidents or dangerous occurrences that required the giving of notices under section 85 of the OH&S Act occurred in this office.

No investigations were conducted during 2003–04.

Workplace health and safety

The Office of the Commissioner for the Environment does not pay a first tier worker's compensation premium. For this matter we are a subsidiary of the Department of Urban Services.

5.4 WORKPLACE DIVERSITY

For the purposes of Workplace Diversity, this office is covered by the Department of Urban Services Annual Report. It is not realistic for an office comprising only two permanent staff to develop a specific Equity and Diversity Plan. However, our policy is to treat all staff (permanent and contract) in an equitable manner, and ensure staff conduct always adheres to the principles of equity and diversity.

5.5 LEARNING AND DEVELOPMENT

During 2003–04 learning and development activities took a lesser role, as the 2003 SoE Report was due for completion. A small amount of essential training was undertaken:

- one staff member undertook Meta*WizDom training, to enable updating of the office's website
- three staff undertook training in basic records management courses, to better understand the *Territory Records Act 2002*, as the implementation process will be completed in 2004–05.

6. INFORMATION AND ACCESS

6.1 FREEDOM OF INFORMATION

Section 7 statement

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

The two main functions of the office are investigations and SoE reporting. The Commissioner can make recommendations to the ACT Government, but has no power to enforce those recommendations.

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

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

The Office of the Commissioner for the Environment produces SoE reports. Of those still available, the 1994 edition is available in printed form only. The 1997 SoE Report and 2000 SoE Report have been produced on CD-ROM. They are available from the office, and can be collected or sent by post. The executive summary for the 1997 SoE Report is available on our website along with the full 2000 Report for the ACT (except for the 'live' maps). The 2003 Report is also available on our website, and the executive summary is available in hard copy from the office. The report will be produced in CD-ROM format as a part of the 2004 Australian Capital Region State of the Environment Report, due for completion in June 2005.

We have produced a number of Investigation Reports. All are available from our office, and several from our website.

Annual reports are available for each financial year since the inception of the office. The reports since 2000–01 are also available on our website.

Members of the public can access documents in a number of ways. For those reading a printed copy of this report, a full list of our reports appears in the Appendix. For those reading this report through our website, a list of reports available electronically can be found under the headings State of the Environment and Special Reports on our homepage.

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

Section 8 statement

The *Commissioner for the Environment Act 1993* provides detailed specifications for the conduct of investigations. These form the basis of our operational procedures.

Section 79 statement

The Office of the Commissioner for the Environment did not receive any Freedom of Information requests in 2003–04.

6.2 PUBLIC INTEREST DISCLOSURE

During 2003–04 no public interest disclosures related to the Office of the Commissioner for the Environment were lodged.

6.3 TERRITORY RECORDS

The Office of the Commissioner for the Environment had limited time available during 2003–04 to complete the Records Management Program, a requirement under the *Territory Records Act 2002*. Full-time staff have all undertaken basic training in Records Management, and the Preliminary Investigation of the office has been started. The designated records officer has held discussions with other comparable agencies to investigate the extent to which we may be able to adopt their material (such as thesauri).

7 COMMUNITY AND ENVIRONMENT

7.1 COMMUNITY ENGAGEMENT

No major consultation was undertaken during 2003–04, as staff focused on delivering the 2003 SoE Report. The report was written after consultation as outlined in the *Annual Report 2002–03*; a cross-section of experts from the community and people from relevant areas of the Commonwealth and ACT governments were invited to discuss Issues topics and content.

The previous Commissioner, Dr Joe Baker, met with a number of new councils in the Australian Capital Region State of the Environment reporting area for discussions concerning the upcoming 2004 Australian Capital Region SoE report. He also gave a talk at a Rotary Club meeting to raise awareness of SoE reporting in the Australian Capital Region, and gave a talk to the Snowy River Shire Council in November 2003.

Additional direct engagement with community members is outlined in section 2.2 of this report under the heading 'Investigations'.

7.2 COST-BENEFIT ANALYSIS OF BUSINESS REGULATION REFORM

No regulatory reform was needed during 2003–04.

7.3 COMMISSIONER FOR ENVIRONMENT REPORTING

Not applicable—I am the Commissioner for the Environment.

7.4 ECOLOGICALLY SUSTAINABLE DEVELOPMENT

The vision of the Office of the Commissioner for the Environment is for a society with the will to achieve a sustainable high quality environment for all. Our function is to investigate environmental management by the Territory Government and its agencies, and to produce reports of those investigations, as well as prepare one SoE Report within the lifetime of each Assembly. As noted in section 2.2 earlier, the 2003 SoE Report was completed in 2003–04, and included recommendations directly applicable to the requirements of Ecologically Sustainable Development for the future wellbeing of the ACT and residents.

The office uses the principles of Ecologically Sustainable Development and waste minimisation to guide its use of resources during work practices. We introduced electronic SoE reporting in 1997 and published the 2000 SoE Report electronically. Since 1997 we have published only an executive summary in printed form. As noted earlier, we published the executive summary of the 2003 SoE Report in eight separate documents to enable people to obtain the whole summary or just the particular subject area of interest. The full 2003 SoE Report is available on the website, and will also be produced on CD-ROM as a part of the 2004 Australian Capital Region SoE report, due in June 2005.

Other reports of investigations prepared by the office are reproduced in paper in minimum numbers on an as-needs basis, with most access being through the website.

Activities of the office aimed at more sustainable use of resources are summarised below.

Service delivery and ecologically sustainable development

Report—SoE 2003 Report

The 2003 SoE Report included 25 recommendations for the ACT Government to act to improve environmental management, and assessed progress towards sustainability through the objectives to:

- enhance individual and community wellbeing and welfare (through) economic development that safeguards the welfare of future generations
- provide for equity within and between generations
- protect biological diversity and maintain essential ecological processes and life-support systems.

This encourages wider application of Ecologically Sustainable Development principles in government and implements the office mission—to develop understanding of changes in the condition of the environment, and of the pressures that are changing that condition; to encourage responses or actions across all sectors of the community to progressively improve the environment, and to work towards ecological sustainability.

Office-based activities and Ecologically Sustainable Development

Energy—electricity and fuel

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

Other energy savings have been achieved through:

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

Secure overnight parking has meant reduced vehicle use for home garaging. Staff walk or cycle on short trips to reduce fuel consumption.

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

Consumables

Recycled paper is used where possible; all paper is used on both sides where practicable.

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

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

Disposables

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

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

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

7.5 FUEL MANAGEMENT PLANS

The Office of the Commissioner for the Environment does not use any bushfire-prone government land.

7.6 ABORIGINAL AND TORRES STRAIT ISLANDER REPORTING

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

7.7 MULTICULTURAL FRAMEWORK

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

7.8 JUSTICE, OPTIONS AND PREVENTION POLICY FRAMEWORK

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

Outcomes

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

APPENDIX

FINANCIAL STATEMENTS

The Commissioner for the Environment Act does not establish the Commissioner for the Environment as a body corporate. Therefore the financial reporting provisions of the Financial Management Act that apply to Territory corporations do not apply to the Commissioner for the Environment. Expenses for this office are reported as a part of the Expenses on Behalf of the Territory in the Department of Urban Services Annual Report.

EXTERNAL SOURCES OF LABOUR AND SERVICES

Output 1.1.1

Contracting Entity	Description of and Reason for Contract	Date let	Reason for use of select tender	Amount
Effective People	Technical Expert Writer for Biodiversity Indicators ACT 2003 State of the Environment Report	5/5/03 & 01/08/2003	Science writer with local knowledge of biodiversity issues and SoE reporting.	\$30,476.25
Communication Breakthrough	Science Editor and Mapping Requirement for ACT 2003 State of the Environment Report	01/08/2003	Advanced knowledge in and experience of SoE reporting.	\$34,237.00
Subtotal				\$64,713.25
Other contracts let				
Various	Technical and Science expert writers, editors and designers of ACT 2003 State of the Environment Report. Website services	Various		\$81,951.00
Subtotal				\$81,951.00
Total				\$146,664.25

Construction-related activities

This Office has no capital works in progress.

STAFFING PROFILE

Classification	Employment Status	Employed under:	Category of Employment	Gender
Environment Commissioner	Part-time Statutory Office Holder	S4(1), <i>Commissioner for the Environment Act 1993</i>	Disallowable instrument	F
S0GB	1 full time	<i>Public Sector Management Act 1994</i>	Permanent	F
ASO5	1 full-time	<i>Public Sector Management Act 1994</i>	Permanent	F
PO2	1 full-time	<i>Public Sector Management Act 1994</i>	Temporary	M

REPORTS BY AUDITOR-GENERAL

No reports were released by the Auditor-General during 2003–04 that relate to the operations of this agency.

REPORTS BY THE OMBUDSMAN

No reports were released by the ACT Ombudsman during 2003–04 that relate to the operations of this agency.

LEGISLATIVE ASSEMBLY COMMITTEE INQUIRIES AND REPORTS

There were no inquiries by Legislative Assembly Committees that relate to the operations of the office.

GOVERNMENT INQUIRIES AND REPORTS

The only enquiry relevant to the office was a review of its operation prior to the appointment of a new commissioner. The review was carried out by Environment ACT on behalf of the ACT Government. Environment ACT is responsible for policy and legislation development of this office.

LEGISLATION

The Office of the Commissioner for the Environment was established under and administers the *Commissioner for the Environment Act 1993*, as amended. There was no additional legislation enacted in 2003–04 pertaining to this Act.

REGULATORY ACTIVITIES

The Commissioner has no responsibilities for any regulatory activities.

ADVISORY AND CONSULTATIVE BOARDS AND COMMITTEES

The Commissioner has no responsibility for advisory and consultative boards and committees that provide advice to the Minister.

SERVICE PURCHASING ARRANGEMENTS/COMMUNITY GRANTS/ASSISTANCE/ SPONSORSHIP

No service purchasing arrangements or community grants or assistance or sponsorship were provided by the office in 2003–04.

OTHER SOURCES OF INFORMATION

Publications

State of the environment reports

- *1994 ACT State of the Environment Report* (\$22 incl. GST + \$5 postage & handling)
- *1997 Australian Capital Region State of Environment Report* on CD-ROM (\$22 incl. GST)
- *1997 ACT State of Environment Report*—executive summary and recommendations (No charge)
- *Australian Capital Territory State of the Environment Report 2000*—executive summary (No charge)
- *Australian Capital Region State of the Environment Report 2000* on CD-ROM (\$38.50 incl. GST, postage and handling)
- *2003 ACT State of the Environment Report*—executive summary and recommendations (No charge)

Investigation reports

- Management of Noise from Motorsports in the ACT (August 1995) (No charge)
- Investigation into the ACT Government's Use of Chemicals for Pest Control (May 1998) (No charge)
- Steps Towards Sustainability – Directions for the Australian Capital Region Business Sector (produced for the Commissioner for the Environment by Krista Milne, October 1998) (No charge)
- Progress Towards 'No Waste by 2010' (November 1999) (No charge)
- Review of Proposed Standards for Air Emissions and Other Waste Products and Monitoring Requirements for the Totalcare Incinerator (June 2000) (No charge)
- Environmental Values of Conder 4A: an investigation arising from complaints about proposed residential development (September 2000) (No charge)
- Proposed increase in number of event credits in the Motor Sports Noise Environment Protection Policy (November 2000) (No charge)
- ACT Forests – Options for weed treatment adjacent to residential areas. A report by the Commissioner for the Environment, ACT, May 2002 (based on a specific study at Narrabundah Hill, Stromlo Forest) (No charge)

Annual reports

- 1993–94, 1994–95, 1995–96, 1996–97, 1997–98, 1998–99, 1999–2000, 2000–01, 2001–02; 2002–03 (No charge)

Our website can be accessed at www.envcomm.act.gov.au, and contains many of our publications.

GLOSSARY, ABBREVIATIONS AND ACRONYMS

ACTPLA	ACT Planning and Land Authority
Australian Capital Region	<p>for the 2000 and earlier SoE reports the Region included ACT, the City Councils for Goulburn and Queanbeyan, and the Councils for the Shires of Bega Valley, Bombala, Boorowa, Cooma-Monaro, Crookwell, Eurobodalla, Gunning, Harden, Mulwaree, Snowy River, Tallaganda, Tumut, Yarrowlunla, Yass and Young.</p> <p>For the 2004 report, three new Shires have joined the Region, and several of the original Shires have been amalgamated by the NSW Government. The Australian Capital Region now includes the ACT and the Shires of: Bega Valley, Bombala, Boorowa, Cooma-Monaro, Cootamundra, Eastern Capital City Regional, Eurobodalla, Greater Argyle, Greater Queanbeyan City, Gundagai, Harden, Snowy River, Tumbarumba, Tumut, Upper Lachlan, Yass Valley and Young.</p>
CSIRO	Commonwealth Scientific and Industrial Research Organisation
ICRC	Independent Competition and Regulatory Commission
NEPM	National Environment Protection Measure
PALM	Planning and Land Management
SoE	State of the Environment

INDEX

- Aboriginal and Torres Strait Islander 9, 49
- Accountability structures 40
- ACT Greenhouse Strategy 9, 13–14, 33, 35
- ACT Lowland Woodland Conservation Strategy 6, 14–16
- ACT Natural Resource Management Plan 14–15, 24, 38
- ACT NOWaste 19, 20
- ACT Planning and Land Authority 35
- ACT Vertebrate Pest Strategy 31
- ACTEW 27
- Aged services 9
- AgVet Chemical Coordination Network 7
- Air quality monitoring 9, 10, 11, 12, 38
- Airborne particles 11–12
- Aquatic ecological health 34
- Asset management 9, 20, 42
- Atmosphere 9, 10–11, 11–14, 22–23, 33, 38
- Auditor General report 51
- Australian Alps 30, 32
- Australian Capital Region 1, 2, 4–5, 14, 15–16, 19, 40, 43, 47

- Bait use 32
- Belconnen 11, 12, 38
- Bill Stefaniak MLA 13
- Biodiversity 6, 9, 10–11, 14–16, 29–32
- Birds 10
- Brendan Smyth 13
- Building construction 10, 26
- Bushfires 4, 6, 8, 9, 10, 16, 21, 23, 25, 29–30, 31
 - management plans 29–30
 - risk mapping 29
- Busways 36, 37

- CAMPFIRE 38
- Canberra Nature Park additions 15
- Capital works 42
- Catchment management 23, 24, 26
- Challenges and issues 1–2
- Chief Minister 6
- Civic 36–37, 38
- Commissioner
 - date of commencement 1, 7, 40
 - date of retirement 1, 7
- Committees 40, 51
- Community consultation 47
- Community monitoring 9, 11
- Complaints—see investigations
- Contaminated Sites NEPM 28
- Contracts 41, 50
- Coolman Ridge fuel management 6
- Coppins 24
- Cotter River catchment 9, 23
- Crime 10
- Cycling 36, 37, 38

- Debts 42
- Department of Urban Services 3, 7, 20, 35, 40, 42–44, 49
- Dingoes 31
- Dioxins 10, 27–28
- Draft Lowland Woodland Conservation Strategy 6, 14, 16
- Drought 7, 15–16, 25
- Dryland salinity 10, 23, 24

- East O'Malley 6, 15
- Ecobusiness program 19–20, 21
- Ecological communities
 - see native vegetation
- Ecologically sustainable development 47–48

- Economic development 16–17, 18, 19
- Employment 9, 10, 16, 18
- Energy use 22–23, 33, 48
- Environment ACT 3, 6, 13, 15, 19
- Environment Protection Authority 25
- Environment Protection Regulations 25–26
- Environmental education 10, 18, 21
- Environmental flows 10, 25
- Environmental Protection Regulations review 25–26
- External scrutiny 41

- Feral animals 31–32
- Financial reporting 42, 50
- Fire
 - see bushfires
- Foxes 31
- Fraud prevention 41
- Freedom of information 45–46
- Fuel management 6, 8, 9, 30, 49
- Funding – see resourcing issues
- Fyshwick 24, 27

- Googong Foreshores 31
- Governance 40–41
- Government inquiries 51
- Grazing 15
- Grazing impacts 15
- Greenfleet 33
- Greenhouse gases 10–11, 13–14, 22–23, 33
- Kerrie Tucker's motion 13
- vehicle emissions 9, 33, 36
- Greening Australia 15
- Greg Cornwell MLA 13
- Greywater 27
- Groundwater use and monitoring 9, 24–25
- Gungahline Drive Extension complaints 7

- Health Soils Healthy Landscapes 24
- Helen Cross MLA 13
- Heritage 9
- Horses 31, 32
- Housing 9
- Housing Industry Association 26
- Human Settlement 1, 9, 16–23, 33, 34–37

- Indicators 4, 22
- Infrastructure assets management 9, 20
- Integrated Nature Conservation Plan 34–355, 38
- Investigations 3, 6–7, 40, 42, 43, 45

- Jacqui Burke MLA 13
- Jerrabomberra 15, 24
- Jon Stanhope MLA i
- Justice 49

- Kerrie Tucker MLA 13
- Knowledge Fund 17

- Lachlan River catchment 24
- Lake Burley Griffin 24
- Lake Ginninderra 24
- Land 9, 23–24, 26, 27, 38–39
- Land Management Agreements 15
- Landcare 23, 39
- Learning and development 44

- Legislation 34, 51
 - Annual Reports (Government Agencies) Act 1, 7
 - Bushfires Act 29
 - Commissioner for the Environment ACT i, 3, 4, 40, 43, 45
 - Electoral Act 43
 - Emergency Services Act 29
 - Environment Protection Act 9
 - Territory Records Act 44, 46
 - Utilities Act 22–23
- Legislative Assembly i, 1, 13, 51
- Lowland Native Grassland Conservation Strategy 14

- McLeod Inquiry 29
- Master Builders Association 26
- Mental illness 9
- Minister for the Environment i, 6, 7, 51
- Molonglo River valley 9
- Monash 11, 12, 38
- Murray River catchment 24
- Murrumbidgee River Catchment 4, 9, 24

- Namadgi National Park 29–30, 31–32
- National Dioxins Program 27–28
- Native vegetation 9, 14–15, 29
 - see also specific vegetation communities
- Natural Heritage Trust funding 14, 16, 19, 24, 39
- Natural Temperate Grasslands 15
- Nature conservation funding 11
- Nephelometers 11
- Noise complaints 6
- North Canberra 12
- NoWaste strategy 7, 9, 10, 18, 21–22

- Occupational health and safety 44
- Off-reserve conservation 15–16
- Office of the Commissioner for the Environment
 - review 1
 - role and performance 3–4, 45
- Ombudsman report 51

- Parking 36, 37
- Pest animals 7, 10, 15, 31–33
- Pest plants 9, 15
- Pigs 31, 32
- Prescribed burning
 - see fuel management and bushfires
- Progress Towards 'No Waste by 2010' 7, 2010
- Public interest disclosure 46
- Public transport 10, 33, 35–37
- Publications list 52

- Rabbits 31
- Recommendations 2, 3, 7, 9–39, 47
 - lists (tables) 9, 10–11
- Records management 46
- Recycling 21, 21–22
- Regional Leaders' Forum 4, 40
- Regulatory activities 51
- Regulatory reform 47
- Resourcing issues 1, 2, 3, 4, 40, 43
- Review of the office 1–2
- Riparian management 23
- Roslyn Dundas MLA 13
- Rural Recovery Project 15

- Section 79 statement 45
- Sedimentation controls 10, 26
- Shire boundary changes 5
- Significant impacts on the environment 8
- Soil acidity 10, 23, 24
- Soil conservation 23–24
- Soil erosion 10, 15–16, 23–24
- South Canberra 27
- Special annual reporting requirements 7–39
- Staffing 3, 43, 50
- State of the Environment reporting 1, 4–5, 7–39, 45
 - 1994 Report 45
 - 1997 Report 8, 11, 34–39, 45
 - 2000 Regional Report 2, 4
 - 2000 Report 2, 4, 7, 8, 10–34, 40, 45
 - 2003 Report 1, 2, 4, 7, 8, 9, 42, 43, 45, 47, 48
 - tabling date 1, 4
 - 2004 Regional Report 1, 4, 16, 40, 45, 47
 - recommendations 2, 7–39
 - reference groups 40
- Steve Pratt MLA 13
- Strategic planning 40
- Sullivans 24
- Summernats—see noise complaints
- Sustainability and economic growth 16, 18–20

- Temperature inversion 12
- The Canberra Plan 2, 17, 18, 19, 35–36
- The Canberra Spatial Plan 35–36
- The Draft Canberra Spatial Plan 9, 35–36
- The Economic White Paper 9, 16–17, 18, 19
- The Sustainable Transport Plan 9, 11, 33, 35–37
- Think water, act water 9, 19, 27
- Threatened species action plans 16
- Tidbinbilla Nature Reserve 31
- Totalcare incinerator 10, 27–28
- Trade Development Program 17
- Training 44
- Transmittal Certificate i
- Transport issues and studies 7, 11, 33, 35–37
- TravelSmart 36, 37
- Tree removal 8
- Tuggeranong 15

- UV monitoring 11

- Vicki Dunne MLA 13

- Walking 36
- Waste 19, 21–22
- Stomlo disposal site 21
- Water 2, 9, 10–11, 24–27, 34
- Water quality
 - monitoring 9, 34
 - standards 10, 25–26
- Water use and re-use 7, 9, 10, 18, 19, 21, 27
- Weather monitoring 9
- Weston 24
- Wild dogs 31
- Woden subcatchment 24
- Wood heater rebate scheme 12
- Wood smoke 10, 11, 12, 38
- Woolshed subcatchment 24
- Workplace diversity 44
- Workplace relations 43

- Yellow Box–Red Gum Grassy Woodland 6, 8, 15
- Youth employment 9

COMPLIANCE INDEX

TRANSMITTAL CERTIFICATE	i
AIDS TO ACCESS.....	
Table of contents.....	ii
Alphabetical index	54
Glossary of abbreviations and acronyms.....	53
Contact officer and website address.....	inside cover
CHIEF EXECUTIVE OVERVIEW	1
Major Issues, Challenges and Achievements for the Reporting Year.....	1
Overview of Agency Performance and Financial Results	2
Outlook for the Coming Year	2
AGENCY ROLE AND OVERALL PERFORMANCE	3
Overview of the Agency.....	3
Report on Overall Agency Performance.....	3
ORGANISATIONAL GOVERNANCE	40
Internal Accountability Structures and Processes	40
Strategic and Organisational Planning	40
Risk Management and Internal Audit Arrangements	40
Fraud Prevention Arrangements	41
Culture and Values.....	41
Procurement Contracting Principles and Processes	41
External Scrutiny	41
FINANCIAL PERFORMANCE	42
Agency Financial Results and Analysis of Financial Performance	42
Capital Works Management	42
Asset Management Strategy	42
Government Contractual Debts (Interest).....	42
HUMAN RESOURCE PERFORMANCE.....	43
Analysis of HR Performance	43
Workplace Relations.....	43
Workplace Injury Prevention & Management	44
Workplace Diversity	44
Learning and Development.....	44
INFORMATION AND ACCESS.....	45
Freedom of Information	45
Public Interest Disclosure.....	46
Territory Records	46
COMMUNITY ENGAGEMENT.....	47
Cost-benefit Analysis of Business Regulation Reform.....	47
Commissioner for Environment Reporting.....	47
Ecologically Sustainable Development	47
Fuel Management Plans	49
ATSI Reporting	49
Multicultural Framework.....	49
Justice, Options and Prevention Policy Framework	49
ANNEXED REPORTS	N/A
APPENDICES.....	50
SUBSUMED REPORTS.....	N/A
COMPLIANCE INDEX	56