

APPROPRIATION BILL 2021-2022 AND
APPROPRIATION (OFFICE OF THE LEGISLATIVE
ASSEMBLY) BILL 2021-2022

STANDING COMMITTEE ON ENVIRONMENT, CLIMATE CHANGE AND
BIODIVERSITY

NOVEMBER 2021

REPORT 2

THE COMMITTEE

COMMITTEE MEMBERSHIP

Dr Marisa Paterson MLA (Chair)

Mr Andrew Braddock MLA (Deputy Chair)

Ms Leanne Castley MLA

PARTICIPATING MEMBERS

Mr Peter Cain MLA; Ms Jo Clay MLA; Ms Elizabeth Lee MLA; and Ms Nicole Lawder MLA.

SECRETARIAT

Dr Frieda Scott Acting Committee Secretary

Ms Lydia Chung Administrative Assistant

Mr Nick Byrne Administrative Assistant

CONTACT INFORMATION

Telephone 02 6207 5498

Post GPO Box 1020, CANBERRA ACT 2601

Email committees@parliament.act.gov.au

Website www.parliament.act.gov.au

RESOLUTION OF APPOINTMENT

The Legislative Assembly for the ACT established the Standing Committee on Environment, Climate Change and Biodiversity on 2 December 2020 by resolution¹ which states (in part) that:

- (1) the following general-purpose standing committees be established as set out in the table below. The purpose of such committees is to enhance the scrutiny of the Executive, to examine and suggest improvements to any bills referred to it, to enable the citizens of the Territory to engage and to participate in law-making and policy review, to enable financial scrutiny of the Executive's budget proposals and to review annual reports of taxpayer funded agencies;
- ...
- (7) the committees so established are required to examine the expenditure proposals contained in the main appropriation bills for the Territory and any revenue estimates proposed by the Government in the annual budget and prepare a report to the Assembly within 60 days of the presentation of the budget bills;

Committee	Primary Wellbeing Indicator/s	Areas of Responsibility
Environment, Climate Change and Biodiversity	Environment and Climate Change	<ul style="list-style-type: none"> • Climate Change • Climate Action • Environment • Heritage Committee • Water and energy policy and programs • Emissions reductions • Environment and ecological sustainability • Commissioner for the Environment • Environment Protection Agency

¹ ACT Legislative Assembly, *Minutes of Proceedings, No 2*, 2 December 2020, p 17 (as amended 11 Feb 21, 30 Mar 21, 22 Apr 21, and 16 Sept 21).

TERMS OF REFERENCE

As outlined above, the resolution of establishment² for standing committees of the Tenth Assembly requires the Standing Committee on Environment, Climate Change and Biodiversity to inquire into ACT Budget 2021-22;

- (7) the committees so established are required to examine the expenditure proposals contained in the main appropriation bills for the Territory and any revenue estimates proposed by the Government in the annual budget and prepare a report to the Assembly within 60 days of the presentation of the budget bills;

At its meeting on Tuesday 9 November 2021, the Assembly resolved to amend the due date for standing committees to report on the ACT Budget, by requiring committees to report by 12 November 2021.³

² ACT Legislative Assembly, *Minutes of Proceedings*, No 2, 2 December 2020, p 17 (as amended 11 Feb 21, 30 Mar 21, 22 Apr 21, and 16 Sept 21).

³ ACT Legislative Assembly, *Proof Minutes of Proceedings*, No 28, 9 November 2021, p 349.

ACRONYMS

ACTCOSS	ACT Council of Social Service
Assembly	Legislative Assembly for the Australian Capital Territory
CMTEDD	Chief Minister, Treasury and Economic Development Directorate
Commissioner	Commissioner for Sustainability and the Environment
DrainART	School DrainART design competition
EBT	Expenses on Behalf of the Territory
EPA	Environment Protection Authority
EPSDD	Environment, Planning and Sustainable Development Directorate
FTE	Full-Time Equivalent
GIS	Geographic Information Systems
GPT	Gross Pollutant Trap
H2OK	The H2OK: Keeping our waterways healthy program
ICE	Internal Combustion Engine
KPI	Key Performance Indicator
MLA	Member of the Legislative Assembly
NRM	Natural Resource Management
PV	Photovoltaic
QON	Question on Notice
QTON	Question Taken on Notice
SoER	State of the Environment Report
WEER	Water, Energy and Emissions Reduction

TABLE OF CONTENTS

THE COMMITTEE	I
Committee Membership	i
Participating Members.....	i
Secretariat	i
Contact Information.....	i
Resolution of appointment	ii
Terms of reference	iii
ACRONYMS	IV
RECOMMENDATIONS	VII
1 INTRODUCTION.....	1
Presentation of the ACT Budget 2021-22.....	1
Conduct of Inquiry	1
Acknowledgements.....	3
Structure of this report	3
2 COMMUNITY ORGANISATIONS.....	4
Introduction	4
Conservation Council ACT	4
ACT Wildlife	7
Landcare ACT	8
3 ENVIRONMENT PROTECTION AUTHORITY PORTFOLIO.....	11
Overview.....	11
Matters Considered	12
Key Issues.....	12
4 CLIMATE ACTION PORTFOLIO.....	16
Overview.....	16
Matters Considered	16
Key Issues.....	17
5 THE COMMISSIONER FOR SUSTAINABILITY AND THE ENVIRONMENT PORTFOLIO	21
Overview.....	21
Matters Considered	21

	Key issues.....	22
6	WATER, CLIMATE CHANGE AND ENERGY PORTFOLIO	24
	Overview.....	24
	Matters Considered	24
	Key issues.....	25
7	ENVIRONMENT AND HERITAGE PORTFOLIO	30
	Overview.....	30
	Matters Discussed.....	30
	Key Issues.....	31
8	FINAL CHAPTER	34
APPENDIX A - WITNESSES.....		35
	15 October 2021.....	35
	19 October 2021.....	35
	21 October 2021.....	36
	22 October 2022.....	36
APPENDIX B – QUESTIONS TAKEN ON NOTICE/ QUESTIONS ON NOTICE		37

RECOMMENDATIONS

RECOMMENDATION 1

- 2.10 The Committee recommends that the ACT Government continue to provide core funding to maintain and enhance biodiversity.

RECOMMENDATION 2

- 2.22 The Committee recommends that the ACT Government explore quantifying the injured and the loss of wildlife in the territory.

RECOMMENDATION 3

- 2.30 The Committee recommends that the ACT Government ensure continued funding to support Landcare ACT and catchment groups to continue their work.

RECOMMENDATION 4

- 3.9 The Committee recommends that the ACT Government continue the use of enforceable undertakings as a regulatory tool for environmental protection.

RECOMMENDATION 5

- 3.12 The Committee recommends that the ACT Government undertake initiatives to create greater community awareness about the need to reduce amplified noise, and the impact it has on neighbours.

RECOMMENDATION 6

- 3.20 The committee recommends that the ACT Government undertake further action to develop and implement dispute resolution services to address neighbourhood disputes efficiently and effectively.

RECOMMENDATION 7

- 4.8 The Committee recommends that the ACT Government investigate e-bikes as part of the Sustainable Household Scheme as a priority.

RECOMMENDATION 8

- 4.13 The Committee recommends that the ACT Government continue to consider Canberra's most vulnerable households and the impacts on them of the government's transition to net zero emissions in the ACT.

RECOMMENDATION 9

- 4.19 The Committee recommends that the ACT Government further invest in programs that encourage Canberrans to change their behaviour on emissions reduction.

RECOMMENDATION 10

- 4.20** The Committee recommends that the ACT Government in making policy decision aim to maximise emission reductions in the ACT.

RECOMMENDATION 11

- 4.22** The Committee recommends that the ACT Government undertake further work to explore options for recycling of PV and other similar systems, as they reach the end of their useful life; as well as for other new technologies as they emerge.

RECOMMENDATION 12

- 4.23** The committee recommends that the ACT Government consider embedded emissions when making infrastructure decisions.

RECOMMENDATION 13

- 5.10** The Committee recommends that the ACT Government investigate operational improvements that can be made to the current Commissioner legislation.

RECOMMENDATION 14

- 6.11** The Committee recommends that the ACT Government consider the results of the upcoming report on the state of the lakes and waterways in the ACT, and viability of a wetlands in Yarralumla, if appropriate, as part of the ACT Government's Healthy Waterways program.

RECOMMENDATION 15

- 6.12** The Committee recommends that the ACT Government make publicly available all catchment plans and assessments to undertake Healthy Waterways (or water quality improvement) works for review and comment, including proposed works, before detailed design and construction commitments are made.

RECOMMENDATION 16

- 6.13** The Committee recommends that the ACT Government ensure that the water quality data, models, and modelling results for the ACT are publicly available.

RECOMMENDATION 17

- 6.16** The Committee recommends that the ACT Government explore opportunities to ensure that the highly successful H2OK program continues to help educate children about the importance of waterways and how to care for them, and to partner with the ACT's catchment groups in the program delivery.

RECOMMENDATION 18

- 6.18** The Committee recommends that the ACT Government investigate the inclusion of fine scale nutrient inputs, such as pollutant types and percentages washed off roads or through the stormwater system, in its GIS mapping system.

RECOMMENDATION 19

- 6.19 The Committee recommends that the ACT Government include nutrient management into and in waterways in all catchment plans and make available of the catchment plans.

RECOMMENDATION 20

- 6.22 The Committee recommends that the ACT Government continue to support community clubs to transition to environmentally sustainable facilities and practices.

RECOMMENDATION 21

- 6.24 The Committee recommends that the ACT Government ensure commercial operators of the Molonglo Valley Group Centre are aware of, and have ready access to, technologies which are 100 per cent electric.

RECOMMENDATION 22

- 7.7 The Committee recommends that the ACT Government explore option to establish an air quality monitoring station in the Murrumbidgee area as an outcome of the ACT air quality strategy.

RECOMMENDATION 23

- 7.8 The committee recommends that the ACT Government develop an indoor air quality standard to assist in protecting the health of Canberrans.

RECOMMENDATION 24

- 7.11 The Committee recommends that the ACT Government provide greater clarity on weed funding decisions, trade-offs, and consequential risks.

RECOMMENDATION 25

- 7.14 The Committee recommends that the ACT Government examine how it manages the expiry of the current four-year grants and awarding of future grants, so as to minimise the impact on the services that will be provided.

RECOMMENDATION 26

- 7.17 The Committee recommends that the ACT Government provide the ACT Legislative Assembly with a regular update on the progress of the Heritage Council database upgrade project.

1 INTRODUCTION

PRESENTATION OF THE ACT BUDGET 2021-22

- 1.1 On 6 October 2021 the Appropriation Bill 2021-2022 and Appropriation (Office of the Legislative Assembly) Bill 2021-2022 were presented in the Assembly,⁴ and the related Budget papers were published on the Treasury website.⁵
- 1.2 During this inquiry, the Standing Committee on Environment, Climate Change and Biodiversity (the Committee) was required to examine the expenditure proposals for the following Output Classes and Expenses on Behalf of the Territory (EBT) in the main appropriation bills for the Territory, as outlined in Budget Statement B and Budget Statement E;
- Output Class 1 Government Strategy
 - Output 1.1 Government Policy and Reform;
 - Output Class 2 (Output 2.1) Access Canberra (relating to Environment Protection Authority/EPA only)
 - Output Class 2 Environment
 - Output 2.1 Environment;
 - Output 2.3 Heritage;
 - Output 2.4 Water
 - Output Class 3 Climate Change and Energy
 - Output Class 3.1 Climate Change and Energy; and
 - EBT 1 Commissioner for Sustainability and Environment.

CONDUCT OF INQUIRY

- 1.3 On 12 August 2021, the ACT entered lockdown due to the COVID-19 outbreak. The lockdown delayed the ACT Budget presentation until 6 October 2021 and committees' Estimates public hearings (from the first two weeks of September to mid-October 2021).

⁴ ACT Legislative Assembly, *Minutes of Proceedings*, No 25, 6 October 2021, pp 306–309.

⁵ Chief Minister, Treasury and Economic Development Directorate, *Budget Papers*, (Web Page, 6 October 2021) <https://www.treasury.act.gov.au/budget/budget-2021-22/budget-papers>.

- 1.4 The nine-weeks lockdown also affected the Committee's reporting date. To accommodate the Government's plan to have the debate during the last Assembly's sitting fortnight this year, the reporting date was brought forward significantly from 5 December 2021 to 12 November 2021.⁶
- 1.5 In adhering to the requirements of public health emergency, all public hearings for this inquiry were held online via video link (Webex) instead of on-site. The Committee did not call for public submissions.
- 1.6 The Committee met on 8 November 2021 to discuss the Chair's draft report. This report was adopted on 8 November 2021.

PUBLIC HEARINGS

- 1.7 The Committee held four public hearings via video link on 15, 19, 21 and 22 October 2021. At the hearings the Committee heard from community organisations; ACT Government Ministers and their accompanying directorate officials; and statutory officers.
- 1.8 Witnesses who appeared before the Committee are listed at [Appendix A](#). Transcripts from the hearings are available on the Assembly website.⁷ Footage of the hearings is available via video on demand on the Legislative Assembly website.⁸

QUESTIONS TAKEN ON NOTICE AND QUESTIONS ON NOTICE

- 1.9 A total of 23 questions were taken on notice by community groups, Ministers, and the Commissioner for Sustainability and the Environment during the hearings. Four questions on notice were submitted by Committee Members and visiting MLAs following the hearings.
- 1.10 Table 1 sets out the breakdown of questions by portfolio:

Questions, and questions taken, on notice relating to the ACT Budget 2021-2022

Portfolio	Questions Taken on Notice	Questions on Notice
Minister for Business and Better Regulation	8	-
Minister for Climate Action	2	1
Commissioner for Sustainability and the Environment	2	-
Minister for Water, Energy and Emissions Reduction	9	3

⁶ ACT Legislative Assembly, *Proof Minutes of Proceedings*, No 28, 9 November 2021, p 349.

⁷ ACT Legislative Assembly, *Committee Transcript Tenth Assembly*, https://www.hansard.act.gov.au/hansard/2021/comms/default.htm#3_eccb.

⁸ ACT Legislative Assembly, *Assembly on Demand*, <https://aod.parliament.act.gov.au/>.

Minister for the Environment	1	-
Minister for Heritage	-	-
Conservation Council ACT	1	

- 1.11 The answers to questions, and a list of questions (by subject, submitter, recipient) are available at Appendix B, and on the inquiry webpage.⁹
- 1.12 As of 8 November 2021, the Committee has received 20 answers to the questions taken on notice and no answers to questions on notice.

ACKNOWLEDGEMENTS

- 1.13 The Committee thanks everyone who participated in, or otherwise assisted, this inquiry during the Covid-19 outbreak. This includes representatives of Conservation Council ACT, ACT Wildlife and Landcare ACT; Mr Andrew Barr MLA in his capacity as Minister for Climate Action; Ms Tara Cheyne MLA in her capacity as Minister for Business and Better Regulation; Dr Sophie Lewis, the Commissioner for Sustainability and the Environment; Mr Shane Rattenbury MLA in his capacity as Minister for Water, Energy and Emissions Reduction and Minister for Gaming; Ms Rebecca Vassarotti MLA in her capacity as Minister for the Environment and Minister for Heritage; participating Members of the Legislative Assembly; directorate and agency officials; Member's staff and staff of the Office of the Legislative Assembly.

STRUCTURE OF THIS REPORT

- 1.14 This report reflects evidence taken by the Committee in relation to the ACT Budget 2021-2022 and presents findings and recommendations arising from the examination.
- 1.15 The report consists of eight chapters:
- Chapter 1 – Introduction, overview, and structure
 - Chapter 2 – Community organisations
 - Chapter 3 – Environment Protection Authority (EPA) portfolio
 - Chapter 4 – Climate Action portfolio
 - Chapter 5 – the Commissioner for the Environment and Sustainability portfolio
 - Chapter 6 – Water, Climate Change and Energy portfolio
 - Chapter 7 – Environment and Heritage portfolio; and
 - Chapter 8 – Final chapter – concluding remarks.

⁹ Standing Committee on Environment, Climate Change and Biodiversity, *Inquiry into ACT Budget 2021-22*, <https://www.parliament.act.gov.au/parliamentary-business/in-committees/committees/eccb/act-budget-2021-22>.

2 COMMUNITY ORGANISATIONS

INTRODUCTION

- 2.1 Prior to the ACT Budget 2021-2022 fortnight of public hearings with the ACT Government, the Committee shared a day of public hearings with other ACT Legislative Assembly standing committees (“the Community Day”) to hear the views of community and industry groups on the Budget.
- 2.2 The Community Day was held on Friday, 15 October 2021, and on that day the Committee heard from the Conservation Council ACT, ACT Wildlife and Landcare ACT.

CONSERVATION COUNCIL ACT

- 2.3 The Conservation Council ACT Region describes itself as a not-for-profit, non-government peak body that represents over 40 member groups.¹⁰ Advocating on behalf of and supporting its member groups, the Council works to protect the environment of the Canberra region through advocacy, campaigning and community engagement. Its areas of campaign include greenhouse emissions reduction, biodiversity protection, waterways protection and enhancement, waste reduction and improvements in urban sustainability and in public and active transport in our city.¹¹

MATTERS CONSIDERED

- 2.4 The Committee discussed a range of matters during the appearance by the Conservation Council ACT (the Council) at the public hearing on the Community Day. These matters include: the Council’s budget submission to the ACT Government this year and its views on the budget; issues of concern in the budget; the adequacy of funding and plans to meet climate emissions reductions; and key performance indicators (KPIs) for ACT parks.¹²

¹⁰ Conservation Council ACT Region, *About us*, <https://conservationcouncil.org.au/about-us/> (accessed 14 October 2021).

¹¹ Conservation Council ACT Region, *Our campaigns*, <https://conservationcouncil.org.au/our-campaigns/> (accessed 14 October 2021).

¹² *Proof Committee Hansard*, 15 October 2021, pp 1-7, available at https://www.hansard.act.gov.au/hansard/2021/comms/default.htm#3_eccb. A question was taken on notice at the hearing relating to KPIs for ACT Park (QTON ECCB 1). The answer is not received yet as of the time of the reporting.

KEY ISSUES

VIEWS ON THE BUDGET

- 2.5 The Committee heard that in its budget submission to the ACT Government this year, the Council focused on four key priorities areas. They are:
- firstly, the response to the climate emergency by expediting action to cut the ACT's direct emissions from gas and transport; secondly, to reduce the ACT's ecological footprint, including scope 3 emissions, which are the indirect emissions—waste, consumption and embodied energy; thirdly, to address climate adaptation preparedness and resilience from a whole-of-government perspective; and, fourthly, to invest in nature and the climate resilience that comes with that.¹³
- 2.6 The Council's Executive Director told the Committee that the Council welcomes the ACT Budget's funding for specific initiatives that the Council identified. Although not all the Council's initiatives are fully funded in this year's budget, the Council looks forward to seeing that happen in the future.¹⁴
- 2.7 The Committee was informed by the Council of two key issues in this year's budget and for future budgets. Firstly, the need to focus on applying a climate and sustainability lens to all budget spending across all portfolios. Secondly, the need for more consideration of the role of the environment community sector in supporting community engagement.¹⁵

ISSUES OF CONCERN IN THE BUDGET

- 2.8 The Committee was interested in the Conservation Council ACT's views on any gaps or issues of concern in the budget. The Council's Executive Director told the Committee about four issues: the scale of available funding to maintain and enhance biodiversity; the lack of investment in community engagement programs with regard to climate change and sustainability issues, including to support behaviour change; the management of invasive species; and funding for volunteers.¹⁶
- 2.9 Regarding the scale of funding available to maintain and enhance biodiversity, the Committee was advised that with the exception of occasional allocations such as the recovery funding for Namadgi, biodiversity funding is within the core funding and is not routine.¹⁷ The Council would like to see the core funding lifted on an ongoing basis.¹⁸

¹³ Ms Helen Oakley, Executive Director, Conservation Council ACT, *Proof Committee Hansard*, 15 October 2021, p 1.

¹⁴ Ms Oakley, Conservation Council ACT, *Proof Committee Hansard*, 15 October 2021, p 1.

¹⁵ Ms Oakley, Conservation Council ACT, *Proof Committee Hansard*, 15 October 2021, pp 1–2.

¹⁶ Ms Oakley, Conservation Council ACT, *Proof Committee Hansard*, 15 October 2021, pp 3–4.

¹⁷ Ms Oakley, Conservation Council ACT, *Proof Committee Hansard*, 15 October 2021, p 3.

¹⁸ Ms Oakley, Conservation Council ACT, *Proof Committee Hansard*, 15 October 2021, p 3.

Recommendation 1

2.10 The Committee recommends that the ACT Government continue to provide core funding to maintain and enhance biodiversity.

2.11 The Committee also heard about the lack of investment in community engagement programs with regard to climate change and sustainability issues. As the Council's Executive Director explained to the Committee:

We were hoping to see an additional bucket, and I have touched on this a little. While it is welcome that the community zero-emission grant has been extended, it is very hard to see—and I think this is one of the gaps across the budget—where the community engagement programs are being funded so that we can have a deep engagement with people across different sectors of our community with regard to both climate change and sustainability issues. I know that there are ongoing programs that are run by government through Actsmart, but, given the scale of the response that is expected and the challenge that we have to get transport emissions and gas emissions down—and you would know that when you go out into the community there is a big variation in people's awareness and understanding about sustainability, about what is required and about how they can change their patterns of behaviour—it requires ongoing conversations. I do not think that we have invested in that as heavily as we could have. That would be the other really obvious gap, I think.¹⁹

2.12 Further, the Committee heard there is a need for more investment in and consideration of management of invasive species and funding for volunteers.²⁰

THE ADEQUACY OF FUNDING AND PLAN TO MEET CLIMATE EMISSIONS REDUCTIONS

2.13 The Committee was told that although the Council welcomes all schemes that were created to deal with emissions from the transport and gas sectors, it notes that some really positive 'big-ticket' items in the climate budget are 'not likely to deliver the scale of emissions on a par with the money that was put into them'.²¹

2.14 During the discussion, the Committee again heard the Council's call for stronger investment in the community, to support the community to change behaviour.²²

¹⁹ Ms Oakley, Conservation Council ACT, *Proof Committee Hansard*, 15 October 2021, pp 3–4.

²⁰ Ms Oakley, Conservation Council ACT, *Proof Committee Hansard*, 15 October 2021, pp 4–5.

²¹ Ms Oakley, Conservation Council ACT, *Proof Committee Hansard*, 15 October 2021, pp 5–6.

²² Ms Oakley, Conservation Council ACT, *Proof Committee Hansard*, 15 October 2021, p 6.

ACT WILDLIFE

- 2.15 ACT Wildlife was established in 2013. The organisation describes its mission as to ‘rescue, rehabilitate and release injured, sick and orphaned native wildlife; educate the public about sharing the urban interface with native wildlife and provide professional training to ensure a high standard of welfare for animals in care.’²³
- 2.16 ACT Wildlife is run by volunteers. It operates a hotline to the public for reporting of animals in need of care, and trains volunteers in caring and raising (for release) injured wildlife.²⁴

MATTERS CONSIDERED

- 2.17 The Committee discussed the following matters during the appearance of ACT Wildlife at the public hearing on 15 October 2021: ACT Government funding to ACT Wildlife; the need for a wildlife vet and a wildlife vet clinic; causes of injuries to animals and the most common causes; the wombat mange program; and the adequacy of funding for volunteers.²⁵

KEY ISSUES

FUNDING FROM THE ACT GOVERNMENT

- 2.18 The Committee heard that ACT Wildlife appreciates the four years of recurring funding it receives from the ACT Government as the funding provides certainty into the future.²⁶ The funding will be used for employing an additional administrative staff member to answer the phone, improve public awareness and assist with organising the work of around 100 volunteers.²⁷

THE NEED FOR A WILDLIFE VET AND A WILDLIFE VET CLINIC

- 2.19 The Committee was told that ACT Wildlife does not have access to its own vet and this is a ‘very large unmet need’ for the organisation.²⁸ According to the ACT Wildlife President:

Currently we rely on the goodwill of local vets. Given that we take about 12,000 calls a year from members of the public, a lot of the advice we give those members of the public is to take the injured animal to the nearest vet, where frequently it will be euthanised. One of the things we would like to have in future is our own wildlife vet

²³ ACT Wildlife, *About Us*, <https://actwildlife.net/about/> (accessed 14 October 2021).

²⁴ ACT Wildlife, *About Us*, <https://actwildlife.net/about/> (accessed 14 October 2021).

²⁵ Mrs Lindy Butcher, President, ACT Wildlife, *Proof Committee Hansard*, 15 October 2021, pp 8–11.

²⁶ Mrs Butcher, ACT Wildlife, *Proof Committee Hansard*, 15 October 2021, p 8.

²⁷ Mrs Butcher, ACT Wildlife, *Proof Committee Hansard*, 15 October 2021, p 8; p 11.

²⁸ Mrs Butcher, ACT Wildlife, *Proof Committee Hansard*, 15 October 2021, p 8.

and a wildlife vet clinic. It is a big dream we have. It is one we are constantly planning for.²⁹

- 2.20 The Committee was interested in the costs involved to have a wildlife vet clinic. It heard that, based on the costings that ACT Wildlife did several years ago, the cost of a demountable clinic would be about \$400,000 and the yearly operational costs (including salaries for a vet and a vet nurse) would be around \$200,000.³⁰
- 2.21 In response to a question about the availability of data on the number of injured wildlife that get taken to ACT vets, ACT Wildlife informed the Committee that currently there is no such record kept in the territory. The ACT Wildlife President explained that ‘the vets are not required to keep that kind of information for any reporting purposes.’³¹

Recommendation 2

- 2.22 The Committee recommends that the ACT Government explore quantifying the injured and the loss of wildlife in the territory.**

LANDCARE ACT

- 2.23 As the territory affiliate of the national Landcare organisation, Landcare ACT is the peak community body for landcare groups in the ACT. It describes its core mission as helping communities connect to (land) conservation.³² In the ACT it has over 70 groups and ‘thousands and thousands’ of volunteers.³³ It counts as its members: The Regional Agricultural Landcare Facilitator, Aboriginal NRM Facilitator, Urban Landcare Coordinator and the ParkCare Volunteer Program. In addition, the Ginninderra Catchment Group, Molonglo Catchment Group and Southern ACT Catchment Group are community group members.³⁴
- 2.24 Although it is a peak body, Landcare ACT does not receive any funding from the ACT Government.³⁵ Some of its members receive funding from the ACT Government.

MATTERS CONSIDERED

- 2.25 At the Community Day public hearing, the Committee and Landcare ACT discussed the following matters: Landcare ACT’s view on the provision of funding from this budget to

²⁹ Mrs Butcher, ACT Wildlife, *Proof Committee Hansard*, 15 October 2021, p 8.

³⁰ Mrs Butcher, ACT Wildlife, *Proof Committee Hansard*, 15 October 2021, p 9.

³¹ Mrs Butcher, ACT Wildlife, *Proof Committee Hansard*, 15 October 2021, p 9.

³² ACT Region Landcare Gateway, *About*, <https://actlandcare.org.au/> (accessed 14 October 2021).

³³ Dr Maxine Cooper, Chair, Landcare ACT, *Proof Committee Hansard*, 15 October 2021, p 12.

³⁴ ACT Region Landcare Gateway, *About*, <https://actlandcare.org.au/> (accessed 14 October 2021).

³⁵ Dr Cooper, Landcare ACT, *Proof Committee Hansard*, 15 October 2021, p 12.

different groups and programs and its adequacy; support for volunteers; funding for weeds management; and the most importance environmental issue that the ACT faces.

KEY ISSUES

VIEWS ON THE PROVISION OF FUNDING FROM THIS BUDGET

- 2.26 The Committee heard that Landcare ACT welcomes various ACT Government funding to support environmental efforts, including funding for the catchment groups, additional funding towards an additional ParkCare ranger, the Healthy Waterways initiative and an increase in the environment grants.³⁶
- 2.27 Landcare ACT, however, told the Committee that it hopes that the funding provided to the catchment groups would be able to support on-ground groups and that there is more clarity 'in terms of exactly what that funding is for.'³⁷ The Landcare ACT Chair informed the Committee that:

Landcare ACT and the catchment groups look forward to learning more about what is the precise funding amount and being reassured that this funding focuses on supporting local volunteer groups delivering environmental outcomes on the ground, something that we advocate strongly.³⁸

SUPPORT FOR VOLUNTEERS

- 2.28 The Committee was advised that recognising and valuing the contributions of Landcare volunteers in the ACT, who annually provided \$2 million in kind, Landcare ACT would like to see the provision of more and appropriate support to on-the-ground volunteers.³⁹
- 2.29 Landcare ACT also informed the Committee of a gap in the involvement of young people and Indigenous people in the Landcare activities.⁴⁰

Recommendation 3

- 2.30 The Committee recommends that the ACT Government ensure continued funding to support Landcare ACT and catchment groups to continue their work.**

³⁶ *Proof Committee Hansard*, 15 October 2021, pp 12–14.

³⁷ Ms Karissa Preuss, CEO, Landcare ACT, *Proof Committee Hansard*, 15 October 2021, p 15.

³⁸ Dr Cooper, Landcare ACT, *Proof Committee Hansard*, 15 October 2021, p 13.

³⁹ Ms Preuss, Landcare ACT, *Proof Committee Hansard*, 15 October 2021, p 15.

⁴⁰ Dr Cooper, Landcare ACT, *Proof Committee Hansard*, 15 October 2021, p 15.

COMMITTEE COMMENT

- 2.31 The Committee appreciates and thanks community organisations appearing before it on 15 October 2021 for sharing their insights, experience, and expertise. But most importantly, for the significant contribution that these groups and other community organisations make to the ACT community.
- 2.32 The Committee identified several themes in its discussions with community groups. These include the importance of community engagement and behaviour change programs and provision of the right support for volunteers.
- 2.33 The Committee is pleased to hear that community groups welcome the ACT Government funding from this year's budget.

3 ENVIRONMENT PROTECTION AUTHORITY PORTFOLIO

OVERVIEW

- 3.1 Established under the *Environment Protection Act 1997* (the Act) and as a statutory position, the Environment Protection Authority (the EPA) is responsible for the administration of the Act.⁴¹ The EPA is also responsible for the administration of the *Water Resources Act 2007* (the WR Act). The WR Act aims to ensure the use and management of the Territory's water resources are sustainable while protecting the ecosystems that depend on the waterways. It is also designed to protect waterways and aquifers from damage.⁴²
- 3.2 Supported by the Office of the Environment Protection Authority within Access Canberra⁴³, the EPA performs a range of functions to meet its objectives. The EPA website listed them:
- Granting environmental authorisations, promoting environmental awareness, public and industry education, entering into environmental protection agreements, developing codes of practice with industry and issuing notices, environment protection orders and a range of other instruments. [...] The Act covers all activities that have the potential to cause harm to human health or the environment through emissions to air, land and water.⁴⁴
- 3.3 The EPA is funded through Access Canberra (under the Chief Minister, Treasury and Economic Development /CMTEDD) and as such, the appropriation for its activities is under the Access Canberra appropriation.⁴⁵ There are no line items in the budget specifically for the EPA. As introduced earlier in this report, the budget output for Access Canberra is Output Class 2 (Output 2.1) Access Canberra.
- 3.4 The Committee heard from the Minister for Business and Better Regulation and officials on 19 October 2021 to discuss the EPA portfolio.

⁴¹ ACT Government Access Canberra, *Environment Protection Authority*, <https://www.accesscanberra.act.gov.au/s/article/environment-protection-tab-overview> (accessed 18 October 2021).

⁴² ACT Government Access Canberra, *Environment Protection Authority*, <https://www.accesscanberra.act.gov.au/s/article/environment-protection-tab-overview> (accessed 18 October 2021).

⁴³ ACT Government Chief Minister, Treasury and Economic Development Directorate, *CMTEDD Annual Report 2019-20 Volume 1*, p 244.

⁴⁴ ACT Government Access Canberra, *Environment Protection Authority*, <https://www.accesscanberra.act.gov.au/s/article/environment-protection-tab-overview> (accessed 18 October 2021).

⁴⁵ Ms Tara Cheyne MLA, Minister for Better Business and Regulation, *Proof Committee Hansard*, 19 October 2021, p 18.

MATTERS CONSIDERED

- 3.5 The Committee discussed the following matters during the appearance of the Minister for Business and Better Regulation on Tuesday, 19 October 2021: an enforceable undertaking regarding the Caltex/Ampol service station in Holt; budget and resourcing for the EPA; reduction in the budget for Environmental Protection function; climate litigation; the 2019 draft of the EPA guidelines for construction and land development in the ACT; the number and nature of complaints that the EPA received; point source pollution; partially treated sewage spill from the lower Molonglo into the Murrumbidgee; air pollution and air quality; the impacts of Covid on the EPA's activities; alternative dispute resolution measures; the gross pollutant traps- related complaints.⁴⁶

KEY ISSUES

ENFORCEABLE UNDERTAKING: THE AMPOL SERVICE STATION IN HOLT

- 3.6 The Committee was interested in the enforceable undertaking regarding the (formerly) Caltex/Ampol service station in Holt and asked about the details of the complaints, its progress and outcome.⁴⁷ It was told about the incident of petrol leakage, approximately 80,000 litres, from an underground fuel tank storage on 14 February 2020. The tank was immediately emptied and taken out of use and the EPA issued an environmental protection order on Ampol to remove the product.⁴⁸
- 3.7 The Committee heard that following the incident, Ampol approached the EPA about an enforceable undertaking, which is a legally binding voluntary agreement in this case between the EPA and Ampol that involves commitments in response to an alleged breach to offset the negative environmental outcome of the breach.⁴⁹ The EPA and Ampol agreed to it in principle in March 2021 and it was then executed in May 2021. Under the undertaking, Ampol paid \$150,000 to the Ginninderry Conservation Trust and \$50,000 to Ginninderra Catchment Group.⁵⁰ The Committee was told that this type of regulatory outcome is something that the EPA sought to do because it benefits the community and upholds what the EPA is trying to achieve under the Act.⁵¹

⁴⁶ *Proof Committee Hansard*, 19 October 2021, pp 16–30.

⁴⁷ *Proof Committee Hansard*, 19 October 2021, pp 16–18.

⁴⁸ *Proof Committee Hansard*, 19 October 2021, p 16.

⁴⁹ *Proof Committee Hansard*, 19 October 2021, p 17.

⁵⁰ Minister Cheyne MLA, *Proof Committee Hansard*, 19 October 2021, p 17.

⁵¹ *Proof Committee Hansard*, 19 October 2021, pp 17–18.

- 3.8 Further, the Committee and the EPA discussed the voluntary nature of the enforceable undertaking and efforts to achieve a similar outcome through other alternative options in relation to environment protection orders or prosecutions.⁵²

Recommendation 4

- 3.9 The Committee recommends that the ACT Government continue the use of enforceable undertakings as a regulatory tool for environmental protection.**

NOISE COMPLAINTS

- 3.10 Upon learning that most of the complaints that the EPA received are related to noise, the Committee inquired about the breakdown of these complaints and ways to work with the community to reduce the number of the complaints.⁵³ The Statutory Office Holder for the EPA provided the breakdown of the complaints:

In terms of percentages for 2020-21, this is just in relation to noise, to begin with: for 49 per cent, the category is “amplified”, which is amplified music; 22 per cent is in relation to construction noise; 11 per cent is in relation to mechanical plants and equipment, which includes things like air conditioners; five per cent is in relation to vehicles; and three per cent is in relation to gym equipment. There are some others that are very low percentages, as well.⁵⁴

- 3.11 The Committee also sought information about the time frame and the costs involved to look into the complaints. In an answer to a question that was taken on notice, the Minister responded:

The Environment Protection Authority (EPA) does not capture aggregated data about the average length of time or staffing costs to respond to noise complaints. Rather, the EPA records outcomes of enforcement actions taken by its Environment Protection Officers such as sending an advisory letter, issuing an environment protection order, or issuing an infringement notice.

In 2020-21, the EPA:

- issued four infringement notices for the “offence to make noise louder than noise standard”, and
- served one environment protection order in response to excessive noise.⁵⁵

⁵² *Proof Committee Hansard*, 19 October 2021, p 17.

⁵³ *Proof Committee Hansard*, 19 October 2021, p 17.

⁵⁴ Ms Madelin Bayer, Senior Director (Statutory Office Holder: Environment Protection Authority; Delegate for Lakes; Clinical Waste Controller), Construction, Utilities and Environment Protection, Office of the EPA, Access Canberra, *Proof Committee Hansard*, 19 October 2021, p 22.

⁵⁵ Minister Cheyne MLA, *answer to QTON ECCB 4*, 19 October 2021 (received 28 October 2021).

Recommendation 5

- 3.12 The Committee recommends that the ACT Government undertake initiatives to create greater community awareness about the need to reduce amplified noise, and the impact it has on neighbours.**

AIR POLLUTION AND AIR QUALITY

- 3.13 The Committee heard that out of 307 complaints about air pollution that EPA received in the last one year, 228 of them were in relation to smoke, 45 in relation to odour, 29 in relation to dust and five in relation to toxic or poisonous gases.⁵⁶
- 3.14 Further, the Committee was interested in the satisfaction level of the complainants and the number of complaints about wood smoke. The question was taken on notice and the Minister answered that the EPA 'is unable to comment on the satisfaction of complainant when smoke complaints were resolved' and that there were 46 complaints related to smoke from domestic wood fire heaters.⁵⁷
- 3.15 The Committee was also informed about the comparison of the air pollution complaints in the aftermath of the bushfires and the same period earlier this year. The EPA's data shows that the smoke complaints were much higher in the aftermath of the bushfires, but there was only 1 complaint related to bushfires.

Between 1 December 2019 and 31 January 2020, the Environment Protection Authority received 82 complaints about air pollution, of which 50 complaints were about smoke, with one complaint relating to bushfire smoke.

Between 1 December 2020 and 31 January 2021, the Environment Protection Authority received 34 complaints about air pollution, of which 18 were smoke related, with zero relating to bushfire smoke.⁵⁸

- 3.16 The EPA advised the Committee that in June 2021 it issued its air quality report for 2020. According to Access Canberra Deputy Director-General, the report provides a very detailed analysis of all air quality and air pollution-related issues in the ACT, including the impacts of the bushfire smoke on the community.⁵⁹

⁵⁶ Ms Bayer, Access Canberra, *Proof Committee Hansard*, 19 October 2021, p 25.

⁵⁷ Minister Cheyne MLA, *answer to QTON ECCB 4*, 19 October 2021 (received 28 October 2021).

⁵⁸ Minister Cheyne MLA, *answer to QTON ECCB 7*, 19 October 2021 (received 28 October 2021).

⁵⁹ Mr David Pryce, Deputy Director-General, Access Canberra, *Proof Committee Hansard*, 19 October 2021, p 25.

- 3.17 The Committee heard that the ACT currently has three air monitoring stations that form the ACT monitoring network and which are located in Monash, Civic and Florey.⁶⁰

ALTERNATIVE DISPUTE RESOLUTION

- 3.18 The Committee inquired about alternative dispute resolution measures to resolve complaints in the community.⁶¹ It was informed about the complaint handling process that is currently in place; the use of Access Canberra model of educate, engage and enforce; and Access Canberra's approach of bringing in binding conciliation from a consumer affairs point of view.⁶²
- 3.19 The Committee was told that Access Canberra is in discussion with the EPA team to explore alternative approaches that would resolve complaints more effectively:

I have been discussing with the EPA team and executive how we might approach noise complaints, as an example, differently, because of the volume and the impacts that they have at a local level, and see whether or not there is another way for us to apply our regulatory suite of tools around complaint conciliation. When you weigh up the relevant cost and the impacts, there may be a more effective process.⁶³

Recommendation 6

- 3.20 The committee recommends that the ACT Government undertake further action to develop and implement dispute resolution services to address neighbourhood disputes efficiently and effectively.**

⁶⁰ Ms Bayer, Access Canberra, *Proof Committee Hansard*, 19 October 2021, p 26.

⁶¹ *Proof Committee Hansard*, 19 October 2021, pp 27–28.

⁶² *Proof Committee Hansard*, 19 October 2021, p 28.

⁶³ Mr Pryce, Access Canberra, *Proof Committee Hansard*, 19 October 2021, p 28.

4 CLIMATE ACTION PORTFOLIO

OVERVIEW

- 4.1 On Tuesday, 19 October 2021, the Committee heard from Chief Minister Andrew Barr MLA, in his capacity as the Minister for Climate Action, and accompanying officials to discuss the Climate Action portfolio.
- 4.2 For this portfolio, the Committee examines Output Class 1 Government Strategy: Output 1.1. Government Policy and Reform in the main appropriation bills for the Territory, as outlined in Budget Statement B. This output class is under the responsibility of the Chief Minister, Treasury and Economic Development Directorate (CMTEDD).
- 4.3 Through this output, CMTEDD ‘provides advice and support to the Chief Minister, the Head of Service and the Director-General on complex policy matters’, and ‘performs a central agency coordination role in strategic planning, social, economic and regional policy, including high priority reforms and effective delivery of government policies and priorities.’⁶⁴ One of the priorities is Climate Action. The Government delivers this output through the work of the Coordinator-General, Climate Action, in leading and coordinating the ACT’s emissions reduction initiatives and undertaking climate adaptation policy analysis to improve Canberra’s resilience to the effects of a warming climate.⁶⁵

MATTERS CONSIDERED

- 4.4 The Committee discussed a range of subjects during the appearance of the Minister of Climate Action and accompanying officials at the public hearing on 19 October 2021. The topics are as follows: the Sustainable Household Scheme (including: the number of applicants, the providers of the scheme, plan for the inclusion of e-bikes, considerations for people in private rentals and in social housing, modelling to determine loan eligibility and costs involved); the rationale behind a climate action budget that appears to prioritise capital over behaviour change when it comes to emissions reduction in transport; the Office of the Coordinator General for Climate Action; human resources allocated to support behavioural change in transport; climate adaptation policy; e-bikes; the Big Battery program; human resources allocated to support behaviour change in transition from gas; the Vulnerable Household Scheme; the scheme for

⁶⁴ ACT Government, [2021-22 ACT Budget Statement B](#), p 22.

⁶⁵ ACT Government, [2021-22 ACT Budget Statement B](#), p 22.

free registration; resources allocated for the planned whole-of-government coordination on embedded emissions; embedded emissions.⁶⁶

KEY ISSUES

SUSTAINABLE HOUSEHOLD SCHEME

- 4.5 The Committee discussed various themes under the Sustainable Household Scheme with the Minister for Climate Action and officials. Firstly, the Minister provided an update including facts and figures about the scheme. The Committee heard that 7,000 households registered their interest in the scheme and that over 700 applications have been made with the average loan amount of \$10,800.⁶⁷ The Committee was also advised about scheme providers, modelling to determine loan eligibility and costs involved.⁶⁸
- 4.6 The Committee sought information about the exclusion of e-bikes from electric vehicles which are now included under the scheme. It was told that e-bikes are currently not a priority for this year as it is seen as additionality. The Minister advised the Committee:

That has not been ruled out but, given the criteria around the size of the loan scheme, the minimum loan value and the value of those particular products and their ability to be purchased, it really would not require an interest-free loan for most. It has not been ruled out, but it is not a priority at the moment.⁶⁹

COMMITTEE COMMENT

- 4.7 The Committee notes there are other priorities which exclude e-bikes with the introduction of electric vehicles under the Sustainable Household Scheme. However, given that the use of e-bikes could cause significant emission reductions if people replaced a second car with an e-bike, the Committee encourages the government to explore the inclusion of e-bikes in the scheme.

Recommendation 7

- 4.8 The Committee recommends that the ACT Government investigate e-bikes as part of the Sustainable Household Scheme as a priority.**

⁶⁶ *Proof Committee Hansard*, 19 October 2021, pp 31–43.

⁶⁷ *Proof Committee Hansard*, 19 October 2021, pp 31–32.

⁶⁸ *Proof Committee Hansard*, 19 October 2021, pp 32–33.

⁶⁹ Mr Andrew Barr MLA, Minister for Climate Action, *Proof Committee Hansard*, 19 October 2021, p 33.

- 4.9 Further, in response to concerns expressed about the suitability and the benefits of the scheme for people who are in private rental or low-income earners in social housing, the Minister told the Committee that the scheme does not disadvantage people in these categories. According to the Minister:

It does not come at a cost to people who are in social housing or private rental. The majority of households in the ACT are privately owned. There is a separate scheme in relation to public housing that has been running, in terms of energy efficiency improvements, for more than a decade. In relation to private rentals, this scheme is open to the landlords of those properties.⁷⁰

VULNERABLE HOUSEHOLD ENERGY SCHEME

- 4.10 The Committee also discussed the Vulnerable Household Energy Scheme. It inquired the scheme's benefit to renters, including how to protect renters from rent increases because of any works that were undertaken. The Committee heard that the scheme has different elements and that the Government is currently designing a residential standard, including the insulation standards, that could become a regulation for the purpose of renters.⁷¹
- 4.11 In response to a budget question, the Minister told the Committee that the budget for the scheme has not been reduced. He explained the difficulties in fully designing the program to ensure that the scheme integrates well with the introduction of minimum energy requirements for rental properties.⁷²

COMMITTEE COMMENT

- 4.12 The Committee notes and appreciates a range of available schemes aiming at assisting the community to reduce emissions. Based on feedback from the community, including organisations such as ACTCOSS, the Committee notes that some schemes - like the Sustainable Household Scheme, which appears to most benefit home-owners, and the Vulnerable Household Scheme, which had invited questions on its roll out and implementation, invite questions about their benefits for low income earners.

Recommendation 8

- 4.13 The Committee recommends that the ACT Government continue to consider Canberra's most vulnerable households and the impacts on them of the government's transition to net zero emissions in the ACT.**

⁷⁰ Minister Barr MLA, *Proof Committee Hansard*, 19 October 2021, pp 33–34.

⁷¹ *Proof Committee Hansard*, 19 October 2021, p 40.

⁷² *Proof Committee Hansard*, 19 October 2021, p 42.

EMISSION REDUCTIONS

- 4.14 The Committee inquired about the allocation of a large portion of the climate action budget on capital over behaviour change initiatives to convert the community to undertake large reductions in emissions. It heard that the government itself is an emitter and the large spending on capital is related to the long-term program of emission reduction in government-owned assets.⁷³ As elaborated by the Minister:

We have had schemes across government to reduce our own emissions and we intend to continue those. Now, they are obviously going to be ones that are lumpy, because we have significant capital assets so you are going to see from time to time in an annual budget a significant initiative associated with a specific government asset.

We also have a responsibility in relation to the quality of our government office accommodation. It makes sense, when government is undertaking midlife refurbishment or commissioning new buildings, that you make necessary occupational health and safety improvements and improvements to the workplace. But, at the same time, it is much more efficient to undertake a range of other associated works that reduce the emissions profile of a particular government asset.⁷⁴

- 4.15 The Committee was told that the government wants ‘a long-term sustainable program that supports households to make a transition’ and ‘that is where the bulk of the new spending is.’⁷⁵
- 4.16 The Committee also sought information about the rationale behind a climate action budget that appears to, again, prioritise capital over behaviour change when it comes to emissions reduction in transport. The Minister argued that this assessment is inaccurate because there are a range of other investments in other portfolios or revenue that would encourage behaviour change in transport. He included examples like ‘free registration or reduced registration costs, forgoing stamp duty on zero emission vehicles and the significant investments in Transport Canberra in relation to public transport.’⁷⁶
- 4.17 In addition, the Committee was interested in the number of full-time equivalents (FTEs) allocated to behaviour change to support in transport and in transition from gas. The Minister took these questions on notice. At the time of report deliberation, the Committee was yet to receive the responses.

⁷³ *Proof Committee Hansard*, 19 October 2021, p 34.

⁷⁴ Minister Barr MLA, *Proof Committee Hansard*, 19 October 2021, p 34.

⁷⁵ Minister Barr MLA, *Proof Committee Hansard*, 19 October 2021, p 34.

⁷⁶ Minister Barr MLA, *Proof Committee Hansard*, 19 October 2021, p 34.

COMMITTEE COMMENT

- 4.18 The Committee notes the need for further investment in behaviour change to support emissions reduction. This includes through social research, behavioural insight analysis, partnerships, tests, trials and delivering better understanding to influence people to reduce carbon emissions. This will also include through marketing, information resources and community programs.

Recommendation 9

- 4.19 The Committee recommends that the ACT Government further invest in programs that encourage Canberrans to change their behaviour on emissions reduction.**

Recommendation 10

- 4.20 The Committee recommends that the ACT Government in making policy decision aim to maximise emission reductions in the ACT.**

- 4.21 The Committee also discussed issues related to embedded emissions. It was told that embedded emissions are often rolled into other work and that ‘the embedded emissions tend to be things that do not happen within the ACT.’⁷⁷ It heard that in looking at embedded emissions, the government also looks at end-of-life issues, including how to recycle things like the photovoltaic (PV) systems. The Committee was told that the ACT currently does not have systems for this yet.⁷⁸

Recommendation 11

- 4.22 The Committee recommends that the ACT Government undertake further work to explore options for recycling of PV and other similar systems, as they reach the end of their useful life; as well as for other new technologies as they emerge.**

Recommendation 12

- 4.23 The committee recommends that the ACT Government consider embedded emissions when making infrastructure decisions.**

⁷⁷ Mr Gene McGlynn, Executive Group Manager, Climate Change and Energy, EPSDD, *Proof Committee Hansard*, 19 October 2021, p 43.

⁷⁸ *Proof Committee Hansard*, 19 October 2021, p 43.

5 THE COMMISSIONER FOR SUSTAINABILITY AND THE ENVIRONMENT PORTFOLIO

OVERVIEW

- 5.1 The Commissioner for Sustainability and the Environment (the Commissioner) is an independent statutory position established by the *Commissioner for Sustainability and the Environment Act 1993*. The Commissioner's functions and activities include investigating complaints about the management of the environment and ecologically sustainable development issues, conducting investigations and initiatives, and delivering state of the environment reports (SoER).⁷⁹
- 5.2 The Committee heard from the Commissioner for Sustainability and the Environment, Dr Sophie Lewis and accompanying officials in a public hearing on Tuesday 19 October 2021. For this portfolio, the Committee examines Expenses on Behalf of the Territory (EBT) 1 (Commissioner) in the main appropriation bills for the Territory, as outlined in Budget Statement E.

MATTERS CONSIDERED

- 5.3 The Committee discussed the following matters during the appearance of the Commissioner and accompanying officials on Tuesday, 19 October 2021: minister-initiated investigations over the last year; update on work relating to the 2019 SoER recommendation on air quality in the ACT; update on work relating to the 2019 SoER recommendation on the budget allocation of \$150,000 to biodiversity; funding adequacy for the Office of the Commissioner; electrification of the bus fleet; complaint-generated investigations; the legislation and the policy settings around the role of the Commissioner; Scope 3 emissions; the state of the ACT lakes and waterways investigation; the breakdown of the budget for the Commissioner.⁸⁰

⁷⁹ Office of the Commissioner for Sustainability and the Environment, *About*, <https://envcomm.act.gov.au/about/> (accessed 18 October 2021).

⁸⁰ *Proof Committee Hansard*, 19 October 2021, pp 44–50.

KEY ISSUES

MINISTER-INITIATED INVESTIGATIONS

- 5.4 The Committee inquired about the minister-initiated investigations that the Commissioner conducted in the last year and was informed of two investigations.⁸¹ The first one was an investigation into Scope 3 greenhouse gas emissions for the ACT. The Commissioner told the Committee that the report for this investigation will be tabled in November 2021. The second is an investigation into the state of the lakes and waterways in the ACT with reporting due in the first quarter of 2022.⁸²
- 5.5 The Committee heard that an average minister-initiated investigation usually takes 12 months, except where seasonally dependent information was required, which would prolong the investigation period.⁸³
- 5.6 The Committee was advised that the Office of the Commissioner is adequately resourced to undertake this type of investigations.⁸⁴

THE STATE OF THE LAKES AND WATERWAYS INVESTIGATION

- 5.7 The Committee was interested in the preliminary findings of the investigation into the state of the lakes and waterways. It was told that the Commissioner did not want to pre-empt the findings as they are still waiting for a data report from University of Canberra.⁸⁵
- 5.8 However, having investigated aspects of water quality and management in the ACT for the SoER, an Office of the Commissioner official offered some insights to the Committee.

In terms of the main impacts on the lakes and waterways, the information we are getting is pretty much what has been around for a while. There is a lot of impact from urban runoff and a lot of impact from development areas for sediment and other pollutants. We are also looking at leaves and things that run off into lakes, causing algal blooms. So there is nothing new that we are aware of. But the report will be far more comprehensive in terms of looking at all of that together and looking at policy and other things that we could change to improve waterways.⁸⁶

⁸¹ *Proof Committee Hansard*, 19 October 2021, pp 44–45.

⁸² *Proof Committee Hansard*, 19 October 2021, p 44.

⁸³ *Proof Committee Hansard*, 19 October 2021, p 45.

⁸⁴ *Proof Committee Hansard*, 19 October 2021, p 45.

⁸⁵ *Proof Committee Hansard*, 19 October 2021, p 49.

⁸⁶ Mr Sean Grimes, Director, Sustainability, Environmental Assessments and Reporting, Office of the Commissioner for Sustainability and the Environment, *Proof Committee Hansard*, 19 October 2021, p 50.

LEGISLATION AND POLICY SETTINGS

- 5.9 The Committee asked about the adequacy of the legislation and policy settings in supporting the role of the Commissioner. The Commissioner advised the Committee that it would be more appropriate for an independent body or review, rather than the Commissioner, to address this question.⁸⁷ However, the Commissioner told the Committee that it can be hard to understand the legislation:

I will say that in addressing this complaint and various other undertakings in our work program throughout the year, we have found that our legislation can be hard to understand and follow. Particularly, we have identified that there are some contradictions or ambiguities in language on major projects, such as the State of the Environment Report, which are not clearly stipulated in there. They are small or potentially small things that we have noticed while undertaking our work. But as to how the commissioner fits within the broader environmental governance of the territory, I do not think it is appropriate for me to make comment on that.⁸⁸

Recommendation 13

- 5.10 The Committee recommends that the ACT Government investigate operational improvements that can be made to the current Commissioner legislation.**

⁸⁷ *Proof Committee Hansard*, 19 October 2021, p 50.

⁸⁸ Dr Sophie Lewis, Commissioner for Sustainability and the Environment, *Proof Committee Hansard*, 19 October 2021, p 47.

6 WATER, CLIMATE CHANGE AND ENERGY PORTFOLIO

OVERVIEW

- 6.1 At a public hearing on Thursday 21 October 2021, Minister Shane Rattenbury MLA in his capacity as the Minister for Water, Emissions Reduction and Energy and the Minister for Gaming appeared before the Committee to discuss matters under two outputs: Output 3.1 Climate Change and Energy and Output 2.4 Water, as stated on Budget Statement E (EPSDD).⁸⁹ The Minister was accompanied by EPSDD officials.
- 6.2 Under Output 3.1, the ACT Government aims to develop policy and provide advice in relation to:
- The ACT Climate Change Strategy 2019-25;
 - Investments in renewable electricity through a feed in tariff and delivery of local industry
 - Development strategies;
 - Energy efficiency measures, including administration of the Energy Efficiency Improvement Scheme and Actsmart programs; and
 - Administration of the ACT's Zero Emissions Government Scheme.⁹⁰
- 6.3 Through Output 2.4, the government 'explores and implements best practice approaches to water management including administrative arrangements, water sensitive urban design, water security and catchment management.'⁹¹ This is a new output, as water-related output was previously included as part of output 2.1 Environment.⁹²

MATTERS CONSIDERED

- 6.4 The Committee discussed various topics during the appearance of Minister Rattenbury MLA and accompanying officials at the public hearing on 21 October 2021.
- 6.5 The matters considered under the water portfolio are as follows: the Healthy Waterways program (including funding update, considerations for the establishment of a wetlands at

⁸⁹ ACT Government, [2021-22 ACT Budget Statement E](#), p 19, p 28, p 61 (for Output 3.1); and p 18, p 27 (for Output 2.4).

⁹⁰ ACT Government, [2021-22 ACT Budget Statement E](#), p 19.

⁹¹ ACT Government, [2021-22 ACT Budget Statement E](#), p 18.

⁹² ACT Government, [2021-22 ACT Budget Statement E](#), p 18.

Yarralumla Bay, compliance status of the infrastructure projects to the municipal infrastructure standards, and H2OK program); measurement of the efficacy of the gross pollutant traps (GPTs) at Lake Tuggeranong; water quality monitoring; guidelines for recreational water quality; the management of ribbon weed overgrowth in Yerrabi Pond; the project to identify the fine-scale nutrient sources; waterways management through different portfolios; update on recommendations from the previous reports on lakes and waterways water quality, including 'A Better Functioning Lake by 2030' report; water sensitive urban design; storm water treatments audit; children's education program on the importance of waterways; certificate of compliance requirements as part of the handover of water sensitive urban design projects or assets; biodiversity of the plants in the waterways; and the use of glyphosate (Roundup) as treatments to control weeds.⁹³

- 6.6 The following are the topics discussed under the Climate Change and Energy portfolio: response to concerns about the value for money of the big-ticket items in the climate budget in delivering emissions reductions; behavioural change initiatives to support emission reductions; the number of households participating in Government schemes who switched away from using one gas appliance last year; the government's greenhouse gas reduction targets and the target for households to switch off from gas by 2025; the *Climate Change Act*; the building energy efficiency upgrade fund; the change in accountability indicators (page 28 of the Budget Statement E); charging stations for zero-emissions vehicles; the better infrastructure fund; zero-emissions vehicles for government; government's petrol and diesel vehicles; Internal Combustion Engine (ICE) vehicles vs electric vehicles usage; and the commitment to make the Molonglo Valley group centre being 100 per cent electric.⁹⁴

KEY ISSUES

HEALTHY WATERWAYS PROGRAM

- 6.7 During the appearance of the Minister and officials, the Committee looked at a range of aspects of the Healthy Waterways program, including a funding update, consideration for the establishment of a wetlands at Yarralumla Bay, compliance status of the infrastructure projects to the municipal infrastructure standards and the H2OK program.
- 6.8 The Committee was provided with an update about the continuing status of the program, which currently has 19 hard infrastructure assets.⁹⁵ The Minister advised the Committee that

⁹³ *Proof Committee Hansard*, 21 October 2021, pp 51–54, pp 58–63, pp 66–68, pp 71–74.

⁹⁴ *Proof Committee Hansard*, 21 October 2021, pp 54–58, pp 63–66, pp 68–71, pp 74–75.

⁹⁵ *Proof Committee Hansard*, 21 October 2021, p 51.

this year budget has allocated a further \$5 million to expand the program, consisting of \$1.6 million in capital works and \$3.4 million in expenses.⁹⁶

- 6.9 The Committee requested an update on considerations to establish a wetlands at Yarralumla Bay. It was informed about the work - planned and in progress - under the recently announced budget. The Committee heard that EPSDD currently are considering various projects, with the focus on works associated with the floating wetlands at Yerrabi Pond, some swales to mitigate impacts in Lake Tuggeranong, and mitigation options for reducing nutrient flows into the system across several sites.⁹⁷ The Committee was told that in identifying mitigation options, the EPSDD also looks at catchments and that 'those catchment plans will help to define where future infrastructure, wetlands or other mitigation—nutrient mitigation—tools are used.'⁹⁸

COMMITTEE COMMENT

- 6.10 As discussed in the previous chapter of this report, at the Committee hearing on Tuesday 19 October 2021, the Committee was advised about Minister-Directed-Investigation for the Commissioner for Sustainability and the Environment to look at the state of the lakes and waterways. The report is due for delivery in the first quarter of next year. The Committee sees the valuable contribution that this report can make to the Healthy Waterway program and encourages the government to use this Commissioner's report to inform the program.

Recommendation 14

- 6.11 The Committee recommends that the ACT Government consider the results of the upcoming report on the state of the lakes and waterways in the ACT, and viability of a wetlands in Yarralumla, if appropriate, as part of the ACT Government's Healthy Waterways program.**

Recommendation 15

- 6.12 The Committee recommends that the ACT Government make publicly available all catchment plans and assessments to undertake Healthy Waterways (or water quality improvement) works for review and comment, including proposed works, before detailed design and construction commitments are made.**

Recommendation 16

- 6.13 The Committee recommends that the ACT Government ensure that the water quality data, models, and modelling results for the ACT are publicly available.**

⁹⁶ *Proof Committee Hansard*, 21 October 2021, p 52.

⁹⁷ *Proof Committee Hansard*, 21 October 2021, p 52.

⁹⁸ Mr Ian Walker, Executive Group Manager, Environment, Heritage and Water, EPSDD, *Proof Committee Hansard*, 21 October 2021, p 52.

6.14 The Committee inquired about the H2OK program⁹⁹ and heard that this community education and behaviour change program is ongoing and still funded under the Healthy Waterways program.

6.15 Further, the Committee asked about this program's engagement with children and was informed about DrainART.

Part of H2OK, and a piece of the work that we did previously, was about getting kids to tell their story and their relationship to waterways. That was a highly successful program. It was framed around DrainART. It enabled kids to highlight the connection between what goes into the stormwater system and what comes out into the lakes.

That has been a highly successful program here in the territory. We will look at opportunities to continue that, particularly with our colleagues in the catchment groups. That will help us to continue to roll out these important behavioural change components. It is a very similar program to what has occurred in other jurisdictions where the focus has been on reducing plastics going into the ocean et cetera. That is the sort of approach we will be taking with schoolkids.¹⁰⁰

Recommendation 17

6.16 The Committee recommends that the ACT Government explore opportunities to ensure that the highly successful H2OK program continues to help educate children about the importance of waterways and how to care for them, and to partner with the ACT's catchment groups in the program delivery.

THE PROJECT TO IDENTIFY THE FINE-SCALE NUTRIENT SOURCES

6.17 The Committee inquired about any project – planned or ongoing – to identify the fine-scale nutrient sources and their future availability in Geographic Information Systems (GIS) mapping layers. It was told about research underway by the University of Canberra as well as the planning for the new phase two of the Healthy Waterways program, which would include the development of catchment plans that incorporates the fine-scale nutrient sources.¹⁰¹ Further, the Committee heard that as GIS information are incorporated in all of EPSDD's planning work, the catchment plans will likely also include GIS and data layers.¹⁰²

⁹⁹ ACT Government ACT Healthy Waterways, *H2OK – Keeping our waterways healthy*, [H2OK - Keeping our waterways healthy - ACT Healthy Waterways](#) (accessed 3 November 2021).

¹⁰⁰ Mr Walker, EPSDD, *Proof Committee Hansard*, 21 October 2021, p 61.

¹⁰¹ *Proof Committee Hansard*, 21 October 2021, p 61.

¹⁰² *Proof Committee Hansard*, 21 October 2021, p 72.

Recommendation 18

- 6.18 The Committee recommends that the ACT Government investigate the inclusion of fine scale nutrient inputs, such as pollutant types and percentages washed off roads or through the stormwater system, in its GIS mapping system.**

Recommendation 19

- 6.19 The Committee recommends that the ACT Government include nutrient management into and in waterways in all catchment plans and make available of the catchment plans.**

THE BUILDING ENERGY EFFICIENCY UPGRADE FUND

- 6.20 The Committee sought information about the building energy efficiency upgrade fund. It was told that the \$5 million fund has been allocated with the recent finalisation of the program design. The Committee heard that invitation to apply for the fund will go out to clubs 'within a week or so'¹⁰³ and that this program has received a great deal of interest and enthusiasm from clubs and their members. The Minister identified the cost-reducing aspect and the clubs acting for climate change aspect are the main drivers behind interest in the program.¹⁰⁴

- 6.21 During the hearing, the Minister elaborated on the intention and details of this fund:

The intent is that eligible clubs can undertake energy efficiency upgrades, building on improvements. They can install rooftop solar or battery systems. There are a range of options available to them there. It will also support clubs to transition away from gas. Individual clubs will be able to obtain rebates of up to \$75,000. There will be an expectation of a co-contribution, and that will vary, depending on the size of the club. With the smaller clubs, it will be one for one. With some of the bigger clubs, it will be a two or a three for one contribution. They are the details that are being finalised at the moment.¹⁰⁵

Recommendation 20

- 6.22 The Committee recommends that the ACT Government continue to support community clubs to transition to environmentally sustainable facilities and practices.**

¹⁰³ Mr Shane Rattenbury MLA, Minister for Water, Emissions Reduction and Energy and Minister for Gaming, *Proof Committee Hansard*, 21 October 2021, p 63.

¹⁰⁴ *Proof Committee Hansard*, 21 October 2021, p 63.

¹⁰⁵ Minister Rattenbury MLA, *Proof Committee Hansard*, 21 October 2021, p 63.

THE MOLONGLO VALLEY GROUP CENTRE 100 PER CENT ELECTRIC PLAN

6.23 The Committee inquired about the ACT Government's commitment to the Molonglo Valley group centre being 100 per cent electric, and how it would address the challenges in achieving this goal. It was informed that the government identified three key components at the macro level.¹⁰⁶ Firstly, the importance of being clear from the outset and integrating it early into the planning process; secondly, to work with the commercial operators in ensuring that 'they both understand the policy and have access to alternative technology';¹⁰⁷ and lastly, to have some flexibility.¹⁰⁸ The Committee also heard that in terms of the design of the Molonglo commercial centre, the government considers that the best mechanism to achieve this is through making a technical amendment to the Territory Plan.¹⁰⁹

Recommendation 21

6.24 The Committee recommends that the ACT Government ensure commercial operators of the Molonglo Valley Group Centre are aware of, and have ready access to, technologies which are 100 per cent electric.

¹⁰⁶ *Proof Committee Hansard*, 21 October 2021, p 73.

¹⁰⁷ Minister Rattenbury MLA, *Proof Committee Hansard*, 21 October 2021, p 73.

¹⁰⁸ *Proof Committee Hansard*, 21 October 2021, p 73.

¹⁰⁹ *Proof Committee Hansard*, 21 October 2021, p 73.

7 ENVIRONMENT AND HERITAGE PORTFOLIO

OVERVIEW

- 7.1 On 22 October 2021, the Committee heard from Minister Rebecca Vassarotti MLA, in her capacity as the Minister for the Environment and the Minister for Heritage, and accompanying EPSDD officials to discuss matters related to Output 2.1 Environment¹¹⁰ and Output 2.3 Heritage¹¹¹ of the ACT Budget 2021-2022.

MATTERS DISCUSSED

- 7.2 The Committee discussed the following matters during the appearance of Minister Vassarotti and officials at the hearing on 22 October 2021 under the environment portfolio: air quality strategy for the ACT (including impacts of bushfire and woodfire smokes, outdoor and indoor air quality, and air quality monitoring); update on weed and invasive species situation and management (including the works involved in the reduction and the use of chemicals to manage invasive species and the measurement reduction); output 2.1 budget underspend and budget increase; the environment protection guidelines for construction and land development in the ACT version October 2019; wombat mange management; threatened species protection including programs and cross-jurisdictional collaboration; works in incorporating traditional knowledge into land management practice including the inclusion of the First Nation people in the workforce; records management for injured animals; consideration for wildlife in the planning and development of roads and new areas; four-year grants for community groups and implication for government spending; the environment grant; explanation for the 20 per cent reduction in the EPSDD budget over the next three years; invasive species management; programs to support community urban agriculture; negative figures in the budget for maintaining accountability and transparency of government; update on the new biosecurity bill; work to enhance Franklin Natural Reserve; biodiversity conservation work.¹¹²
- 7.3 During the hearing, the Committee also looked at a range of topics under the heritage portfolio. They are as follows: priorities and programs of the National Trust and the extent of their collaboration with the ACT Heritage Council; update on the Heritage Council database project including the discovery phase; the impact of the Heritage Council's inability to meet a KPI target on business and the plan to improve its performance so that it could meet the

¹¹⁰ ACT Government, [2021-22 ACT Budget Statement E](#), p 17, p 25.

¹¹¹ ACT Government, [2021-22 ACT Budget Statement E](#), p 18, p 27.

¹¹² *Proof Committee Hansard*, 22 October 2021, pp 76–105.

target; the heritage status of the Melbourne and Sydney buildings; the Heritage unit team composition; the heritage grants; the heritage festival; the curiosity festival.¹¹³

KEY ISSUES

AIR QUALITY STRATEGY FOR THE ACT

- 7.4 The Committee inquired about the air quality strategy for the ACT and was told that the strategy is in its final preparation stages for public release soon. The Committee heard about the scope of the strategy which will include all the impacts of bushfire and woodfire smokes. The strategy also looks at outdoor and indoor air quality, and air quality monitoring.¹¹⁴
- 7.5 The Committee sought further information about air quality monitoring and whether the strategy will recognise different parts of Canberra and different experiences of air quality. The Minister confirmed to the Committee that the strategy will include action plans in different areas. The Minister further elaborated on the strategy and discussion around it:

This is a strategy and a framework. Our approach has been that there will be a number of action plans in different areas. This will be very much a living document. There are issues around air quality, particularly in the wood smoke area. This is an area where there is quite a bit of community conversation. There is a difference of views within the community on how we should respond to this issue. We have some different tools that we can use in newer suburbs versus older suburbs. The strategy will be the commencement of a process. There will be opportunities, particularly as new technology comes along, where we might be able to look at some different things.¹¹⁵

- 7.6 The Committee also sought confirmation about the inclusion of an indoor quality standard in the strategy. The Minister was not able to provide confirmation, as the Committee was told:

We are finalising the strategy at the moment, so it is a bit hard to rule what is in and what is out. Certainly, indoor air quality is discussed within the strategy.¹¹⁶

Recommendation 22

- 7.7 The Committee recommends that the ACT Government explore option to establish an air quality monitoring station in the Murrumbidgee area as an outcome of the ACT air quality strategy.**

¹¹³ *Proof Committee Hansard*, 22 October 2021, pp 105–112.

¹¹⁴ *Proof Committee Hansard*, 22 October 2021, pp 76–78.

¹¹⁵ Ms Rebecca Vassarotti MLA, Minister for the Environment and Minister for Heritage, *Proof Committee Hansard*, 22 October 2021, pp 77–78.

¹¹⁶ Minister Vassarotti MLA, *Proof Committee Hansard*, 22 October 2021, p 78.

Recommendation 23

- 7.8 The committee recommends that the ACT Government develop an indoor air quality standard to assist in protecting the health of Canberrans.**

WEEDS AND INVASIVE SPECIES

- 7.9 The Committee discussed various topics relating to weed and invasive species, including the current situation, the increasing threats of climate change, available resources and their adequacy, and the management of weed and invasive species.
- 7.10 The Committee also heard about efforts to identify other resources to manage weeds including through working in partnerships and through rural grants. As the Minister elaborated:

The other thing I would note is that this is also an area where it is important to work with our partners and work out ways in which we can deploy other resources. We are supporting a weeds forum in November, where we will bring together our conservation environmental volunteers and rural leaseholders and talk through some of the issues and ways that we can work better with those groups.

Throughout this last period, we have been able to provide funding through rural grants. That was particularly focused on invasive species in terms of ways that we can support work to manage weeds on people's properties. There have been some really good conversations with rural leaseholders in relation to ways that we might be able to coordinate that kind of resource investment a bit differently.

They are some of the opportunities that have arisen from discussions with the groups that are involved in this area. There will probably be opportunities into the future about how we deploy some of our resources as well. Again, that will be an ongoing conversation.¹¹⁷

Recommendation 24

- 7.11 The Committee recommends that the ACT Government provide greater clarity on weed funding decisions, trade-offs, and consequential risks.**

¹¹⁷ Minister Vassarotti MLA, *Proof Committee Hansard*, 22 October 2021, p 80.

THE PROVISION OF FOUR-YEAR GRANTS FOR COMMUNITY GROUPS

- 7.12 The Committee was interested in the implication for government in the shift to provide four-year grants for community groups. It was told that while this changed the mindset of the relationship to a strategic relationship, administratively things remain relatively the same as the government still acquits grants on an annual basis.¹¹⁸

COMMITTEE COMMENT

- 7.13 The Committee notes and supports the provision of four-year grants for community groups.

Recommendation 25

- 7.14 The Committee recommends that the ACT Government examine how it manages the expiry of the current four-year grants and awarding of future grants, so as to minimise the impact on the services that will be provided.**

THE HERITAGE COUNCIL DATABASE UPGRADE PROJECT

- 7.15 The Committee inquired about the Heritage Council database upgrade project. It was told that the project aims to address difficulties in navigating the current website and to improve the functionality of the database around the Heritage Register.¹¹⁹
- 7.16 The Committee heard that the project is managed by a project manager within EPSDD and engages external consultants.¹²⁰ It was informed that the project is currently in the design phase and that the government aims to finish this phase in June 2023.¹²¹

Recommendation 26

- 7.17 The Committee recommends that the ACT Government provide the ACT Legislative Assembly with a regular update on the progress of the Heritage Council database upgrade project.**

¹¹⁸ *Proof Committee Hansard*, 22 October 2021, p 95.

¹¹⁹ *Proof Committee Hansard*, 22 October 2021, p 106.

¹²⁰ *Proof Committee Hansard*, 22 October 2021, p 106.

¹²¹ *Proof Committee Hansard*, 22 October 2021, p 112.

8 FINAL CHAPTER

- 8.1 The Committee has made 26 recommendations for its Inquiry into ACT Budget 2021-2022.
- 8.2 The Committee is pleased with the return of the Community Day as part of the Assembly Committees' budget estimates inquiry. It acknowledges and thanks community organisations who appeared before the Committee on that day for contributing their valuable time, insights, and expertise to this inquiry.
- 8.3 The Committee would also like to thank Ministers, Commissioner and accompanying officials for their participation and cooperation during this inquiry process.
- 8.4 The Committee acknowledges the disruptions the Covid-19 outbreak caused in the ACT community and its impact on the inquiry process. It notes the profound challenges during the process, including those related to the unprecedented online public hearings for the entire two weeks of Estimates hearings and, most importantly, the unprecedented and vastly truncated time between the hearings and the reporting date.
- 8.5 The Committee is mindful that with only ten business days between the last day of the Estimates hearings and the reporting date that was brought forward by the government – half of which overlapped with the Assembly sitting week – it is hardly possible to properly prepare and consider the report.
- 8.6 The Committee thanks everyone who participated in, or otherwise assisted, this inquiry. This includes representatives of community groups; Ministers and Commissioner; Members of the Legislative Assembly; directorate and agency officials; Member's staff and staff of the Office of the Legislative Assembly.

Dr Marisa Paterson MLA

Chair

10 November 2021

APPENDIX A - WITNESSES

15 OCTOBER 2021

Community organisations (in order of appearance)

Conservation Council ACT

- Ms Helen Oakley, Executive Director

ACT Wildlife

- Mrs Lindy Butcher, President

Landcare ACT

- Dr Maxine Cooper, Chair
- Ms Karissa Preuss, CEO
- Mr Sandy Lolicato, Treasurer.

19 OCTOBER 2021

Minister Tara Cheyne MLA, Minister for Better Business and Regulation

Environment Protection Authority

- Mr David Pryce, Deputy Director-General, Access Canberra
- Mr Nick Lhuede, Executive Branch Manager, Construction, Utilities and Environment Protection, Access Canberra
- Ms Madelin Bayer, Senior Director (Statutory Office Holder: Environment Protection Authority; Delegate for Lakes; Clinical Waste Controller), Construction, Utilities and Environment Protection, Office of the EPA, Access Canberra.

Minister Andrew Barr MLA, Minister for Climate Action

Chief Minister, Treasury and Economic Development Directorate (CMTEDD) and Environment, Planning and Sustainable Development Directorate (EPSDD)

- Mr Sam Engele, Coordinator General, Climate Action, Office for Climate Action, CMTEDD
- Mr Kieran Lawton, Executive Branch Manager, Program Delivery, Office for Climate Action, CMTEDD
- Mr Geoffrey Rutledge, Deputy Director-General Environment, Water and Emissions Reduction, EPSDD
- Mr Gene McGlynn, Executive Group Manager, Climate Change and Energy, EPSDD.

Dr Sophie Lewis, Commissioner for Sustainability and the Environment

Office of the Commissioner for Sustainability and the Environment

- Mr Sean Grimes, Director, Sustainability, Environmental Assessments and Reporting
- Ms Serena Farrelly, Assistant Director.

21 OCTOBER 2021

Minister Shane Rattenbury MLA, Minister for Water, Energy and Emissions Reduction and Minister for Gaming

Chief Minister, Treasury and Economic Development Directorate (CMTEDD) and Environment, Planning and Sustainable Development Directorate (EPSDD)

- Mr Ben Ponton, Director-General, EPSDD
- Mr Geoffrey Rutledge, Deputy Director-General, Environment, Water and Emissions Reduction, EPSDD
- Mr Gene McGlynn, Executive Group Manager, Climate Change and Energy, EPSDD
- Mr Ian Walker, Executive Group Manager, Environment, Heritage and Water, EPSDD
- Mr Nick Lheude, Executive Branch Manager / Construction Occupations Registrar, Construction and Utilities, Access Canberra.

22 OCTOBER 2022

Minister Rebecca Vassarotti MLA, Minister for the Environment and Minister for Heritage

Environment, Planning and Sustainable Development Directorate (EPSDD)

- Mr Ben Ponton, Director-General, EPSDD
- Mr Geoffrey Rutledge, Deputy Director-General, Environment, Water and Emissions Reduction, EPSDD
- Mr Ian Walker, Executive Group Manager, Environment, Heritage and Water, EPSDD
- Ms Edwina Jans, Senior Director, ACT Heritage.

APPENDIX B – QUESTIONS TAKEN ON NOTICE/ QUESTIONS ON NOTICE

Questions taken on Notice 15 October 2021

No.	Hearing date	Asked by	Organisation	Subject	Answer date
ECCB 1	15.10.21	Castley	Conservation Council ACT	Key Performance Indicator (KPI) for ACT Parks	

Questions taken on Notice 19 October 2021

No.	Hearing date	Asked by	Directorate/ Portfolio	Subject	Answer date
ECCB 2	19.10.21	Castley	Access Canberra - Environment Protection Authority (EPA)	Environmental protection budget decrease	28.10.21
ECCB 3	19.10.21	Cain	Access Canberra - EPA	Environment protection guidelines for construction and land development in the ACT Oct 2019 version	28.10.21
ECCB 4	19.10.21	Castley	Access Canberra - EPA	Noise complaints handling: timeframes and cost	28.10.21
ECCB 5	19.10.21	Braddock	Access Canberra - EPA	Resources allocation on point source pollution	28.10.21
ECCB 6	19.10.21	Clay	Access Canberra - EPA	Air pollution complaints handling outcomes	28.10.21

No.	Hearing date	Asked by	Directorate/ Portfolio	Subject	Answer date
ECCB 7	19.10.21	Clay	Access Canberra - EPA	Air pollution complaints numbers in comparison for Dec-Jan 19/20 and Dec-Jan 20/21	28.10.21
ECCB 8	19.10.21	Castley	Access Canberra – EPA	Complaints for waterways in relation to gross pollution traps in Lake Tuggeranong and ANU	28.10.21
ECCB 9	19.10.21	Clay	CMTEDD - Climate Action	The number of FTE working on behaviour change in transport	09.11.21
ECCB 10	19.10.21	Clay	CMTEDD - Climate Action	Behaviour change to support transition from gas budget and the number of FTE working in this area	09.11.21
ECCB 11	19.10.21	Castley	Office of the Commissioner for Sustainability and the Environment	2019 SoER recommendation on budget allocation for biodiversity	27.10.21
ECCB 12	19.10.21	Castley	Office of the Commissioner for Sustainability and the Environment	2019 SoER recommendation on electrification of the bus fleet	27.10.21
ECCB 13	19.10.21	Castley	Access Canberra - EPA	Partially treated sewage spill from the Lower Molonglo into the Murrumbidgee	28.10.21

Questions taken on Notice 21 October 2021

No.	Hearing date	Asked by	Directorate/ Portfolio	Subject	Answer date
ECCB 14	21.10.21	Castley	Water, Energy and Emissions Reduction (WEER)	The number of households participating in Government schemes who switched away from using one gas appliance last year	02.11.21
ECCB 15	21.10.21	Lawder	WEER	Update on recommendations from the previous reports on lakes and waterways water quality, including “A Better Functioning Lake by 2030” report	02.11.21
ECCB 16	21.10.21	Lawder	WEER	Storm water treatments audit: status and standards	08.11.21
ECCB 17	21.10.21	Lawder	WEER	Update on recreational water quality guidelines	02.11.21
ECCB 18	21.10.21	Castley	WEER	The number of public electric vehicle charging stations	02.11.21
ECCB 19	21.10.21	Lawder	WEER	Compliance status of the Healthy Waterways infrastructure projects to the municipal infrastructure standards, specifically MIS08	02.11.21
ECCB 20	21.10.21	Lawder	WEER	Certification of compliance requirements as part of the handover of water sensitive urban design projects or assets and the availability of compliance documents	02.11.21

No.	Hearing date	Asked by	Directorate/ Portfolio	Subject	Answer date
ECCB 21	21.10.21	Braddock	WEER	Budget line for the \$2 million allocated to the Better Infrastructure Fund	02.11.21
ECCB 22	21.10.21	Castley	WEER	The number of diesel vehicles that ACT Government bought since 2019	02.11.21

Questions taken on Notice 22 October 2021

No.	Hearing date	Asked by	Directorate/ Portfolio	Subject	Answer date
ECCB 23	22.10.21	Castley	Environment	Output 2.1 Budget: explanation on an underspend and the \$23 M budget allocation	29.10.21

Questions on Notice 19 October 2021

No.	Hearing date	Asked by	Directorate/ Portfolio	Subject	Answer date
ECCB QON 2	19.10.21	Clay	Climate action	Climate Action Gender Impact Analysis	09.11.21

Questions on Notice 21 October 2021

No.	Hearing date	Asked by	Directorate/ Portfolio	Subject	Answer date
ECCB QON 1	21.10.21	Clay	WEER	Water, Energy and Emissions Reduction Gender Impact Analysis	08.11.21

No.	Hearing date	Asked by	Directorate/ Portfolio	Subject	Answer date
ECCB QON 3	21.10.21	Castley	WEER	Climate Change and Greenhouse Gas Reduction Act	09.11.21
ECCB QON 4	21.10.21	Castley	WEER	Official targets for gas, transport, waste and land use; gas conversion and social cost of carbon	09.11.21