



Legislative Assembly for the Australian Capital Territory

Standing Committee on Environment,
Climate Change, and Biodiversity

Inquiry into Annual and Financial Reports 2022- 23

Legislative Assembly for the Australian Capital Territory
Standing Committee on Environment, Climate Change, and Biodiversity

Approved for publication

Report 10
10th Assembly
April 2024

About the committee

Establishing resolution

The Assembly established the Standing Committee on Environment, Climate Change and Biodiversity on 2 December 2020.

The Committee areas of responsibility are:

- climate change
- climate action
- environment
- heritage
- Commissioner for the Environment
- Environment Protection Agency
- parks and conservation
- water and energy policy and programs
- emissions reductions
- environment and ecological sustainability

You can read the full establishing resolution [here](#).

Committee members

Dr Marisa Paterson MLA, Chair

Ms Jo Clay MLA, Deputy Chair

Mr Ed Cocks MLA

Secretariat

James Bunce, Committee Secretary (From 6 November 2023)

Miona Ikeda, Assistant Secretary (Acting Committee Secretary until 3 November 2023)

Adam Walker, Assistant Secretary

Lydia Chung, Administrative Officer

Contact us

Mail Standing Committee on Environment, Climate Change and Biodiversity
Legislative Assembly for the Australian Capital Territory
GPO Box 1020
CANBERRA ACT 2601

Phone (02) 6205 0199

Email LACommitteeECCB@parliament.act.gov.au

Website parliament.act.gov.au/parliamentary-business/in-committees

About this inquiry

Clause 3a of the establishing resolution refers all calendar and financial year annual and financial reports to the relevant standing committee for inquiry and report by 9 April of the year after the presentation of the report to the Assembly pursuant to the *Annual Reports (Government Agencies) Act 2004*.

Contents

About the committee	i
Establishing resolution	i
Committee members	i
Secretariat	i
Contact us	i
About this inquiry	ii
Acronyms & Abbreviations	v
Recommendations	vi
1. Introduction	1
Presentation of 2022-23 Annual and Financial Reports	1
Public hearings	1
Questions on Notice and Questions Taken on Notice	1
2. Environment, Planning and Sustainable Development Directorate	2
Minister for Gaming	2
Matters considered	2
Minister for Water, Energy and Emissions Reduction	2
Matters considered	3
Minister for Planning and Land Management	3
Matters considered	4
Key issues	4
Minister for the Environment	10
Matters considered	10
Minister for Heritage	25
Matters considered	26
3. Office of the Commissioner for Sustainability and the Environment	27
Matters considered	27
Key issues	27
4. Chief Minister, Treasury and Economic Development Directorate	29
Minister for Climate Action	29
Matters considered	29
Key issues	30
Minister for Business and Better Regulation	32
Matters considered	32

Key issues	32
5. Conclusion	35
Appendix A: Witnesses	36
Monday, 13 November 2023	36
Tuesday, 14 November 2023	36
Friday, 17 November 2023	37
Wednesday, 22 November 2023	37
Tuesday, 12 December 2023	37
Appendix B: Questions on Notice and Questions Taken on Notice	38
Questions on Notice	38
Questions Taken on Notice	38
Appendix C: Gender distribution of witnesses	39

Acronyms & Abbreviations

Acronym or Abbreviation	Long form
1080	Sodium monofluoroacetate
BAZ	Bushfire Abatement Zone
BOM	Bureau of Meteorology
BPA	Bushfire Prone Area
the Commissioner	The Commissioner for Sustainability and the Environment
the Conservator	The Conservator of Flora and Fauna
CMTEDD	Chief Minister, Treasury and Economic Development Directorate
CRA	City Renewal Authority
EPA	Environment Protection Authority
EPSDD	Environment, Planning and Sustainable Development Directorate
NEM	National Energy Market
OCSE	Office of the Commissioner for Sustainability and the Environment
PCS	Parks and Conservation Service
QON	Question on Notice
QTON	Question Taken on Notice
SBMP	Strategic Bushfire Management Plan

Recommendations

Recommendation 1

The Committee recommends that the ACT Government investigate increasing fuel load reduction burns in “Bushfire Prone Areas” and “Bushfire Abatement Zones”.

Recommendation 2

The Committee recommends Government increase funding for urban and park rangers in the ACT.

Recommendation 3

The Committee recommends that once the burrowing animal guidelines are finalised, the ACT Government mandate in developer contracts pre-development inspections for burrowing animals.

Recommendation 4

The Committee recommends that the ACT Government commit to making decisions about the management of burrowing animals found during pre-development, including relocation wherever possible.

Recommendation 5

The Committee recommends that the ACT Government continue to invest in digital injured wildlife reporting tools through Access Canberra.

Recommendation 6

The Committee recommends that the ACT Government cease classifying dingoes as a pest species and cease describing them as wild dogs.

Recommendation 7

The Committee recommends that the ACT Government review the 1080 bait program in the management of dingoes.

Recommendation 8

The Committee recommends that the ACT Government work with ACT snake catchers to improve the welfare situation for snakes currently used for educational purposes.

Recommendation 9

The Committee recommends that the ACT Government review current licensing arrangements and identify a framework for those snake handlers suitably qualified to register ownership of venomous snakes for educational and training purposes in the ACT.

Recommendation 10

The Committee recommends the ACT Government consider making snake removal/handling work in the ACT salaried as a contracted public service that is focused on providing public education.

Recommendation 11

The Committee recommends that the ACT Government update the Assembly on the management of Red Gum dieback before the end of term.

Recommendation 12

The Committee recommends that all ACT Government agencies should provide reports to the Office of the Commissioner for Sustainability and the Environment (OSCE) within deadlines to allow OCSE to track progress on recommendations and prepare State of the Environment and other reports.

Recommendation 13

The Committee recommends the ACT Government update the assembly on the progress of the 'Big Canberra Battery' project before the end of term.

Recommendation 14

The Committee recommends that Government increase resourcing for the Environment Protection Authority to ensure it is able to conduct sufficient inspections to protect Canberra's environment, particularly given the increased need under the new planning system.

1. Introduction

Presentation of 2022-23 Annual and Financial Reports

- 1.1. All annual and financial reports for the Territory were tabled on 24 October 2023 in the ACT Legislative Assembly.¹ A collated list of annual and financial reports is available [online](#).
- 1.2. During its inquiry the Standing Committee on Environment, Climate Change and Biodiversity (the Committee) was required to examine all or part of the following annual and financial reports for 2022-2023:
 - Environment, Planning and Sustainable Development Directorate;
 - Chief Minister, Treasury and Economic Development Directorate; and
 - Office of the Commissioner for Sustainability and the Environment.
- 1.3. The Committee's inquiry was undertaken prior to the most recent administrative arrangements (*Administrative Arrangements 2023 (No 1)*) being issued on 12 December 2023. As such, the report and references to Ministerial titles and responsibilities reflect those in the *Administrative Arrangements 2022 (No 2)*.

Public hearings

- 1.4. The Committee held public hearings on 13 November 2023, 14 November 2023, 17 November 2023, 22 November 2023 and 12 December 2023. At the hearings, the Committee heard from ACT Government Ministers, Directorate officials, and statutory officers.
- 1.5. Witnesses who appeared before the Committee are listed at **Appendix A**. Transcripts from the public hearings are available on the ACT Legislative Assembly website. Footage of the public hearings are available on the ACT legislative Assembly Video on Demand website.

Questions on Notice and Questions Taken on Notice

- 1.6. A total of 14 questions were lodged during the inquiry. 13 questions were taken on notice (QTONs) by Ministers and statutory office holders during the hearings, and 1 Question on Notice (QON) was submitted by Committee Members and visiting Members following the hearings.
- 1.7. The list of questions lodged during the inquiry are available at **Appendix B**, and all answers have been published on the inquiry website.

¹ ACT Legislative Assembly, *Minutes of Proceedings*, No. 101, 25 October 2023, pp 1465-1467.

2. Environment, Planning and Sustainable Development Directorate

- 2.1. The Environment, Planning and Sustainable Development Directorate (EPSDD) is responsible for the delivery of the ACT Government's key planning, land management, climate action and environmental priorities.²
- 2.2. It administers a wide range of policies and program in areas including climate change policy, energy policy, nature conservation, environmental protection, water, heritage, strategic and statutory planning, development approvals, building policy, land policy and urban design.³
- 2.3. EPSDD provides corporate and governance support to the Suburban Land Agency (SLA) and the City Renewal Authority (CRA). Taken together, EPSDD, SLA and CRA are referred to as the EPSDD portfolio.⁴

Minister for Gaming

- 2.4. The Committee examined the following matter allocated to the Minister for Gaming and EPSDD:
 - Club buildings energy efficiency fund.⁵

Matters considered

- 2.5. Shane Rattenbury MLA, Minister for Gaming appeared before the Committee on 13 November 2023. The following matters were considered:
 - Ministerial responsibilities and conduct;⁶
 - The clubs energy efficiency fund and emission reduction.⁷

Minister for Water, Energy and Emissions Reduction

- 2.6. The Committee examined the following matters allocated to the Minister for Water, Energy and Emissions Reduction and EPSDD:
 - Climate change policy;
 - Energy policy and energy efficiency programs (including zero emissions vehicle policy);
 - Sustainability of government services and assets;

² EPSDD, [Annual Report 2022-23](#), p 19.

³ EPSDD, [Annual Report 2022-23](#), p 19.

⁴ EPSDD, [Annual Report 2022-23](#), p 36.

⁵ ACT Government, *Administrative Arrangements 2022 (No 2)* <https://legislation.act.gov.au/View/ni/2022-697/current/html/2022-697.html> (accessed 23 January 2023).

⁶ *Committee Hansard*, 13 November 2023, pp 2–6, 7–9.

⁷ *Committee Hansard*, 13 November 2023, p 6.

- Water efficiency programs; and
- Water policy.⁸

Matters considered

2.7. Shane Rattenbury MLA, Minister for Gaming and Minister for Water, Energy and Emissions Reduction appeared before the Committee on 13 November 2023. The following matters were considered:

- Public electric vehicle charging infrastructure;⁹
- Renaturalisation of waterways;¹⁰
- Energy Efficiency Improvement Scheme;¹¹
- The ACT Climate Change Council;¹²
- Commercial and industrial use of green gas alternatives;
- Energy efficiency improvements in public housing;¹³
- ACT Government entity emissions;¹⁴
- Roll out of Healthy Waterways projects;¹⁵

Minister for Planning and Land Management

2.8. The Committee examined the following matters allocated to the Minister for Planning and Land Management and EPSDD:

- Government Architect;
- Land release policy (including the land release program);
- Parks and Conservation;
- Planning and development;
- Planning and development enforcement policy;
- Site identification and facilitation for major land and property projects;
- Strategic land use; and
- Survey and leasing.¹⁶

⁸ ACT Government, *Administrative Arrangements 2022 (No 2)* <https://legislation.act.gov.au/View/ni/2022-697/current/html/2022-697.html> (accessed 23 January 2023).

⁹ *Committee Hansard*, 13 November 2023, pp 9–13, 18–19, 22–24.

¹⁰ *Committee Hansard*, 13 November 2023, pp 13–15.

¹¹ *Committee Hansard*, 13 November 2023, pp 15–18.

¹² *Committee Hansard*, 13 November 2023, pp 19–22.

¹³ *Committee Hansard*, 13 November 2023, pp 24–26.

¹⁴ *Committee Hansard*, 13 November 2023, pp 26–29.

¹⁵ *Committee Hansard*, 13 November 2023, pp 29–31.

¹⁶ ACT Government, *Administrative Arrangements 2022 (No 2)* <https://legislation.act.gov.au/View/ni/2022-697/current/html/2022-697.html> (accessed 23 January 2023).

Matters considered

2.9. During the Minister for Planning and Land Management's appearance before the Committee on 13 November 2023, the following matters were considered:

- The impact of La Niña on the program of works for parks;¹⁷
- Use of cool burns;¹⁸
- Urban rangers;¹⁹
- New visitor centre at Tidbinbilla Nature Reserve;²⁰
- New equipment and technology;²¹

Key issues

Bushfire fuel load reduction burns

- 2.10. The Committee discussed with the Minister the impact of La Niña on the program of works for parks. As part of this discussion, the Minister indicated that last year has seen a change in the approach by the Parks and Conservation Service's (PCS) work in managing fire trails and other similar works, owing to the greater moisture content in the grass and soils around Namadgi National Park and to the west of Canberra.²²
- 2.11. The Minister however added that predictions from the Bureau of Meteorology (BOM) suggest a 'very hot, dry season this summer with less rainfall than we have had in previous years, which means that we need to be better prepared for bushfire season'.²³ He later added that the BOM presentation also indicated the following bushfire season would be 'even worse'.²⁴
- 2.12. The Minister explained to the Committee that the parks team were at the time preparing for bushfire season, having completed 270 kilometres of work on fire trails, as well as fuel load reduction and fuel load reduction burns.²⁵
- 2.13. The Committee observed that in 2022-2023 financial year, EPSDD did not achieve its target for bushfire operations plan works, with PCS only delivering nine out of fourteen fuel reduction burns.²⁶
- 2.14. The Minister responded by indicating that increased rainfall has made reduction burns difficult, meaning PCS has used alternative methods of strategic slashing and grazing:

¹⁷ *Committee Hansard*, 13 November 2023, pp 32–33.

¹⁸ *Committee Hansard*, 13 November 2023, pp 33–34.

¹⁹ *Committee Hansard*, 13 November 2023, pp 34–37.

²⁰ *Committee Hansard*, 13 November 2023, pp 37–38.

²¹ *Committee Hansard*, 13 November 2023, pp 38–39.

²² Mr Mick Gentleman MLA, Minister for Planning and Land Management, *Committee Hansard*, 13 November 2023, p 32.

²³ Mr Mick Gentleman MLA, Minister for Planning and Land Management, *Committee Hansard*, 13 November 2023, p 32.

²⁴ Mr Mick Gentleman MLA, Minister for Planning and Land Management, *Committee Hansard*, 13 November 2023, p 33.

²⁵ Mr Mick Gentleman MLA, Minister for Planning and Land Management, *Committee Hansard*, 13 November 2023, p 32.

²⁶ Mr Ed Cocks MLA, *Committee Hansard*, 13 November 2023, p 33.

...Of course, with so much rain having occurred in the park, it was not easy to get up there. You cannot do reduction burns when the weather is unsafe, or the predictions are that it is unsafe for people go up there. We have had to do some other work, and that is where we have come in with the strategic slashing and grazing to remove the fuel loads there. That will continue all through the season.²⁷

2.15. This was echoed by the EPSDD Annual Report for 2022-2023:

For 2022-23, EPSDD achieved a result of 84.3% completion of its BOP targets. While slightly lower than previous years this represents successful implementation of priority fuel management works, particularly across asset protection zones. The majority of incomplete works were associated with road maintenance and repairs that could not be completed due to rainfall events and subsequent saturation of catchments.²⁸

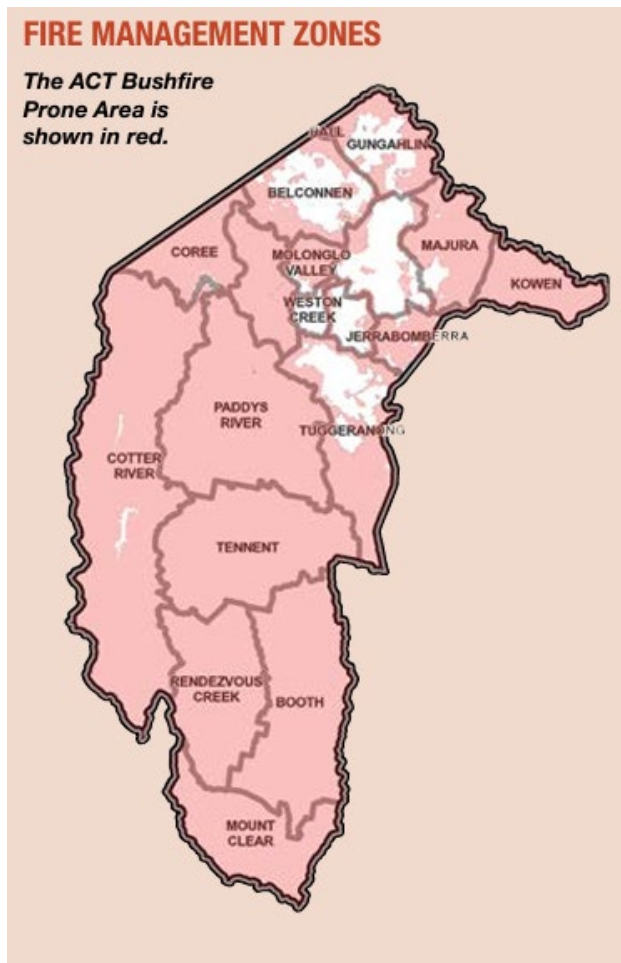
2.16. The Committee observes that under the ACT's *Strategic Bushfire Management Plan 2019-2024* (SBMP), there is a Bushfire Prone Area (BPA) that is identified as being at 'high risk of being impacted by bushfires. It primarily reflects the potential fuel load of the land'. SBMP describes the area as including 'all rural areas in the territory and areas of significant vegetation in urban areas'.²⁹ Part of the BPA includes the Bushfire Abatement Zone (BAZ), which 'depicts the urban and/or rural interface that is subject to more intensive planning and management to minimise the risk of bushfires entering the urban area'.³⁰

²⁷ Mr Mick Gentleman MLA, Minister for Planning and Land Management, *Committee Hansard*, 13 November 2023, p 33.

²⁸ EPSDD, [Annual Report 2022-23](#), p 51.

²⁹ ACT Government, [Strategic Bushfire Management Plan 2019-2024](#), p 16.

³⁰ ACT Government, [Strategic Bushfire Management Plan 2019-2024](#), p 18.



The Bushfire Abatement Zone (area in purple).

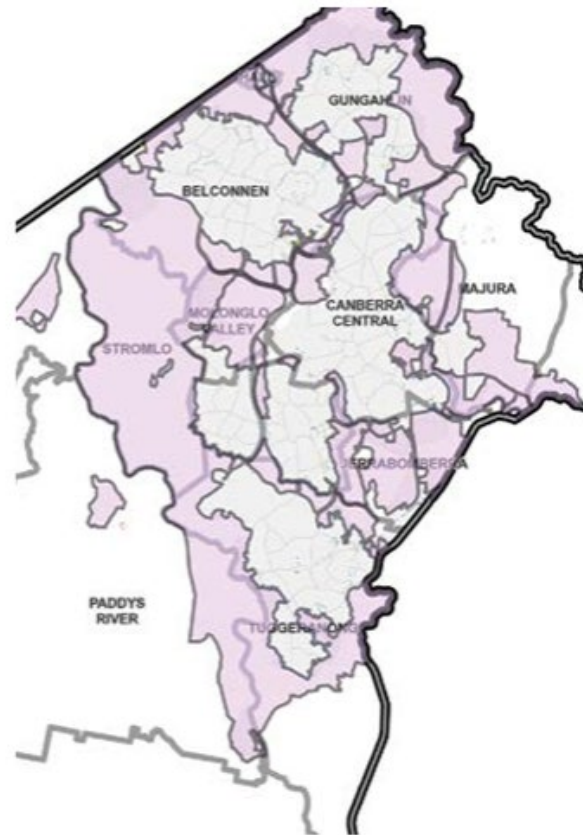


Figure 1: Maps demonstrating the Bushfire Prone Area and the Bushfire Abatement Zone [Source: ACT Government, [Strategic Bushfire Management Plan 2019-2024](#), pp 16-18].

Committee comment

- 2.17. The Committee is of the view that given the failure of EPSDD to reach its stated burning targets for the 2022-2023 financial year, EPSDD should take advantage of the expected decrease in rainfall to focus its efforts on increasing fuel load reduction burns this financial year, particularly in the Bushfire Prone Area and the Bushfire Abatement Zone.

Recommendation 1

The Committee recommends that the ACT Government investigate increasing fuel load reduction burns in “Bushfire Prone Areas” and “Bushfire Abatement Zones”.

Urban and Park Rangers

- 2.18. The Committee raised with the Government the decrease in funding in the environmental conservation budget for PCS rangers in urban areas from \$1.34 million in 2018-19 to \$1.28 million in 2022-2023.³¹
- 2.19. The Minister noted to the Committee that despite the apparent drop in funding for rangers, the number of rangers has remained the same over the period, and that there are some programs that do not continue across budget years.³²
- 2.20. The Directorate also explained to the Committee that some of the funding could be for things outside Parks and Conservation Service (PCS) that still form part of the entire Environment, Heritage and Water budget portfolio. The Directorate cited as an example an increase in resources for weed control in the 2023-2024 budget, which are funded outside of PCS, but ‘work very closely to achieve an outcome in partnership with PCS’.³³
- 2.21. The Committee also shared with the Government community concerns that there is a need for more rangers, with there only being nine (9) urban rangers, and concerns about ranger turnover.³⁴
- 2.22. The Directorate responded by outlining to the Committee that the number of rangers has increased from 2018 to 2022 from 38 to 46, and that while rangers are often the public-facing element of the work by PCS, there are a range of other roles behind the scenes that contribute to the work of PCS, including field officers, technical offers, and the resilient landscapes team.³⁵

	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023
Rangers	34	50	43	47	46

Table 1: Total headcount of rangers over the last five financial years. [Source, EPSDD Annual and Financial reports, 2018-19 to 2022-2023]

- 2.23. The Directorate, in responding to the concerns around turnover, suggested that any movement in PCS is not so much turnover as opposed to people moving laterally in the organisation or being promoted³⁶, adding:

³¹ *Committee Hansard*, 13 November 2023, pp 34-35.

³² Mr Mick Gentleman MLA, Minister for Planning and Land Management, *Committee Hansard*, 13 November 2023, p 35.

³³ Mr Bren Burkevics, Executive Group Manager, Environment, Heritage and Water, EPSDD, *Committee Hansard*, 13 November 2023, p 35.

³⁴ Ms Jo Clay MLA, *Committee Hansard*, 13 November 2023, p 35.

³⁵ Mr Stephen Alegria, Executive Branch Manager, ACT Parks and Conservation Service, EPSDD, *Committee Hansard*, 13 November 2023, p 35.

³⁶ Mr Stephen Alegria, Executive Branch Manager, ACT Parks and Conservation Service, EPSDD, *Committee Hansard*, 13 November 2023, pp 35, 37.

It is probably very healthy that we have people who are willing and able to expand their careers and move on to jobs in the organisation. That is the positive part of that movement.³⁷

- 2.24. This was later added to by the Directorate that any instances of rangers leaving the organisation tend to be because of retirement or because they have taken an opportunity else, citing the example of one former employee original from Victoria:

A current example is a fantastic officer that joined us last year from Victoria. He has been working on the strategic review of roading. He is going to leave shortly, and he is going down to the coast to take up another opportunity. His family has moved down there. The range of answers to that would probably be as diverse as the experiences in this room. I have never had a sense that people are leaving because they hate the organisation, they do not like the work or they do not like the people. Generally, it is a personal choice.³⁸

- 2.25. This was supported by a response to a Question Taken on Notice which stated that during the 2022-2023 financial year, one permanently employed ranger separated from EPSDD, with the permanent separation rate for ranger classifications during the period being 2.8%.³⁹

- 2.26. In doing so however, the Directorate acknowledged the challenges in ensuring the relationship between local rangers and the relevant local volunteer organisations is maintained:

The challenge for us, as an organisation, is to make sure that we actively rebuild that relationship. If a new person comes in, we need to make sure that they have a proper handover, and that they realise the importance of the relationship with that community group. As an employer of choice, we need to support our staff in pursuing their own career aspirations. It is good for us as an organisation to have that diversity and experience as well.⁴⁰

- 2.27. The Directorate also highlighted to the Committee that even where one ranger may leave the organisation, the risk of losing corporate knowledge for a particular area should be minimised by the fact that individual rangers work in a team:

It is challenging. I do not have an easy answer. The fact is that we have teams that actually work in these areas. We might have a ranger who has particular knowledge or a patch, but you have a team around them. Often those team members are also very longstanding in the organisation. They might have been in

³⁷ Mr Stephen Alegria, Executive Branch Manager, ACT Parks and Conservation Service, EPSDD, *Committee Hansard*, 13 November 2023, pp 35–36.

³⁸ Mr Stephen Alegria, Executive Branch Manager, ACT Parks and Conservation Service, EPSDD, *Committee Hansard*, 13 November 2023, p 37

³⁹ Mr Mick Gentleman MLA, Minister for Planning and Land Management, *answer to QTON 8: Employment of Rangers*, 14 November 2023 (received 20 November 2023), p 1.

⁴⁰ Mr Stephen Alegria, Executive Branch Manager, ACT Parks and Conservation Service, EPSDD, *Committee Hansard*, 13 November 2023, pp 35–36.

that area in the past. We do not see it as being completely dependent on one individual.

We think that there is a team and a district, and people are responsible for a whole lot of things over lots of different areas. Collectively, they have that corporate knowledge. As I say, I think the challenge is in making sure that we can pass that on to a new person. Also, we need to work with the community group and say, “We understand. We feel your pain. Change is difficult.” We need to help them to move through that process and, hopefully, they will then be able to develop that relationship with the new person.⁴¹

- 2.28. The Directorate acknowledged that while there is a risk of losing knowledge, there is also a benefit of receiving new knowledge in a different area of the organisation:

Further to Mr Alegria’s remarks, whilst there is a risk of knowledge transferring away, one of the advantages that we also see is that new knowledge is seeded in areas. I am reflecting on an area manager for Mulligans Flat who recently acquired a position in charge of Namadgi. A lot of the knowledge that that senior person held and experienced at Mulligans Flat is now available in Namadgi, and equipping and skilling staff there that might not have been exposed to some of that knowledge.

Whilst it is a risk, sometimes we actually see benefits from movement, too. As Mr Alegria mentioned, the trick is to ensure good handover practices, that we do not jeopardise relationships in seeing rangers move on, and that that knowledge is transferred in the best way we can.⁴²

Committee comment

- 2.29. The Committee, while acknowledging the work of existing urban and park rangers, considers that drops in funding for the PCS rangers may impact their ability to conduct activities and meet all their objectives. Funding to PCS rangers should be increased to guarantee they can continue to meet all their protection and conservation objectives.

Recommendation 2

The Committee recommends Government increase funding for urban and park rangers in the ACT.

⁴¹ Mr Stephen Alegria, Executive Branch Manager, ACT Parks and Conservation Service, EPSDD, *Committee Hansard*, 13 November 2023, p 36.

⁴² Mr Bren Burkevics, Executive Group Manager, Environment, Heritage and Water, EPSDD, *Committee Hansard*, 13 November 2023, p 36.

Minister for the Environment

2.30. The Committee examined the following matters allocated to the Minister for the Environment:

- Agriculture;
- Biodiversity policy;
- ACT Commissioner for Sustainability and the Environment;
- Conservation and promotion of native flora and fauna;
- Environment protection policy;
- Native animal welfare;
- Pest, weed and feral animal management policy;
- Support to the Conservator of Flora and Fauna; and
- Urban agriculture policy.⁴³

Matters considered

2.31. During the Minister for the Environment's appearance before the Committee on 17 November 2023, the following matters were considered:

- Wombats in Denman prospect;⁴⁴
- Development in greenfields areas;⁴⁵
- Monitoring of impacts on burrows and wombats;⁴⁶
- Review of the management status of dingoes in the ACT;⁴⁷
- Kangaroo Management Program;⁴⁸
- Protecting and promoting grasslands;⁴⁹
- Government implementation of recommendations from the Inquiry into Environmental Volunteerism;⁵⁰
- Use of culled kangaroos as dog baits;⁵¹
- Red gum dieback;⁵²

⁴³ ACT Government, *Administrative Arrangements 2022 (No 2)* <https://legislation.act.gov.au/View/ni/2022-697/current/html/2022-697.html> (accessed 23 January 2023).

⁴⁴ *Committee Hansard*, 17 November 2023, pp 48–51.

⁴⁵ *Committee Hansard*, 17 November 2023, pp 51–52.

⁴⁶ *Committee Hansard*, 17 November 2023, pp 52–54.

⁴⁷ *Committee Hansard*, 17 November 2023, pp 54–58.

⁴⁸ *Committee Hansard*, 17 November 2023, pp 58–61.

⁴⁹ *Committee Hansard*, 17 November 2023, pp 61–62.

⁵⁰ *Committee Hansard*, 17 November 2023, pp 62–64, 78–79.

⁵¹ *Committee Hansard*, 17 November 2023, pp 64–66.

⁵² *Committee Hansard*, 17 November 2023, p 66.

- Connecting Nature, Connecting People Program;⁵³
- Registration of snakes for educational purposes;⁵⁴
- Possibility of an ACT Government snake catcher;⁵⁵
- Work to reintroduce endangered flora and fauna;⁵⁶
- Engagement with other traditional custodians besides the Ngunnawal people.⁵⁷

Development impacts on wildlife

- 2.32. During the public hearing, the Committee raised with the Minister the issue of wombats coming into the Denman Prospect area, noting to the Minister that wombats are getting hit by cars and that residents are unsure of what to do with injured or deceased wombats. The Committee queried with the Minister if the Government was working on addressing the problem.⁵⁸
- 2.33. The Minister responded by indicating that the Directorate had been doing some work on ‘understanding some of the issues around the impact of development on burrowing animals’, but that she herself had not been alerted to the specific issue of wombats entering Denman prospect.⁵⁹
- 2.34. The Minister indicated the extent of the Directorate’s existing work in this space:
- ...The discussion primarily has been around, when we are looking at development activity, what work needs to happen from the developer’s perspective in terms of the impact, particularly on burrowing animals. That work has been continuing over some time, working with stakeholders such as Wombat Rescue.⁶⁰
- 2.35. The Conservator of Flora and Fauna noted to the Committee that the issue of wombats had been raised at the previous year’s hearing for Annual and Financial reports.⁶¹
- 2.36. Indeed, the Committee’s report for its *Inquiry into Annual and Financial Reports 2021-2022* identified that ‘burrowing animals like wombats are not considered a threatened species but are at high risk due to urban development and encroachment’. The Committee then recommended that ‘the ACT Government improve its protection measures for native species, such as burrowing animals like wombats, that are not considered threatened but are at high risk due to urban development and encroachment’.⁶²

⁵³ *Committee Hansard*, 17 November 2023, pp 66–68.

⁵⁴ *Committee Hansard*, 17 November 2023, pp 70–72.

⁵⁵ *Committee Hansard*, 17 November 2023, pp 72–73.

⁵⁶ *Committee Hansard*, 17 November 2023, pp 73–75.

⁵⁷ *Committee Hansard*, 17 November 2023, p 79.

⁵⁸ Dr Marisa Paterson MLA, Chair, *Committee Hansard*, 17 November 2023, pp 48–49.

⁵⁹ Ms Rebecca Vassarotti MLA, Minister for the Environment, *Committee Hansard*, 17 November 2023, p 49.

⁶⁰ Ms Rebecca Vassarotti MLA, Minister for the Environment, *Committee Hansard*, 17 November 2023, p 49.

⁶¹ Mr Bren Burkevics, Conservator of Flora and Fauna and Executive Group Manager, Environment, Heritage and Water, *Committee Hansard*, 17 November 2023, p 50.

⁶² Standing Committee on Environment, Climate Change and Biodiversity, [Report 7 – Inquiry into Annual and Financial Reports 2021-22](#), March 2023, p 12.

2.37. The Conservator outlined the current work of his Office in minimising impacts on wombats:

In terms of what we are doing to minimise the impacts on wombats, there are a couple of things. Now, with construction environmental management plans, we have a far greater focus on ensuring that instructions to developers are very clear around their responsibilities for the identification and proper management of wombats. I would certainly say that the focus of the regulation of development areas where wombats are occurring has certainly been strengthened.

Where there might be activities that require damage to or destruction of a burrow of a wombat, there always were licensing arrangements, but it is about making sure that those licensing arrangements are being understood and followed. The fact that we are regulating has also been a big focus for us, and through the office of the conservator as well.

Avoiding this problem in the first place is where we want to get to, so that we are not responding to issues of harmed or injured wildlife...⁶³

2.38. The Conservator Liaison also indicated to the Committee that the Office of the Conservator has been finalising conservator guidelines for the management of burrowing animals, with the Office of the Conservator planning stakeholder engagement in early December to finalise some of the issues that have come out of earlier stakeholder engagement.⁶⁴

2.39. The Conservator Liaison added that even though the guidelines have not yet been finalised, the Conservator's office are 'already applying the expert advice on management that we have received to developments that are currently occurring'.⁶⁵

2.40. The Conservator Liaison added:

In the case of Denman Prospect, for example, that is still under assessment by ACTPLA. We have already provided comments on what they need to do in relation to wombats and other burrowing animals on their site. They will have to address that as part of their development application, and as part of their construction environmental management plan.

With the other things that we are doing, which lead into your comments about wombats moving into the suburbs, we have a greater focus on connectivity. Ensuring that developers consider fauna movements through the suburbs is also a key priority. That is also in the Biodiversity Sensitive Urban Design Guide that is coming in as part of the new Planning Act. That will also be a greater focus in general.⁶⁶

⁶³ Mr Bren Burkevics, Conservator of Flora and Fauna and Executive Group Manager, Environment, Heritage and Water, EPSDD, *Committee Hansard*, 17 November 2023, p 50.

⁶⁴ Ms Eliza Larson, Conservator Liaison, Office of the Conservator of Flora and Fauna, EPSDD, *Committee Hansard*, 17 November 2023, p 50.

⁶⁵ Ms Eliza Larson, Conservator Liaison, Office of the Conservator of Flora and Fauna, EPSDD, *Committee Hansard*, 17 November 2023, p 50.

⁶⁶ Ms Eliza Larson, Conservator Liaison, Office of the Conservator of Flora and Fauna, EPSDD, *Committee Hansard*, 17 November 2023, p 50

Committee comment

- 2.41. The Committee is of the view that given the greater likelihood of interactions between humans and wildlife as the ACT continues to develop in greenfield areas, greater efforts should be made to ensure that wildlife in those areas are protected early on, including through identifying burrowing animals through pre-development inspections, and then safely relocating them.

Recommendation 3

The Committee recommends that once the burrowing animal guidelines are finalised, the ACT Government mandate in developer contracts pre-development inspections for burrowing animals.

Recommendation 4

The Committee recommends that the ACT Government commit to making decisions about the management of burrowing animals found during pre-development, including relocation wherever possible.

Wildlife reporting tools

- 2.42. In discussing the above issue of harm to wombats in greenfield areas, the Conservator of Flora and Fauna indicated to the Committee that there are opportunities for the Canberra community to report instances of injured wombats through Access Canberra.⁶⁷

The image displays two screenshots from the ACT Wombat Sightings Portal. The left screenshot shows the 'Submit a wombat sighting' form. It includes a title 'ACT Wombat Sightings Portal', a sub-header 'Submit a wombat sighting', and instructions: 'Use this form to record sightings of wombats in the ACT. For injured wombats requiring urgent care and attention such as injured on a road, please call Access Canberra 13 22 81.' Below this is a section 'Capture wombat location on the map*' with instructions: 'Press the Find my location button', 'Select a location on the map', 'Enter an address or place', and 'Enter coordinates.' A map interface is shown with a search bar 'Find address or place' and a red error message: 'Can not find your location. Please check your browser to ensure that your location is allowed.' Below the map are input fields for 'Lat:' and 'Long:'. The next section is 'Date and time of observation*' with instructions: 'This defaults to the current date and time' and 'Otherwise, set date and time using the box options.' It shows a date dropdown set to '25/03/2024' and a time dropdown set to '14:18'. The final section is 'Photo of wombat' with instructions: 'You can upload an image or' and 'Take a photo.' It features a dashed box for dropping an image and a camera icon. The right screenshot shows the 'Health status*' section. It includes a title 'Health status*' and a description: 'Early stage mange appears in gill-like striations on the sides and/or hair loss on legs, sides and head. More severe cases show a thickening of the skin or crust on the legs, sides, and head (specifically around the eyes and ears).' Below this are four radio button options: 'Healthy', 'Unhealthy (including mange)', 'Uncertain', and 'Deceased'. The 'Unhealthy (including mange)' option is selected, and a photo of a wombat with mange is shown. At the bottom, there is an 'Additional info' section with the instruction: 'Helpful extra info may include:' and a bullet point: 'the level of mange.'

Figure 2: Screenshots from the Wombat sighting portal [Source: ACT Government, [Wombat Portal](#)].

- 2.43. The Minister also highlighted to the Committee the existence of the wombat portal as a useful information source for government:

Picking up on that issue of interactions, it might be useful to highlight that we have the wombat portal as well. That is a really useful information source. It is about the reporting of not just sick wombats but also healthy wombats. I would encourage people to use that portal. Again, it provides important intelligence in terms of where we are seeing some of the interactions and the impacts. We can then work through what might need to be done in terms of supporting better connectivity or whatever other interventions and responses might be helpful.⁶⁸

⁶⁷ Mr Bren Burkevics, Conservator of Flora and Fauna and Executive Group Manager, Environment, Heritage and Water, EPSSD, *Committee Hansard*, 17 November 2023, p 50.

⁶⁸ Ms Rebecca Vassarotti MLA, Minister for the Environment, *Committee Hansard*, 17 November 2023, p 51.

- 2.44. The EPSDD website indicates that the portal, which was launched in November 2021⁶⁹, 'is the first stage of a joint community and government project', and maps wombat abundance and distribution across the ACT, including the prevalence of wombat mange.⁷⁰
- 2.45. The portal, which is linked to the ACT Government ArcGIS system, allows Canberrans to pinpoint on a map the location of a wombat, and include details about when the wombat was spotted and the wombat's health. This, the EPSDD website states, 'will help connect our wildlife carers with animals requiring treatment, and government to collect information on wombat distribution and health across the ACT'.⁷¹
- 2.46. The website outlines that the other two stages of the project include:
- a new spatial support tool that maps wombat populations to help us understand the extent of mange and its effects on populations and to facilitate coordinated monitoring and treatment
 - an innovative research effort that will trial the remote delivery of a more effective and longer lasting mange treatment ACT Wildlife and Wombat Rescue are partnering with government on the project in an excellent example of how government and community volunteers can work together for good outcomes for a species in trouble. The University of Tasmania is providing advice from its own research and trials.⁷²

⁶⁹ Ms Rebecca Vassarotti MLA, Minister for the Environment, '[Combating wombat mange in the ACT](#)', *Media release*, 12 November 2021.

⁷⁰ EPSDD, '[New wombat sighting portal launched](#)', (accessed 20 March 2023).

⁷¹ EPSDD, '[New wombat sighting portal launched](#)', (accessed 20 March 2023).

⁷² ACT Government, '[Wombat mange project](#)' (accessed 20 March 2023)

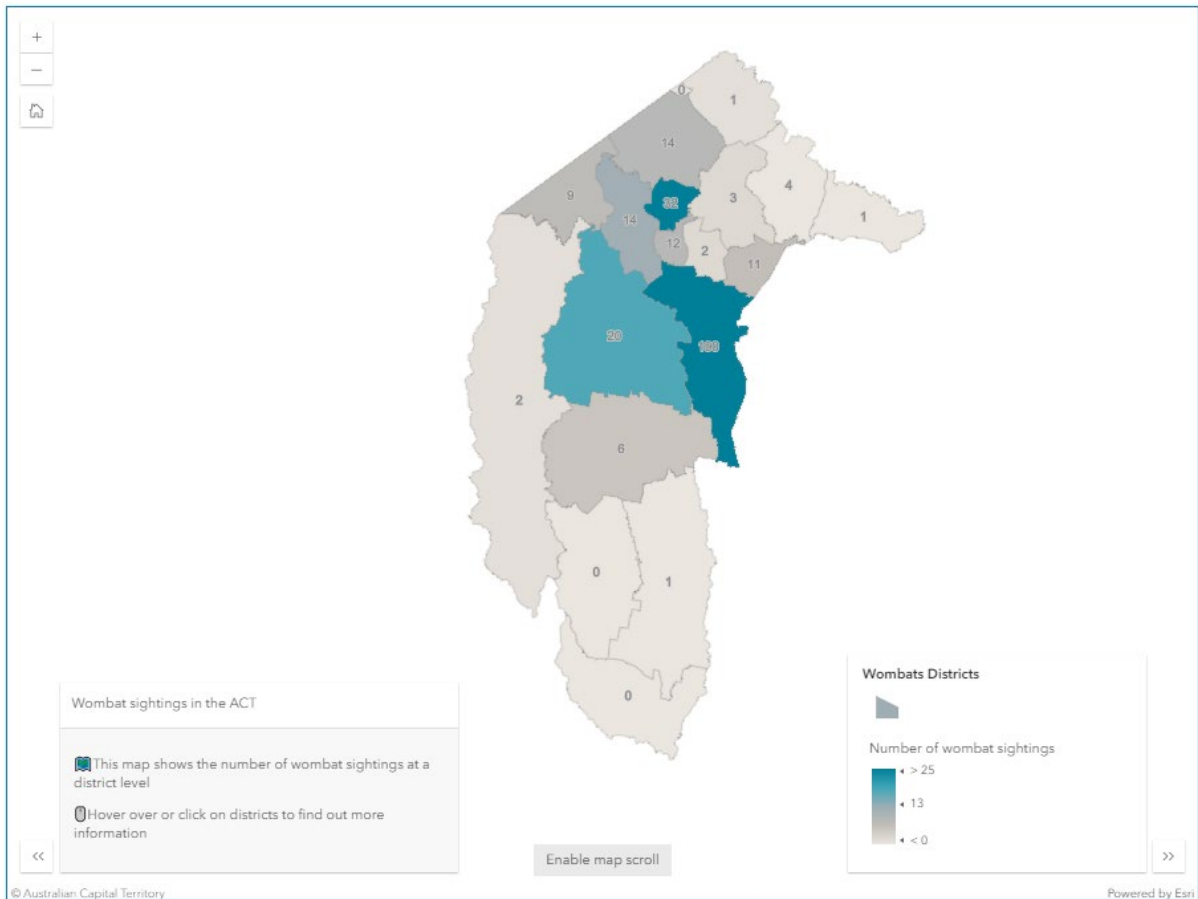


Figure 3: Map of wombat sightings reported through the portal in the ACT [Source: ACT Government, [Wombat mange project](#) (accessed 20 March 2023)].

Committee comment

- 2.47. The Committee considers that the wombat portal is a useful tool for bringing awareness to PCS rangers of injured wombats, and similar digital reporting tools could be useful for the alerting authorities to sightings of other native wildlife, particularly those that are injured.

Recommendation 5

The Committee recommends that the ACT Government continue to invest in digital injured wildlife reporting tools through Access Canberra.

Wild dog management

- 2.48. The Committee inquired with the Minister as to work the ACT Government is doing to review the management status of dingoes.⁷³

⁷³ *Committee Hansard*, 17 November 2023, p 55.

- 2.49. In responding the Minister acknowledged to the Committee that the issue of the management status of dingoes had been discussed in previous Assembly Committee public hearings.⁷⁴
- 2.50. Indeed, the Select Committee on Estimates 2023-2024 (Select Committee on Estimates) raised the issue of wild dog management in its public hearings in August 2023.⁷⁵
- 2.51. In its report, the Select Committee on Estimates detailed that according to the relevant EPSDD website, the wild dog population can be best described as dingo, with a small proportion of domesticated dog genes.⁷⁶ This information is also contained in the *ACT Pest Animal Management Strategy 2012-2022*.⁷⁷
- 2.52. The Select Committee on Estimates also observed in its report that at the time the EPSDD website stated that: ‘...pure dingoes cannot be distinguished from part dingoes in the field so they are managed as a single entity—wild dogs’.⁷⁸
- 2.53. The EPSDD website currently states that ‘Dingoes and dingoes that have a percentage of domestic dog genes are indistinguishable in appearance and behaviour, they are collectively referred to as ‘Wild dogs’ within national management frameworks’.⁷⁹ It further states that ‘Wild dogs perform the function of a top order predator in Australian ecosystems by preying on native and introduced herbivores. The behaviour of hybridised and non-hybridised wild dogs and dingos has been shown to be the same in this role’.⁸⁰
- 2.54. At present, due to the impact that wild dogs can have on livestock on rural properties that are adjacent to or overlap with their habitat, managing wild dogs is a priority for the ACT Government.⁸¹ They are currently listed as a Pest Animal under the *Pest Plant and Animal Act*.⁸² However, the approach to managing them is dependent on where they are located, with the *ACT Pest Animal Management Strategy 2012-2022* stating that ‘Wild dogs are managed as native animals for conservation purposes in core conservation zones and as pest animals to reduce damage to stock in other areas such as on rural leases and areas of adjoining public land’.⁸³
- 2.55. The Government currently undertakes an integrated approach to managing them, utilising ground baiting, poison bait ejectors, trapping and shooting. Ground baiting and poison bait ejectors involve the use of the poison 1080 (sodium monofluoroacetate).⁸⁴

⁷⁴ Ms Rebecca Vassarotti MLA, Minister for the Environment, *Committee Hansard*, 17 November 2023, p 55.

⁷⁵ Dr Marisa Paterson MLA, Select Committee on Estimates 2023-2024, *Committee Hansard*, 20 July 2023, pp 398–399.

⁷⁶ Select Committee on Estimates 2023-2024, [Inquiry into Appropriation Bill 2023-2024 and Appropriation \(Office of the Legislative Assembly\) Bill 2023-2024](#), August 2023, p 85.

⁷⁷ ACT Government, [ACT Pest Animal Management Strategy 2012-2022](#), p 41.

⁷⁸ Select Committee on Estimates 2023-2024, [Inquiry into Appropriation Bill 2023-2024 and Appropriation \(Office of the Legislative Assembly\) Bill 2023-2024](#), August 2023, p 85.

⁷⁹ ACT Government, [Wild dogs](#), (accessed 6 August 2023).

⁸⁰ ACT Government, [Wild dogs](#), (accessed 6 August 2023).

⁸¹ ACT Government, [ACT Pest Animal Management Strategy 2012-2022](#), p 41.

⁸² See, for example: *Pest Plants and Animal Act 2005*, s 16; *Pest Plants and Animals (Pest Animals) Declaration 2021 (No 1)*, sch 1.

⁸³ ACT Government, [ACT Pest Animal Management Strategy 2012-2022](#), p 49.

⁸⁴ ACT Government, [ACT Pest Animal Management Strategy 2012-2022](#), p 41.

2.56. The Select Committee on Estimates enquired with the Government at the time as to why, given dingoes in the ACT are of a very pure breed, dingoes fall under a wild dog management plan, and whether there should be a separate dingo management plan.⁸⁵

2.57. In responding to the question, the Minister at the time replied that:

The objective of Wild Dog Control in the ACT is that wild dogs/dingoes are managed as native animals for conservation purposes in core conservation zones and as pest animals in other defined areas to reduce damage to stock. For this reason, the contested issues around the genetics of the wild dog/dingo does not impact on the management objectives.⁸⁶

2.58. The Select Committee on Estimates recommended that the ACT Government replace the use of the term 'wild dog' with 'dingo' in ACT Government documentation to 'accurately reflect the genetic makeup of the ACT's population.'⁸⁷

2.59. In updating the Committee on the Government's work to review that management status of dingoes, the Minister indicated that 'in terms of how we categorise our dingoes and wild dogs and what that potentially means for future management planning, that is actively being looked at'.⁸⁸

2.60. Dr Rosie Cooney, Senior Director at the Office of Nature Conservation, updated the Committee on the Directorate's work in genetic re-evaluation of dingoes:

We regularly collect genetic samples from dogs that are trapped as part of the management program in the ACT. They will shortly be going off to a number of different labs, including the University of New South Wales and Dr Kylie Cairns, who published work earlier this year prompting the re-evaluation of dingo genetics. We are looking forward to having more details of the genetics of our Namadgi population. There were only two dogs from the ACT in the original evaluation, so we need to understand that more. We hope to have that information either early in the new year or midyear next year. That approach will either make it into an early re-run of those genetics or a midyear one.

We also have two PhDs going on at the moment. I think I have mentioned those before—one with University of New South Wales and one with the University of Sydney. Those will tell us a lot more about the ecosystem function of wild dogs and dingoes within the national park—their impacts on suppressing populations of cats and foxes potentially, which has been found in some contexts in Australia but not in others, and the knock-on implications of that on native wildlife.⁸⁹

⁸⁵ Dr Marisa Paterson MLA, Select Committee on Estimates 2023-2024, *Committee Hansard*, 20 July 2023, p 401.

⁸⁶ Ms Rebecca Vassarotti MLA, Minister for the Environment, Select Committee on Estimates 2023-2024, *answer to QTON 38: Wild Dogs in the ACT*, 20 July 2023 (received 28 July 2023).

⁸⁷ Select Committee on Estimates 2023-2024, *Inquiry into Appropriation Bill 2023-2024 and Appropriation (Office of the Legislative Assembly) Bill 2023-2024*, August 2023, pp 85–86.

⁸⁸ Ms Rebecca Vassarotti MLA, Minister for the Environment, *Committee Hansard*, 17 November 2023, p 55.

⁸⁹ Dr Rosie Cooney, Senior Director, Office of Nature Conservation, EPSDD, *Committee Hansard*, 17 November 2023, p 55.

- 2.61. Dr Cooney also added that the Directorate recently commenced a sit-down review of ‘all the data that we have on dingoes and dingo management in the ACT. That can then inform further review and evaluation of our approach here’.⁹⁰
- 2.62. Mr Bren Burkevics indicated that the outcome of the genetic re-evaluation could result in a number of legislative, strategic and management changes, including that of reclassification or renaming of the species:

There are a number of processes that we will need to consider should the genetics show—and they are leaning this way; there is a growing body of evidence, as Dr Cooney has indicated. There are a number of statutory plans that exist in relation to wild dogs, and they are a declared pest. We are already starting to work through what the statutory implications may be, should the evidence indicate a high percentage of dingo genes, and we may need to have further conversations with the minister around a potential reclassification or renaming of that species.

Of course, as mentioned, under the *Nature Conservation Act*, there are a number of statutory provisions, declarations and management plans that would flow on. We need to understand more about how a potential reclassification may impact on those plans. Of course, there would be work to then rewrite those plans accordingly. It will be important that we do our due diligence once we gain that next layer of evidence.⁹¹

- 2.63. Mr Chris Glennon added that any changes would also involve revisiting a number of interjurisdictional agreements with New South Wales. He also highlighted the Directorate’s desire to gain a good understanding of not only the policy issues, but also the surrounding ‘community consultation issues and social issues’ and best practice management operations too.⁹²
- 2.64. Mr Burkevics expanded on this by drawing to the Committee’s attention the high community expectations:

Ms Clay, I think it is fair to say, just to reaffirm Mr Glennon’s remarks, that there is high community expectation, particularly from our rural landowner community, that government is managing risks associated with wild dogs or dingoes to their property and to sheep on their property. So, that importance of having good, effective community consultations and discussions around this body of work is going to be so important just to reassure them that with what is, essentially, their

⁹⁰ Dr Rosie Cooney, Senior Director, Office of Nature Conservation, EPSDD, *Committee Hansard*, 17 November 2023, pp 55–56.

⁹¹ Mr Bren Burkevics, Conservator of Flora and Fauna and Executive Branch Manager, Environment, Heritage and Water, EPSDD, *Committee Hansard*, 17 November 2023, p 56.

⁹² Mr Chris Glennon, Senior Director, Resilient Landscapes, Environment, Heritage and water, EPSDD, *Committee Hansard*, 17 November 2023, p 56.

likelihood, in a way, we are not posing any further risks to what they are managing at the moment—and in partnership with the government.⁹³

- 2.65. The Committee also queried with the Minister the opposition of the National Wild Dog Action Plan National Committee to the genetic re-evaluation work that is being undertaken by the University of New South Wales, and whether the ACT would pull out of the National Wild Dog Action Plan if genetic testing reveals wild dogs to be quite pure dingoes.⁹⁴
- 2.66. The Minister in responding emphasised the importance of an evidence-based process:

In relation to where our evidence is leading us and where we might wish to go, I think that it is really important that we look to engage with the evidence. I think the first response would be in terms of engaging in national processes in a way that seeks to influence and ensure that national plans and agreements are also evidence-led and reflecting that this is a really interesting area where evidence has been shifting. Potentially, a national action plan that has been agreed to a while ago— these processes are periodically reviewed.

Certainly, a first port of call would be to ensure, if it becomes clear that some of the things that sit with a national action plan are out of step with current understandings and evidence, that that would trigger a process for a review. From a jurisdictional perspective, we are very clear that we will be evidence based. We act to be collaborative. We are a jurisdiction that sits in the middle of another jurisdiction, so particularly on issues such as this, with wildlife that does not respect borders, our ability to ensure that we are acting in a way that is consistent is really important.⁹⁵

Committee comment

- 2.67. The Committee is of the view that given the high genetic purity of dingoes and wild dogs, and their important role as higher order predators in natural ecosystems in the ACT, they should not be treated as a pest species. The ACT Government should stop classifying dingoes as a pest species in the *Pest Plants and Animals (Pest Animals) Declaration 2021 (No 1)* and stop classifying them as wild dogs.

Recommendation 6

The Committee recommends that the ACT Government cease classifying dingoes as a pest species and cease describing them as wild dogs.

- 2.68. The Committee also raised concerns later in the session with the Minister and Directorate around the use of 1080 in the wild dog baiting program and the alleged inhumane way in

⁹³ Mr Bren Burkevics, Conservator of Flora and Fauna and Executive Group Manager, Environment, Water and Heritage, EPSSD, *Committee Hansard*, 17 November 2023, p 56.

⁹⁴ *Committee Hansard*, 17 November 2023, p 57.

⁹⁵ Ms Rebecca Vassarotti MLA, Minister for the Environment, *Committee Hansard*, 17 November 2023, p 57.

which animals subject to 1080 poisoning die and its impact on both its intended targets and other native wildlife.⁹⁶

- 2.69. The Committee is conscious that there are a range of views on the use of 1080.
- 2.70. The Minister stated to the Committee that while 1080 is used ‘very sparingly’, a challenge faced by the Government in its use is that it is very species-specific and ‘means we are not seeing the impact on particularly native species’.⁹⁷
- 2.71. The Conservator added that 1080 is an approved chemical under national frameworks, and that it is very effective. He noted that the Directorate has investigated and trialled the use of alternative chemicals such as HOGGONE and use those where appropriate.⁹⁸
- 2.72. The *ACT Pest Animal Management Strategy 2012-2022* also indicates that the implementation of 1080 baiting is done in a way to avoid any harm to non-target species, with ground bait meat being buried, and bait ejectors requiring a specific pull force to activate, which excludes many smaller non-target species.⁹⁹

Committee comment

- 2.73. The Committee acknowledges that while the use of 1080 is used sparingly in the ACT and done in a way to minimise impacts on non-target species, its potential to inflict inhumane suffering on target-species is of concern. The Committee therefore considers that the existing 1080 bait program for managing dingoes should be reviewed with a view to replacing it with more humane alternatives, if possible.

Recommendation 7

The Committee recommends that the ACT Government review the 1080 bait program in the management of dingoes.

Snake registration for educational purposes

- 2.74. During the hearing, the Committee asked the Minister around the registration of snakes for educational purposes, referencing a previous Assembly motion¹⁰⁰ discussing this issue.¹⁰¹
- 2.75. This motion, among other things, identified:

(g) in the ACT, there are four licensed snake catchers, ACT Snake Removals, Canberra Snake Catcher and Reptile Removals, Canberra Reptile Zoo, and Canberra Snake Rescue and Relocation;

⁹⁶ *Committee Hansard*, 17 November 2023, p 65.

⁹⁷ Ms Rebecca Vassarotti MLA, Minister for the Environment, *Committee Hansard*, 17 November 2023, p 65.

⁹⁸ Mr Bren Burkevics, Conservator of Flora and Fauna and Executive Group Manager, Environment, Heritage and Water, *Committee Hansard*, 17 November 2023, p 66.

⁹⁹ ACT Government, [ACT Pest Animal Management Strategy 2012-2022](#), p 41.

¹⁰⁰ *Minutes of Proceedings*, No 78, 28 March 2023, pp 1093–1094.

¹⁰¹ Dr Marisa Paterson MLA, *Committee Hansard*, 17 November 2023, p 70.

(h) these licensed operators respond to calls from the community to safely remove snakes from people's homes and businesses and release them back into the wild if they are not injured;

(i) under current regulations if a snake is injured, licensed snake catchers are only allowed to keep them for veterinary care and treatment for 48 hours. When a snake requires further care, this means that the snakes have to then be moved to a veterinary clinic or euthanised. This puts extra unnecessary pressure on veterinary clinics, when a licensed and trained snake catcher could continue care through to release; and

(j) the licensed snake catchers also run programs in the community to educate about snake behaviour and reduce fear of snakes. Currently in the ACT, the Canberra Reptile Zoo and the National Zoo and Aquarium are the only places where venomous snakes can be kept which presents a range of challenges for snake handling and education;¹⁰²

2.76. It then called on the ACT Government to:

(a) explore the possibility of extending the 48 hour window that licensed snake catchers can care for an injured snake that has been caught for as long as they need veterinary supervision;

(b) explore the potential for allowing licensed snake catchers to register ownership of venomous snakes for education purposes, in line with other jurisdictions;

(c) support snake education programs run in the ACT, including education programs for new migrants and refugees that experience heightened fear from snakes; and

(d) report back to this Assembly by 30 November 2023.¹⁰³

2.77. The Committee pointed out to the Minister that in responding to the motion, the Minister had argued against registration of snakes for educational purposes as it would be contrary to the *Australian Code for the care and use of animals for scientific purposes*. However, the Committee argued that the code was for research purposes specifically, not educational purposes. The Committee also put forward the view that the *Animal Welfare Act 1992* does not 'speak to educational purposes for holding these animals or mention snakes at all'.¹⁰⁴

2.78. In response the Minister said that 'the education cause has been put to us in a range of contexts, but it is certainly not something that we do with other wildlife – essentially enable ownership...'.¹⁰⁵

¹⁰² *Minutes of Proceedings*, No 78, 28 March 2023, p 1093.

¹⁰³ *Minutes of Proceedings*, No 78, 28 March 2023, p 1094.

¹⁰⁴ Dr Marisa Paterson MLA, *Committee Hansard*, 17 November 2023, pp 70, 72.

¹⁰⁵ Ms Rebecca Vassarotti MLA, Minister for the Environment, *Committee Hansard*, 17 November 2023, p 72.

2.79. The Conservator observed to the Committee that there is conflicting opinion on whether it is appropriate to use live venomous snakes for education purposes, noting to the Committee the use of any venomous animal carries risk.¹⁰⁶

2.80. These risks were of concern to not only the Conservator, but other stakeholders in government:

I think the sense that I get in consultations within government—with police and emergency services—is that there would be some nervousness around the keeping of a venomous animal for extended purposes, particularly the use of that venomous animal for an education purpose.

It is something that I would probably prefer not occur—that venomous snakes not be used for live education purposes where the public is around. I think it just increases the risk. And, of course, there are other laws that start to kick in with regard to workplace health and safety, et cetera, where I think I would need very strong evidence to be comfortable in issuing a licence for that circumstance.¹⁰⁷

Committee comment

2.81. The Committee, while acknowledging the concerns about risks in snake handlers keeping snakes, particularly venomous snakes, for educational purposes, believes there are significant community education benefits to be achieved from permitting licensed native wildlife catchers or handlers to hold on to caught wildlife for the purposes of delivering education on that species to the Canberra community. To support this, licensing arrangements should be reviewed and a framework developed.

Recommendation 8

The Committee recommends that the ACT Government work with ACT snake catchers to improve the welfare situation for snakes currently used for educational purposes.

Recommendation 9

The Committee recommends that the ACT Government review current licensing arrangements and identify a framework for those snake handlers suitably qualified to register ownership of venomous snakes for educational and training purposes in the ACT.

2.82. The Committee also discussed whether it would be possible for the ACT Government to have its own snake-catcher, given volunteer snake catchers have day jobs and receive a substantial number of call-outs, particularly during certain seasons. The Committee also

¹⁰⁶ Mr Bren Burkevics, Conservator of Flora and Fauna and Executive Group Manager, Environment, Heritage and Water, *Committee Hansard*, 17 November 2023, p 72.

¹⁰⁷ Mr Bren Burkevics, Conservator of Flora and Fauna and Executive Group Manager, Environment, Heritage and Water, EPSSD, *Committee Hansard*, 17 November 2023, p 72.

asked whether the Government having its own snake-catching service could provide further opportunities for community education on snakes.¹⁰⁸

- 2.83. The Conservator informed the Committee that the communications team within the Directorate already routinely communicates to the public information and education on wildlife matters, such as the risks of snakes.¹⁰⁹ He also later added that all of the licensed snake catchers in the ACT operate commercially, which the Committee pointed out was conducted only as a cost-recovery exercise and not for profit.¹¹⁰
- 2.84. The Minister indicated that while there have been some discussions around bringing such a function into Government, there was currently no proposal being considered by the Government.¹¹¹

Committee comment

- 2.85. The Committee is of the view that the small number of volunteer snake catchers in the ACT they face significant pressures given they conduct their snake-catcher role in addition to their ordinary day-jobs, and only operate it on a cost-recovery basis.
- 2.86. The Committee therefore considers that the ACT Government should consider implementing and operating an in-house snake-catcher and handling service to relieve pressure on private snake catchers and handlers. Such a service would also be able to provide additional public education services to the community on snakes through school incursions and public events.

Recommendation 10

The Committee recommends the ACT Government consider making snake removal/handling work in the ACT salaried as a contracted public service that is focused on providing public education.

Red Gum dieback

- 2.87. The Committee raised with the Minister a potential gap in information on the EPSDD website post-2017 in relation to the Directorate's work on Red Gum dieback.¹¹²
- 2.88. Dieback, the EPSDD website states, 'refers to the gradual deterioration of health in trees, sometimes leading to tree death. Dieback is usually caused by a combination of factors, such as disease and pathogens, insect attack and/or stressful climate conditions'.¹¹³

¹⁰⁸ Dr Marisa Paterson MLA, *Committee Hansard*, 17 November 2023, p 72.

¹⁰⁹ Mr Bren Burkevics, Conservator of Flora and Fauna and Executive Group Manager, Environment, Heritage and Water, EPSDD, *Committee Hansard*, 17 November 2023, p 73.

¹¹⁰ Mr Bren Burkevics, Conservator of Flora and Fauna and Executive Group Manager, Environment, Heritage and Water, EPSDD, *Committee Hansard*, 17 November 2023, p 73; Dr Marisa Paterson MLA, *Committee Hansard*, 17 November 2023, p 73.

¹¹¹ Ms Rebecca Vassarotti MLA, Minister for the Environment, *Committee Hansard*, 17 November 2023, p 73.

¹¹² *Committee Hansard*, 17 November 2023, p 66.

¹¹³ ACT Government, [Dieback](#), (accessed 21 March 2024).

- 2.89. The EPSDD website also notes that while dieback can affect many species in the ACT and New South Wales, there has been a noticeable increase in dieback in Blakely's Red Gum.¹¹⁴
- 2.90. Dr Cooney provided to the Committee an update on the Directorate's work in combating and understanding the issue:

We are continuing to work on the issue. It continues to be a priority. The work that was done was a very large analysis, trying to understand the drivers, but the results, while they did implicate climate change and lack of burning, in some cases it was not entirely conclusive. We have long-term monitoring going on which will continue to, over time, help us understand the large-scale causes of that, but at the moment we are running a project aimed at testing whether some specific interventions could be useful in halting dieback for priority trees. This is based on work that has been effective elsewhere. It is actually quite weird. It is about adding large amounts of sugar around the tree. We are also trialling mulch. I am a little hazy on the details, but I understand that the effect of the sugar is to reduce nitrogen in the soil, which then makes the leaves less tasty to the little psyllid insects that are the proximate cause of dieback.¹¹⁵

- 2.91. Dr Cooney indicated to the Committee that the results of the project testing interventions to halt dieback would be available in a year or two years.¹¹⁶

Committee comment

- 2.92. The Committee considers that the Directorate's continued management of Red Gum dieback is important, and that another update on this work should be provided to the Assembly prior to the end of the current Assembly term.

Recommendation 11

The Committee recommends that the ACT Government update the Assembly on the management of Red Gum dieback before the end of term.

Minister for Heritage

- 2.93. The Committee examined the following matters allocated to the Minister for Heritage and EPSDD:
- Heritage.¹¹⁷

¹¹⁴ ACT Government, *Dieback*, (accessed 21 March 2024).

¹¹⁵ Dr Rosie Cooney, Senior Director, Office of Nature Conservation, EPSDD, *Committee Hansard*, 17 November 2023, p 66.

¹¹⁶ Dr Rosie Cooney, Senior Director, Office of Nature Conservation, EPSDD, *Committee Hansard*, 17 November 2023, p 66.

¹¹⁷ ACT Government, *Administrative Arrangements 2022 (No 2)* <https://legislation.act.gov.au/View/ni/2022-697/current/html/2022-697.html> (accessed 23 January 2023).

Matters considered

2.94. During the Minister for the Environment's appearance before the Committee on 17 November 2023, the following matters were considered:

- ACT Heritage Grants Program;¹¹⁸
- Delay in deciding the heritage listing of Urambi village;¹¹⁹
- Potential Heritage Council conflict of interest;¹²⁰
- Engagement with other traditional custodians besides the Ngunnawal people.¹²¹

¹¹⁸ *Committee Hansard*, 17 November 2023, pp 68–70.

¹¹⁹ *Committee Hansard*, 17 November 2023, pp 75–76.

¹²⁰ *Committee Hansard*, 17 November 2023, pp 76–78.

¹²¹ *Committee Hansard*, 17 November 2023, p 79.

3. Office of the Commissioner for Sustainability and the Environment

- 3.1. The ACT Commissioner for Sustainability and the Environment (the Commissioner) is appointed under the *Commissioner for Sustainability and the Environment Act 1993* and is accountable to the ACT Legislative Assembly through the Minister for the Environment.¹²²
- 3.2. The Commissioner for Sustainability and the Environment is an independent statutory position.¹²³

Matters considered

- 3.3. During the Commissioner's appearance before the Committee on 14 November 2023, the following matters were considered:
- Restricting Canberra's urban footprint;¹²⁴
 - Health impacts of wood heaters compared with other sources of smoke;¹²⁵
 - Pollen monitoring;¹²⁶
 - Progress on the circular economy; and¹²⁷
 - OCSE staff turnover and staff satisfaction.¹²⁸

Key issues

Directorate Reporting to OCSE

- 3.4. During the course of the hearing, the Committee enquired with Commissioner as to the office's view on the ACT's progress on circular economy and waste issues.¹²⁹
- 3.5. The Commissioner informed the committee that her office finds it quite difficult to provide information on the progress of multiple issues because of a lack of information being provided to her office, in particular from the Environment, Planning and Sustainable Development Directorate, on progress regarding recommendations.¹³⁰
- 3.6. Indeed, the Office of the Commissioner for Sustainability and the Environment (OCSE) *Annual Report 2022-2023* identified for numerous recommendations that EPSDD 'did not respond within reasonable timeframe', and that some Directorates had provided insufficient evidence.¹³¹

¹²² Office of the Commissioner for Sustainability and the Environment, [Annual Report 2022-23](#), p 8.

¹²³ Office of the Commissioner for Sustainability and the Environment, [Annual Report 2022-23](#), p 8.

¹²⁴ *Committee Hansard*, 14 November 2023, pp 40–43.

¹²⁵ *Committee Hansard*, 14 November 2023, pp 43–44.

¹²⁶ *Committee Hansard*, 14 November 2023, pp 44–45.

¹²⁷ *Committee Hansard*, 14 November 2023, pp 45–46.

¹²⁸ *Committee Hansard*, 14 November 2023, pp 46–47.

¹²⁹ Ms Jo Clay MLA, *Committee Hansard*, 14 November 2023, p 45.

¹³⁰ Dr Sophie Lewis, Commissioner for Sustainability and the Environment, *Committee Hansard*, 14 November 2023, p 45.

¹³¹ See, for example: Office of the Commissioner for Sustainability and the Environment, [Annual Report 2022-23](#), pp 20, 24, 25, 26, 28, 29, 30, 36, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 49, 50, 51, 54, 55, 57, 58, 59, 60, 61, 62, 63, 65, 66, 67, 68;

3.7. In particular, the Commissioner noted that: ‘We certainly found that many directorates were extremely delayed in providing information to us, which makes it very difficult for us to track progress towards recommendations and to publish information in the public domain’.¹³²

3.8. The Commissioner explained this in more detail:

It was a number of directorates and it is not an issue that we found exclusive to the annual reporting, although we appreciate that this is a really important mechanism for transparency and accountability. In this case, EPSDD were more than three weeks late, beyond our deadline, and we did not receive any cleared input for publication. We also had delays from Health and TCCS. This is also an issue that we experienced with the State of the Environment report, where some information was provided to us over 4½ months after our deadline. Again, with the investigation into the wood heater policy in the ACT we had difficulty obtaining information from multiple directorates.¹³³

Committee comment

3.9. The Committee considers that, given the importance of Annual Reports as a mechanism for transparency and accountability, it is concerning that Directorates are not providing information to the Office of the Commissioner for Sustainability and the Environment within the required time period. It is imperative that Directorates provide relevant information to the OCSE within the requested timeframes to enable the OCSE to track progress against recommendations, as well as prepare other reports such as the State of the Environment report.

Recommendation 12

The Committee recommends that all ACT Government agencies should provide reports to the Office of the Commissioner for Sustainability and the Environment (OCSE) within deadlines to allow OCSE to track progress on recommendations and prepare State of the Environment and other reports.

Office of the Commissioner for Sustainability and the Environment, [Annual Report 2022-23](#), pp 23, 28, 30, 50, 55, 58, 59, 61, 62, 69.

¹³² Dr Sophie Lewis, Commissioner for Sustainability and the Environment, *Committee Hansard*, 14 November 2023, p 45.

¹³³ Dr Sophie Lewis, Commissioner for Sustainability and the Environment, *Committee Hansard*, 14 November 2023, pp 45–46.

4. Chief Minister, Treasury and Economic Development Directorate

- 4.1. The Chief Minister, Treasury, and Economic Development Directorate (CMTEDD) is the ACT Government's central agency and is responsible for the provision of strategic advice and support to the Chief Minister, the Directorate's Ministers and the Cabinet on policy, economic and financial matters, service delivery, whole of government issues and inter-governmental relations.

Minister for Climate Action

- 4.2. The Committee examined the following matters allocated to the Minister for Climate Action and CMTEDD:
- Big Canberra Battery;
 - Climate Action (Coordinator-General);
 - Climate change adaptation and resilience; and
 - Sustainable household program.¹³⁴

Matters considered

- 4.3. During the Minister for Climate Action's appearance before the Committee on 12 December 2023, the following matters were considered:
- Sustainable Household Scheme application and approval numbers;¹³⁵
 - defaults on loans under the Sustainable Household Scheme;¹³⁶
 - Government adaption projects;¹³⁷
 - Big Canberra Battery project cost;¹³⁸
 - Big Canberra Battery expected revenue;¹³⁹
 - Implementation of the Big Canberra Battery network;¹⁴⁰ and
 - Commonwealth Community Solar Banks Initiative in the ACT.¹⁴¹

¹³⁴ ACT Government, *Administrative Arrangements 2022 (No 2)* <https://legislation.act.gov.au/View/ni/2022-697/current/html/2022-697.html> (accessed 23 January 2023).

¹³⁵ *Committee Hansard*, 12 December 2023, pp 89–92.

¹³⁶ *Committee Hansard*, 12 December 2023, p 92.

¹³⁷ *Committee Hansard*, 12 December 2023, p 93.

¹³⁸ *Committee Hansard*, 12 December 2023, pp 94–95, 97.

¹³⁹ *Committee Hansard*, 12 December 2023, pp 95–96.

¹⁴⁰ *Committee Hansard*, 12 December 2023, pp 96–97.

¹⁴¹ *Committee Hansard*, 12 December 2023, pp 97–98.

Key issues

Big Canberra Battery

- 4.1. During the session with the Minister for Climate Action, the Committee discussed the progress of the Big Canberra Battery project.¹⁴² This project aims to deliver an ‘ecosystem of batteries’ across the ACT to ensure the electricity grid remains stable through the installation of a large-scale battery energy storage system in Williamsdale, south of Tuggeranong, and behind-the-meter batteries at selected government sites.¹⁴³
- 4.2. In April 2023, the Government announced that they had partnered with Eku Energy to deliver the large scale battery storage facility in Williamsdale.¹⁴⁴ Construction on the project will commence late 2024 and be completed in 2025.¹⁴⁵
- 4.3. The Committee heard from the Coordinator-General of the Office for Climate Action that the project’s current state is very different to the Government’s original thoughts on the project:

...Originally, we thought that when the government made the commitment about encouraging a large-scale system in the ACT for reliability and other purposes, we would need to do what other states and territories have largely done, which is essentially provide a grant to set up. So originally, we booked that as a possible \$100 million, either to own and operate the system itself, or alternatively to provide it as a grant. That was a very high-level estimate at the beginning of the process.

As we have worked through the details of that, and the government clarified its objectives to also include generating revenue for the territory, we looked at other ways of engaging with network operators and the battery providers and have come up with essentially a new way of doing PPP [public-private partnerships] in Australia, which is a revenue share contract. The way it works is that we provide essentially an availability payment on a quarterly basis to a battery system operator and owner. The private partner owns the asset, and in return for that availability payment, we get a share of the total revenue of the battery.¹⁴⁶

- 4.4. In developing this model, the Government saw an opportunity to fill a gap that was not being provided by the private sector:

The reason that it was a new type of contract, and the reason we decided to do that, was, as part of the industry consultation and developing the project, we learned that the key challenge those operators were having was with batteries having a very irregular revenue stream. They make a lot of money in a very short

¹⁴² *Committee Hansard*, 12 December 2023, pp 94–97.

¹⁴³ ACT Government, ‘[Big Canberra Battery](#)’, *Everyday Climate Choices* (accessed 15 March 2024).

¹⁴⁴ Mr Andrew Barr MLA, Minister for Climate Action, ‘[Significant milestone for the Big Canberra Battery](#)’, *Media Release*, 14 April 2023.

¹⁴⁵ Mr Andrew Barr MLA, Minister for Climate Action, ‘[Significant milestone for the Big Canberra Battery](#)’, *Media Release*, 13 April 2023.

¹⁴⁶ Mr Sam Engle, Coordinator-General, Office of Climate Action, *Committee Hansard*, 12 December 2023, p 94.

period of time, but then they can just tick along and not make much revenue. That makes it a challenge for them to get private finance. So there was a bit of a market opportunity for the ACT to provide an assured level of revenue, which then decreased the battery operator's cost of capital, and then essentially the benefits of that are shared back. So, now, when we book that, it is a revenue back to government. So it is of no cost and in fact, generates revenue.¹⁴⁷

4.5. The Committee heard from the Government that the quarterly payments received from the private sector operators to the Government were commercial-in-confidence as part of the contract, and that the expected revenue to the Government for the project would instead be published each year in the budget parameters.¹⁴⁸

4.6. The Committee also received evidence from the Government on the implementation of the project, with elements of it having already commenced:

It is already underway. Contracts have been signed. There are other elements of the Big Canberra Battery that are a series of smaller batteries and other components that all come together in effectively a networked battery for the city. They range in size from relatively small institution level batteries to some of these large-scale ones that are located either with major renewable energy generators or on the interconnectors between the ACT and New South Wales. There are also some private projects that were procured under the large-scale renewable energy generator contracts before the Big Canberra Battery Project was announced. So there are more and more batteries being added, of varying scale, under a number of the different procurement programs the government has had in place over the last 10 years.¹⁴⁹

4.7. The Government told the Committee that the project would provide benefits for the ACT in terms of dealing with peak usage periods across the National Energy Market (NEM):

The great value in the batteries will be at periods of peak usage across the NEM. So when it is really hot everywhere and the ageing coalfired plants are not producing enough energy, obviously on really hot days solar contribution is peaking right across the NEM, and there is more and more of that, but the advantage the batteries have is being able to provide instant dispatchable power into our network. So it significantly reduces the risk of brownouts. To the extent that, for example, a storm incident interstate interrupted the supply of power into the ACT, then the batteries could be deployed to provide a localised power boost whilst, for example, a network disruption in New South Wales, in the hypothetical example, was being repaired.¹⁵⁰

¹⁴⁷ Mr Sam Engle, Coordinator-General, Office of Climate Action, *Committee Hansard*, 12 December 2023, p 94.

¹⁴⁸ Mr Sam Engle, Coordinator-General, Office of Climate Action, *Committee Hansard*, 12 December 2023, p 95.

¹⁴⁹ Mr Andrew Barr MLA, Minister for Climate Action, *Committee Hansard*, 12 December 2023, p 96.

¹⁵⁰ Mr Andrew Barr MLA, Minister for Climate Action, *Committee Hansard*, 12 December 2023, p 96.

Committee comment

- 4.8. The Committee acknowledges that construction of the Williamsdale Battery energy storage system Big Canberra Battery will commence this year, however this is only one part of the overall project, with further batteries at different scales to be added to the network as time goes on.
- 4.9. The Committee is of the view that as further milestones are reached in the project, it is important that the Assembly is informed on the project's progress.

Recommendation 13

The Committee recommends the ACT Government update the assembly on the progress of the 'Big Canberra Battery' project before the end of term.

Minister for Business and Better Regulation

- 4.10. The Committee examined the following matters allocated to the Minister for Business and Better Regulation and CMTEED:
- Environmental protection, water regulation, and clinical waste controller (including Environment Protection Authority).¹⁵¹

Matters considered

- 4.11. During the Minister for Business and Better Regulation's appearance before the Committee on 22 November 2023, the following matters were considered:
- EPA monitoring at Kippax Oval,¹⁵²
 - EPA advice to the Commissioner for sustainability and the Environment;¹⁵³ and
 - EPA resourcing.¹⁵⁴

Key issues

EPA Resourcing

- 4.12. During the public hearing, the Committee asked about the Environment Protection Authority's (EPA) provision of advice to the Commissioner for Sustainability and the Environment in relation to the Commissioner's investigation into wood heater policy and the *State of the lakes and waterways in the ACT* report. In discussing the way in which the EPA provided advice to the Office of the Commissioner for Sustainability and the

¹⁵¹ ACT Government, *Administrative Arrangements 2022 (No 2)* <https://legislation.act.gov.au/View/ni/2022-697/current/html/2022-697.html> (accessed 23 January 2023).

¹⁵² *Committee Hansard*, 22 November 2023, pp 80–82.

¹⁵³ *Committee Hansard*, 22 November 2023, pp 82–85.

¹⁵⁴ *Committee Hansard*, 22 November 2023, pp 85–88.

Environment (OCSE) on the wood heaters investigation, Dr Su Wild-River informed the Committee that the OCSE's Wood heaters report recommended a more rigorous approach to testing the air quality coming out of wood heaters.¹⁵⁵

- 4.13. The Committee heard that this presently involves a visual inspection to observe wood smoke and its behaviour as it leaves the chimney:

...They are using all their senses— obviously their sense of smell and things like that as well. What they are looking for is whether the plume of smoke is actually polluting anyone. If the plume of smoke is going into the air and it is quite clear that it is actually dissipating and not getting to anyone, then that is compliant with the policy. It is over to EPSDD as to whether the policy is suitable and fit for purpose...¹⁵⁶

- 4.14. In response to the OCSE's wood heaters report, Dr Wild-River noted that the EPA looked at determining a better way of making that process more rigorous.¹⁵⁷

- 4.15. Dr Wild-River noted to the Committee that in response to the *State of the Lakes and Waterways in the ACT* report, the EPA was allocated under the 2022-2023 Budget an additional two staff tasked with 'being proactive', and which enabled the EPA to respond to issues identified by the OCSE in the *State of the Lakes and Waterways in the ACT* Report:

One of the things that I am really proud of in the annual report we have presented to you this year is a very significant increase in the amount of work we were able to put into preventing sedimentation into waterways. We were aware of it as an issue, but we really targeted that, in part to respond to the commissioner's report, which showed that sedimentation from building sites, including small building sites, was a real issue. You will see in the report that we issued 51 infringement notices, mostly for poor management of sediment on small building sites. That work was enabled by the two additional staff that we were able to get in that budget. We really targeted them on that problem which had been identified by the commissioner and we were able to achieve some really good outcomes from that increased inspection regime.¹⁵⁸

- 4.16. Indeed, Minister Cheyne highlighted to the Committee that the addition of those extra staff enabled the EPA and Access Canberra to undertake a more proactive compliance approach to issues identified by the OCSE in the *State of the lakes and waterways in the ACT report*, with the number of physical inspections of building sites increasing from 891 the previous financial year to 1,509 in the 2022-2023 financial year.¹⁵⁹

- 4.17. The Minister further praised it as an example of engagement between the OCSE and the EPA:

¹⁵⁵ Dr Su Wild-River, Senior Director, Environment Protection Authority, *Committee Hansard*, 22 November 2023, p 83.

¹⁵⁶ Dr Su Wild-River, Senior Director, Environment Protection Authority, *Committee Hansard*, 22 November 2023, p 84.

¹⁵⁷ Dr Su Wild-River, Senior Director, Environment Protection Authority, *Committee Hansard*, 22 November 2023, p 83.

¹⁵⁸ Dr Su Wild-River, Senior Director, Environment Protection Authority, *Committee Hansard*, 22 November 2023, p 84.

¹⁵⁹ Ms Tara Cheyne MLA, Minister for Business and Better Regulation, *Committee Hansard*, 22 November 2023, p 84.

...That is a really good example of the commissioner undertaking her investigation and engaging with the EPA in providing the information they had. The commissioner was able to bring together a whole range of sources. That resulted in a very detailed report that the EPA took very seriously. The EPA adjusted its compliance approach as a result.¹⁶⁰

- 4.18. Despite the success with which the EPA has had with those two additional staff, Dr Wild-River indicated the EPA had identified there are still areas in which the EPA could be 'doing even better', noting that 'two extra staff are not really very much'.¹⁶¹
- 4.19. The need for greater resourcing of the EPA was observed by Dr Wild-River later in the session:

In part, we were trying to show what could be done in such a small team with a modest resource increase. We are still building a business case for what is needed to genuinely meet the environmental demand in the ACT. What we see in all the indicators is that the demand is growing, so expect us to ask for more. At the same time, we kept everybody going in the core business, which is a mix of preventative and reactive. We do a lot of work to prevent harm and we comment on 93 to 94 per cent of all development applications that are referred to us, which you can see in the report is hundreds every year. All that work is preventative. We comment on development applications so that harm does not happen in the future, and that is very effective. That is the most bang for buck.

When the Legislative Assembly approved those two extra staff, they highlighted that they were to be focused on proactive investigative work, so that is what we did. We said, "We have the new staff members. Where can we get the most bang for buck from these two people for this year?" We put them on those small building site inspections and showed what could be done. A well-resourced EPA can really deliver the outcomes that Canberra needs in this space and a modest increase can give a lot of outcomes.¹⁶²

Committee comment

- 4.20. The Committee acknowledges that the EPA is working with limited resources for environmental protection and prevention.

Recommendation 14

The Committee recommends that Government increase resourcing for the Environment Protection Authority to ensure it is able to conduct sufficient inspections to protect Canberra's environment, particularly given the increased need under the new planning system.

¹⁶⁰ Ms Tara Cheyne MLA, Minister for Business and Better Regulation, *Committee Hansard*, 22 November 2023, p 84.

¹⁶¹ Dr Su Wild-River, Senior Director, Environment Protection Authority, *Committee Hansard*, 22 November 2023, p 85.

¹⁶² Dr Su Wild-River, Senior Director, Environment Protection Authority, *Committee Hansard*, 22 November 2023, p 87.

5. Conclusion

- 5.1. The Committee thanks everyone who participated in, or otherwise assisted, this inquiry. This includes the ACT Government Ministers, Directorate officials, and statutory officers. The Committee wishes to extend its appreciation to the Hansard and broadcasting staff of the ACT Legislative Assembly.
- 5.2. The Committee makes 14 recommendations.

Dr Marisa Paterson MLA
Chair
4 April 2024

Appendix A: Witnesses

Monday, 13 November 2023

Mr Shane Rattenbury MLA, Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction Environment, Planning and Sustainable Development Directorate

Environment, Planning and Sustainable Development Directorate

Ms Fiona Wright, Deputy Director-General, Environment, Water and Emissions Reduction

Mr Bren Burkevics, Executive Group Manager, Environment, Heritage and Water

Mr Kieran Lawton, Acting Executive Group Manager, Climate Change and Energy

Ms Ros Malouf, Executive Branch Manager, Climate Change and Energy Programs, Climate Change and Energy

Ms Rachel De Hosson, Executive Branch Manager, Net Zero Energy Transformation, Climate Change and Energy

Dr Ralph Ogden, Program Manager, ACT Healthy Waterways, Catchment Planning and Water Management, Office of Water Major Projects Canberra

Major Projects Canberra

Mr Adrian Piani, ACT Chief Engineer

Mr Mick Gentleman MLA, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services

Environment, Planning and Sustainable Development Directorate

Mr Bren Burkevics, Executive Group Manager, Environment, Heritage and Water

Mr Stephen Alegria, Executive Branch Manager, ACT Parks and Conservation Service

Tuesday, 14 November 2023

Office of the Commissioner for Sustainability and the Environment

Dr Sophie Lewis, Commissioner for Sustainability and the Environment

Mrs Miranda Gardner, Director, Complaints and Investigations

Friday, 17 November 2023

Ms Rebecca Vassarotti MLA, Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction

Environment, Planning and Sustainable Development Directorate

Mr Ben Ponton, Director-General

Mr Bren Burkevics, Executive Group Manager, Environment, Heritage and Water, and Conservator of Flora and Fauna

Dr Rosie Cooney, Senior Director, Office of Nature Conservation, Environment, Heritage and Water

Mr Chris Glennon, Senior Director, Resilient Landscapes, Environment, Heritage and Water

Mr Stuart Jeffress, Senior Director, ACT Heritage

Ms Eliza Larson, Conservator Liaison, Office of the Conservator of Flora and Fauna, Environment, Heritage and Water

Wednesday, 22 November 2023

Ms Tara Cheyne MLA, Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs
Chief Minister

Treasury and Economic Development Directorate

Dr Su Wild-River, Delegate for Lakes and Clinical Waste Controller Senior Director, Environment Protection Authority, Construction, Utilities and Environment Protection, Access Canberra

Ms Margaret McKinnon, Acting Deputy Director-General, Access Canberra

Tuesday, 12 December 2023

Mr Andrew Barr MLA, Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development, and Minister for Tourism

Chief Minister, Treasury and Economic Development Directorate

Mr Sam Engele, Coordinator-General, Office for Climate Action

Ms Lara Lloyd, Acting Executive Branch Manager, Office of Climate Action Programs

Appendix B: Questions on Notice and Questions Taken on Notice

Questions on Notice

No.	Date	Asked of	Subject	Response received
1	23/11/23	Minister Cheyne	Environment Protection	29/11/23

Questions Taken on Notice

No.	Date	Asked of	Subject	Response received
1	13/11/23	Minister Rattenbury	Energy Efficiency Fund	22/11/23
2	13/11/23	Minister Rattenbury	Healthy Waterways	20/11/23
3	13/11/23	Minister Rattenbury	New insulation standards	20/11/23
4	13/11/23	Minister Rattenbury	EV charger targets	22/11/23
5	13/11/23	Minister Rattenbury	ACT EV charging contracts	22/11/23
6	13/11/23	Minister Rattenbury	Efficiency of EV charging	22/11/23
7	13/11/23	Minister Rattenbury	Electrification of Government Gas Assets	22/11/23
8	13/11/23	Minister Gentleman	Separation rate of rangers	20/11/23
9	17/11/23	Minister Vassarotti	Wombats in Denman Prospect	23/11/23
10	17/11/23	Minister Vassarotti	Funding for heritage festival	27/11/23
11	17/11/23	Minister Vassarotti	Heritage grants	24/11/23
12	17/11/23	Minister Vassarotti	Heritage nomination from Urambi Village	24/11/23
13	17/11/23	Minister Vassarotti	Heritage Council member and Urambi village	24/11/23

Appendix C: Gender distribution of witnesses

Beginning in April 2023, in response to an audit by the Commonwealth Parliamentary Association, Committees are collecting information on the gender of witnesses. The aim is to determine whether committee inquiries are meeting the needs, and allowing the participation of, a range of genders in the community. Participation is voluntary and there are no set responses.

Gender indication	Total
Female	11
Male	12
Non-binary	0
Gender neutral	0
No data	0