

Standing Committee on Planning, Environment and TAMS
Annual and Financial Reports 2014-2015
Questions Taken on Notice
Public hearings of 13 November 2015

Type of Questions	No	Hearing Date	Asked By	Directorate / Portfolio	Subject	Proof Transcript page no	Answer date
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LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING, ENVIRONMENT AND TERRITORY AND MUNICIPAL SERVICES

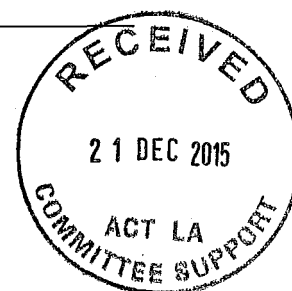
Ms Meegan Fitzharris MLA (Chair), Mr Alistair Coe MLA (Deputy Chair),
Dr Chris Bourke MLA, Mr Andrew Wall MLA

ANSWER TO QUESTION TAKEN ON NOTICE DURING PUBLIC HEARINGS

Asked by MR WALL on 13 November 2015: **MR GARY RAKE** took on notice the following question(s):

Ref: Hansard Transcript 13 November 2015 - PAGE 5

In relation to: Lake Tuggeranong Closure



MR WALL: Okay. My understanding is Lake Tuggeranong has been closed for the last little while, but not due to blue-green algae. What is the cause of the closure at the moment?

Ms Ekelund: It is another algae. The Environment Protection Agency is generally the agency that looks after this in detail, but our ecologist could probably describe the particular pollutant in more detail if you need that.

MR WALL: That is all right, even if they just want to take it on notice if it is outside of the area.

Mr Rake: I am happy to take it on notice. I do believe it is a different strain of blue-green algae. There are three prominent strains here in Canberra.

MINISTER CORBELL: The answer to the Member's question is as follows:—

Lake Tuggeranong was closed from 17 September 2015 to 11 November 2015 for secondary contact (swimming) in accordance with the ACT Health Guidelines for Recreational Water Quality due to the present of the blue-green algae, *Tychonema*.

Tychonema is a cold weather blue green algae normally present in ACT Lakes during winter and early spring.

This particular algae is generally benthic, which means that it prefers to grow whilst attached to a substrate, such as rocks, sand, concrete, and possibly ribbon weed. During the process of photosynthesis, oxygen bubbles become trapped in the benthic mats, which then lift off the bottom and float to the surface. Once the algae floats on the surface, it then dies. We notice this form of the algae by the presence of these floating clumps.

Wind and wave action concentrate these clumps along a shoreline. As the algal cells decay, they will release toxins. Animals, particularly dogs, are attracted to the algal clumps along the shoreline which could be ingested by the dogs.

The low rainfall experienced during August and early September resulted in clear water conditions in Lake Tuggeranong facilitating growth of this benthic algae.

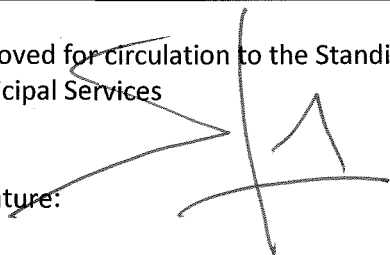
The blue green algae blooms typically seen during the warmer summer months are associated with the blue green algae Anabaena and Microcystis.

Weekly monitoring of visible algal conditions is performed by the EPA and Health Protection Service officers all year.

Actions on alerts, warnings or lake closures are determined when certain levels of blue-green algae are present. The full procedures are available from the ACT Health Guidelines for Recreational Water Quality <http://health.act.gov.au/health-services/population-health/health-protection-service/recreational-water-quality/act-guidelines-for-recreational-water-quality>

Approved for circulation to the Standing Committee on Planning, Environment and Territory and Municipal Services

Signature:



Date:

18/12/15

By the Minister for the Environment, Simon Corbell, MLA

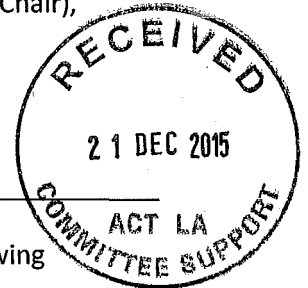


LEGISLATIVE ASSEMBLY
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STANDING COMMITTEE ON PLANNING, ENVIRONMENT AND TERRITORY AND MUNICIPAL SERVICES

Ms Meegan Fitzharris MLA (Chair), Mr Alistair Coe MLA (Deputy Chair),
Dr Chris Bourke MLA, Mr Andrew Wall MLA

**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**



Asked by Mr Wall on 13 November 2015: **MINISTER CORBELL** took on notice the following question(s):

Ref: Hansard Transcript 13 November 2015 PAGE 9

In relation to: WEED SPOTTER WEBSITE

MR WALL: The questions related to, I think it is on page 28 of the annual report makes reference to the—what is the magic word—weed spotter website that we introduced. I was wondering if you could just give a bit of a rundown of what the basis of that is, how it is being used.

Ms Lane: I am not right across it but—

MR WALL: The curly things you get asked at annual reports.

Ms Lane: Yes, very interesting. But I think it is a similar concept of Canberra nature map which is, you know, sighting a particular species. You actually upload it onto a site where it can contribute to the overall information and the database on location and also extent of weeds.

MR WALL: Is there any—

Mr Corbell: Our Landcare and Parkcare volunteers are increasingly using app based, mobile Smartphone apps to upload with relevant GPS information locations of either endangered plants and other species that they identify or alternatively weeds as well so that that can be used for overall data collection and focusing particular activities on the ground and sharing that information across Parkcare/Landcare groups and the ranger of the Parks Conservation Service and so on.

MR WALL: So is the weed spot website a public portal or is it an internal one for parks land?

Mr Corbell: It is public.

MR WALL: Thank you. And are there any checks then done of the integrity of, I guess, the submissions that the public upload onto that website?

Mr Corbell: I would have to take some advice on that.

MINISTER CORBELL: The answer to the Member's question is as follows:-

The ACT and Southern Tablelands Weed Spotter website and Android and iPhone apps are the result of collaboration between the ACT Government, the Atlas of Living Australia, 10 Local Government areas, three Catchment Groups and the Conservation Council. The website and apps enable anyone who is registered on the site to map weeds and weed control effort across the region. All mapping is made public on the Weed Spotter website, and a correct identification of all mapped weeds is moderated. All moderated mapping is also uploaded onto the Atlas of Living Australia website and available publicly.

Moderation of the ACT and Southern Tablelands Weed Spotter:

- All mapping of weeds submitted onto the website is moderated by one of two moderators currently volunteering for the website, and can't be released publicly onto either the Weed Spotter website or the Atlas of Living Australia website, until the moderator has accepted the identification of the weed and released the mapping from moderation. Both moderators can seek advice from the Australian National Botanic Gardens or the Royal Botanic Gardens in Sydney on identification of weeds and other plants that have not been previously mapped in our region.
- Given the size of the region that is covered by the ACT and Southern Tablelands Weed Spotter, the website moderators cannot confirm the location of mapped weeds – there is a significant level of trust that users will accurately map location i.e. using GPS embedded in their iPhone or Android platform or using the mapping tool on the website. Users have the capacity to review and revise their mapping on the Weed Spotter website after they have mapped a weed in the field, if they find it has been inaccurately geo-referenced.

Approved for circulation to the Standing Committee on Planning, Environment and Territory and Municipal Services

Signature:



Date:

18.12.15

By the Minister for the Environment, Simon Corbell, MLA

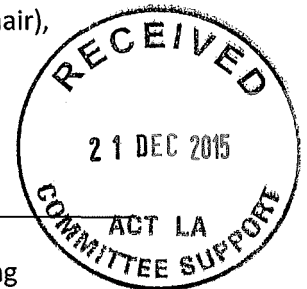


LEGISLATIVE ASSEMBLY
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STANDING COMMITTEE ON PLANNING, ENVIRONMENT AND TERRITORY AND MUNICIPAL SERVICES

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Dr Chris Bourke MLA, Mr Andrew Wall MLA

**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**



Asked by Mr Wall on 13 November 2015: **MINISTER CORBELL** took on notice the following question(s):

Ref: Hansard Transcript 13 November 2015 PAGE 10

In relation to: WEED SPOTTER WEBSITE

Ms Lane: I think similar to Canberra nation map we have experts who can actually identify species from photographic evidence or else going out onto the ground.

MR WALL: I guess the question is if I took a photo of a Fireweed in Tharwa and said this is in West Belconnen—

Mr Corbell: Well, I think you would have to upload the GPS data from your phone. So if you are taking a photo it will have the GPS coordinates.

MR WALL: Well, largely depending on the phone and its capability.

Mr Corbell: Sure but I think that is the way generally these applications are operating is that you get the GPS information sent along with the visual image.

MR WALL: Okay, and what was the cost of developing this portal? Take it on notice. That is fine.

Mr Corbell: I will have to take it on notice, Mr Wall

MINISTER CORBELL: The answer to the Member's question is as follows:—

The ACT and Southern Tablelands Weed Spotter website and Android and iPhone apps are the result of a collaboration between the ACT Government, the Atlas of Living Australia, 10 Local Government areas, three Catchment Groups and the Conservation Council. The website and apps enable anyone who is registered on the site to map weeds and weed control efforts across the region. All mapping is made public on the Weed Spotter website, once it has been moderated. All moderated mapping is also uploaded onto the Atlas of Living Australia website and available publicly. The Weed Spotter website includes the facility to enable anyone (including unregistered users) to use a simple Lucid-based key to identify weeds and look-alike plants in the region; and to learn about priority and new and emerging weeds in each of the 10 local government areas and the ACT.

The ACT and Southern Tablelands Weed Spotter website and associated Android and iPhone apps were funded by the ACT Government and developed by the Atlas of Living Australia at a cost of \$24,000 (GST exclusive). The Atlas of Living Australia continues to undertake maintenance and updating of the website and apps, as needed, and at no cost to the ACT Government. The ACT Government has also invested in graphic design for the website (provided by 'ED. Design' for \$5700) and the development of User manuals for the website, the iPhone and Android apps (experienced IT and NRM professional Deb Kellock was engaged as an independent consultant to do this work for \$6000).

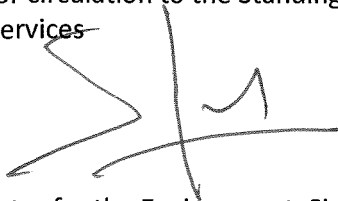
In summary – total costs:

- \$24,000 (GST exclusive) – Atlas of Living Australia for development of website and iPhone and Android apps
- \$5700 (GST exclusive) – graphic design for the website
- \$6000 (GST exclusive) – development of user manuals for Website, and Android and iPhone apps.

Total: \$35,700

Approved for circulation to the Standing Committee on Planning, Environment and Territory and Municipal Services

Signature:



Date:

17.12.11

By the Minister for the Environment, Simon Corbell, MLA

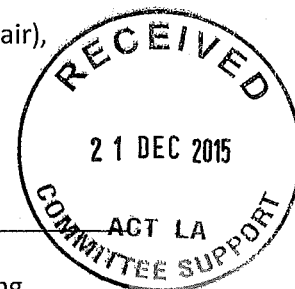


LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING, ENVIRONMENT AND TERRITORY AND MUNICIPAL SERVICES

Ms Meegan Fitzharris MLA (Chair), Mr Alistair Coe MLA (Deputy Chair),
Dr Chris Bourke MLA, Mr Andrew Wall MLA

ANSWER TO QUESTION TAKEN ON NOTICE DURING PUBLIC HEARINGS



Asked by Mr Coe on 13 November 2015: **MS DORTE EKELUND** took on notice the following question(s):

Ref: Hansard Transcript 13 November 2015 PAGE 23

In relation to: STAFF SNAPSHOT - Percentage

MR COE: So in the 2014 survey when 27 per cent considered bullying and harassment an issue, how has that been addressed?

Ms Ekelund: We have been doing a lot of stuff, communications and training throughout the directorate. So we have had a program of staff development and also I guess education programs about what is acceptable behaviour, what is not acceptable behaviour, and subsequent to that we have been getting good feedback from our staff that they believe the organisation is supporting them in the entirety. So in all the aspects of the People Matters survey addressed.

MR COE: 27 per cent in that survey seemed extremely high, but one in four people in the department, in the directorate, are saying that bullying and harassment is an issue.

Ms Ekelund: I think they said they may have observed it, and I am afraid I do not actually have that report in front of me, so I can only take your word for that statistic.

MR COE: Is that the correct statistic, though?

Ms Ekelund: As I said, I do not have it in front of me, so certainly the statistic from people who have suggested that they had experienced it was much, much lower, so I think all I can say is that we take this issue very seriously, and we have a very active staff communications and training program, and we have had no reports of bullying and harassment occur over the last period.

MR COE: Okay. I see the 27 per cent, but I understand the staff snapshot, 20 per cent of people said that they had experienced bullying and harassment themselves. So when you say it is much, much lower—

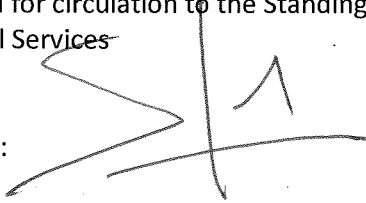
Ms Ekelund: Well, look, I am sorry, Mr Coe, but if you are making that comment I think I would have to take a question on notice in terms of exactly the report that you refer to.

MINISTER CORBELL: The answer to the Member's question is as follows:–

Yes. The statistic is correct for the 2014 survey. From the staff snapshot carried out in 2015 the number was reduced to 21%.

Approved for circulation to the Standing Committee on Planning, Environment and Territory and
Municipal Services

Signature:

A handwritten signature in black ink, appearing to be 'S. Corbell', written over a horizontal line.

Date: 21.12.15

By the Minister for the Environment, Simon Corbell, MLA

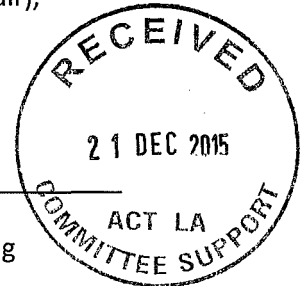


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**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**



Asked by Mr Coe on 13 November 2015: **MS DORTE EKELUND** took on notice the following question(s):

Ref: Hansard Transcript 13 November 2015 PAGE 24

In relation to: STAFF SNAPSHOT completion

MR COE: Right. So—well, perhaps you can help us out. So when was the staff snapshot completed?

Ms Ekelund: I am sorry, we have reported in the annual report, and I think again we will have to take it on notice if you are looking at exactly the detail that you are referring to.

MINISTER CORBELL: The answer to the Member's question is as follows:—

The staff snapshot survey closed on Friday 13 February 2015 and a report on the findings provided to the Environment and Planning directorate on 11 March 2015.

Approved for circulation to the Standing Committee on Planning, Environment and Territory and Municipal Services

Signature:

Date:

18.12.15

By the Minister for the Environment, Simon Corbell, MLA



LEGISLATIVE ASSEMBLY
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**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**

Asked by Dr Bourke on 13 November 2015: **MINISTER CORBELL** took on notice the following question(s):

Ref: Hansard Transcript 13 November 2015 PAGE 28

In relation to: OUTREACH ENERGY AND WATER PROGRAM

DR BOURKE: And substantial savings will arise for low-income households from that program?

Mr Corbell: Yes, so there are significant savings. The assessment is that in terms of greenhouse and energy savings, based on their appliances and retrofits achieved in 2014-15, there was the equivalent of 540 megawatt hours of energy and 240 tons of CO2 equivalent. So that is significant in terms of the abatement being achieved, the savings—unfortunately I do not have a savings figure in front of me, but I will see if we can get that for you.

MINISTER CORBELL: The answer to the Member's question is as follows:—

Given an average electricity price of \$0.16 per kWh, the 540 mWh savings achieved under the program equals \$86,400.



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17/12/15

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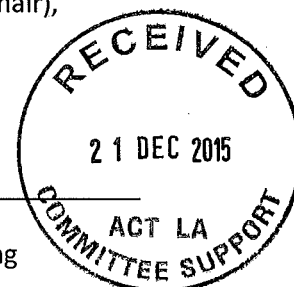


LEGISLATIVE ASSEMBLY
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ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS



Asked by Mr Coe on 13 November 2015: **MINISTER CORBELL** took on notice the following question(s):

Ref: Hansard Transcript 13 November 2015 PAGE 30

In relation to: OUTREACH ENERGY AND WATER FIGURES

MR COE: Sure. So how many took advantage of it under the previous scheme when it was not a loan?

Mr Corbell: I would have to take that on notice.

MINISTER CORBELL: The answer to the Member's question is as follows:-

The No Interest Loan Scheme (NILS) is an additional supplementary service to the Outreach program. It offers subsidised loans for energy and water efficient appliances for those householders that do not qualify for the Outreach program however still fall into a low income bracket. The income limits of participants are assessed prior to approval of any loans.

The Outreach program supported 1840 households in 2014/2015.

The NILS program, delivered through Care Financial Services and the Salvation Army, supported 41 households under the program in 2014/15.

Approved for circulation to the Standing Committee on Planning, Environment and Territory and Municipal Services

Signature:

Date:

18/12/15

By the Minister for the Environment, Simon Corbell, MLA

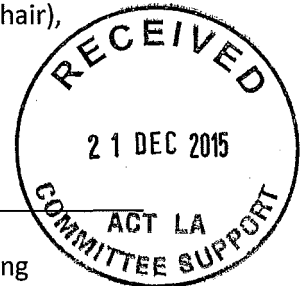


LEGISLATIVE ASSEMBLY
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**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**



Asked by Mr Wall on 13 November 2015: **MINISTER CORBELL** took on notice the following question(s):

Ref: Hansard Transcript 13 November 2015 PAGE 33

In relation to: WOOD HEATER REPLACEMENT PROGRAM

MR WALL: Thank you, and when someone partakes in this scheme either in its current form or in its revised form as of Monday what are the requirements for the disposal of the old wood fired heater?

Mr Corbell: It has to be surrendered to the government or the government's contractor or service provider.

MR WALL: The entire unit or just a component of the—

Mr Corbell: I would have to take that—I assume it is the entire wood heating box.

MR WALL: If you can take it on notice.

Mr Corbell: I will take it on notice but you have to surrender it.

MINISTER CORBELL: The answer to the Member's question is as follows:—

Participants in the program are required to take the old wood heater to Mugga Lane Resource Management Centre where the staff member on the gate is required to sign the wood heater claim form as proof of disposal. If participants are replacing an open fire place they need to insert a replacement heater into the space or permanently disable it to the satisfaction of the Directorate.

Approved for circulation to the Standing Committee on Planning, Environment and Territory and Municipal Services

Signature:

Date:

17.12.15

By the Minister for the Environment, Simon Corbell, MLA

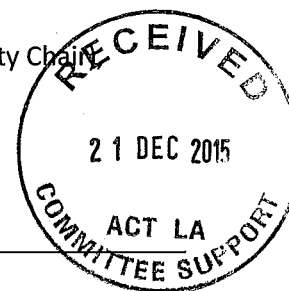


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ANSWER TO QUESTION TAKEN ON NOTICE DURING PUBLIC HEARINGS



Asked by MR COE on 13 November 2015: **MINISTER CORBELL** took on notice the following question(s):

Ref: Hansard Transcript 13 November 2015 PAGE 39

In relation to: HOME ENERGY ADVICE SERVICE

Mr Corbell: Madam Chair, just before you continue could I provide you just with a further clarification in relation to the work of the home energy advice service? So unfortunately my earlier advice was also incorrect and I apologise to the committee for that. The home energy advice service, I am now definitely advised, is outsourced for advice provided over the phone or by email. The provider is paid per enquiry and the provider is a business known as Cool Planet. The in-home assessment is also undertaken by Cool Planet.

THE CHAIR: Thank you.

MR COE: If you are able to clarify what the contractual basis, whether it is on a per home or whether it is—on notice—that would be handy.

Mr Corbell: Yes.

MINISTER CORBELL: The answer to the Member's question is as follows:—

Householders can use the phone or email service as many times as they like. The contractor is paid per enquiry not per household. This service is charged at a rate of \$25 for a simple enquiry (less than 30 mins) or \$50 for a complex enquiry (30-60 mins).

The in-home assessment is a user pay service where the householder pays between \$250 - \$350 (depending on the home size) directly to the contractor.

Approved for circulation to the Standing Committee on Planning, Environment and Territory and Municipal Services

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18.12.15

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ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS



Asked by DR BOURKE on 13 November 2015: **MINISTER CORBELL** took on notice the following question(s):

Ref: Hansard Transcript 13 November 2015 PAGE 40

In relation to: PV INSTALLATION AT THE CANBERRA HOSPITAL

DR BOURKE: Where is the PV installation at the Canberra Hospital ...(indistinct)... [4.32.10] going? Sorry, maybe it is the wrong directorate.

Mr Corbell: I am happy to take it on notice. I am sure we can get that detail from Health. If I recall correctly it will be on the multi-storey car park site and a number of other buildings, but I will clarify that.

MINISTER CORBELL: The answer to the Member's question is as follows:-

Health Directorate will install a 500 kW capacity solar photovoltaic (PV) system at the Canberra Hospital, on the roof of the multistorey carpark (which is located at the southern end of the campus).

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Date:

17/12/15

By the Minister for the Environment, Simon Corbell, MLA



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ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS



Asked by MR WALL on 13 November 2015: **MINISTER CORBELL** took on notice the following question(s):

Ref: Hansard Transcript 13 November 2015 PAGE 44

In relation to: Commissioner for Sustainability and Environment Investigations

MR WALL: My question relates to the office of the Commissioner for Sustainability and Environment between two sections. I will start on page 219 of the EPD annual report and the accountability indicators there. Point B said that there was no minister-initiated investigations for the year. When was the last time that there was a minister-initiated investigation referred to the commissioner?

Mr Corbell: That would probably be the report into water quality in Lake Burley Griffin which would have been—

MR WALL: And when was that?

Mr Corbell: —about two years ago.

MR WALL: It does not show in the commissioner's annual report which goes back to complaint—sorry my apologies that is given there about two years ago.

Mr Corbell: To the best of my knowledge. I am happy to give you a more precise figure if you like.

MR WALL: And also point C the commissioner did not initiate any investigations during this period. When was the last time the commissioner initiated—

Mr Corbell: I would have to take that on notice and ask the commissioner's office.

MR WALL: —an investigation on your own accord? And the others questions I have related to the commissioner's annual reports at pages 8 and nine it has the status of complaints that have been lodged from 2012-13 through to the reporting year. And I was just after an explanation as to particularly why the complaint from 2012-13 is still pending?

COMMISSIONER MS ANN LYONS WRIGHT: (Response provided by Dr Aileen Power, Senior Manager, *Office of the Commissioner for Sustainability and the Environment*, in the absence of the

current Commissioner Ms Ann Lyons Wright and with the former Commissioner, Mr Bob Neil, having retired in July 2015)

The answers to the Member's questions are as follows:-

Under s12 of the *Commissioner for Sustainability and the Environment Act, 1993* (the Act), the functions of the Commissioner are as follows:

- a) investigating complaints about the management of the environment by the Territory or a territory authority and issues relating to ecologically sustainable development in the ACT;
- b) conducting investigations as directed by the Minister;
- c) conducting, on the Commissioner's own initiative, investigations into actions of an agency where those actions would have a substantial impact on the environment of the ACT.

Question 1: When was the last time that there was a minister-initiated investigation referred to the Commissioner?

The last such investigation was in relation to the Investigation into the state of watercourses and catchments for Lake Burley Griffin. The report was completed in May 2011 by Mr Robert Neil as Commissioner. The investigation was directed by Minister Corbell under section 12(1) (b) of the Commissioner for the Environment Act 1993 in May 2011 to the former Commissioner Dr Maxine Cooper. The final report was tabled in the ACT Legislative Assembly on Thursday 10 May 2012 and the Government's response to the Report was tabled in June 2013.

Question 2: When was the last time the Commissioner initiated and investigation?

There has only ever been one Commissioner initiated investigation under s12 of the ACT. This was undertaken by Commissioner Baker in relation to the Implementation of the ACT Government's No Waste by 2010 Strategy. The investigation was commenced in March 1999, completed in November 1999 and table by the Minister in February 2000. The Government's response was tabled in May 2000.

Question 3: Why is the complaint from 2012-13 still pending?

The former *Commissioner for Sustainability and the Environment*, Mr Bob Neil, was approached by a member of the community in February 2013, who raised two issues in relation to a Development Application within the Belconnen town centre:

- I. height of the proposed buildings located within Belconnen town centre; and
- II. lack of clarity of information provided in Part 4 of the Development Decision with regard to ACAT and third party appeal information.

After preliminary research the Commissioner identified both issues raised in the complaint as potentially system-wide problems regarding building heights in town centres and notice of decisions relating to them. Consequently the Commissioner commenced an investigation of the matters as a formal complaint and sought information in relation to both issues raised.

The complexity of the issues, particularly within the context of changes to government policy and planning instruments and considerable activity in the development of various master plans, resulted in a continually shifting governance and regulatory terrain which made definitive findings and

recommendations by the Commissioner problematic. This situation was reported in the 2013-14 *Office of the Commissioner for Sustainability and the Environment* Annual Report. Changes in senior staff responsible for investigating complaints added to the intricacies of the investigation.

Work on the complaint has continued along with ongoing planning developments and changes; for example, the new Belconnen Master Plan and consultation. Nevertheless, a draft report for this complaint was sent to EPD by Commissioner Ann Lyons Wright for fact check in September 2015. A number of suggestions that accompanied the EPD response are now being pursued for inclusion into the final report which is projected for completion in early 2016.

Approved for circulation to the Standing Committee on Planning, Environment and Territory and Municipal Services

Signature: 

Date: 26/11/15

By Dr Aileen Power, Senior Manager,
Office of the Commissioner for Sustainability and the Environment

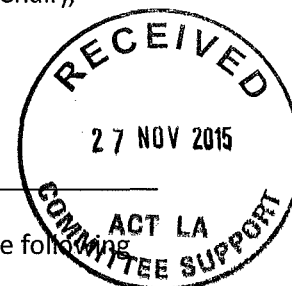


LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING, ENVIRONMENT AND TERRITORY AND MUNICIPAL SERVICES

Ms Meegan Fitzharris MLA (Chair), Mr Alistair Coe MLA (Deputy Chair),
Dr Chris Bourke MLA, Mr Andrew Wall MLA

ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS



Asked by MS FITZHARRIS on 13 November 2015: **MINISTER CORBELL** took on notice the following question(s):

Ref: Hansard Transcript 13 November 2015 PAGE 41

In relation to: COMMISSIONER FOR SUSTAINABILITY AND THE ENVIRONMENT PROGRESS

THE CHAIR: Minister, we may now move to include questions for the office of the Commissioner for Sustainability and the Environment, or members either to the sustainability—I understand the Commissioner, Ms Wright, is not with us. I was reminded by the secretary of a recommendation from last year's annual report hearings which was:

The committee recommends that the Commissioner for Sustainability and the Environment update the committee during these hearings on progress on defining ecologically sustainable development for annual reporting requirements.

Mr Corbell: Well, I think it may be best if I take that question on notice and provide a written answer to the committee on that so that the Commissioner can provide a response.

COMMISSIONER WRIGHT: (Response provided by Dr Aileen Power, Senior Manager, *Office of the Commissioner for Sustainability and the Environment*, in the absence of the current Commissioner Ms Ann Lyons Wright and with the former Commissioner, Mr Bob Neil, having retired in July 2015).

The answer to the Member's question is as follows:—

Under Annual Reports (Government Agencies) Notice 2015 Notifiable instrument NI2015–207 (the Directions) the requirement for whole of government ecologically sustainable development reporting is based on three pieces of legislation:

- *Commissioner for Sustainability and the Environment (CSE) Act 1993, Section 23*
- *Climate Change and Greenhouse Gas Reduction Act 2010*
- *Environment Protection Act 1997*

Ecologically Sustainable Development (ESD) is defined in the *Commissioner for Sustainability and the Environment Act 1993*, as amended in 2012, as:

“the effective integration of economic and environmental considerations in decision-making processes achievable through implementation of the following principles:

- (a) the precautionary principle;

- (b) the inter-generational equity principle;
- (c) conservation of biological diversity and ecological integrity;
- (d) improved valuation and pricing of environmental resources.”

Directorates are required to report against the s23 provisions as set out in part B.9 *Ecologically Sustainable Development*, of the Annual Report Directions, as follows:

A report prepared by an agency under the *Annual Reports (Government Agencies) Act 2004* for a financial year must include details of—

- (a) any request under section 18 (Assistance to Commissioner) received by the agency during the year; and
- (b) any assistance provided by the agency during the year in response to the request; and
- (c) any investigation by the Commissioner during the year in relation to any activity of the agency; and
- (d) any recommendation made by the Commissioner during the year following an investigation of the agency’s activities; and
- (e) any action the agency has taken during the year in relation to the recommendation.

Note Financial year has an extended meaning in the *Annual Reports (Government Agencies) Act 2004*.

Although reporting on s23 may contribute to progressing ESD there is no specific connection with ESD in the section. However, as part of the review of the Annual Report Directions for 2014-15, in January 2015, a suggestion was put to the Commissioner that s23 be included in *Part 3 – Reporting by Exception* rather than as part of an agency’s performance report. The Commissioner’s response was that s23 should remain within the Performance section of The Directions. This response was reflected in the final version of The Directions and the section as above, retained.

The definition for ESD cited in the Annual Report Directions is not that in the *Commissioner for Sustainability and the Environment Act, 1993* (as set out above). Rather, the reference is to s2 of the *Environment Protection Act* where ESD is defined as “the effective integration of economic, social and environmental considerations in decision-making processes”. The reporting requirements are consistent with this definition stating that agency annual reports should outline how agency actions and operations accord with legislation and with ecologically sustainable development principles:

- the contribution of agency outputs to meet ecologically sustainable development;
- the effects of the agency outputs on ecologically sustainable development;
- identification of any measures taken to minimise the impacts of these effects;
- description of mechanisms used for reviewing and increasing the effectiveness of these measures; and
- a statement about the accuracy of data i.e. confidence level.

So, while the definition of ESD used within the Directions is not completely consistent with that in the *Commissioner for Sustainability and the Environment Act, 1993* (The Act) it does align with Triple Bottom Line (TBL) reporting. A study undertaken in 2014 for the Commissioner by Dr Gerry

Bates of Sydney University¹, on ESD and its implementation in the ACT, equated ESD as it is defined in the *Commissioner for Sustainability and the Environment Act 1993*, with a TBL approach. It follows that current ESD Annual Reporting requirements are consistent with ESD as it is defined in the *Commissioner for Sustainability and the Environment Act 1993*. Having said this, current Annual Reporting requirements are relatively limited in scope, focusing on emissions and waste and (in other performance reporting sections) on social aspects of directorate performance such as employment, disability provisions and so on. This situation indicates there is room for improvement in ESD performance reporting across ACT government.

The establishment and ongoing improvement and extension of the *Enterprise Sustainability Platform (ESP)* for whole of government ESD reporting can be seen as an indication of Government commitment to ESD and a positive move towards improved monitoring, reporting and transparency. The ESP provides continuously updated, standardised, accurate and auditable water, energy (electricity and gas), and GHG emissions data and utility billing cost information for ACT Government assets and agencies.

The platform contains historical data back to July 2010 and custom electricity emissions factors applying from 2014-15 onwards to reflect the increasing contribution of renewable energy to the ACT's energy supply mix. Location portfolios and agency organisational reporting group structures are configured to current administrative arrangements to provide data continuity and comparability over the historical data period. Initial set up of the ESP was completed in June 2014. It was first used by agencies for their 2013-14 annual reporting. This also required extraction of comparison data for the 2012-13 reporting period.

A variety of report formats are available, including a custom report that provides each agency with full year electricity, gas, and water consumption, emissions and floor area data for its occupancies listed in aggregate and by individual location. Agency occupancy at a location is a function of its percentage of total occupied floor area and period of occupancy during the selected reporting period. Future capacity development of the platform will include the addition of transport fuel use data and assessing the feasibility of including waste and recycling data which are currently captured and reported by other means.

Outcomes to-date, of a continuing ESD project by the *Office of the Commissioner for Sustainability and the Environment (OCSE)*, have demonstrated that internationally, governments are faced with complexities and challenges in their efforts to implement ESD or TBL reporting. An international ESD conference attended by former Commissioner Neil in 2014 confirmed this finding. The current phase of the project aims at progressing and extending the implementation of Whole of Government reporting on ESD. It emphasises working with the directorates to achieve increased ESD via a TBL approach which avoids placing an additional reporting burden on agencies.

¹ http://www.environmentcommissioner.act.gov.au/publications/special_reports_and_investigations/expert-paper-on-esd

As part of this project, OCSE is working to develop a set of ESD indicators that are more reflective of the definition within the *Commissioner for Sustainability and the Environment Act, 1993*, but which also align where possible, with those against which directorates routinely collect data. The aim is to extend the current annual reporting focus on utilities and resource useage reporting. In keeping with the approach to work from existing legislative requirements, available resources, indicators and data sources, the project looks to existing ACT policies. These include the *Canberra Plan; People, Places, Prosperity*; AP2 and *Transport for Canberra* which provide both frameworks and specific indicators for ESD. An additional resource, the ACT Ecological Footprint Report, has been cited in a number of current ACT policy documents and is likely to offer useful ESD indicators for progressing ESD. A new ACT Footprint report will be released as a companion document to the 2015 ACT State of the Environment Report.

Approved for circulation to the Standing Committee on Planning, Environment and Territory and Municipal Services

Signature:



Date: 26/11/15

By Dr Aileen Power, Snr Manager, OCSE on behalf of the Commissioner, in her absence