

# REPORT ON ANNUAL AND FINANCIAL REPORTS 2019-20 AND ESTIMATES 2020-21

STANDING COMMITTEE ON ENVIRONMENT, CLIMATE CHANGE AND  
BIODIVERSITY

APRIL 2021

REPORT 1



# THE COMMITTEE

## COMMITTEE MEMBERSHIP

Dr Marisa Paterson, MLA, Chair

Mr Andrew Braddock, MLA, Deputy Chair

Ms Leanne Castley, MLA

## PARTICIPATING MEMBER

Ms Nicole Lawder, MLA

## SECRETARIAT

Mrs Nicola Kosseck, Senior Committee Secretary (to 27 January 2021)

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## RESOLUTION OF APPOINTMENT

The Assembly resolved to establish a standing committee on the Environment, Climate Change and Biodiversity on 2 December 2020.

The committee is responsible for examining the following areas:

- Climate change
- Climate action
- Environment
- Heritage
- Water and energy policy and programs
- Emissions reductions
- Environment and ecological sustainability
- Commissioner for the Environment
- Environment Protection Agency

## TERMS OF REFERENCE

The Assembly resolved that:

(3) calendar and financial year annual and financial reports stand referred to the relevant standing committee for inquiry and report by 31 March of the year after the presentation of the report to the Assembly pursuant to the Annual Reports (Government Agencies) Act 2004; and

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

## ACRONYMS

Assembly	Legislative Assembly for the Australian Capital Territory
the Authority	The Environment Protection Authority (statutory office holder)
CMTEDD	Chief Minister, Treasury and Economic Development Directorate
EBT	Expense on Behalf of the Territory
EPA	Office of the Environment Protection Authority
EPSDD	Environment, Planning and Sustainable Development Directorate
GPT	Gross Pollutant Trap
NEM	National Electricity Market
SoER	State of the Environment Report
UC	University of Canberra

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# RECOMMENDATIONS

## RECOMMENDATION 1

- 2.17 The Committee recommends that the ACT Government provide an update to the Committee on the status of and progress towards the review of the *Climate Change and Greenhouse Gas Reduction Act 2010*, as required by Section 26 of the Act.

## RECOMMENDATION 2

- 2.45 The Committee recommends that the ACT Government update the Assembly on the management of invasive plants and animals before the next Budget.

## RECOMMENDATION 3

- 2.57 The Committee recommends that the ACT Government undertake an assessment of the infrastructure used to monitor and improve the water quality in Lake Tuggeranong.

## RECOMMENDATION 4

- 3.24 The Committee recommends that the ACT Government update the Assembly on the delivery of the Big Canberra Battery, and on the uptake of the zero-interest loans available under the Sustainable Household Scheme.

## RECOMMENDATION 5

- 4.13 The Committee recommends that the Commissioner for Sustainability and the Environment update the Committee on the work being undertaken to make the State of the Environment Report more accessible, and the work being undertaken to engage with the community.



# 1 INTRODUCTION

## OVERVIEW

- 1.1 On Thursday, 2 December 2020, the Legislative Assembly for the Australian Capital Territory (the Assembly) referred the calendar and financial year annual and financial reports to relevant standing committees for inquiry and report by 31 March 2021, and the expenditure proposals and revenue estimates for examination and report by 9 April 2021.<sup>1</sup> This was amended on 11 February 2021, when the Assembly agreed to amend the reporting date for annual and financial reports from 31 March 2021 to 9 April 2021.<sup>2</sup>
- 1.2 The relevant annual reports, and ACT Budget, were delayed due to the COVID-19 public health emergency. Assembly committees conducted the inquiries into Annual and Financial Reports 2019-20 and ACT Budget 2020-21 simultaneously.
- 1.3 Public hearings were held in February and March 2021 for committees to examine annual and financial reports and estimates concurrently. The Standing Committee on Environment, Climate Change and Biodiversity determined to report on both examinations in the same report, presented to the Assembly on 9 April 2021.

## ANNUAL AND FINANCIAL REPORTS 2019-20

- 1.4 The following annual reports and parts of reports were referred to, and examined by, the Standing Committee on Environment, Climate Change and Biodiversity (the Committee) and were the subject of public hearings in March 2021:

Annual Report (in alphabetical order)	Reporting Area	Ministerial Portfolio
Chief Minister, Treasury and Economic Development Directorate, Volume 1 <sup>3</sup>	Environment Protection Authority	Minister for Business and Better Regulation

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<sup>1</sup> Legislative Assembly for the Australian Capital Territory (the Assembly), *Minutes of Proceedings No. 2*, 2 December 2020, available at: [https://www.parliament.act.gov.au/\\_data/assets/pdf\\_file/0007/1669030/MoP002F.pdf](https://www.parliament.act.gov.au/_data/assets/pdf_file/0007/1669030/MoP002F.pdf).

<sup>2</sup> Legislative Assembly for the Australian Capital Territory (the Assembly), *Minutes of Proceedings No. 6*, 11 February 2021, available at: [https://www.parliament.act.gov.au/\\_data/assets/pdf\\_file/0011/1701758/MoP006F.pdf](https://www.parliament.act.gov.au/_data/assets/pdf_file/0011/1701758/MoP006F.pdf)

<sup>3</sup> Chief Minister, Treasury and Economic Development Directorate (CMTEDD), *Annual Report 2019-20 Volume 1*, [https://www.cmtedd.act.gov.au/\\_data/assets/pdf\\_file/0005/1677425/CMTEDD-2019-20-Annual-Report-Volume-1.pdf](https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0005/1677425/CMTEDD-2019-20-Annual-Report-Volume-1.pdf).

Annual Report (in alphabetical order)	Reporting Area	Ministerial Portfolio
Environment, Planning and Sustainable Development Directorate <sup>4</sup>	Environment, Heritage	Minister for the Environment Minister for Heritage Minister for Water, Energy and Emissions Reduction
Office of the Commissioner for Sustainability and the Environment <sup>5</sup>		Minister for the Environment

1.5 Annual reports must be prepared in accordance with the following:

- *Annual reports (Government Agencies) Act 2004*
- Annual Reports (Government Agencies) Directions 2019, and
- *Financial Management Act 1996*.

## BUDGET ESTIMATES 2020-21

1.6 The Appropriation Bill 2020-2021, and associated papers, was presented to the Assembly on 9 February 2021.

1.7 The Committee examined the following Output Classes and Expenses on Behalf of the Territory (EBT):

- Output Class 1 Government Strategy
  - Output 1.1 Government Policy and Reform;
- Output Class 2 Environment
  - Output 2.1 Environment ;

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The CMTEDD Annual Report was granted an extension of time to report due to the COVID-19 public health emergency, to 18 December 2020.

<sup>4</sup> Environment, Planning and Sustainable Development Directorate, *Annual Report 2019-20*, [https://www.planning.act.gov.au/\\_data/assets/pdf\\_file/0008/1676942/2019-20-EPSDD-Annual-Report.pdf](https://www.planning.act.gov.au/_data/assets/pdf_file/0008/1676942/2019-20-EPSDD-Annual-Report.pdf). The EPSDD Annual Report was granted an extension of time to report due to the COVID-19 public health emergency, to 18 December 2020.

<sup>5</sup> Office of the Commissioner for Sustainability and the Environment (OCSE) *Annual Report 2019-20*, <https://envcomm.act.gov.au/wp-content/uploads/2020/12/2019-2020-OCSE-Annual-Report.pdf>. The OCSE Annual Report was granted an extension of time to report due to the COVID-19 public health emergency, to 18 December 2020.

- Output 2.2 Conservation and Land Management; and
- Output 2.3 Heritage;
- Output Class 3 Climate Change and Sustainability
  - Output Class 3.1 Climate Change and Sustainability; and
- EBT 1 Commissioner for Sustainability and the Environment

## CONDUCT

- 1.8 The Committee held public hearings on 2 and 4 March 2021 on Annual and Financial Reports and Estimates. A list of witnesses who appeared before the Committee is at Appendix A to this report. Transcripts of the hearings can be accessed on the [Assembly website](#).<sup>6</sup> The Committee did not call for public submissions.
- 1.9 Questions taken on notice during the hearings (QToNs) and questions on notice (or supplementary questions) relating to the examination of Annual and Financial Reports and Estimates were asked interchangeably throughout the hearings.
- 1.10 A total of 23 questions were taken on notice during the hearings, and 12 supplementary questions (some with multiple parts) were asked and answered.
- 1.11 Table 1 sets out the breakdown of questions by portfolio:

### Questions, and questions taken, on notice relating to Annual and Financial Reports

Portfolio	Questions Taken on Notice	Questions on Notice (Supplementary Questions)
Minister for Business and Better Regulation	4	1
Minister for Climate Action	2	4
Minister for the Environment	7	5
Minister for Heritage	2	-
Minister for Water, Energy and Emissions Reduction	6	1
Commissioner for Sustainability and the Environment	2	1

<sup>6</sup> Legislative Assembly of the ACT, *Committee Transcripts Tenth Assembly*, <http://www.hansard.act.gov.au/hansard/2021/comms/default.htm>.

- 1.12 A full list of questions taken on notice and supplementary questions is available at Appendix B to this report. All responses to questions are available on the Inquiry webpage.<sup>7</sup>

## ACKNOWLEDGEMENTS

- 1.13 The Committee acknowledges Mr Andrew Barr, MLA, in his capacity as Minister for Climate Action; Ms Rebecca Vassarotti, MLA, in her capacity as Minister for the Environment and Minister for Heritage; Mr Shane Rattenbury, MLA, in his capacity as Minister for Water, Energy and Emissions Reduction and Minister for Gaming, and Ms Tara Cheyne, MLA, in her capacity as Minister for Business and Better Regulation.
- 1.14 The Committee also thanks accompanying directorate and agency officials for providing their time and expertise as witnesses.

## STRUCTURE OF THIS REPORT

- 1.15 This report reflects evidence taken by the Committee in relation to Annual and Financial Reports 2019-20 and Estimates 2020-21, and presents findings and recommendations arising from the examination.
- 1.16 The report is presented in four chapters:
- Chapter 1 – Introduction, overview and structure;
  - Chapter 2 – Environment, Planning and Sustainable Development Directorate including Heritage;
  - Chapter 3 – Office of the Commissioner for Sustainability and the Environment;
  - Chapter 4 – Chief Minister, Treasury and Economic Development Directorate, including the Environment Protection Authority and Climate Action; and
  - Chapter 5 – the final chapter setting out a Committee Comment.

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<sup>7</sup> Standing Committee on Environment, *Climate Change and Biodiversity, Inquiries into Annual and Financial Reports 2019–2020 and ACT Budget 2020–2021*, <https://www.parliament.act.gov.au/parliamentary-business/in-committees/committees/eccb/inquiries-into-annual-and-financial-reports-20192020-and-act-budget-20202021>.

## 2 ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT DIRECTORATE

### INTRODUCTION

- 2.1 The Environment, Planning and Sustainable Development Directorate (EPSDD) is responsible for a range of policies and programs relating to the environment, planning, sustainable growth of the Territory, climate change, conservation of natural and cultural environments, parks and reserves, planning and land use. Corporate and governance support is also provided by EPSDD to the Suburban Land Agency and City Renewal Authority.<sup>8</sup>
- 2.2 The EPSDD provides legislation and policy support to the Environment Protection Authority, Conservator of Flora and Fauna, and ACT Heritage Council.<sup>9</sup>
- 2.3 There are two divisions with EPSDD:
- the Environment Division, responsible for heritage, conservation research, nature conservation policy, catchment management and water policy and environment protection policy, and including the ACT Parks and Conservation Service; and
  - the Climate Change and Sustainability Division, responsible for developing and implementing strategies to mitigate and adapt to climate change, including actions delivering 100% renewable electricity by 2020, net zero emissions by 2045 at the latest, and increasing climate change resilience. The Actsmart program, Energy Efficiency Improvement Scheme and Carbon Neutral Government programs deliver on-the-ground energy savings.<sup>10</sup>
- 2.4 Ms Rebecca Vassaroti MLA, Minister for the Environment and Minister for Heritage, appeared before the Standing Committee on Environment, Climate Change and Biodiversity (the Committee) on 2 March 2021 for the examination of EPSDD's Annual Report 2019-20, and budget estimates for 2020-21.
- 2.5 Mr Shane Rattenbury MLA, Minister for Water, Energy and Emissions Reduction and Minister for Gaming, appeared before the Committee on 4 March 2021 for the examination of the relevant annual report and budget estimates.

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<sup>8</sup> Environment, Planning and Sustainable Development Directorate (EPSDD), *Annual Report 2019-2020*, p. 18.

<sup>9</sup> EPSDD, *Annual Report 2019-2020*, p. 50.

<sup>10</sup> EPSDD, *About Us*, <https://www.environment.act.gov.au/about> (accessed 9 February 2021).

# ENVIRONMENT ANNUAL REPORT AND ESTIMATES OUTPUT

## CLASS 2: ENVIRONMENT

- 2.6 The natural and cultural environments are conserved and protected by the ACT Government, through the Environment Division of the EPSDD. The Environment Division is responsible for a range of policies relating to environments including air, land, water, heritage and biodiversity.
- 2.7 The ACT has a high proportion of land within parks and reserves, at 80 per cent, highlighting the significance of the EPSDD's work. EPSDD stated that most Canberrans live within one kilometre of a nature reserve.<sup>11</sup>
- 2.8 The EPSDD's policy and program areas include:
- ...catchment and water management (quantity and quality), conservation research, environment protection, natural and cultural heritage, nature conservation, natural resource management, forestry, fire management, sustainable agriculture, biosecurity, fisheries management, management and conservation of threatened species, and the management of our national park and nature reserves.<sup>12</sup>
- 2.9 In addition to the EPSDD Annual Report 2019-20, the Committee examined the following Outputs and Output Classes of the 2020-21 ACT Budget:
- Output Class 2 Environment
    - Output 2.1 Environment
    - Output 2.2 Conservation and Land Management
    - Output 2.3 Heritage

### OUTPUT 2.1 ENVIRONMENT

- 2.10 Output 2.1, Environment, helps 'protect the ACT's natural environment through':
- the implementation of programs responding to natural resource management as part of the Commonwealth's National Landcare Program;
  - manage, review and implement legislation/action and plans to better protect and conserve critically endangered grasslands, woodlands and associated fauna and key waterways;
  - sustainable use of water, best practice approaches to water management through water sensitive urban design, water security and catchment management including through implementation of Striking the Balance, the ACT's Water Strategy;

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<sup>11</sup> Mr Ian Walker, Executive Branch Manager, Environment, Heritage and Water and Conservator of Flora and Fauna, *Proof Committee Transcript*, 2 March 2021, p. 24.

<sup>12</sup> EPSDD, *Annual Report 2019-2020*, p. 50.



- establish and support an ACT and region catchment management governance framework;
- administer the annual funding of the ACT Environment Grants Program;
- promotion and involvement of the community in caring for the ACT's natural environment; and
- develop, review and implement legislation, policies, strategies, plans and standards to protect the natural and built environment.<sup>13</sup>

## OUTPUT 2.2 CONSERVATION AND LAND MANAGEMENT

- 2.11 Output 2.2, Conservation and Land Management, provides for planning and management of the ACT's 'parks, reserves, unleased public land and plantations, including associated community infrastructure', and:

The land manager role includes management of land for recreational use; conservation management; including management of national parks, nature reserves; fire management; and pest and weed control as well as the management of the Territory's softwood plantation and oversight of rural production areas.<sup>14</sup>

- 2.12 The Conservation area 'includes partnering with Traditional Custodians to proactively manage the ACT's natural and cultural environment'.<sup>15</sup>

## MATTERS DISCUSSED

- 2.13 The following matters relating to Output 2.1 and Output 2.2, and the EPSDD Annual Report 2019-20 were discussed at the public hearing on 2 March 2021:
- the overall management of the EPSDD portfolio;
  - data management infrastructure and cross-portfolio communication;
  - changes to appropriations and querying of terminology used in the budget statement;
  - the health and wellbeing program for EPSDD staff;
  - the continuing relationship with NSW authorities to manage environmental issues and biosecurity threats, including the management of invasive plants and weeds and feral horses; and the management of weeds in the ACT;
  - air quality monitoring, in indoor and outdoor settings, including the wood heater replacement program;

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<sup>13</sup> ACT Budget 2019-20, *Budget Statement E, Environment, Planning and Sustainable Development*, p. 17.

<sup>14</sup> ACT Budget 2019-20, *Budget Statement E, Environment, Planning and Sustainable Development*, p. 18.

<sup>15</sup> ACT Budget 2019-20, *Budget Statement E, Environment, Planning and Sustainable Development*, p. 18.

- funding for volunteers, including funding for three catchment groups and ACT Wildlife;
- the Nature Conservation Strategy;
- urban tree canopy coverage;
- environmental planning in the Molonglo area;
- wellbeing indicators in future budget cycles;
- the reintroduction of threatened species, including Eastern Bettongs;
- Mulligan’s Flat Woodland Sanctuary – facility construction, night tours, community engagement;
- the Jobs for Canberrans program;
- land management agreements with rural leases holders;
- attraction and retention of Aboriginal and Torres Strait Islander people, and in particular Ngunnawal people, into the ACT Public Service; and
- healthy waterways, including management of blue-green algae.

## OUTPUT 3.1: CLIMATE CHANGE AND SUSTAINABILITY

2.14 Output 3.1, Climate change and sustainability, provides for the directorate to develop policy and advice in relation to:

- the ACT’s climate change agenda as outlined in the ACT Climate Change Strategy and the Living Infrastructure Plan;
- investments in renewable electricity to achieve the government’s 100% renewable electricity target and delivery of local industry development strategies;
- polices and programs to encourage and transition to zero emission vehicles in the ACT;
- frameworks to ensure the ACT’s energy systems (electricity, fuel and liquid fuels) are reliable, sustainable and affordable;
- measures to help households, businesses, schools, and transport manage their energy better to reduce emissions and costs, including administration of the Actsmart programs;
- the ACT Zero Emissions Government framework; and
- administration of the Energy Efficiency (Cost of Living) Improvement Scheme.<sup>16</sup>

## MATTERS DISCUSSED

2.15 The following matters relating to Output 2.1, Output 2.2 and Output 3.1, and the EPSDD Annual Report 2019-20 were discussed at the public hearing on 4 March 2021, with Mr

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<sup>16</sup> ACT Budget 2019-20, *Budget Statement E, Environment, Planning and Sustainable Development*, p. 19.

Rattenbury MLA appearing in his capacity as Minister for Water, Energy and Emissions Reduction and Minister for Gaming:

- household low income program;
- public charging stations for zero emissions vehicles;
- review of *Climate Change and Greenhouse Gas Reduction Act 2010*;
- the Healthy Waterways Project;
- Community Zero Emissions Grants;
- research into the water quality of Lake Tuggeranong;
- removal of sediment from lakes, and the Waterwatch program;
- the social cost of carbon;
- the ACT's next emissions reduction target of 50-60 per cent reductions by 2025;
- the next Climate Change Strategy;
- the club building energy efficiency fund;
- the ACT's transition away from gas power, particularly for businesses; and
- the Canberra Electric Bike Library.

## COMMITTEE COMMENT

- 2.16 The Committee notes that Section 26 of the *Climate Change and Greenhouse Gas Reduction Act 2010* requires the Minister to review the operation of the Act and present a report of the review to the Assembly 'as soon as practicable after the end of this Act's 5<sup>th</sup> and 10<sup>th</sup> years of operation.

### Recommendation 1

- 2.17 The Committee recommends that the ACT Government provide an update to the Committee on the status of and progress towards the review of the *Climate Change and Greenhouse Gas Reduction Act 2010*, as required by Section 26 of the Act.**

## DATA MANAGEMENT AND COMMUNICATION ACROSS PORTFOLIOS

- 2.18 The issue of data management was raised in relation to several programs in the EPSDD Annual Report, and at the public hearing on 2 March 2021. Spatial data management system, a new

geospatial ecosystem and water quality and catchment health data management were highlighted in the annual report as items for review and improvement.<sup>17</sup>

2.19 EPSDD acknowledged that the issue of data management is 'a difficult one for all environment agencies, including our own', but stated that the directorate was doing 'very, very well'.<sup>18</sup>

2.20 The Directorate raised the ACTmapi system, which is the ACT Government's interactive mapping service for the analysis of ACT spatial data. ACTmapi contains a large reserve of geospatial data across different layers, including: a biodiversity layer, a fire risk layer, a conservation layer, land management layers and land tenure layers. User friendliness, however, was identified as being an issue:

Unfortunately for many, it is not very accessible to the community; it is quite opaque to use until you become a better user. We are trying to put as much effort as possible into that.<sup>19</sup>

2.21 During 2019-20, an ongoing review was undertaken to 'improve and develop the spatial data management system', and a 'new geospatial ecosystem' will be developed which will include a new ACTmapi, open geospatial data and 'highly accurate aerial survey and imagery'.<sup>20</sup> ACTmapi was first used by ACT Government users in 2003, and first released for public use in 2004.<sup>21</sup>

2.22 These services are expected to provide critical information support to Australia Post and emergency services, as well as land administration processes.<sup>22</sup>

2.23 Seasonal aerial imagery was acquired, including high-resolution 3D LiDAR data, and has been used by more than 250 ACT Government users as well as being made available to the public. This imagery will support land administration and planning of future developments.<sup>23</sup>

2.24 An example of real time data being uploaded was given in relation to weeding:

When [EPSDD] are out in the field doing weeding, we pull out an iPad or equivalent and just tap on where that is. That logs in back at the ranch to say, "This is where we weeded today." That sort of monitoring means that when we are out in the field, we are doing work where it needs to be done.<sup>24</sup>

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<sup>17</sup> EPSDD, *Annual Report 2019-2020*, p. 46, p. 109 and p. 345.

<sup>18</sup> Mr Geoffrey Rutledge, Deputy Director General, Environment, Water and Emissions Reduction, Environment, Planning and Sustainable Development Directorate (EPSDD), *Proof Committee Transcript*, 2 March 2021, p. 2.

<sup>19</sup> Mr Geoffrey Rutledge, EPSDD, *Proof Committee Transcript*, 2 March 2021, p. 2.

<sup>20</sup> EPSDD, *Annual Report 2019-2020*, p. 46.

<sup>21</sup> ACT Government, *Making it easier for people to access ACT Government location information*, <https://actmapi.act.gov.au/about.html> (accessed 4 March 2021).

<sup>22</sup> EPSDD, *Annual Report 2019-2020*, p. 46.

<sup>23</sup> EPSDD, *Annual Report 2019-2020*, p. 46.

<sup>24</sup> Mr Geoffrey Rutledge, EPSDD, *Proof Committee Transcript*, 2 March 2021, p. 2.

- 2.25 An open access data management system for water quality and catchment health was delivered as part of the ACT Water Strategy Implementation Plan Two (2019–23).<sup>25</sup>
- 2.26 Sharing data and communicating across portfolios was noted as an important issue which benefits from co-location of services in the one directorate:
- A lot of our interfaces are all in one building or all in one organisation. It is the little things. There is even the new office block: TCCS and the other land agencies are in the office block; it means that having a meeting and getting people together is a lot easier.<sup>26</sup>
- 2.27 The 2020-21 Budget Statement E set out that the Directorate would also scope and design a new heritage database which would make heritage data and information accessible.<sup>27</sup>

## COMMITTEE COMMENT

- 2.28 Data management is a complex, but important, issue for the Environment, Planning and Sustainable Development Directorate. The Committee notes the amount of data held, maintained and shared within its portfolio, and appreciates the candour of the Directorate's representatives in discussing the issues it has faced.
- 2.29 The Committee would like to see the issue of data sharing between portfolios and with the public continue to be monitored and improved by the Directorate.

## RELATIONSHIP WITH NEW SOUTH WALES GOVERNMENT BODIES FOR THE MANAGEMENT OF INVASIVE WEEDS AND ANIMALS

- 2.30 The location of the ACT as an area surrounded by New South Wales, giving it an island effect, was discussed in relation to the importance of the ongoing relationship between ACT and NSW authorities.
- 2.31 Issues affecting the ACT's environment may not originate within the ACT, with brumbies entering Namadgi National Park from NSW and weeds spreading onto ACT land. The Directorate acknowledged that the ACT's relationship with NSW is 'particularly important', and highlighted the 'strong and continuing relationships' that have been built.

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<sup>25</sup> EPSDD, *Annual Report 2019-2020*, p. 109.

<sup>26</sup> Mr Geoffrey Rutledge, EPSDD, *Proof Committee Transcript*, 2 March 2021, p. 2.

<sup>27</sup> ACT Budget 2019-20, *Budget Statement E, Environment, Planning and Sustainable Development*, p. 13.

- 2.32 At the whole of government level, there is a Memorandum of Understanding between the ACT and NSW Governments which sets out partnership arrangements on various activities.
- 2.33 The Directorate noted the significance in a good working relationship with NSW to manage threats to biosecurity, including weeds and invasive animals. The Khapra beetle outbreak was raised as an example of an effective response to the biosecurity threat, with committees and groups formed to respond and react to the outbreak.<sup>28</sup>
- 2.34 The ACT and NSW share personnel and expertise to deal with weed control near to the ACT/NSW border.
- 2.35 Fire management also benefits from a strong working relationship between ACT and NSW authorities, with a 'sharing arrangement with New South Wales to manage fuel loads and to respond to fire events as well'.<sup>29</sup>

## MANAGEMENT OF INVASIVE WEEDS AND ANIMALS WITHIN THE ACT

- 2.36 Invasive plants and animals were discussed in the context of internal ACT management and in the context of the ACT's relationship with NSW, with feral horses in particular noted to move in and out of the ACT. 'Extensive monitoring programs' are in effect in ACT parks and reserves to detect the movement of horses. The Orroral Valley fire was noted to have made it easier for animals to move through the landscape, as they are not blocked by vegetation to the extent they had been prior to the fires. Work has been undertaken as part of the fire recovery program to monitor any influx of horses, deer and foxes.<sup>30</sup>
- 2.37 Weed and pest animal control work was undertaken as a result of the Orroral Valley and Beard fires, which impacted EPBC-listed ecological communities and associated species. This project targeted rabbits, and weeds including: African Lovegrass; blackberries; Nodding Thistle and other post-fire invasive species.<sup>31</sup>
- 2.38 In the reporting period for the annual report, 26 new park rangers and field officers, including six Ngunnawal Rangers, were employed as part of the Jobs for Canberrans fund. Work was conducted 'support the healing and recovery of Country as part of the Parks and Conservation Services' recovery efforts' after the bushfires, and included removing weeds, among other repair and rehabilitation works.<sup>32</sup>

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<sup>28</sup> Mr Ian Walker, EPSDD, *Proof Committee Transcript*, 2 March 2021, p. 7.

<sup>29</sup> Mr Ian Walker, EPSDD, *Proof Committee Transcript*, 2 March 2021, p. 8.

<sup>30</sup> Mr Ian Walker, EPSDD, *Proof Committee Transcript*, 2 March 2021, p. 9.

<sup>31</sup> EPSDD, *Annual Report 2019-2020*, p. 108.

<sup>32</sup> EPSDD, *Annual Report 2019-2020*, p. 91.

- 2.39 The strong contribution of volunteers for weed control was also recognised by the EPSDD. In 2019-20, volunteers spent more than 6,000 hours on weed control.<sup>33</sup>
- 2.40 In the reporting period, the Invasive Plant Management Program achieved: 13,290 hectares of control across 53,831 sites and 79 per cent of control sites now below the critical threshold density of invasive plants (the density at which there is a loss of native plant species).<sup>34</sup>
- 2.41 The Invasive Animal Program targets feral pigs, feral deer, foxes, rabbits, horses and wild dogs, as seen in the following table of activity by EPSDD:

Actions	Outcomes
Wild Dogs: ACT Government is a signatory to three cooperative Wild Dog Management Plans with adjacent New South Wales authorities aimed to protect livestock from wild dogs originating from Namadgi National Park.	<ul style="list-style-type: none"> <li>No increase in the number of sheep killed in the ACT in recent years</li> <li>No sheep killed in NSW in the last six years have been attributed to dogs coming from the ACT.</li> </ul>
Rabbits: Efforts are underway to eradicate and control rabbit populations from Mulligans Flat, Goorooyarroo reserves, Canberra Nature Park and Namadgi National Park.	<ul style="list-style-type: none"> <li>Densities of rabbits in the Canberra Nature Park and Namadgi National Park have been reduced by around 90% since a regime of control programs began in 2010.</li> <li>A small number of rabbits remain in Mulligans Flat and Goorooyarroo fenced sanctuaries.</li> </ul>
Horses: Surveillance programs along the western border region of the ACT.	<ul style="list-style-type: none"> <li>The ACT remains free of resident feral horse populations.</li> </ul>
Sambar and fallow deer: Management programs for Fallow Deer at Googong Foreshores and in the Murrumbidgee River Corridor and a joint project on Sambar Deer in the upper Cotter region of Namadgi National Park.	<ul style="list-style-type: none"> <li>An increased understanding of population density and impact (using novel drone technology), and the effectiveness of targeted control in protecting sensitive and precious sub-alpine bogs.</li> </ul>
Feral pigs: Large scale feral pig control programs in Namadgi National Park and the Murrumbidgee River corridor, including cooperative programs with neighbouring rural landholders.	<ul style="list-style-type: none"> <li>Both the numbers of pigs and damage within the park has been significantly reduced.</li> </ul>
Redfin Perch: Control of an incursion of the pest fish species Redfin Perch in a small dam in the Cotter Dam Catchment.	<ul style="list-style-type: none"> <li>The small population of Redfin Perch was safely removed, and the small dam filled in so it could not be illegally stocked with fish again.</li> <li>Threats to Macquarie Perch significantly reduced.</li> </ul>

Source: EPSDD, *Annual Report 2019-20*, p. 65.

<sup>33</sup> EPSDD, *Annual Report 2019-2020*, p. 165.

<sup>34</sup> EPSDD, *Annual Report 2019-2020*, p. 65.

## COMMITTEE COMMENT

- 2.42 Invasive weeds and animals are an ongoing threat to the ACT's environmental health. The Committee notes that, as the ACT is an island within the state of New South Wales, the relationship with the NSW Government is very important in the management of these issues.
- 2.43 The Committee notes the effects of the bushfires, and that some invasive plants and animals can benefit from the reduced vegetation which may have slowed their path.
- 2.44 The Committee considers this to be an issue of great significance as the climate changes, with natural disasters more extreme and more frequent. These weather events could allow invasive plants and animals to spread more easily.

## Recommendation 2

- 2.45 The Committee recommends that the ACT Government update the Assembly on the management of invasive plants and animals before the next Budget.**

## HEALTHY WATERWAYS AND CATCHMENT HEALTH

- 2.46 The ACT Healthy Waterways Project is the 'ACT's largest ever water quality infrastructure program' and involves the construction of 20 stormwater assets including ponds, wetlands, rain gardens and swales. These are designed to intercept sediment and nutrient pollution as it goes towards Canberra's waterways. The EPSDD estimates that once the assets are fully operational, they will filter up to 1.9 million kilograms of sediments and nutrients from waterways.<sup>35</sup>
- 2.47 The EPSDD listed the following as highlights of the reporting period:
- water quality, riparian and landscaping plants established in water quality assets.
  - functioning of assets improved to boost their capacity to filter pollution.
  - progress made on replacing a malfunctioning gross pollutant trap.
  - research conducted to track down sources of nutrient pollution in the Lake Tuggeranong catchment and into algal knock-down agents.
  - planning began for future improvements to stormwater quality.<sup>36</sup>

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<sup>35</sup> EPSDD, *Annual Report 2019-2020*, p. 52.

<sup>36</sup> EPSDD, *Annual Report 2019-2020*, p. 52.



- 2.48 The Healthy Waterways Program won the Australian Water Association (ACT) Award in the Infrastructure Project Innovation category, and was a finalist for a Banksia Award in the Government category.<sup>37</sup>
- 2.49 The management and effectiveness of the Healthy Waterways Program was raised at the public hearing on 4 March 2021. The benefits of the program were highlighted by the Minister for Water, Energy and Emissions Reductions as water quality, biodiversity and community amenity.<sup>38</sup> The Directorate elaborated on the benefits of the program to improving water quality:
- In terms of water quality, the 20 infrastructure projects extract 1,900 tonnes of pollutants per year from going into our wetlands. Twenty per cent of those pollutants were destined for Lake Tuggeranong. That 1,900 tonnes is made up of about 1,800 associated with suspended sediments. They are caught in our gross pollutant traps. The Healthy Waterways projects catch gross pollutants—those larger pieces of rubbish—as well as establishing native vegetation that absorbs nutrients from the water going through the system. Fourteen tonnes per annum of nitrogen is taken out of the system, and 2.4 tonnes of phosphorous is taken out of the system through those Healthy Waterways projects. In the longer term this work and this infrastructure are having a demonstrable impact on nutrients entering the system, with the end game being reduced occurrence of blue-green algae.<sup>39</sup>
- 2.50 Research being conducted by the University of Canberra (UC) for the Healthy Waterways Program was raised at the public hearing on 4 March 2021. UC has been conducting a four-year project, receiving around \$1.3 - \$1.4 million in funding to carry out the work. The research has indicated that the nutrient load entering Lake Tuggeranong drives blue-green algae, with the growth occurring quickly due to existing nutrient in the sediment entering the water system. The research has helped to trial different treatments and identify a suitable treatment method.<sup>40</sup>
- 2.51 Improvements to the upper catchments are also being explored to prevent nutrients from entering the system as well.
- 2.52 The lakes are managed by Transport Canberra and City Services, and responsibility for cleaning the Gross Pollutant Traps (GPTs) and managing any initiatives which directly clean the lakes falls to that directorate. GPTs are inspected twice a year, or after any rain event of more than 25mm or more. If GPTs are more than 60 per cent full, the debris is removed.

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<sup>37</sup> EPSDD, *Annual Report 2019-2020*, p. 64.

<sup>38</sup> Mr Shane Rattenbury, MLA, Minister for Water, Energy and Emissions Reduction, *Proof Committee Transcript*, 4 March 2021, p. 87.

<sup>39</sup> Mr Ian Walker, EPSDD, *Proof Committee Transcript*, 4 March 2021, p. 87.

<sup>40</sup> Mr Ian Walker, EPSDD, *Proof Committee Transcript*, 4 March 2021, p. 92.

- 2.53 There are more than 280 GPTs, and one round of cleaning costs around \$1.5 million. Additionally:

There are 22 large Gross Pollutant Traps (GPT) protecting the lakes from sediment, litter and debris, including Lake Burley Griffin, and an additional nine large GPTs to protect downstream of the lakes to the Murrumbidgee River. These large traps may be cleaned between four to eight times per year depending on rainfall events.<sup>41</sup>

## COMMITTEE COMMENT

- 2.54 The ACT's waterways are important to maintaining the health of our environment. The Committee notes the work of the Environment, Planning and Sustainable Development Directorate in maintaining and improving Canberra's waterways and catchments.
- 2.55 The Committee commends the Healthy Waterways Program as the winner of the Australian Water Association (ACT) Award in the Infrastructure Project Innovation category, and being a finalist for a Banksia Award in the Government category.
- 2.56 The Committee is concerned that the water quality and infrastructure in Lake Tuggeranong may require further attention and a close inspection to assess for further improvements.

## Recommendation 3

- 2.57 The Committee recommends that the ACT Government undertake an assessment of the infrastructure used to monitor and improve the water quality in Lake Tuggeranong.**

## HERITAGE

- 2.58 The preservation of ACT heritage assets is undertaken by the Environment Group within EPSDD. The ACT Heritage Register includes listings of Aboriginal, rural, historic and iconic Canberra places and objects. ACT Heritage works with the ACT Heritage Council to 'recognise, protect, conserve and celebrate these unique heritage places and objects'.
- 2.59 ACT Heritage coordinates the annual ACT and Region Heritage Festival, administers heritage grants, manages Canberra Tracks heritage tours and works with heritage property owners and the community to provide assistance and advice.<sup>42</sup>
- 2.60 Listing a place or object on the ACT Heritage Register means that the place or object is legally protected under the provisions of the Heritage Act 2004, qualifies for free development and

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<sup>41</sup> Minister Rattenbury, Answer to question taken on notice, Question ECCB22.

<sup>42</sup> EPSDD, *Heritage*, <https://www.environment.act.gov.au/heritage> (accessed 15 February 2021).

architectural advice and funding, and requires ACT Heritage Council advice on development issues.<sup>43</sup>

## OUTPUT 2.3 HERITAGE

- 2.61 The administration of the heritage provisions of the *Heritage Act 2004*, and work towards the registration and conservation of the ACT's heritage assets falls within the EPSDD. The Heritage area also provides other assistance, including:

...administrative and operational support to the ACT Heritage Council and its projects, support for the National Trust in the delivery of its programs, and administers the annual funding of the ACT Heritage Grants Program, the annual Canberra and Region Heritage Festival and Capital Works projects as they relate to heritage conservation works. A key function is also the promotion and education of the community regarding heritage assets of the ACT.<sup>44</sup>

## MATTERS DISCUSSED

- 2.62 The following matters relating to Output 2.3, and the EPSDD Annual Report 2019-20 were discussed at the public hearing on 2 March 2021:

- cancellation of the Canberra and Region Heritage Festival due to the COVID-19 Public Health Emergency;
- facilitation of Aboriginal heritage conservation outcomes;
- applications for heritage recognition, and rejections;
- compliance, including fines and repair work; and
- damage to cultural heritage caused by bushfire (Yankee Hat).

## CANBERRA AND REGION HERITAGE FESTIVAL

- 2.63 The 2020 Canberra and Region Heritage Festival was cancelled after running for a number of years, due to the COVID-19 Public Health Emergency.
- 2.64 Although the planning for the 2020 festival was well underway at the time of the emergence of the public health emergency, the Minister for Heritage noted that the work undertaken and any assets developed for that event will be used for the forthcoming festival.<sup>45</sup>

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<sup>43</sup> EPSDD, *Heritage*, <https://www.environment.act.gov.au/heritage> (accessed 15 February 2021).

<sup>44</sup> EPSDD, *Annual Report 2019-2020*, p. 72.

<sup>45</sup> Ms Rebecca Vassarotti, MLA, Minister for Heritage, *Proof Committee Transcript*, 2 March 2021, p. 40.

- 2.65 The Minister noted the role of the ACT Government in facilitating the festival, which is made up of non-government activities and events, and stated that:

I think that one of the great things about the heritage festival is that it will not be just government-led activities. One of the great things about it is that it includes a range of events by a whole range of other organisations that have a passion and interest in heritage.<sup>46</sup>

- 2.66 The cancellation of the 2020 event cost \$12,480, with \$8,250 of spending can be re-used for the upcoming event. Of this, \$2,100 was paid to the artist for the graphics and \$6,125 spent on promotion items including fabric bags which can be updated and reused this year.<sup>47</sup>
- 2.67 EPSDD stated that \$72,000 has been allocated to this year's festival.<sup>48</sup> The 38<sup>th</sup> festival is set for 6-26 April 2021.

## COMMITTEE COMMENT

- 2.68 The cancellation of the Canberra and Region Heritage Festival was an unfortunate consequence of the COVID-19 public health emergency, and the Committee notes the work which has been put in to ensure that the 2021 festival can go ahead.
- 2.69 The Committee was pleased to hear that resources purchased for the cancelled event can be updated and reused for this year's event.

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<sup>46</sup> Ms Rebecca Vassarotti, MLA, Minister for Heritage, *Proof Committee Transcript*, 2 March 2021, p. 41.

<sup>47</sup> Minister Vassarotti, Answer to question taken on notice, Question ECCB10.

<sup>48</sup> Ms Edwina Jans, Senior Director, ACT Heritage, Environment, Planning and Sustainable Development Directorate, *Proof Committee Transcript*, 2 March 2021, p. 41.

# 3 CHIEF MINISTER, TREASURY AND ECONOMIC DEVELOPMENT DIRECTORATE

## INTRODUCTION

- 3.1 The Chief Minister, Treasury and Economic Development Directorate (CMTEDD) provides strategic advice and support to the Chief Minister, the Directorate's Ministers and the Cabinet on matters relating to:
- policy;
  - economic and financial matters;
  - service delivery;
  - whole of government issues; and
  - intergovernmental relations.
- 3.2 The CMTEDD leads the public sector, working collaboratively within government and the community, and leading strategic direction for the ACT Public Service.<sup>49</sup>
- 3.3 The Committee held a public hearing with Mr Andrew Barr, Chief Minister on 4 March 2021 in relation to his role as the Minister for Climate Action
- 3.4 The Committee also heard from Ms Tara Cheyne, MLA, Minister for Business and Better Regulation, on 4 March 2021 to examine the annual annexed report of the Environment Protection Authority (the Authority) and the relevant areas of Access Canberra.
- 3.5 Other portfolio areas within the CMTEDD annual report were considered by other committees.

## CLIMATE ACTION

- 3.6 CMTEDD's Strategic Objective 1 sets out the directorate's role in 'leading and coordinating whole of government policy and project initiatives relating to emissions reduction, and resilience and adaptation to climate change'.<sup>50</sup>

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<sup>49</sup> Chief Minister, Treasury and Economic Development Directorate (CMTEDD), *About Us*, <https://www.cmtedd.act.gov.au/functions/about>.

<sup>50</sup> ACT Budget 2019-20, *Budget Statement B, Chief Minister, Treasury and Economic Development Directorate*, p. 6.

- 3.7 One of the strategic and operational priorities for CMTEDD in 2020-21 is listed as ‘leading and coordinating the ACT’s emissions reduction initiatives and undertaking climate adaptation policy analysis to improve Canberra’s resilience to the effects of a warming climate’.<sup>51</sup>
- 3.8 The Office of the Coordinator-General for Climate Action has recently been established and will oversee the delivery of major climate action projects including:
- coordinating the rollout of the Sustainable Household Scheme of small-scale zero interest loans to help households with the upfront costs of investing in sustainable upgrades to their homes;
  - delivering the Big Canberra Battery of at least 250MW of new ‘large-scale’ battery storage distributed across the ACT;
  - managing direct procurement and/or market incentives to provide energy storage infrastructure and guarantee access agreements; and
  - establishing policy, legislative, procurement and planning reforms associated with climate adaptation and resilience.<sup>52</sup>

## OUTPUT CLASS 1: GOVERNMENT STRATEGY, OUTPUT 1.1 GOVERNMENT POLICY AND REFORM

- 3.9 Output 1.1, Government Policy and Reform provides for CMTEDD’s central policy coordination role for ‘strategic planning, social, economic and regional policy, including high priority reforms and effective delivery of government policies and priorities’.<sup>53</sup> Climate action reform initiatives are funded under this Output.
- 3.10 Through this output, CMTEDD will work with the Coordinator-General for Climate Action to lead and coordinate ‘the ACT’s emissions reduction initiatives and undertaking climate adaptation policy analysis to improve Canberra’s resilience to the effects of a warming climate’.<sup>54</sup>
- 3.11 New initiatives currently scheduled for delivery are:
- the establishment of the Coordinator-General for Climate Action and office;
  - commencement of the delivery of the sustainable household scheme; and

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<sup>51</sup> ACT Budget 2019-20, *Budget Statement B, Chief Minister, Treasury and Economic Development Directorate*, p. 2.

<sup>52</sup> CMTEDD, *Office of the Coordinator General for Climate Action*, <https://www.cmtedd.act.gov.au/policystrategic/office-of-the-coordinator-general-for-climate-action> (accessed 15 February 2021).

<sup>53</sup> ACT Budget 2019-20, *Budget Statement B, Chief Minister, Treasury and Economic Development Directorate*, p. 18.

<sup>54</sup> ACT Budget 2019-20, *Budget Statement B, Chief Minister, Treasury and Economic Development Directorate*, p. 18.

- commencement of market sounding on delivery of the ACT distributed large scale battery storage system.<sup>55</sup>

## MATTERS DISCUSSED

3.12 The following matters relating to Output Class 1, and the CMTEDD Annual Report 2019-20 were discussed at the public hearing on 4 March 2021:

- the Sustainable Household Scheme;
- solar panel replacement and recycling;
- the Big Canberra Battery and Next Generation Energy Storage;
- zero emissions targets;
- zero emission vehicles used by the ACT Government;
- Coordinator-General of Climate Action and office; and
- climate resilience.

## ENERGY STORAGE

3.13 Energy storage investment is a focus of the ACT Government, with the delivery of the Next Generation Energy Storage Program (Next Gen Program), battery storage in schools, and the Sustainable Household Scheme. Energy storage was discussed at the public hearing on 4 March 2021.

## BIG CANBERRA BATTERY

- 3.14 The Big Canberra Battery is jointly administered by CMTEDD and EPSDD, with the Coordinator General for Climate Action's office acting as project manager. The Big Canberra Battery is a large-scale battery storage system projected to provide up to 250MW of battery storage within five years to 2024-25, with a funding envelope of \$100 million over five years.<sup>56</sup> The Big Canberra Battery is on track for delivery,<sup>57</sup> and is in the project initiation phase.<sup>58</sup>
- 3.15 The big battery will be a distributed network made up of a series of linked batteries, with some very large and some small-scale batteries at businesses, schools or community level sites. Some of the stored power may be sold into the National Energy Market (NEM) when prices are

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<sup>55</sup> ACT Budget 2019-20, *Budget Statement B, Chief Minister, Treasury and Economic Development Directorate*, p. 18.

<sup>56</sup> Minister for Climate Action, answer to question on notice, ECCB31.

<sup>57</sup> Mr Sam Engele, Coordinator-General, Climate Action, Policy and Cabinet, Chief Minister, Treasury and Economic Development Directorate, *Proof Committee Transcript*, 4 March 2021, p. 80.

<sup>58</sup> Minister for Climate Action, answer to question on notice, ECCB31.

high. The Minister for Climate Action stated that it will operate in a similar manner to the South Australian big battery:

It stores power when it is generated in great quantum at a very low price by renewable sources, and then dispatches back into the NEM when prices are high. Prices have been as high as \$14,000 a kilowatt hour.<sup>59</sup>

- 3.16 Further, the Minister stated that ‘the government’s policy intent is effectively to arbitrage; to generate power when it is cheap and sell it back into the market’:<sup>60</sup>

There will be a range of technical determinations within the totality of the battery storage capacity. With this distributed network, how much will be reserved for sale back into the NEM at certain times? We will take technical advice from the Energy Market Operator both in the establishment of the battery and the distributed network and in our trading approach.<sup>61</sup>

- 3.17 Current grid infrastructure will need to be upgraded or augmented in order to accommodate the distributed battery storage network:

Effectively, the grid was historically designed to come from certain locations and then go into people’s houses. Over time, as more houses have become energy generators of their own, with rooftop solar and the like, you have a power flow going back the other way. The network engineers will advise on the best significant locations.<sup>62</sup>

- 3.18 Another benefit of the big battery is to reduce risk and stabilise the power flow, decreasing risks of brownouts during times of peak demand.<sup>63</sup>

## AFFORDABILITY OF BATTERY ENERGY STORAGE

- 3.19 The ACT’s focus on battery energy storage at the domestic scale was raised at the hearings, with particular reference to the affordability of battery energy storage for households. The ACT’s Renewable Energy Innovation Fund seeks to promote energy innovation through a roll-out of solar battery storage in homes and small businesses and through the Next Gen Program.<sup>64</sup> Solar batteries in homes and small businesses has continued to grow from 2016, with a cumulative installed capacity of 6MW reached in the reporting period.<sup>65</sup>

- 3.20 The Sustainable Household Scheme was launched in January 2021 and will see ‘zero-interest loans of up to \$15,000...available to eligible households’ to finance ‘a range of products that

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<sup>59</sup> Mr Andrew Barr, MLA, Chief Minister and Minister for Climate Action, *Proof Committee Transcript*, 4 March 2021, p. 69.

<sup>60</sup> Mr Barr, Chief Minister, *Proof Committee Transcript*, 4 March 2021, p. 70.

<sup>61</sup> Mr Barr, Chief Minister, *Proof Committee Transcript*, 4 March 2021, p. 70.

<sup>62</sup> Mr Barr, Chief Minister, *Proof Committee Transcript*, 4 March 2021, p. 71.

<sup>63</sup> Mr Barr, Chief Minister, *Proof Committee Transcript*, 4 March 2021, p. 70.

<sup>64</sup> EPSDD, *Annual Report 2019-2020*, p. 27.

<sup>65</sup> EPSDD, *Annual Report 2019-2020*, p. 81.



will reduce household emissions including rooftop solar panels, household battery storage, and efficient electric appliances'.<sup>66</sup>

- 3.21 The Chief Minister, in his capacity as Minister for Climate Action, stated that the Sustainable Household Scheme will help to reduce household energy bills and reduce the cost of living. The Minister elaborated:

Our government research has indicated that there is a significant cohort of middle Canberra who, with the right incentives, have a very strong intent to reduce their household emissions. The single barrier to that was the up-front cost of investing in the technology. The property thresholds, and those sorts of questions, will be outlined when the scheme is released in more detail. It is not the government's intent to help multimillion-dollar households make the switch; it is very much a middle Canberra program. For social and public housing, we have a separate stream.<sup>67</sup>

## COMMITTEE COMMENT

- 3.22 Battery energy storage for renewable power will allow the ACT to ensure energy security and add stabilisation to the power supply. The Big Canberra Battery will be an important step for the ACT as it moves towards its emission reduction targets, and may become a source of revenue for the ACT Government.
- 3.23 Domestic-scale battery energy storage is an expensive prospect, out of reach for many Canberra households. Measures to incentivise the purchase of domestic-scale batteries will help make it a more attractive prospect for households whose reservation of a high up-front cost.

## Recommendation 4

- 3.24 The Committee recommends that the ACT Government update the Assembly on the delivery of the Big Canberra Battery, and on the uptake of the zero-interest loans available under the Sustainable Household Scheme.**

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<sup>66</sup> ACT Government, *Making Canberra a more sustainable city*, <https://www.act.gov.au/our-canberra/latest-news/2021/january/act-budget-2020-21-investing-in-climate-action> (accessed 16 March 2021).

<sup>67</sup> Mr Barr, Chief Minister, *Proof Committee Transcript*, 4 March 2021, p. 68.

## ENVIRONMENT PROTECTION AUTHORITY

- 3.25 The Environment Protection Authority ('the Authority') is a statutory public servant position established by the *Environment Protection Act 1997*. The Office of the Environment Protection Authority (the EPA) within Access Canberra supports the Authority to carry out its functions.<sup>68</sup>
- 3.26 The Authority and areas of Access Canberra related to environmental protection sit within the CMTEDD and were examined by the Standing Committee on Environment, Climate Change and Biodiversity (the Committee).
- 3.27 The Authority is the primary environmental regulator for the Australian Capital Territory (ACT), and as such, the Authority's mission is to 'protect the well-being of the environment and community'.<sup>69</sup>
- 3.28 The Authority's administrative functions include meeting objectives to:
- protect and enhance the quality of the environment;
  - prevent environmental degradation and risk of harm to human health;
  - require people engaging in polluting activities to make progressive environmental improvement;
  - achieve effective integration of environmental, economic and social considerations in decision-making processes;
  - facilitate the implementation of national environment protection measures under national laws;
  - provide for the monitoring and reporting of environmental quality on a regular basis;
  - ensure that contaminated land is managed having regard to human health and the environment;
  - co-ordinate activities needed to protect, restore or improve the ACT environment; and,
  - establish a process for investigating and, where appropriate, remediating land areas where contamination is causing or is likely [to cause] a significant risk to human health or the environment.<sup>70</sup>

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<sup>68</sup> CMTEDD, *Annual Report 2019-20*, p. 244.

<sup>69</sup> CMTEDD, *Annual Report 2019-20*, Volume 1, p. 244.

<sup>70</sup> Access Canberra, *Environment Protection*, [https://www.accesscanberra.act.gov.au/app/answers/detail/a\\_id/3149](https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/3149) (accessed 16 March 2021).

## MATTERS DISCUSSED

3.29 The following matters relating to the operation of the Environment Protection Authority were discussed at the public hearing on 4 March 2021:

- complaints made over the period, including existing trends and emerging complaint risks;
- monitoring of waste facilities;
- infringement notices;
- the complaints process followed by the EPA;
- waste from building sites;
- environmental authorisations;
- bore licences;
- air pollution;
- environmental protection agreements;
- erosion and sediment control;
- number of inspections carried out;
- monitoring of waste going across borders; and
- beneficial reuse approvals.

## COMPLAINTS LODGED

3.30 During the financial year 2019-20, the Complaints Management Team within Access Canberra received 2,529 complaints relating to matters within the remit of the Authority. Of these, 1,862 (74 per cent) related to noise.<sup>71</sup>

3.31 The Complaints Management Team referred 70 cases to the EPA for further action.

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<sup>71</sup> CMTEDD, *Annual Report 2019-20*, Volume 1, p. 252.

Category	2017-18	%	2018-19	%	2019-20	%
Noise pollution	2177	80	2282	80	1862	74
Air pollution	370	14	357	13	426	17
Waterways pollution	74	3	89	3	83	3
Land contamination	55	2	50	2	37	1
Light pollution	40	1	59	2	72	3
Authorised activity	1	0	7	0	0	0
Tree protection	1	0	0	0	0	0
No value <sup>2</sup>	0	0	0	0	49	2
<b>Total</b>	<b>2718</b>	<b>100</b>	<b>2844</b>	<b>100</b>	<b>2529</b>	<b>100</b>

Source: CMTEDD, *Annual Report 2019-20, Volume 1*, p. 252.

- 3.32 Complaints relating to noise pollution, while still three-quarters of the complaints received, have decreased from 80 per cent in the previous two reporting periods. Noise complaints are broken down further into a number of smaller categories, including amplified noise (46 per cent), construction (23 per cent) and mechanical plants and equipment (including air conditioner etc) (10 per cent) making up the top three.<sup>72</sup>
- 3.33 Amplified noise complaints have also experienced a small decrease compared with the two previous reporting periods: down from 51 per cent in 2018-19 and 55 per cent in 2017-18. Construction-related noise complaints rose from 17 per cent in 2017-18 to 22 per cent in 2018-19 and again to 23 per cent in the current reporting period.<sup>73</sup>
- 3.34 The EPA advised that the COVID-19 Public Health Emergency had a small effect on the types of complaints made:

You will see that there was a slight decrease—about a six per cent decrease in noise complaints, offset by a slight increase in complaints about air quality or air pollution and light pollution.

I suppose that, because you have 100 per cent, when something goes down, something else has to go up. Also, that period of 2019-20 was when we had the bushfires and the dust storms. That would be where the adjustment is. In terms of complaints, we did not see a variation as a result of COVID.<sup>74</sup>

<sup>72</sup> CMTEDD, *Annual Report 2019-20, Volume 1*, p. 253.

<sup>73</sup> CMTEDD, *Annual Report 2019-20, Volume 1*, p. 253.

<sup>74</sup> Mrs Narelle Sargent, Senior Director, Office of the Environment Protection Authority, Construction, Utilities and Environment Protection Branch, Access Canberra, Chief Minister, Treasury and Economic Development Directorate Statutory Office Holder: Environment Protection Authority; Delegate for Lakes; Clinical Waste Controller, *Proof Committee Transcript*, 4 March 2021, p. 49.

3.35 Complaints are made by calling Access Canberra. The complaints are sent through to the EPA and the EPA can then undertake an investigation to see whether a breach has occurred. The EPA uses a model of 'engage, educate and enforce, in that order'.<sup>75</sup> An advisory letter is sent to the person against whom the complaint has been made, and potentially a second letter, which suggests a conversation is had at the resident-resident level if that is the complaint. If the complaint is resident-business, an advisory letter can be followed by an EPA engagement.

3.36 Parties, music and backyard activities in summer can result in higher numbers of noise-related complaints, with complaints about air quality higher in winter as wood heaters are used. Noise-related complaints became an identified trend, which led the EPA to create a 'noise portal' on its website which contains information about noise issues and a 'party form' which gives an information sheet the party holder can provide to neighbours:

It is about, out of courtesy, letting people know that it is happening. As you can see, we have had a six per cent reduction in complaints about amplified music. Part of it was because people were not aware that they were having an impact, if you like, on their neighbours. It is about having that sort of engagement model, and working with the Conflict Resolution Service.<sup>76</sup>

3.37 One success story was highlighted:

I remember one great story that came out in terms of the neighbours not talking to each other because when the neighbours first moved in, they did not wave. It was because they were short-sighted, and they did not know. They went to the Conflict Resolution Service, and now they are best friends.

...

They did not talk to each other because this happened when they originally moved in. When they had the complaint about the noise, they did not talk to each other and say, "By the way, your air conditioner is a bit noisy."<sup>77</sup>

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<sup>75</sup> Minister Tara Cheyne, MLA, Minister for Business and Better Regulation, *Proof Committee Transcript*, 4 March 2021, p. 54.

<sup>76</sup> Mrs Sargent, *Proof Committee Transcript*, 4 March 2021, p. 56.

<sup>77</sup> Mrs Sargent, *Proof Committee Transcript*, 4 March 2021, pp. 56-57.

## 4 OFFICE OF THE COMMISSIONER FOR SUSTAINABILITY AND THE ENVIRONMENT

### INTRODUCTION

- 4.1 The Commissioner for Sustainability and the Environment is an independent statutory position established by the *Commissioner for Sustainability and the Environment Act 1993*<sup>78</sup>. Dr Sophie Lewis was appointed to the role on 1 May 2020.<sup>79</sup> The Commissioner is funded as an EBT1 (Expense on Behalf of the Territory), and the Office of the Commissioner for Sustainability and the Environment (the Office) pays for corporate support from EPSDD for accommodation, financial reporting, records management, recruitment and personnel services.<sup>80</sup>
- 3.2 The Commissioner undertakes functions and activities such as:
- investigating complaints concerned with the management of the environment by the Territory or territory authority and issues relating to ecologically sustainable development in the ACT
  - conduct investigations as directed by the Minister;
  - conduct 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; and
  - deliver state of the environment reports (SoER).<sup>81</sup>
- 3.3 State of the environment reporting has been conducted every four years since 1993, and is a key function of the role. The most recent SoER was published in 2019.
- 3.4 The Commissioner must consider the objects of the Act. These are to:
- ensure regular and consistent reporting on matters relating to the condition and management of the environment in the Territory;
  - ensure regular reporting on progress towards ecologically sustainable development by the Territory and Territory authorities;
  - encourage decision making that facilitates ecologically sustainable development;
  - enhance knowledge and understanding of issues relating to ecologically sustainable development and the environment; and

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<sup>78</sup> Office of the Commissioner for Sustainability and the Environment (OCSE), *About*, <https://envcomm.act.gov.au/about/> (accessed 15 February 2021).

<sup>79</sup> OCSE, *2019-2020 Annual Report*, p. 12.

<sup>80</sup> OCSE, *2019-2020 Annual Report*, p. 13.

<sup>81</sup> OCSE, *About*, <https://envcomm.act.gov.au/about/> (accessed 15 February 2021).

- encourage sound environmental practices and procedures to be adopted by the Territory and Territory authorities as a basis for ecologically sustainable development<sup>82</sup>.

## MATTERS DISCUSSED

4.2 The following matters were examined by the Committee at its public hearing on 2 March 2021:

- State of the Environment Report;
- Schools and youth engagement and broader community engagement with the State of the Environment Report;
- Changes to funding; and
- Scope 3 Greenhouse Gas Emissions investigation.

## MATTERS RELATING TO THE STATE OF THE ENVIRONMENT REPORT

- 4.3 The SoER is undertaken every four years, and includes an assessment of the state and trends of the environment, pressures and impacts, management initiatives and effectiveness of the initiatives. Data gaps and policy challenges are also included. The most recent report included environmental assessments on 26 core indicators across themes of: climate change, human settlements, air, land, biodiversity, water and fire) selected to address specific environmental issues.<sup>83</sup>
- 4.4 The Office of the Commissioner detailed its program of engaging schools and the broader community with the SoER. The most recent report was presented to the ACT Legislative Assembly in February 2020, and was not able to take into account the bushfires of the summer of 2019-20.
- 4.5 The Office noted the role of the SoER webpage as something which can be updated between formal reports being presented. The bushfires are examined in a case study on that website, and will be featured prominently in the next edition of the report.
- 4.6 Dr Sophie Lewis, Commissioner, stated that 'one of the important roles of the office is to engage with the community', with much of the work to make the SoER more interactive being undertaken within the Office. The Office has a communications officer focused on communicating with children and young people.

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<sup>82</sup> OCSE, *About*, <https://envcomm.act.gov.au/about/>, (accessed 15 February 2021).

<sup>83</sup> OCSE, *2019-2020 Annual Report*, p. 29.

- 4.7 The interactive website, launched in August 2020, was developed externally and allows members of the public of a variety of ages to examine the data underpinning the SoER. Educators and high school students can access packages which accompany the SoER, and a package for primary school aged students is forthcoming.
- 4.8 The Office also discussed the role of engaging older people in the community as well as young people and school-aged children. The Commissioner noted that although specific work is done to engage with young people, the Office has done work with other members of the community:
- We have undertaken webinars, meet and greets and online Q&As, which do tend to attract an older audience. We have also invested quite heavily in social media through our comms officer. That includes making more targeted materials for different social media platforms, whether it is Facebook, Instagram or Twitter, and understanding that they have different audiences. Although we have these primary and high school age packages, we really do aim to connect with the community and their appreciation of the environment through all ages, not just children.<sup>84</sup>
- 4.9 The SoER itself is being ‘revamped’, with the Office acknowledging that it ‘was very difficult for the community to understand’. The focus on making the data and presentation more accessible is intended to benefit all members of the community.
- 4.10 The Commissioner stated that age profiles of community members may not capture attitudes or behaviour, and that while connecting with older people is difficult when physical proximity is not allowed, generational divides may not present issues.<sup>85</sup> The Office drew attention to the older cohort who make up a large number of environmental volunteers in the ACT.<sup>86</sup>

## COMMITTEE COMMENT

- 4.11 The Committee was pleased to hear about the ambitious engagement plans for schools, youth and other members of the community. The Office of the Commissioner for Sustainability and the Environment has an important role in translating complex environmental data for use by the Canberra community, and has made efforts to make the State of the Environment Report more accessible.

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<sup>84</sup> Dr Sophie Lewis, Commissioner for Sustainability and the Environment, Office of the Commissioner for Sustainability and the Environment, *Proof Committee Transcript*, 2 March 2021, p. 36.

<sup>85</sup> Dr Lewis, *Proof Committee Transcript*, 2 March 2021, p. 37.

<sup>86</sup> Mr Sean Grimes, Director, Sustainability, Environmental Assessments and Reporting, Office of the Commissioner for Sustainability and the Environment, *Proof Committee Transcript*, 2 March 2021, p. 37.



- 4.12 The Committee would like to have spent longer hearing evidence from the Commissioner and official witness, to more fully discuss the work of the Office and the investigations undertaken and currently underway.

## Recommendation 5

- 4.13 The Committee recommends that the Commissioner for Sustainability and the Environment update the Committee on the work being undertaken to make the State of the Environment Report more accessible, and the work being undertaken to engage with the community.

## COMPLAINTS RELATING TO SUSTAINABILITY AND THE ENVIRONMENT

- 4.14 Members of the public can make complaints to the Commissioner, under the Act. There are typically between five to ten complaints received from the public each year. The Commissioner forwards complaints to the appropriate directorates should there be further elaboration and determine if an investigation should be undertaken.<sup>87</sup> In the reporting period, three formal complaints and one potential complaint have been closed following inquiry:

Issues status	Number	Topic and Status
Complaints continuing from 2018–19	2	<p>1819–004 – Ginninderry development south and west of Stockdill Drive Received: 28/5/19 CLOSED: 22/8/19</p> <p>1819–005 – Planning decisions on Urban Trees in Civic Received: 1/6/19 CLOSED: 18/9/19</p>
Potential Complaints received in 2019–20	1	<p>1920–002 – Waste Facility in Fyshwick Received: 25/10/19 CLOSED: 30/6/20</p>
Formal Complaints received in 2019–20	1	<p>1920–001 – Pine Forestry near Tharwa Received: 19/11/19 CLOSED: 11/2/20</p>

Source: OSCE, *Annual Report 2019-20*, p. 31.

<sup>87</sup> OCSE, *2019-2020 Annual Report*, p. 18.

# 5 FINAL CHAPTER

## COMMITTEE COMMENT

- 5.1 The Committee acknowledges the disruption of the COVID-19 public health emergency on all aspects of our lives, with the flow-on effects of the emergency affecting the management of a variety of environmental and heritage matters.
- 5.2 The Committee accepts that annual and financial reports, as well as the ACT Budget, were delayed by the emergency as Ministers and directorates worked to address the operational impacts of the measures put in place to respond to COVID.
- 5.3 The particular circumstances that led to the Committee considering Annual and Financial Reports and Budget Estimates simultaneously allowed important scrutiny to occur, and ensure the commitment to transparency and accountability continued despite the challenges of operating in the pandemic.
- 5.4 The Committee is concerned, however, that the truncated time for the examination of Ministers and official witnesses meant that some timeslots for witnesses were very short. The Committee would have preferred longer times with some witnesses, for example, the Commissioner for Sustainability and the Environment.
- 5.5 In future, the Committee hopes to see a return to more fulsome hearings for the examination of these two important aspects of executive scrutiny.

Dr Marisa Paterson, MLA  
Chair  
31 March 2021

# APPENDIX A - WITNESSES

## TUESDAY, 2 MARCH 2021

- **Ms Rebecca Vassarotti, MLA, Minister for the Environment and Heritage**

### **Environment, Planning and Sustainable Development Directorate:**

- Mr Ben Ponton, Director-General
- Mr Geoffrey Rutledge, Deputy Director-General, Environment, Water and Emissions Reduction
- Mr Ian Walker, Executive Branch Manager, Environment, Heritage and Water, EPSDD / Conservator of Flora and Fauna

### **Office of the Commissioner for Sustainability and the Environment**

- Dr Sophie Lewis, Commissioner for Sustainability and the Environment
- Mr Sean Grimes, Director, Sustainability, Environmental Assessments and Reporting

### **Environment, Planning and Sustainable Development Directorate – Heritage**

- Mr Ben Ponton, Director-General
- Mr Geoffrey Rutledge, Deputy Director-General, Environment, Water and Emissions Reduction
- Mr Ian Walker, Executive Branch Manager, Environment, Heritage and Water, EPSDD / Conservator of Flora and Fauna
- Ms Edwina Jans, Senior Director ACT Heritage

## THURSDAY, 4 MARCH 2021

- **Mr Andrew Barr, MLA, Chief Minister and Minister for Climate Action**
- **Ms Tara Cheyne, MLA, Minister for Business and Better Regulation**
- **Mr Shane Rattenbury, Minister for Water, Energy and Emissions Reductions and Minister for Gaming**

### **Environment Protection Authority**

- Mr Neil Bulless, Acting Deputy Director-General Access Canberra, Chief Minister, Treasury and Economic Development Directorate
- Mr Ben Green, Executive Branch Manager, Construction, Utilities and Environment Protection Branch, Access Canberra, Chief Minister, Treasury and Economic Development Directorate
- Mrs Narelle Sargent, Senior Director, Office of the Environment Protection Authority, Construction, Utilities and Environment Protection Branch, Access Canberra, Chief Minister, Treasury and Economic Development Directorate and Statutory Office Holder: Environment Protection Authority; Delegate for Lakes; Clinical Waste Controller

- Mr Ben Ponton, Director-General, Environment Planning and Sustainable Development Directorate (EPSDD)
- Mr Geoffrey Rutledge, Deputy Director-General, Sustainability and the Built Environment, EPSDD
- Mr Sam Engele, Coordinator General – Climate Action, Policy and Cabinet, Chief Minister, Treasury and Economic Development Directorate

**Environment, Planning and Sustainable Development Directorate – Water, Energy and Emissions Reduction**

- Mr Ben Ponton, Director-General, Environment, Planning and Sustainable Development Directorate (EPSDD)
- Mr Geoffrey Rutledge, Deputy Director-General, Environment, Water and Emissions Reduction, EPSDD
- Mr Ian Walker, Executive Group Manager, Environment, Heritage and Water, EPSDD
- Mr Gene McGlynn, Executive Group Manager, Climate Change and Energy, EPSDD

## APPENDIX B – QUESTIONS TAKEN ON NOTICE/ QUESTIONS ON NOTICE

Questions (and questions taken) on Notice relating to 2 March 2021 Public Hearing

No.	Hearing/question date	Asked by	Directorate/ Portfolio	Subject	Answer date
ECCB1	02/03/2021	Castley	EPSDD - Environment	Breakdown of expenditure on health and wellbeing	11/03/2021
ECCB2	02/03/2021	Castley	EPSDD - Environment	Other health and wellbeing programs	11/03/2021
ECCB3	02/03/2021	Castley	EPSDD - Environment	Straws Suck and reusable cup program	11/03/2021
ECCB4	02/03/2021	Castley	EPSDD - Environment	Cost of Mulligans Flat Facility construction	11/03/2021
ECCB5	02/03/2021	Castley	EPSDD - Environment	Money spent on bettongs	11/03/2021
ECCB6	02/03/2021	Castley/Chair	EPSDD - Environment	Recruitment relating to Jobs for Canberrans - numbers, cost, gender breakdown	11/03/2021
ECCB7	02/03/2021	Castley	EPSDD - Environment	Provision of Pinus Radiata Seedlings	11/03/2021

No.	Hearing/question date	Asked by	Directorate/ Portfolio	Subject	Answer date
ECCB8	02/03/2021	Castley	OSCE	Expenditure relating to youth engagement	03/03/2021
ECCB9	02/03/2021	Castley	OSCE	Investigation into Greenhouse Gas emissions costings	03/03/2021
ECCB10	02/03/2021	Castley	EPSDD - Heritage	Heritage Festival cancellation	11/03/2021
ECCB11	02/03/2021	Braddock	EPSDD - Heritage	Heritage compliance	11/03/2021
ECCB12 QON	04/03/2021	Clay	EPSDD - Environment	Green space	11/03/2021

Questions (and questions taken) on Notice relating to 4 March 2021 Public Hearing

No.	Hearing date	Asked by	Directorate/ Portfolio	Subject	Answer date
ECCB13	04/03/2021	Castley	Access Canberra - EPA	Noise complaints relating to Harrison gym	11/03/2021
ECCB14	04/03/2021	Castley	Access Canberra - EPA	Environmental authorisations for motor sports	11/03/2021
ECCB15	04/03/2021	Castley	Access Canberra - EPA	Contaminated sites - details of agreements	11/03/2021

No.	Hearing date	Asked by	Directorate/ Portfolio	Subject	Answer date
ECCB16	04/03/2021	Castley	Access Canberra - EPA	Average number of inspections relating to erosion and sediment control	11/03/2021
ECCB17	04/03/2021	Castley	CMTEDD - Climate Action	Replacement of solar panels - recycling	15/03/2021
ECCB18	04/03/2021	Castley	CMTEDD - Climate Action	Environmental impacts of lithium in car batteries	17/03/2021
ECCB19	04/03/2021	Castley	EPSDD - WEER	Electric vehicle charging stations	16/03/2021
ECCB20	04/03/2021	Castley	EPSDD - WEER	Review of the Climate Change and Greenhouse Gas Reduction Act 2010	16/03/2021
ECCB21	04/03/2021	Lawder	EPSDD - WEER	GPTs	16/03/2021
ECCB22	04/03/2021	Lawder	EPSDD - WEER	Lake Tuggeranong water quality infrastructure	16/03/2021
ECCB23	04/03/2021	Lawder	EPSDD - WEER	Funding of Waterwatch program	16/03/2021
ECCB24	04/03/2021	Castley	EPSDD - WEER	Canberra Electric Bike Library breakdown	16/03/2021
ECCB25 QON	09/03/2021	Pettersson	Access Canberra - EPA	EPA process	16/03/2021

No.	Hearing date	Asked by	Directorate/ Portfolio	Subject	Answer date
ECCB26 QON	09/03/2021	Clay	EPSDD - Environment	Wood heaters	12/03/2021
ECCB27 QON	15/03/2021	Kikkert	EPSDD - Environment	Environmental volunteer groups	23/03/2021
ECCB28 QON	15/03/2021	Kikkert	EPSDD - Environment	Healthy waterways	24/03/2021
ECCB29 QON	15/03/2021	Clay	EPSDD - Environment	Invasive animals	16/03/2021
ECCB30 QON	15/03/2021	Clay	EPSDD - Environment	Nature Conversation Strategy	16/03/2021
ECCB31 QON	15/03/2021	Lee	CMTEDD - Climate Action	Big Battery Scheme	24/03/2021
ECCB32 QON	15/03/2021	Lee	CMTEDD - Climate Action	Gas appliances	24/03/2021
ECCB33 QON	15/03/2021	Lee	CMTEDD - Climate Action	Concessional loans framework	24/03/2021
ECCB34 QON	15/03/2021	Lee	CMTEDD - Climate Action	Electric vehicles	24/03/2021
ECCB35 QON	15/03/2021	Braddock	OSCE	Air quality	19/03/2021