

2011

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**GOVERNMENT RESPONSE TO THE
STANDING COMMITTEE ON PLANNING, PUBLIC WORKS AND TERRITORY AND
MUNICIPAL SERVICES
REPORT NO 10**

REPORT ON ANNUAL AND FINANCIAL REPORTS 2009-2010

**Presented by
Ms Katy Gallagher MLA
Chief Minister**

Government Response

Standing Committee on Planning, Public Works and Territory and Municipal Services Report No 10 – Report on Annual and Financial Reports 2009-2010

Introduction

The Annual Reports of All ACT Government agencies are referred to the Standing Committees of the ACT Legislative Assembly for examination and report.

The Standing Committee on Planning, Public Works and Territory and Municipal Services reviewed annual reports for:

- Department of Territory and Municipal Services;
- Chief Minister's Department (specifically Heritage ACT);
- ACT Public Cemeteries Authority;
- Department of Land and Property Services;
- Land Development Agency; and
- ACT Planning and Land Authority.

The Committee made 21 recommendations.

Response to Committee Recommendations

Recommendation 1

2.10 The Committee recommends that once the current review process is completed, the Heritage Council report back to the Committee detailing the progress on the backlog of nominations and strategies to progress that work.

Government Response

Noted.

The backlog of existing nominations to the ACT Heritage Register was reviewed between June and September 2010. Of the places identified through this process 16 have been provisionally registered, 12 registered and 5 were assessed as not meeting the significance criteria. These figures do not reflect existing nominations that were also assessed at that time that were not identified as part of the review of the backlog of nominations to the Register (ie nominations and provisional registrations already being considered).

Recommendation 2

2.14 The Committee recommends that the feasibility report, outlining options for the southern cemetery and the financial impacts of the mix of services that will be provided, be made publicly available by the Department of Territory and Municipal Services when completed.

Government Response

Agreed-in-principle.

Subject to commercial-in-confidence, relevant parts of the report will be made available when the first stage of planning is completed.

Recommendation 3

2.24 The Committee recommends that the Department of Territory and Municipal Services prioritise weed management in the 2011-2012 budget.

Government Response

Agreed.

The Territory and Municipal Services Directorate has prepared an ACT Environment Weed Control Operations Plan for the period 2011-2019. This plan documents the priorities for weed control activities that will be undertaken in 2011-12.

Recommendation 4

2.25 The Committee recommends that the ACT Government investigate ways of empowering and resourcing land-care and park-care groups in their weed control activities.

Government Response

Agreed-in-principle.

Parks and City Services in the Territory and Municipal Services Directorate continues to support 32 parkcare and landcare groups with a total of several hundred volunteers. The support comes in the form of a full-time Parkcare/Landcare Coordinator who organises ChemCert training to enable volunteers to use chemicals, conduct weed identification workshops and provision of tools, equipment and protective clothing. District field staff assist volunteer weed control efforts by providing staff with chainsaw expertise to remove larger weeds and the transportation of weed debris. The number of groups registering continues to increase on an average of one to two groups per year.

Recommendation 5

2.31 The Committee recommends that the ACT Government provide an assessment of the costs and benefits of expanding public space recycling services to other public places.

Government Response

Agreed.

The costs and benefits of public place recycling will be determined from the pilot trial being undertaken in the City Centre in 2011-12. It is anticipated that 33 recycling bins will be installed and operational by December 2011 after which data will be collected over a 12 month period to determine if public place recycling should be expanded to other district shopping centres in the ACT, such as Dickson, Manuka and Kingston.

Public waste contributes approximately 600 tonnes per annum to public landfill, of which an estimated 55% (by volume) is recyclable materials. The cost-effectiveness of resource recovery from street level recycling is very low compared to other forms of recycling such as a dirty Material Recycling facility (MRF). The estimated cost of implementing public place recycling across Canberra's public places is estimated to exceed \$400/tonne (excluding capital costs) compared to the present MRF in Hume at approximately \$80/tonne and household recycling at approximately \$25/tonne to obtain approximately 94% dry recyclable recovery. The cost difference between public place and household recycling is due to greater travelling distance between bins and smaller track size for access to public bins.

Appropriately designed bins and public awareness must accompany the public place recycling program to encourage separation of materials at the bin stage. Contamination of recycling is a factor in rejection at the clean MRF and this is then sent to landfill. This has been a common occurrence for recycling at major events such as the Multicultural Festival.

A dry commercial MRF is expected to be in operation in the ACT within 18 months. This facility may be able to separate general waste from public bins and is anticipated to be more cost effective than sorting material at the bin stage. This will also negate the need of investing significant capital costs of installing recycling bins and bin shrouds in public places.

Recommendation 6

2.33 The Committee recommends that the ACT Government provide the Legislative Assembly with an assessment of the opportunities for providing household battery and light globe drop-off services.

Government Response

Agreed-in-principle.

No funding has been provided to investigate or provide new options in 2011-12.

Current options for recycling batteries and fluorescent lights will continue. These include the following:

Fluorescent lights

- ACT Government supports and will participate in the national product stewardship program, FluoroCycle. FluoroCycle is expected to commence later in 2011 and will initially focus on sectors generating large amounts of fluorescent lights (commercial and public lighting sectors). It is hoped that the program will expand in future years to cover domestic lights.
- ACT Government collection points at the Mitchell and Mugga Lane Resource Management Centres are where fluorescent lights will be able to be deposited for recycling.
- Private sector recycling options, including CMA Ecocycle, Chemsal Pty Ltd and Affinity Electrical Technologies (fees apply).

Batteries

- ACT Government collection points for car batteries are at the Mitchell and Mugga Lane Resources Management Centres and the Parkwood Road Recycling Estate.
- Mobile phone and mobile phone battery collection facilities at the Mitchell and Mugga Lane Resource Management Centres and at the Regional Recycling Centres, including Scollay Street Tuggeranong, Botany Street Phillip and Jolly Street Belconnen.
- The ACT Government ACTSmart Business and Office Programs provide signage for battery collections and direct clients to those organisations that collect or receive batteries for recycling.

- Private sector recycling options, including household battery drop-off at Battery World in Phillip (fees apply for larger quantities) and Power Protect Pty Ltd, and workplace/commercial quantity collection services by providers such as Cleanaway, SITA and Chemsal Pty Ltd (fees apply).

Recommendation 7

2.37 The Committee recommends that the Department of Territory and Municipal Services make it clear which playing fields are for general public use or limited access.

Government Response

Agreed.

All enclosed ovals are fully fenced and locked and can only be used when formally hired, they are therefore restricted access. All other sportsgrounds including informal use ovals, neighbourhood ovals and district playing fields are public open space and are for general public use.

Recommendation 8

2.42 The Committee recommends that ACTION improve its measurement of timeliness and report on this progress to the Assembly.

Government Response

Agreed.

ACTION has proposed a new Accountability Indicator from 2011-12 to measure timeliness – “Percentage of services operating on scheduled time”. It has removed the previous measure of timeliness – “Timeliness of ACTION’s services”, measured by survey. The new measure has a target of 85% and will be calculated using GPS data from the MyWay Ticketing system.

The new MyWay ticketing system was implemented in April 2011, and ACTION immediately commenced using timeliness data from the system to assess current timetables and schedules, on a case by case basis, as issues were raised by either drivers or commuters. 2011-12 will see timely data collected from the new system and this will inform the development of the next network or network adjustment.

Recommendation 9

2.43 The Committee recommends that, once improved data becomes available from the new ticketing system, ACTION introduce improved targets regarding timeliness of bus services for future years, at least in line with targets in other jurisdictions.

Government ResponseAgreed.

The new measure and target set out in the Government's response to recommendation 8 has been set in the context of targets set in other jurisdictions that utilise smartcard and GPS technology to measure timeliness.

Recommendation 10

2.44 The Committee recommends that ACTION include in future Annual Reports, data on the number of cancelled bus services during that year.

Government ResponseAgreed.**Recommendation 11**

2.45 The Committee recommends that ACTION publicly provide bus timetable data to third parties, via their website, in a useable format for other applications.

Government ResponseAgreed.

The Territory and Municipal Services Directorate is finalising the Google Transit project:

- Google transit is hosted by Google, with data provided by ACTION to them, separate to the ACTION website, no ACTION branding.
- Hosted by Google at no charge.
- Further info on Google transit is available at <http://www.google.com/intl/en/landing/transit/#mdy>

Recommendation 12

2.49 The Committee recommends that the ACT Government provide the Assembly and the Committee with an explanation for the delay of the Transport Action Plan and an updated timeline for the release of the plan.

Government Response

Agreed.

The Government's three related policies on climate change, planning and transport were extended from their original timeframe to allow for important community discussion and debate about the shape of a future Canberra through the *Time to Talk* community conversation. A timeline to release the Transport for Canberra policy was tabled in the Legislative Assembly in June 2011 sitting period.

Recommendation 13

2.56 The Committee recommends that the Department of Territory and Municipal Services consider restoring Yarralumla Creek into a natural creek bed.

Government Response

Not Agreed.

The Territory and Municipal Services Directorate (TAMSD) manages the existing stormwater system at Yarralumla Creek – TAMSD would not sponsor any action to return it to its natural condition. This is an Ecological Sustainable Development Directorate (ESDD) initiative. ESDD initiate the works and ultimately hand these over to TAMSD to manage and maintain.

Recommendation 14

3.8 The Committee recommends that the Department of Land and Property Services makes publicly available a collated summary of all the housing affordability programs and the income band they are targeting, in order to assist the public in identifying a program that may be suitable for their situation.

Government Response

Agreed.

A variety of information relating to affordable housing is available to members of the public through the affordable housing website at <http://www.actaffordablehousing.com.au/>

The Economic Development Directorate also provides information on the EDD website under affordable housing at <http://www.laps.act.gov.au/>

Recommendation 15

3.12 The Committee recommends that the Department of Land and Property Services publish more information on single select tenders in its annual reports.

Government Response**Agreed.**

The Economic Development Directorate, previously Department of Land and Property Services, will provide more information on single select tenders in future annual reports.

Recommendation 16

3.16 The Committee recommends that the Department of Land and Property Services ensure that all future annual reports include figures and charts that are legible, even when printed in black and white.

Government Response**Agreed.**

The Economic Development Directorate will ensure all figures and charts included in future annual reports are legible in black and white.

Recommendation 17

5.8 The Committee recommends that the ACT Planning and Land Authority clarify the official definition of master plans, neighbourhood plans and precinct codes.

Government Response**Agreed.**

Master plans: which are sometimes referred to as planning and design frameworks, are non-regulatory location based long-term strategic planning documents that investigate the spatial development opportunities and land use characteristics of the defined area. They will typically be associated with transport planning analysis and other detailed investigations relevant to the area under consideration. They can be used for both infill and greenfield purposes and the principal product will be land use planning principles to guide future development opportunities either through a Territory Plan Variation or important planning requirements used in deeds of agreement.

Neighbourhood plans: are non-regulatory location based planning and land management documents, which were produced for the suburbs of inner north and south Canberra in the early 2000's, in part to help identify the application of the A10 (core area) provisions of Variation 200 (the Garden City provisions). The neighbourhood plans, which comprised a large variety of material either not relevant to or incapable of being regulated through land use planning instruments, were assessed in 2007 as part of the rewrite of the Territory Plan, to determine those elements that could be incorporated into the new format.

Precinct Codes: Precinct Codes are defined within the Planning and Development Act and particularise statutory planning provisions from strategic land use planning exercises into rules and criteria in relation to stated areas or places for the purpose of track based assessment in the Territory Plan. They can be in form of a concept plan and operate as a tool to assess estate development plan applications for Greenfield planning exercises. They can also be the product of a master plan (or planning and design framework) having been developed and resulted in a Territory Plan Variation.

Recommendation 18

5.9 The Committee recommends that the ACT Planning and Land Authority publicly advise on the status of existing neighbourhood plans and master plans to identify which plans are still current, and a part of the statutory decision making process. ACT Planning and Land Authority should also provide a list or register of current, active master plans.

Government Response

Agreed.

As advised in response to Recommendation 17, neighbourhood plans and master plans represent planning exercises that help identify planning provisions that can be uplifted into the Territory Plan. It is these provisions that gain statutory effect, or in the case of important planning requirements, are translated into deeds of agreement with developers that are required to be delivered as part of any development outcomes the Territory wishes to specify.

Whilst neighbourhood plans retain a descriptive value of the work conducted and help inform matters of relevance to the community beyond any planning outcomes, such as traffic, waste and tree management issues, they have no status in planning law other than those matters that have been translated into the Territory Plan, including the boundaries of what is now the RZ2 suburban core zone (formerly A10).

An explanation of the role of neighbourhood plans as well as list and links to most of the actual documents is available at

http://www.actpla.act.gov.au/tools_resources/legislation_plans_registers/plans/neighbourhood_plans.

In respect to master plans, the currency of these documents will depend on the extent to which they are converted into precinct codes, in much the same way as concept plans are for greenfield planning and development controls. Master plans, like neighbourhood plans, however, feature other issues raised by the community that do not necessitate land use planning controls and therefore are instruments available for use by relevant Government agencies to inform their decision making on activities in the locations where this work has been conducted, noting that these instruments will remain relevant for many years into the future.

An explanation of the role of master plans as well as a list and links to most of the actual documents is available at http://www.actpla.act.gov.au/tools_resources/legislation_plans_registers/plans/master_plans.

Recommendation 19

5.18 The Committee recommends that the ACT Planning and Land Authority provide detailed public information on the changes to Crace and Casey and the reason for using a Technical Variation process to make those changes.

Government Response

Not Agreed.

ACTPLA did not proceed with a Technical Variation for Crace and Casey. It has approved a development application for the Crace stage 2 estate development plan and has not yet received development applications for the next stage of Casey or Crace stage 3.

Recommendation 20

5.20 The Committee recommends that the ACT Planning and Land Authority publish details of technical variations that are open for consultation in the "Community Zone" newsletter.

Government Response

Agreed.

ACTPLA's external publications are currently under review as part of ACTPLA's merge into the Sustainable Development directorate, and will be undergoing changes to branding and formatting. The technical amendments will also be published on the homepage of ACTPLA's website.

Recommendation 21

5.21 The Committee recommends that ACT Planning and Land Authority notify the Community Councils of upcoming and current technical amendments that are open for consultation.

Government Response**Agreed.**

ACTPLA has written to all community councils recommending that they subscribe to ACTPLA's RSS feed service which will notify them of any new technical amendments that have been released for consultation.