



Legislative Assembly for the ACT

STANDING COMMITTEE ON PLANNING AND
ENVIRONMENT

Report on Annual and Financial Reports 2004–2005

NOVEMBER 2005

Report 19

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Resolution of appointment

On 7 December 2004 the ACT Legislative Assembly agreed by resolution to establish general purpose standing Committees:

- (1) The following general purpose standing committees be established and each committee to inquire into and report on matters referred to it by the Assembly or matters that are considered by the committee to be of concern to the community:

...

(e) a Standing Committee on Planning and Environment to examine matters related to planning, public works and land management, conservation and heritage, transport services, and environment and ecological sustainability.¹

Terms of reference

On 18 October 2005 the Assembly agreed that the annual and financial reports for the calendar years 2004 and 2005, and the financial year 2004–2005, presented to the Assembly pursuant to the *Annual Reports (Government Agencies) Act 2004* (ACT), would stand referred to the Assembly's standing committees, on presentation, in accordance with an agreed schedule.² The Standing Committee on Planning and Environment had the following reports referred to it:

- ACT Planning and Land Authority
- ACT Land Development Agency
- ACTION Authority
- Department of Urban Services
- Commissioner for the Environment
- Canberra Public Cemeteries Trust.

¹ Legislative Assembly of the ACT, *Minutes of Proceedings*, No. 2, 7 December 2004, pp.12–16.

² Legislative Assembly of the ACT, *Minutes of Proceedings*, No. 38, 18 October 2005, pp.401–403.

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SUMMARY OF RECOMMENDATIONS

RECOMMENDATION 1

1.18 The Committee recommends that the ACT Government increase the level of funding for the office of the Commissioner for the Environment in the 2006–07 budget to enable the Commissioner to properly discharge her functions in relation to the ACT environment.

1.19 The Committee recommends that the Public Sector Management Group in the Chief Minister's Department, and Treasury, review the funding and legal basis of the Commissioner for the Environment's role in relation to regional environmental reporting.

RECOMMENDATION 2

1.24 The Committee recommends that the ACT Government continue to investigate better methods for disclosing and accounting for the value of undeveloped ACT land.

RECOMMENDATION 3

1.26 The Committee recommends that the Land Development Agency consider appointing in-house legal counsel.

RECOMMENDATION 4

1.43 The Committee recommends that the Land Development Agency and the Government continue to pursue mechanisms for making housing affordable, particularly for first home buyers.

1.44 The Committee recommends that the Land Development Agency require a percentage of multi-unit and greenfields developments to be constructed as affordable housing.

RECOMMENDATION 5

1.53 The Committee recommends that, in consultation with Arts, Heritage and Environment and non-government conservation organisations, the Department of Urban Services place an agreed number of trunks of mature felled trees in open woodland and forested areas of Canberra Nature Park for wildlife habitat.

RECOMMENDATION 6

1.58 The Committee recommends that future Chief Minister's Department's annual reports include better cross-referencing to other program specific annual reports.

RECOMMENDATION 7

1.73 The Committee recommends that the Minister for Urban Services further investigate measures to reduce the tonnage of, and to collect data about the amount of undifferentiated builders' waste being deposited as landfill at the Pialligo waste management facility.

RECOMMENDATION 8

1.79 The Committee recommends that ACT Government agencies recognise volunteers' contributions, in both quantitative and qualitative terms, in the Chief Minister's Department's 2005 Annual Report Directions and 2005–2006 annual reports.

RECOMMENDATION 9

1.82 The ACT Office for Women should increase public awareness about the ACT Women's Register.

1.83 The Committee recommends that when ACT Government agencies invite organisations to nominate persons to Committees, they also advise that the ACT Government has a policy of increasing the number of women in leadership and decision-making positions for gender balance, if this is not done already.

RECOMMENDATION 10

1.85 The Committee recommends that the ACT Government agree to the establishment of an advisory body on cross-border and regional water management issues.

RECOMMENDATION 11

1.87 The Committee commends the ACT Government for its policy of not encouraging the use of Australian Workplace Agreements in the ACT Public Service.

INTRODUCTION

- 1.1 On 18 October 2005, the ACT Government's annual and financial reports for 2004–2005 were tabled in the ACT Legislative Assembly and referred to standing committees for enquiry and report, as noted in the terms of reference above. The Standing Committee on Planning and Environment had the following reports referred to it:
- ACT Planning and Land Authority
 - ACT Land Development Agency
 - ACTION Authority
 - Department of Urban Services
 - Commissioner for the Environment
 - Canberra Public Cemeteries Trust.
- 1.2 The Committee held public hearings on 7, 9 and 10 November 2005, to assist with the assessment process, and to clarify issues. The Committee met on 6 and 9 December 2005 to discuss the Chair's draft report, which was adopted on 9 December 2005. Mr Seselja foreshadowed at both meetings that he would have additional and dissenting comments (refer Appendix A).
- 1.3 The Committee thanks relevant ACT Government Ministers and accompanying departmental and agency officers, and members of governing boards, for providing their valuable time and expertise as witnesses at the annual reports hearings for the Committee. A list of the witnesses who attended the hearings is at Appendix C.

PURPOSE AND INTENT OF ANNUAL REPORTS

- 1.4 The 2004 Chief Minister's *Annual Reports Directions*³ guided the preparation of

³ Accessible at <http://www.psm.act.gov.au/publications/Annual_Report_Directions_2004-2005.pdf>

2004–05 reports and is pertinent to this review.

- 1.5 The Directions note that annual reports are key accountability documents concerning management performance. Annual reports are high level documents reflecting on the year's performance, achievements and outcomes. They are also a concise way of accounting for the expenditure of public monies.
- 1.6 Agencies account for management performance through Ministers to the Legislative Assembly and the wider community. Since annual reports are tabled in the Assembly, they are historical documents on the public record, and are available for use by stakeholders, including educational and research institutions, the media and the public. Annual reports are also key reference documents, and documents for internal management.
- 1.7 Annual reports are expected to:
 - report objectives that are clear and measurable
 - focus on results and outcomes
 - discuss results against expectations
 - be complete and informative
 - explain changes over time
 - provide evidence of value for money
 - discuss risks, strategies and the external operating environment.
- 1.8 Agencies are expected to follow a standard format, including:
 - management analysis and discussion in seven key parts (chief executive review, agency role and overall performance, organisational governance arrangements, financial performance, human resource performance, information and access, community and environment)
 - detailed appendices on operational and resource performance
 - aids to access such as alphabetical and compliance indexes, reference to contact officers, and related annual reports, websites etc.
- 1.9 The Committee assessed the above reports against the Chief Minister's Department's Directions and for:
 - accessibility, clarity and focus in presentation
 - clear links between output classes and results

- open and honest discussion of the impact of outside scrutiny on the agency and any difficulties faced.

GENERAL REPORTING ISSUES

- 1.10 Each annual report scrutinised by the Committee seemed to comply well with the Chief Minister's Annual Report Directions. The Department of Urban Services' and Chief Minister's Department's annual reports have particularly helpful 'future directions' statements for each output class.
- 1.11 The Directions provide that the success or otherwise of the agency's activities are to be reported.⁴ In this regard, the Commissioner for the Environment's annual report is to be commended for its clarity and directness. The Commissioner, Dr Purdie, noted in her report that although the clusters of recommendations in the 2003 State of the Environment Report were prefaced with the phrase 'in consultation with the Commissioner for the Environment', most agencies had proceeded without any contact with her office.⁵ Dr Purdie advised the Committee that agencies seemed to assume that they understood what the recommendations meant and proceeded with their programs on that basis, when in fact in some instances they had misunderstood the recommendation. Dr Purdie cited as one example the need to monitor and quantify the effects of pest plant control on biodiversity outcomes.⁶ The Executive Director of Arts, Heritage and Environment, Dr Maxine Cooper, adequately addressed this comment in oral discussion before the Committee.
- 1.12 Dr Purdie's annual report refers to under-resourcing and increased running costs as a key issue. It also queries whether there is an adequate level of awareness of her office by members of the general public, whilst conceding that the budget for her office was insufficient to enable it to respond to a large number of complaints should those flow from better awareness levels. Before

⁴ ACT Government, Chief Minister's Department, 2004 Annual Report Directions, p.2.

⁵ ACT Government, *Commissioner for the Environment Australian Capital Territory Annual Report 2004–05*, Canberra, 2005, p.12.

⁶ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 7 November 2005, pp.28–29.

the Committee, Dr Purdie suggested that her office would be distributing brochures via a large number of outlets and enhancing Internet access to the office website to raise awareness.⁷ Mr Stanhope defended the level of funding provided to the office in a tight budgetary context.⁸

1.13 ACTION was also candid about the challenges it experienced with the trial of an SMS information system, which users found difficult to operate. This system would continue to be modified in response to user-feedback. Simple 'cheat sheets' were being developed and new residents to Canberra would be targeted in early 2006 to increase usage. The costs of the trial have been borne largely by the provider, rather than ACTION.⁹

1.14 The Committee notes, however, some very minor deviations in several annual reports from the content prescribed in the Annual Report Directions. For example –

- The Land Development Agency's annual report lacks an alphabetical index, a glossary or list of abbreviations, provides few contact details for officers (compare for example the Department of Urban Services and Chief Minister's reports), and does not recognise that the *Human Rights Act 2004* (ACT) applies to the interpretation of *all* legislation (including the *Planning and Land Act 2002* (ACT)), whether concerned with commercial activities or otherwise.
- The Canberra Cemeteries annual report does not include detailed information about the composition of the board (beyond names), including membership criteria and qualifications and experience (compare the Land Development Agency's report).
- The Chief Minister's Department's annual report omits reference to the ACT Heritage Council as one of the portfolio's advisory and consultative

⁷ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 7 November 2005, pp.34–35.

⁸ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 7 November 2005, p.37

⁹ ACT Government, *ACTION Authority Annual Report 2004–05*, Canberra, 2005, p.8; ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 10 November 2005, p.8.

boards and committees¹⁰ and should include references to related annual reports concerned with the environment (such as the annual report of the ACT Weed Control Program).

SPECIFIC REPORTING ISSUES

Major issues, challenges and achievements

- 1.15 Each annual report scrutinised by the Committee outlined well the major issues, challenges and achievements faced by the agency in the last financial year. Only the issues of most interest to MLAs attending the Committee's public hearings are discussed in this report.

Office of the Commissioner for the Environment

- 1.16 The Committee is concerned about the limited capacity of the Office of the Commissioner for the Environment to discharge the statutory functions of her office, and the resources consumed by the regional state of the environment report which is not expressly mandated by the *Commissioner for the Environment Act 1993 (ACT)*, but which may have been authorised under the *Public Sector Management Act 1994 (ACT)*.¹¹ A recommendation in the 2004 review of the office that the regional reporting role be recognised in the Act has not yet been implemented.¹² This may be addressed as part of the Regional Management Framework expected to be signed by the ACT and NSW Governments by the end of 2005. Nevertheless, the Committee queries why an appropriate level of resources was not available for the task in 2004–05.
- 1.17 There is also considerable scope for detailed monitoring and evaluation work to be undertaken in the ACT, which would require additional funding to the Office. This Committee, for example, recommended in its recent report,

¹⁰ ACT Legislative Assembly, Response to Question on Notice No. 1 from Dr Deb Foskey MLA to Minister for the Environment, Mr Jon Stanhope MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QON PE 1.

¹¹ Sections 120, 121.

¹² Department of Urban Services, *Review of the Office of Commissioner for the Environment, Final Report*, ACT Government, Canberra, 2004, p.42.

Wildlife Corridors and DV231 – East Gungahlin Suburbs of Kenny and Throsby and Goorooyaroo Nature Reserve, that the ACT Government introduce an annual State of the Parks report.

RECOMMENDATION 1

- 1.18 **The Committee recommends that the ACT Government increase the level of funding for the office of the Commissioner for the Environment in the 2006–07 budget to enable the Commissioner to properly discharge her functions in relation to the ACT environment.**
- 1.19 **The Committee recommends that the Public Sector Management Group in the Chief Minister’s Department, and Treasury, review the funding and legal basis of the Commissioner for the Environment’s role in relation to regional environmental reporting.**

Land Development Agency

- 1.20 One of the key successes for the ACT Government seems to be the financial outcomes delivered by the Land Development Agency. In its second year of operation the Agency achieved an operating surplus of more than \$100mil and the budgeted dividend of \$73.3mil was paid in full to the ACT Government. Sustainable development objectives were achieved in part through the direct grants program to not-for-profit organisations and for environmental measures (noted below), and marketing costs were a relatively minor component of the Agency’s expenditure (1.7% of sales revenue). The Agency is also exploring how a commitment to public art can be incorporated in development projects, possibly through a flagged percentage commitment from construction costs.¹³ The Agency’s contribution to affordable housing policy is noted briefly below.
- 1.21 The Agency aims for ‘market equilibrium’, that is sufficient land supply to meet demand. In 2004–05 about 7 569 dwellings were being progressed by developers and builders on multi-unit and greenfields sites. The Minister for Planning, Mr Simon Corbell MLA, explained to the Committee in some detail

¹³ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 10 November 2005, pp.15, 16, 23, 25, 33, 34.

that contrary to urban myth, the ACT Government had not artificially raised land prices by constraining supply. The Agency's Chief Executive Officer (CEO), Ms Anne Skewes, advised that the Agency's average vacant land prices had fallen 16% in the six months to June 2005 to just over \$203 000, while developers' average prices tended to be about \$230 900.¹⁴

- 1.22 Mr Seselja raised the issue of how the value of land transferred to the Land Development Agency from the Planning and Land Authority is treated in accrual accounting terms in the Agency's annual report. The Agency Annual report explains that transferred land is recognised in the Agency's inventory at nil value. This is because the asset has not previously been recognised in any ACT accounts.¹⁵ When it is sold as leasehold, its market value, independently assessed, is recognised as 'Resources Received Free of Charge' as a component of total revenue, but also as a corresponding cost (Cost of Goods Sold) so that revenue and expenses are appropriately matched. These figures represented as a percentage of total revenue and expenses were 28% and 51% respectively, and in actual terms \$66.66mil as both revenue and expense.¹⁶
- 1.23 The Agency's Chief Financial Officer, Mr Gerry Ryan, advised that this is a standard way of reporting business activity. The Deputy Chair of the Agency's Board, Ms Jenny Morison, explained that it would be 'a very large exercise', complex in terms of how to value that land, as well as impractical, to value all the undeveloped land in the territory.¹⁷ The Minister for Planning, Mr Simon Corbell MLA, explained that this issue tended to be raised from time to time but that current arrangements comply with Australian accounting standards. His preference, over the long term, would be for land assets to be fully accounted for 'to allow the community overall to see how the government of

¹⁴ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 10 November 2005, pp.29, 30.

¹⁵ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 10 November 2005, pp.20–21; ACT Legislative Assembly, Response to Question on Notice No. 56 from Mr Zed Seselja MLA to Minister for Planning, Mr Simon Corbell MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QON PE 56.

¹⁶ ACT Government, *Land Development Agency Annual Report 2004–05*, Canberra, 2005, pp.50, 52, 59, 66, 69, 77.

¹⁷ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 10 November 2005, p.20.

the day is managing the land asset, what return it is getting on the land asset and, equally, the impact on the overall economic position of the territory from land sales.’ Mr Corbell acknowledged that the government actively considered this issue from time to time and that it would be an ongoing issue.¹⁸

RECOMMENDATION 2

- 1.24 **The Committee recommends that the ACT Government continue to investigate better methods for disclosing and accounting for the value of undeveloped ACT land.**
- 1.25 During the public hearings, Mr Seselja questioned the Chief Executive Officer of the Land Development Agency, Ms Anne Skewes, about the provision of external legal services to the Agency. These cost at least \$650 000 in 2004–05 and were required because there was no in-house legal counsel. Ms Skewes advised that the Agency had procured the services of a legal panel but that the Agency Board had asked her to consider securing in-house counsel. This could be useful, she said, to review the quality and nature of the advice provided by external lawyers.¹⁹

RECOMMENDATION 3

- 1.26 **The Committee recommends that the Land Development Agency consider appointing in-house legal counsel.**

¹⁸ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 10 November 2005, pp.20–21.

¹⁹ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 10 November 2005, pp.36–37.

Governance reforms

Planning System Reform Project

- 1.27 The ACT Government is pursuing a major reform of the complex ACT planning legislation. Progress was made in 2004–05 with the simplification of the planning controls and development assessment process for Civic. Similar proposals are being developed in a draft variation for town centres (except in relation to height), and a single planning document is planned for Central Canberra.²⁰ The Planning and Land Authority has held more than 27 meetings with stakeholders and community groups, and has issued directions papers and technical papers via their website, at Planning and Land Authority Offices, at public libraries, and at Canberra Connect centres.²¹ Once the Government has considered the final reform directions, the Government's response will be placed on the Authority's website, and summaries of written submissions will be available on request.²²

A10 planning guidelines

- 1.28 Territory Plan Variation No. 200 (the Garden City Variation) (DV200) introduced the new A10 (Residential Core) Area Specific Policy. This policy permits medium density housing near town, group and local centres and community amenities. It imposes new statutory limitations on multi-unit re-development in established residential areas outside designated core areas, and restrictions on the extent and scale of dual occupancy developments. It also provides increased controls over what is permissible in A10 (Residential Core) areas, including height and building envelope controls. Before this variation was introduced, multi-unit development could occur almost

²⁰ Through the City West variation to the Territory Plan. See also ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 10 November 2005, pp.40, 47, 58.

²¹ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 10 November 2005, pp.59, 60.

²² ACT Legislative Assembly, Response to Question on Notice No. 13 from Dr Deb Foskey MLA to Minister for Planning, Mr Simon Corbell MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QON PE 13.

anywhere in a Canberra suburb.

- 1.29 Mr Seselja pursued the Minister for Planning over the ACT Planning and Land Authority's inability to prepare planning guidelines to complement the statutory provisions governing permitted urban intensification around commercial centres and along transport routes (i.e. the A10 policy). This had been the subject of one of Mr Seselja's question without notice on 23 June 2005. The Minister had announced before the last election that guidelines would be prepared. The Minister's advice was that while preparation of the guidelines remained a priority and would be completed during this term of government, there were many competing priorities for which limited funds were available, and in any event the statutory provisions were more important. These regulate height and intensity of development in A10 areas.²³

Departmental restructuring

- 1.30 The annual reports of the Chief Minister's Department and the Department of Urban Services note that significant restructuring has been implemented within and across those two departments, and in the Ministerial arrangements, following the 2004 election and the retirement of the former ACT Minister, Mr Bill Wood MLA.
- 1.31 The Chief Minister and Minister for the Environment, Mr Jon Stanhope MLA, advised the Committee that the new administrative arrangements were working 'extremely well'.²⁴ An estimated savings of \$1.7 million had been made by rationalising administration for grants programs, and merging ACT Forests with the previous parks and conservation service in Environment ACT, under the leadership of Mr Hilton Taylor. This closer working arrangement for staff responsible for non-urban areas had also delivered improved bushfire risk management.²⁵ No significant new expenditure on

²³ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 10 November 2005, pp.61–62.

²⁴ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 7 November 2005, p.2.

²⁵ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, pp.2–3.

external consultants was incurred in 2004–05 as a result of the restructure.²⁶

- 1.32 This restructure involved the transfer of 53 senior officers from Arts, Heritage and Environment to the Chief Minister's Department.²⁷ It also involved the transfer of 31.4 FTE rangers from the Department of Urban Services to the Chief Minister's Department. Two ACT forest ranger positions were reclassified to GSO 5 and lost their ranger classification. One ranger position was transferred to Arts, Heritage and Environment in May 2005. The 5 FTE reported in the 2004–2005 annual report comprised one forest ranger and four sports ground rangers.²⁸
- 1.33 The Minister for Urban Services, Mr John Hargreaves MLA, also gave a positive account of his department's review and restructure, which was aimed at more clearly delineating and delivering high quality municipal services.
- 1.34 Mr Hargreaves explained that he had removed the former '13-silo' approach to service delivery, and unnecessary managers in blue-collar delivery areas, and had created a 2-stream approach – a services stream to discharge municipal council functions, and an enterprise stream to provide necessary commercial services, such as a linen service. One aim was to make municipal services clearly identifiable and comparable with other local councils, such as the Brisbane City Council and the Orange City Council. This was so that the Minister could argue for equitable access to local government funding from the Australian Government, which was currently denied.²⁹

²⁶ ACT Legislative Assembly, Response to Question on Notice No. 53 from Mrs Vicki Dunne MLA to Minister for the Environment, Mr Jon Stanhope MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QON PE 53.

²⁷ ACT Legislative Assembly, Response to Question on Notice No. 45 from Mr Steve Pratt MLA to Minister for Urban Services, Mr John Hargreaves MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QON PE 45.

²⁸ ACT Legislative Assembly, Response to Question on Notice No. 43 from Mr Steve Pratt MLA to Minister for Urban Services, Mr John Hargreaves MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QON PE 43.

²⁹ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 9 November 2005, pp.11-13.

Sustainability initiatives

1.35 It was apparent during public hearings and in agencies' annual reports that there is a high level of commitment to sustainable development in the ACT.

For example –

- The Land Development Agency is aiming to minimise water and energy use in new developments. Its mandatory requirements for new developments include assessments against energy and greenhouse, water-sensitive urban design; waste minimisation education; community development and construction, and triple bottom line reporting. A 5-star Green Star building is planned for the new Gungahlin business park.
- The Kingston foreshore development has delivered potable water consumption savings of about 150 litres per day; stormwater infiltration is well-managed at the site (partly through the construction of an eco-pond), and energy consumption has been reduced through the use of centralised hot water. There is also passive solar design, rainwater harvesting and stormwater harvesting.
- In the new suburb of Forde, the joint venture proposes to enter into a partnership with Greening Australia for rehabilitation and plantings throughout the suburb. There is a 70 per cent less water usage target compared with an existing suburb in Canberra, and there will be a full water cycle management plan for that estate. The suburb will have good solar orientation and a strong focus on the revegetation and rehabilitation of the existing creek to improve amenity and water quality.³⁰

1.36 The ACTION Authority is also to be commended for some of its initiatives. These include the acquisition of buses running on Compressed Natural Gas and the use of Green Power for powering its facilities, provisions of green tips in its monthly newsletter, and replacement of its lighting systems in its office buildings. ACTION's new bus washing facility will operate with rainwater collected from the roof of its workshops.³¹

³⁰ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 10 November 2005, pp.17-18.

³¹ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 10 November 2005, p.5.

Affordable housing

- 1.37 Several MLAs pursued the issue of affordable housing during the Committee's public hearings. This is primarily the responsibility of the Department of Disability, Housing and Community Services.
- 1.38 According to the Minister, Mr Hargreaves MLA, six meetings of the Affordable Housing Interdepartmental Committee were held in 2004-05. The outcomes of these meetings included:
- ongoing monitoring of implementation of the recommendations of the Affordable Housing Taskforce
 - monitoring and analysis of affordable housing indicators and statistics
 - monitoring and progressing the affordable housing commitments made in the Canberra Social Plan
 - considering new affordable housing initiatives and opportunities
 - monitoring affordable housing progress and innovation nationally and internationally
 - investigating the options of a shared equity scheme.
- 1.39 Information about Government progress in this area was provided in the report *Progress on Affordable Housing in the ACT*, which was tabled in the Legislative Assembly on 30 June 2005.³²
- 1.40 The Minister for Planning, Mr Simon Corbell MLA, also has responsibilities in this area. For example, the Land Development Agency advised that of the 27 blocks sold at the Moderate Income Land Ballots (MILB) in 2004–05, 19 (or 72%) were purchased by first home buyers.
- 1.41 The Land Development Agency also liaises with community and social housing providers such as Canberra Co-Housing and Community Housing Canberra concerning social housing schemes for specific groups.³³

³² The progress report is accessible at <http://www.dhcs.act.gov.au/hcs/Publications/Progress%20on%20Affordable%20Housing%20in%20the%20ACT.pdf>; ACT Legislative Assembly, Response to Question on Notice No. 14 from Dr Deb Foskey MLA to Minister for Planning, Mr Simon Corbell MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QON PE 14.

³³ ACT Legislative Assembly, Response to Question on Notice No. 12 from Dr Deb Foskey MLA to Minister for Planning, Mr Simon Corbell MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QON PE 12.

- 1.42 In the Committee's view there are opportunities for the Land Development Agency and Planning and Land Authority to increase the provision of affordable housing through joint venture arrangements with estate developers. Such a requirement need not lead to reduced commercial returns if the costs are offset across projects. Just as the Territory Plan requires that 10% of all units in developments of more than 10 units be built to adaptable standards, so too a percentage of *all* developments should be required to be affordable housing. The costs and benefits would be fully explored in the regulatory impact statement developed to assess such a proposal. The Agency's annual report notes that the Forde development includes the provision of 5% of the blocks to be constructed as housing for people on moderate incomes. This initiative warrants extension.³⁴

RECOMMENDATION 4

- 1.43 **The Committee recommends that the Land Development Agency and the Government continue to pursue mechanisms for making housing affordable, particularly for first home buyers.**
- 1.44 **The Committee recommends that the Land Development Agency require a percentage of multi-unit and greenfields developments to be constructed as affordable housing.**

Bushfire recovery and drought management

- 1.45 The Committee heard evidence from Environment ACT officials concerning recovery from the 2003 bushfires and the adaptive management strategies being applied.
- 1.46 The ongoing reconstruction of the Tidbinbilla Nature Reserve, funded to \$7mil over 3 years, was identified as one of the Chief Minister's Department's key strategic achievements. A detailed account of progress was provided at the public hearing. Visitor numbers, such as the 7 000 attendance at the Easter Extravaganza, demonstrated the popularity of the reserve, and high rates of

³⁴ ACT Government, *Land Development Agency Annual Report 2004–05*, Canberra 2005, p.18.

visitor satisfaction had been confirmed in formal evaluation activities.³⁵

- 1.47 The re-fencing of rural land adjacent to nature reserves is expected to be completed by June 2006. The ACT Government is contributing half the cost of this re-fencing. The financial constraints facing farmers following prolonged drought was cited as the reason these fences had not been re-installed sooner after the 2003 bushfires.³⁶
- 1.48 In response to a question from Mrs Dunne, Mr Stanhope provided the terms of reference for an assessment by CSIRO Land and Water of the re-vegetation options for the lower Cotter catchment.³⁷ In May 2005, ACTEW Corporation had advised the Government that the lower Cotter reservoir was to become an operational component of Canberra's water supply system, which meant that water supply would have priority over other uses. The Office of Sustainability developed the terms of reference for the CSIRO study in consultation with the ACT Water Supply Catchment Management Group, (chaired by Professor Gary Jones, CEO of the Cooperative Research Centre for Water Quality and Treatment). The ACT Government commissioned CSIRO, in September 2005, to review the scientific literature and advise on the effects of different vegetation types on water yield and quality in the lower Cotter catchment. The report was due to be submitted to the ACT Government in late November 2005. The terms of reference for the study are at Appendix D.
- 1.49 Witnesses and members also discussed the impact of the drought on re-planting programs in non-urban areas, and the siltation and turbidity caused to waterways by road run-off. High quality native seedlings had been purchased from nurseries in the Bombala and Holbrook areas. The purchase of some radiata pine seedlings had been deferred because of the drought, but some had been acquired from nurseries in Tumut and Victoria. No pine replanting will be done in the lower Cotter catchment until the CSIRO study

³⁵ ACT Government, *Chief Minister's Department Annual Report 2004–05*, vol. 1, Canberra, ACT, 2005, pp.27–28; ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, p.5, 6, 8–9.

³⁶ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 7 November 2005, p.5.

³⁷ ACT Legislative Assembly, Response to Question on Notice No. 51 from Mrs Vicki Dunne MLA to Minister for the Environment, Mr Jon Stanhope MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QON PE 51.

findings have been assessed.

- 1.50 The Minister for Urban Services advised that all of the 25 sports fields that have had their irrigation discontinued because of the drought should be available for sports use by winter 2007. The surfaces of these sportsgrounds are uneven and hard and will require 'comprehensive restoration including spraying out of weed species, aeration, fertilising, topdressing and reseeded or turfing with quality turf species' at a cost of about \$10 000 per hectare. The Department of Urban Services is also exploring with ACTEW the possibility of using recycled water for irrigation on more than the 24 hectares of sportsgrounds in inner Canberra that is currently irrigated with recycled water.³⁸
- 1.51 The Committee also discussed drought impacts and tree management in the ACT, since trees are well-recognised as being important to many Canberrans. The Minister for the Environment noted that the provisions of the interim and permanent Tree Protection Act were working well. In 2004–05 there were 1 159 applications for tree damaging activities; 998 of those were approved with conditions, and 161 were declined.³⁹
- 1.52 The Minister for Urban Services and officials commended several aspects of the department's tree management activities. The Executive Director of the Municipal Services Network, Mr Hamish McNulty, said that having surveyed the city's trees, the department estimated that around 7 000 had died from the effects of the drought over the last couple of years. In 2004–05 the department had spent about \$570 000 removing about 3 500 dead and dying trees. The trees that have been removed are stored at Curtin before being processed into woodchip for use in landscaping around the city. To re-green fire-affected suburbs after the 2003 bushfires, about 3 500 trees were planted, partly to help

³⁸ ACT Legislative Assembly, Response to Questions on Notice Nos. 9 and 37 from Dr Deb Foskey MLA and Mr Steve Pratt MLA to Minister for Urban Services, Mr John Hargreaves MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QONS PE 09, PE 37.

³⁹ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 7 November 2005, p.27.

rebuild community spirit.⁴⁰ To assist with edge landscaping after the completion of the Gungahlin Drive Extension (GDE), endemic saplings were harvested along the GDE route.⁴¹

RECOMMENDATION 5

- 1.53 **The Committee recommends that, in consultation with Arts, Heritage and Environment and non-government conservation organisations, the Department of Urban Services place an agreed number of trunks of mature felled trees in open woodland and forested areas of Canberra Nature Park for wildlife habitat.**

Pest plant management

- 1.54 There is more information about the ACT Government's pest plant control programs in the annual report of the Commissioner for the Environment than in the Chief Minister's Department's annual report.
- 1.55 During the Committee's public hearings on annual reports, the Committee Chair invited the Minister for the Environment to elaborate on information in the Chief Minister's Department's annual report about a Patterson's Curse management workshop aimed at preventing a recurrence of the 60 or so horse deaths in the region in Spring 2003. Mr Stanhope MLA noted that less than 10% of those deaths had been on land managed by the ACT Government. The Executive Director of Arts, Heritage and Environment, Dr Maxine Cooper, advised that Patterson's Curse would pose a continuing threat to horses (but was not a serious threat to agriculture or the environment) because paddocks were continuously infested by seeds dispersed via horse fodder.⁴²
- 1.56 Members and officials also discussed the problems caused by the robust

⁴⁰ ACT Legislative Assembly, Response to Question on Notice No. 27 from Mr Zed Seselja MLA to Minister for Urban Services, Mr John Hargreaves MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QON PE 27.

⁴¹ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 9 November 2005, pp.3–4.

⁴² ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 7 November 2005, p.26.

regeneration of weeds in bushfire-affected areas, and debris management.⁴³

- 1.57 As noted above, the Committee would have preferred to see a cross-reference in the Chief Minister's Department annual report to the ACT Weed Control Program 2004-05 annual report.⁴⁴ Such cross-referencing is recommended in the Annual Reports Directions.

RECOMMENDATION 6

- 1.58 **The Committee recommends that future Chief Minister's Department's annual reports include better cross-referencing to other program specific annual reports.**

Sustainable Transport Plan

Patronage of ACTION buses

- 1.59 The ACTION Authority's annual report provides a positive account of achievements under the ACT Government's Sustainable Transport Plan. It says the Plan's target of a 9% modal shift (i.e. shift from private vehicle to public transport) in adult journeys to work by 2011 is likely to be achieved. Adult patronage of ACTION buses grew 13% over the same period in the previous year, with weekday adult passenger boardings averaging above 21 000 on most working days. The target in the Sustainable Transport Plan is 19 300 adult passenger boardings per day for 2005–06. Policies and initiatives that have contributed to this trend include –
- the Xpresso services linking Civic and Tuggeranong to town centres, accounting for 60 per cent of the growth in adult patronage
 - the one fare anywhere strategy
 - the Flexibus evening services
 - new and improved services to new suburbs
 - new air-conditioned, low-floor accessible buses

⁴³ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 7 November 2005, pp.11-12, 14.

⁴⁴ ACT Government, Environment ACT, ACT Weed Control Program 2004–05 Annual Report, accessible at <[www.environment.act.gov.au/Files/actweedcontrolprogram2004-2005annualreport\(word\).doc](http://www.environment.act.gov.au/Files/actweedcontrolprogram2004-2005annualreport(word).doc)>.

- the ACTION Bustext and SMS service for ACTION customers to find out when the next available service is due
- the extension of ACTION's transfer time tickets band from one hour to 90 minutes.⁴⁵

1.60 As pursued by Mr Seselja, the overall level of patronage has declined however. There has been a fall in concession passengers which ACTION attributes to a decline in the number of concession cards issued by Centrelink for public transport due to the strong ACT labour market. There has also been a reduction in the number of school-age passengers.⁴⁶

1.61 Bus patronage by cyclists may also increase on inter-town routes following the completion of the installation of 70 bike racks on buses and commencement of the service.⁴⁷

Low emission vehicles

1.62 ACTION is contributing to cleaner air and reduced greenhouse gas emissions in the ACT through the purchase and use of 74 new low-floor, wheelchair accessible buses fuelled with compressed natural gas (CNG).⁴⁸

1.63 In response to a question from Mr Seselja in the 7 November 2005 public hearing, Mr Stanhope advised that although at the last election the Labor Party undertook to meet a target by 2008 of 10 per cent of ACT government fleet vehicles being hybrid, low-emission or other technology motor vehicles, there had been some time lag in getting the first 25 of these vehicles. But Mr Stanhope said that even at 25 vehicles, the ACT, on a per capita or per vehicle basis, had by far the highest number of alternative fuel vehicles of any government in Australia. Mr Stanhope said that if governments collaborated

⁴⁵ ACT Government, *ACTION Authority Annual Report 2004–05*, Canberra, 2005, pp.4, 7, 8, 52; 53, 63, 64; ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 10 November 2005, p.3.

⁴⁶ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 10 November 2005, p.5.

⁴⁷ ACT Government, *ACTION Authority Annual Report 2004–05*, Canberra, 2005, p.70; ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 10 November 2005, p.11.

⁴⁸ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 10 November 2005, p.5.

and committed to acquiring a certain percentage of alternative-fuel vehicles in a short period of time, involving thousands, perhaps tens of thousands, of vehicles, supply would probably become less of a problem.

- 1.64 Mr Stanhope also noted that the ACT Government was a member of Greenfleet, one activity of which was to plant trees in the ACT to offset vehicle carbon dioxide emissions.⁴⁹

Cycle lanes and road safety

- 1.65 In 2004 a 10-year pedestrian and cycling infrastructure master plan was developed. This guides the extension of both the on-road and off-road cycling and pedestrian networks. There are no plans to amend the current arrangements for on-road cycle lanes on Commonwealth or Adelaide Avenue.⁵⁰

Road safety measures for motorcyclists

- 1.66 In an attempt to reduce the disproportionately high rate of fatalities in motorcycle crashes the ACT Government has introduced various measures. These include —
- permitting motorcyclists to access dedicated bus lanes in the ACT
 - reviewing pre-licence learner and provisional rider training and expanding the Mature Aged Skills Training for Experienced Riders (MASTERS) program
 - promoting safety tips for both motorists and motorcyclists in the media
 - publication and distribution, through retail outlets and motorcycle clubs, of a booklet on 'road craft'
 - funding the ACT Motorcycle Riders Association to produce a series of television advertisements on safe riding.⁵¹

⁴⁹ ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 7 November 2005, p.31.

⁵⁰ ACT Legislative Assembly, Response to Question on Notice No. 20 from Dr Deb Foskey MLA to Minister for Urban Services, Mr Jon Hargreaves MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QON PE 17.

⁵¹ ACT Legislative Assembly, Response to Question on Notice No. 20 from Dr Deb Foskey MLA to Minister for Urban Services, Mr Jon Hargreaves MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QON PE 21.

- 1.67 The Department of Urban Services had also consulted with local schools and parents about general road safety and traffic calming measures near Canberra's schools. Various measures have been or will be implemented as part of the ACT Government's Capital Works Program.⁵²

Graffiti management

- 1.68 The Minister for Urban Services has taken a proactive approach to managing illegal graffiti in the ACT.⁵³ Mr Hargreaves outlined the strategies that had been pursued, in consultation with the Graffiti Artist Consultation Group (through the Youth Coalition of the ACT), and following consultation with the Property Council of Australia and the ACT Graffiti Management Steering Committee. These include:

- release of a short video on legal graffiti art as a legitimate form of artistic expression, screened at ACT Government Shopfronts
- promotion and signposting of legal graffiti art sites, the ACT Government's Graffiti Management Strategy and the *Illegal Graffiti: Report, Remove, Prevent* brochure through ACT Government Shopfronts, ACTION buses and various newsletters and magazines
- provision of information about legal graffiti art sites and their location on the Parks and Places website <www.parksandplaces.act.gov.au> and other websites
- implementation of 'Colour-in Canberra', a combined community art/graffiti prevention project involving artworks on traffic controller boxes, near traffic lights
- supporting building developers to enable building hoardings to be used as graffiti art sites
- provision of information to commercial property owners on property treatments that facilitate graffiti removal
- screen plantings to deter illegal graffiti along private fences on Hindmarsh Drive and in Kaleen that were popular graffiti sites
- delivery of two graffiti art workshops in partnership with Arts and Recreation ACT to develop skills for use at legal graffiti art sites
- implementation of a proactive asset inspection and graffiti removal

⁵² ACT Legislative Assembly, Response to Question on Notice No. 28 from Mr Zed Seselja MLA to Minister for Urban Services, Mr John Hargreaves MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QON PE 28.

⁵³ ACT Government, *Department of Urban Services Annual Report 2004*, Vol 1, Canberra 2005, p.5.

regime

- introduction of the AUSGR graffiti management and reporting system, to aid in the identification of graffiti 'hotspots', monitoring of trends in graffiti vandalism and to encourage support information sharing between Urban Services and ACT Policing.⁵⁴

Waste management

- 1.69 The ACT NOWaste strategy is delivering good outcomes in terms of recycling and waste-to-landfill reduction, but there is scope for improvement. In 2004–05 about 73% of the total waste generated in the ACT was recycled or reused. This was about 50 000 tonnes more than in 2003–04, while waste to landfill also decreased by about 4 000 tonnes.
- 1.70 About 89 000 tonnes of separated builders' waste, including concrete, bricks, tiles and asphalt are accepted, processed and sold as recycled materials from the Pialligo waste management facility. A further 30 000 tonnes of mixed builders' waste is accepted at that facility each year for inert landfill disposal and site remediation, as part of that facility's agreement with the Australian Government, which owns and manages the land.⁵⁵
- 1.71 The ACT Government has no plans to implement a green garden waste collection system for residential organic waste. The garden waste recycling centres at Mugga Lane Landfill, Parkwood Road MacGregor and Mitchell operate free of charge. These sites processed about 188 000 tonnes of green waste in 2004–05 at a cost of about \$3.50 per tonne to the Territory. The estimated cost of a green waste collection system is about \$2.8–\$3.2mil per annum. This expense is not justifiable given the relative success and cost-effectiveness of current arrangements.⁵⁶

⁵⁴ ACT Legislative Assembly, Response to Question on Notice No. 42 from Dr Deb Foskey MLA to Minister for Urban Services, Mr Jon Hargreaves MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QON PE 42.

⁵⁵ ACT Legislative Assembly, Response to Question on Notice No. 58 from Mrs Vicki Dunne MLA to Minister for Urban Services, Mr Jon Hargreaves MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QON PE 58.

⁵⁶ ACT Legislative Assembly, Response to Question on Notice No. 22 from Dr Deb Foskey MLA to Minister for Urban Services, Mr Jon Hargreaves MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QON PE 22.

- 1.72 Several initiatives are being developed to increase recycling and sustainable waste disposal–
- ACT NOWaste has been working with waste service providers and advertising to encourage business to review their waste management arrangements
 - ACT NOWaste will encourage recycling by increasing disposal charges for waste taken to landfill
 - The Department of Urban Services, Canberra Central and the Beverage Industry Environment Council have been discussing the establishment of public place recycling in City Walk and Petrie Plaza
 - ANU Green and ACT NOWaste have discussed the possibility of the ANU establishing an on-campus composting facility that could accept and process food wastes from within and outside the campus. However the ANU did not receive any expressions of interest or tenders for the processing of its 1.2 tonnes per day of wet organic wastes in an alternative waste treatment facility.⁵⁷

RECOMMENDATION 7

- 1.73 **The Committee recommends that the Minister for Urban Services further investigate measures to reduce the tonnage of, and to collect data about the amount of undifferentiated builders' waste being deposited as landfill at the Pialligo waste management facility.**

Development and reporting of volunteers' contributions

- 1.74 In its report on 2003–04 annual and financial reports, the Committee discussed the important contribution volunteers make in a range of public activities. The Committee's view was that these contributions needed to be better recognised and analysed in agency annual reports, in both qualitative and quantitative terms. The Committee also suggested there may be a need for appropriate

⁵⁷ ACT Legislative Assembly, Response to Question on Notice No. 19 from Dr Deb Foskey MLA to Minister for Urban Services, Mr Jon Hargreaves MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QON PE 19.

policy development, such as in relation to training and development.⁵⁸

- 1.75 The Committee continues to hold the view that volunteers' contributions should be specified as a reportable item in the Chief Minister's 2005 Annual Report Directions and agencies' 2005–06 annual reports. The 2004 Directions note that agencies with financial reporting obligations under the *Financial Management Act 1996* (ACT) must provide details on the agency's use of external sources of labour and services, and community engagement is also an issue to be addressed in reports. Volunteerism is not yet recognised however.⁵⁹
- 1.76 Environment ACT works with a range of volunteer organisations and individuals, including Greening Australia, 14 Parkcare groups, Landkeepers, Landcare volunteers on rural leases, employing organisations donating labour, and tertiary students (in Namadgi National Park). Each of the Parkcare groups is also a member of one of the three catchment groups—the Molonglo, the Ginninderra or the Southern ACT Catchment Group—which coordinate on-ground works. These partnerships are recognised as 'a vital part of the work that Environment ACT does in ensuring community ownership of the environment and the importance of the environment.'⁶⁰ Thousands of volunteer hours are donated to help manage the ACT environment.
- 1.77 Several Members noted during public hearings that they had participated in Greening Australia's re-vegetation projects in the ACT.
- 1.78 The Committee looks forward to seeing volunteers' contributions across the ACT Government recognised in agencies' 2005–06 annual and financial reports.

RECOMMENDATION 8

⁵⁸ ACT Legislative Assembly, Standing Committee on Planning and Environment, *Inquiry into Referred Annual and Financial Reports 2003–04: Report 8*, May 2005, pp. 11–13; ACT Legislative Assembly, *Hansard Proof Transcript*, Standing Committee on Planning and Environment, 31 March 2005, pp.17–19.

⁵⁹ ACT Government, Chief Minister's Department, 2004 Annual Report Directions, pp.23, 29, accessible at < <http://www.psm.act.gov.au/publicationsaz.htm#A>>

⁶⁰ Minister for the Environment, Mr Jon Stanhope MLA, ACT Legislative Assembly, Standing Committee on Planning and Environment, Reference: Annual and Financial Reports 2004–05, Proof Transcript 7 November 2005, p.18.

- 1.79 **The Committee recommends that ACT Government agencies recognise volunteers' contributions, in both quantitative and qualitative terms, in the Chief Minister's Department's 2005 Annual Report Directions and 2005–2006 annual reports.**

Advisory committees

- 1.80 The ACT Government has a policy commitment to increasing the number of women in leadership and decision-making positions, and in providing information and support to women interested in finding out more about board and committee membership.⁶¹ In response to a question from Dr Deb Foskey MLA, the Minister for the Environment advised that many of the positions on the committees in his portfolio require either relevant technical expertise or nomination by a particular organisation. In these circumstances it was not always possible to appoint a person of specified gender to each position.
- 1.81 Mr Stanhope MLA advised further that there was no committee or advisory body which advises the ACT Government on cross-border and regional water issues. These are managed through ACT Government committees across agencies.⁶² The issue of which advisory body will be the regional body for the purposes of the agreement between the Australian and ACT Governments for the National Action Plan for Salinity and Water Quality (NAP) is currently under negotiation as part of the proposed NAP intergovernmental agreement.

RECOMMENDATION 9

- 1.82 **The ACT Office for Women should increase public awareness about the ACT Women's Register.**
- 1.83 **The Committee recommends that when ACT Government agencies invite**

⁶¹ ACT Government Minister for Women, 'Women as Decision-Makers', Media Release, Date 22 August, 2005, accessible at <http://www.chiefminister.act.gov.au/media.asp?section=53&media=512&id=512&title=>>; Australian Labor Party, ACT Labor, ACT Women, accessible at <http://www.act.alp.org.au/policy/pdpwomen240801.html>. See also: ACT Government, *ACT Women's Plan: 2004–05 Action Plan*, ACT Office for Women, Canberra, 2004.

⁶² ACT Legislative Assembly, Response to Question on Notice No. 1 from Dr Deb Foskey MLA to Minister for the Environment, Mr Jon Stanhope MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QON PE 01.

organisations to nominate persons to Committees, they also advise that the ACT Government has a policy of increasing the number of women in leadership and decision-making positions for gender balance, if this is not done already.

- 1.84 The Committee encourages all ACT Government agencies to increase their efforts to ensure that all advisory committees and boards have a more equitable gender representation.

RECOMMENDATION 10

- 1.85 The Committee recommends that the ACT Government agree to the establishment of an advisory body on cross-border and regional water management issues.

Australian Workplace Agreements

- 1.86 The Committee Chair invited the attending Ministers during public hearings to advise if any public servants in their portfolios were on Australian Workplace Agreements (AWAs) and if so, to explain why.
- The Chief Minister and Minister for the Environment advised that there were two AWAs in operation in Arts, Heritage and Environment during the 2004–05 financial year which had been carried across from Forests ACT. One had been terminated in June 2005. No new AWAs were offered in 2004–05.⁶³
 - ACTION advised that it has no AWAs. The Chief Executive and his deputy, and casuals, were employed on contracts.⁶⁴
 - The Chief Planning Executive in the Planning and Land Authority advised that 5 employees were on AWAs, each of whom declined an offer to withdraw from that arrangement. All Authority employees receive pay rises under the agency's certified agreement.⁶⁵

RECOMMENDATION 11

⁶³ ACT Legislative Assembly, Standing Committee on Planning and Environment, Reference: Annual and Financial Reports 2004–05, Proof Transcript, 7 November 2005, pp.27-28.

⁶⁴ ACT Legislative Assembly, Standing Committee on Planning and Environment, Reference: Annual and Financial Reports 2004–05, Proof Transcript, 10 November 2005, p.13.

⁶⁵ ACT Legislative Assembly, Standing Committee on Planning and Environment, Reference: Annual and Financial Reports 2004–05, Proof Transcript, 10 November 2005, p.56.

- 1.87 **The Committee commends the ACT Government for its policy of not encouraging the use of Australian Workplace Agreements in the ACT Public Service.**

Mr Mick Gentleman MLA

Chair

9 December 2005

APPENDIX A: Dissenting report and additional comments

Dissenting Report

- 1.1 Annual reports for a number of agencies for the year 2004–2005 were referred to the Standing Committee on Planning and Environment before being presented to the Assembly.
- 1.2 A report of the proceedings of the Committee has been prepared for endorsement by the members of the committee.
- 1.3 The report endorsed by the majority of the committee was incomplete in a number of areas, and did not adequately reflect the proceedings of the hearings. In some areas it seemed to be a summary of Government successes or perceived successes but ignored important issues or criticisms of the Government that were raised in the hearings.
- 1.4 There were issues that need to be voiced and which were quite helpful to the process of good government. It is important that these issues are properly dealt with.
- 1.5 This dissenting report highlights parts of the hearings that haven't been adequately dealt with in the Committee report, sets out why certain recommendations are not supported by me, and makes additional recommendations to Government.

Presentation of information

General comment

- 1.6 Much of the report is couched in overly favourable language which simply takes the Government line on an issue or echoes what is in a particular agency's annual report. Some examples include:

‘One of the key successes for the ACT Government seems to be the financial outcomes delivered by the Land development Agency.’⁶⁶

‘It was apparent during public hearings and in ‘agencies’ annual reports that there is a high level of commitment to sustainable development in the ACT.’⁶⁷

‘The Minister for Urban Services has taken a proactive approach to managing illegal graffiti in the ACT.’⁶⁸

- 1.7 It would be more helpful if the committee report had taken more of a critical approach to examining the performance of agencies.

Specific reporting issues

Land Development Agency

- 1.8 A paragraph was devoted to outlining LDA successes.⁶⁹ Something that the Annual Report did quite adequately. Such comment needs to be tempered with the reality that LDA is a monopoly organisation and as a monopoly provider of land should be able to deliver a substantial profit.
- 1.9 Concerns were raised during the hearings about the LDAs cost structure, most notably the substantial blow-out in marketing costs from \$392 000 in 2003–04 to \$4 032 000 in 2004–05.
- 1.10 It emerged in response to a Question on Notice that the Agency had spent \$34 755 on a sign advertising the EpiCentre development in Fyshwick (it is unclear whether this figure includes the significant landscaping associated with the sign). This appears to be a misallocation of resources given that it would be easy for the LDA to notify local developers of the existence of the site, and interstate developers would be unlikely to see such a sign. This example may be indicative of other misplaced priorities within the LDA marketing budget.

⁶⁶ Paragraph 1.20

⁶⁷ Paragraph 1.35

⁶⁸ Paragraph 1.68

⁶⁹ Paragraph 1.20

- 1.11 It is also concerning that the answer to this question was provided three weeks after the hearing, when the usual practice is for questions on notice for Annual Reports Hearings to be answered within five working days.

Departmental restructuring

- 1.12 The report noted the Minister for Urban Services' explanation regarding the review and restructure of his Department.⁷⁰ Mr Hargraves' position on this issue was however challenged by the leader of the Opposition Mr Brendan Smyth, who referred to minutes of the Council of Capital City Lord Mayors meeting of 22 July 2005 which quoted Mr Hargreaves advising the meeting that: 'the ACT is investigating splitting state and local government roles and responsibilities. The philosophical path will be completed first with the issue of cost-shifting being investigated later. It was acknowledged that the inter-governmental agreement will allow the second phase to occur.'
- 1.13 While Mr Hargreaves denied making such comments, the Council sent confirmed minutes on 28 October 2005 that made no alteration to these comments.

Affordable housing

- 1.14 Government has a responsibility to examine ways of making housing more affordable particularly for first home buyers. The Committee view cited in the report⁷¹ is that joint venture arrangements for the provision of affordable housing should be encouraged and that costs could be offset across projects.
- 1.15 I have two major concerns with this recommendation. The first concern is that by offsetting the cost across projects, other homebuyers who aren't eligible for specifically set aside affordable housing are subsidising those who are. Secondly, I'm not convinced that any evidence was presented in the Committee hearings that demonstrates that such a scheme is necessarily the

⁷⁰ Paragraphs 1.33, 1.34

⁷¹ Paragraph 1.42

best way to assist first home buyers. This needs further investigation.

Pest plant management

- 1.16 The report recognises the work done regarding a Paterson’s curse management workshop aimed at preventing a recurrence of the 60 or more horse deaths in the region in Spring 2003.⁷² Whilst the continuing threat of Paterson’s Curse is acknowledged in the report, there is no mention of the fact that large amounts of Paterson’s Curse can be found in public places, roadside verges, and public land. Private leaseholders are regulated and required to address their Patterson Curse issue, however there is ample evidence of lack of weed control in those public places. Even though there have been a large number of horse deaths on private land, there is no guarantee that those horses were affected by the weed from that land. Horses are often walked or ridden on public land and are vulnerable to uncontrolled weed on that land. Horses may die some days after eating Patterson’s curse and on this basis the statistics of horse deaths on public or private land are not relevant. The fact is there is substantial uncontrolled Patterson’s Curse on public land.

Patronage of ACTION buses

- 1.17 Although the final report does now point out that there has been an overall reduction in passengers on ACTION bus services, it fails to point out that this has come despite a significant increase in expenditure in the 2004–05 financial year - \$75 905 000 in 2003–04 to \$83 893 000 in 2004–05.⁷³
- 1.18 This demonstrates an agency that is spending significantly more, but getting less. This is particularly concerning because there is little doubt that a large part of the increase in adult passengers can be attributed to the artificial increase in petrol prices during 2004–05. ACT taxpayers are entitled to expect value for money from all of their agencies, and the Government needs to explain why it is spending more and getting less in this area.

⁷² Paragraph 1.55

⁷³ Paragraph 1.60

Cycle lanes and road safety

1.19 The only comment in the report about cycle lanes and road safety is a statement about Government planning policy in relation to the provision of cycle lanes.⁷⁴ Road safety, although raised in the hearings, was not mentioned in the report. There was extensive questioning of the minister in the hearings regarding safety and cost benefit analysis relating to development and implementation of the plan and this has not been included in the report. It is an important issue and it is disappointing that the minister evaded questioning about cost benefit analysis and justified the safety issue on the basis that there had been no fatalities so far.

1.20 An example of the evasive dialogue and failure to address the question of safety and cost benefit is recorded in the Hansard as follows:

MR SESELJA: On page 19, mention is made of the construction of the Woden to Dickson on-road cycling lane. On page 118 there is talk of the total cost of \$2.736 million. What cost-benefit analysis and safety analysis have been done in relation to this and similar projects?

Mr Hargreaves: That was an election promise that I made in the election year 2001. That was as a result of discussions between the government and the cycling community. It picked up a number of initiatives interstate and internationally. It was a commitment that we included in our sustainable transport plan. It has continued on. We committed back in the election period of 2001 that we would have it not only as an integral part of our new road construction programs but also, within the limited funds available, we would retrofit the major arterial roads. We made that commitment in 2001. So far, we continue to make it.

MR SESELJA: Because it is an election commitment you do not need to do a safety analysis?

Mr Hargreaves: We don't need to do anything right now.

MR SESELJA: No safety analysis?

Mr Hargreaves: Right now, why would we want to do that?

MR SESELJA: To see whether it is safe.

Mr Hargreaves: It is safe. Can I refer you to accident statistics. There has not been one cyclist injured or killed on a cycle road this year.

MR SESELJA: Therefore, it is safe? It was concluded absolutely on the basis of no

⁷⁴ Paragraph 1.65

deaths?

- 1.21 The minister appears to be saying that because it is an election commitment there was no cost benefit analysis needed and furthermore, because of that election commitment and because there have been no deaths so far, there is no need to conduct thorough and ongoing safety analysis.

Dissenting comment on some recommendations

- 1.22 Recommendation 4: This recommendation has two parts. The first, relating to the pursuit of mechanisms for making housing affordable, particularly for first home buyers is supported. I could not, however, support the second part of this recommendation. The recommendation as it stands, supports offsetting the costs against other unspecified projects. I cannot support a recommendation that is not based on a benefit analysis and which proposes unspecified funding shortfalls from other unspecified projects. I am concerned that this will lead to other home buyers having to subsidise those who are eligible for affordable housing.
- 1.23 I therefore think the mechanism for making housing more affordable needs further analysis.
- 1.24 Recommendation 11: I oppose this recommendation.
- 1.25 A more accurate reflection of the situation would include a recommendation which said ‘the committee condemns ACT Government for keeping wages down in the ACT public sector by failing to offer AWAs’.
- 1.26 Apart from being outside the terms of reference of the Planning and Environment Committee, I oppose the recommendation because it is misguided.
- 1.27 AWA employee weekly earnings are on average 13% higher than employees on collective agreements and 100% higher than those on awards. Private Sector AWA employees are 9% higher than private sector on collective agreements, and 81% higher than those on awards. Importantly, Public Sector AWA

employees weekly earnings are 57% higher than for public sector collective agreement employees.⁷⁵

- 1.28 I note it that was raised during the hearings that those ACTPLA employees on AWAs were offered the opportunity to go back to collective agreement and they refused.
- 1.29 If the Government is serious about retaining high performing staff and preventing them from going to the Commonwealth Public Service or to the private sector, it should be encouraging the use of AWAs, rather than abolishing them in the ACT public sector.

Additional comments

- 1.30 The failure of the Government to undertake adequate passenger usage projections prior to committing substantial funds to project design and route choice studies for a dedicated busway between Civic and Belconnen is noted.
- 1.31 It is noted that there were lengthy delays in recruiting membership to the animal welfare committee and that as a result it had not met for several months.

Zed Seselja MLA
December 2005

⁷⁵ ABS Employee Earnings and Hours Survey 2004 ABS Cat No 6306.0

APPENDIX B: Questions taken on notice and questions on notice⁷⁶

QON No	From	To	Subject	QON Received	Answer Due	Answer Received
PE 01	Foskey	Environment	Environment advisory issues	8/11	16/11	17/11
PE 02	Foskey	Environment	Innovations to minimise resource use	8/11	16/11	22/11
PE 03	Foskey	Environment	Environment protection issues	8/11	16/11	17/11
PE 04	Foskey	Environment	Commissioner for the Environment	8/11	16/11	17/11
PE 05	Foskey	Environment	Animal Welfare Advisory Committee	8/11	16/11	17/11
PE 06	Dunne	Environment	New equipment for fine particles	9/11	17/11	18/11
PE 07	Foskey	Environment	Freedom of Information requests	9/11	18/11	21/11
PE 08	Foskey	Urban Services	Freedom of Information requests	9/11	18/11	1/12
PE 09	Foskey	Urban Services	Water management issues	9/11	18/11	1/12
PE 10	Foskey	Urban Services	Plant Issue Scheme	9/11	18/11	1/12
PE 11	Foskey	Urban Services	Canberra Cemeteries	9/11	18/11	1/12
PE 12	Foskey	Planning	LDA Annual Report	10/11	21/11	23/11

⁷⁶ Questions 'taken on notice' arise during the public hearings when a minister or official agrees to provide an answer after the hearing. 'Questions on notice' are tendered in writing by Members of the Legislative Assembly either at the end of the public hearing or within 2 working days of the hearing.

QON No	From	To	Subject	QON Received	Answer Due	Answer Received
PE 13	Foskey	Planning	ACTPLA Annual Report, Chief Executive Review	10/11	21/11	23/11
PE 14	Foskey	Planning	ACTPLA Annual Report, Agency Performance	10/11	21/11	23/11
PE 15	Foskey	Planning	ACTPLA Annual Report, Community Engagement	10/11	21/11	23/11
PE 16	Foskey	Planning	ACTPLA Annual Report, Ecologically Sustainable Development (p.66+)	10/11	21/11	23/11
PE 17	Foskey	Urban Services	Cycle lanes and paths	10/11	21/11	1/12
PE 18	Foskey	Urban Services	Business waste initiatives	10/11	21/11	1/12
PE 19	Foskey	Urban Services	Waste issues in the city	10/11	21/11	1/12
PE 20	Foskey	Urban Services	Graffiti management strategy	10/11	21/11	1/12
PE 21	Foskey	Urban Services	Motor cyclist safety	10/11	21/11	1/12
PE 22	Foskey	Urban Services	ACT NOWaste strategy	10/11	21/11	1/12
PE 23	Foskey	Urban Services	Safe, inclusive communities	10/11	21/11	1/12
PE 24	Foskey	Urban Services	Safety on community paths	10/11	21/11	1/12
PE 25	Foskey	Urban Services	ACT forests	10/11	21/11	1/12

QON No	From	To	Subject	QON Received	Answer Due	Answer Received
PE 26	Seselja	Urban Services	Publication costs for the Departmental Annual Report	14/11	21/11	1/12
PE 27	Seselja	Urban Services	Replacement of dead trees	14/11	21/11	1/12
PE 28	Seselja	Urban Services	Community engagement about traffic calming around schools	14/11	21/11	1/12
PE 29	Seselja	Urban Services	ACT Library Service	14/11	21/11	1/12
PE 30	Seselja	Urban Services	Curtin Bike Path	14/11	21/11	1/12
PE 31	Dunne	Planning	Leasing history of undeveloped part Block 10, Section 2, Nicholls	14/11	21/11	23/11
PE 32	Dunne	Planning	Leasing history of undeveloped part Block 7, Section 143, Florey	14/11	21/11	23/11
PE 33	Dunne	Planning	Leasing history of undeveloped part Block 28, Section 143, Florey	14/11	21/11	23/11
PE 34	Pratt	Urban Services	Belconnen/Tuggeranong Parking project cost	14/11	22/11	1/12
PE 35	Pratt	Urban Services	Road safety forum on drugs & driving	14/11	22/11	1/12
PE 36	Pratt	Urban Services	Payments receipting system	14/11	22/11	1/12
PE 37	Pratt	Urban Services	Improving water efficiency	14/11	22/11	1/12
PE 38	Pratt	Urban Services	Consultation with Norwood Park Ltd	14/11	22/11	1/12
PE 39	Pratt	Urban Services	Works in progress funding	14/11	22/11	1/12
PE 40	Pratt	Urban Services	Time lost due to injury	14/11	22/11	1/12
PE 41	Pratt	Urban Services	Outstanding library fines	14/11	22/11	1/12

QON No	From	To	Subject	QON Received	Answer Due	Answer Received
PE 42	Pratt	Urban Services	Graffiti Management Strategy – public comment	14/11	22/11	1/12
PE 43	Pratt	Urban Services	Ranger resources in Dept of Urban Services	14/11	22/11	1/12
PE 44	Pratt	Urban Services	Benchmarking of cityscape services	14/11	22/11	1/12
PE 45	Pratt	Urban Services	Dept of Urban Services staffing	14/11	22/11	1/12
PE 46	Pratt	Planning	Automated Ticketing System	14/11	22/11	23/11
PE 47	Pratt	Planning	Real-Time Bus information	14/11	22/11	23/11
PE 48	Pratt	Planning	Bustext program and trialing	14/11	22/11	23/11
PE 49	Seselja	Planning	ACTPLA – Certificates of Occupancy & Use	14/11	22/11	23/11
PE 50	Seselja	Planning	Provision of footpaths in Gungahlin	14/11	22/11	23/11
PE 51	Dunne	Environment	Report commissioned from CSIRO	TON	15/11	18/11
PE 52	Seselja	Environment	Breakdown of \$22 000	TON	15/11	18/11
PE 53	Dunne	Environment	Amount of external consultancy work done as a result of two restructures	TON	15/11	18/11
PE 54	Seselja	Planning	Increase in Legal Expenses Received Free of Charge	TON	18/11	23/11
PE 55	Seselja	Planning	ACTPLA's expenditure on training & development in 2004/05	TON	18/11	23/11

QON No	From	To	Subject	QON Received	Answer Due	Answer Received
PE 56	Seselja	Planning	Land Development Agency Annual Report	TON	18/11	1/12
PE 57	Dunne	Urban Services	Putrescible waste sites	TON	17/11	1/12
PE 58	Dunne	Urban Services	Undifferentiated waste	TON	17/11	1/12
PE 59	Pratt	Urban Services	Fire management unit	TON	17/11	1/12
PE 60	Seselja	Urban Services	Community paths	TON	17/11	1/12
PE 61	Seselja	Urban Services	Replacement of a path in Curtin	TON	17/11	1/12
PE 62	Pratt	Urban Services	Bushfire Operations Plans at Canberra Cemetery	TON	17/11	1/12
PE 63	Committee	Urban Services	Information on No 2005 Waste Awards	TON	17/11	1/12

APPENDIX C: List of witnesses at public hearings

7 November 2005

Mr Jon Stanhope, Minister for the Environment

Chief Minister's Department—

Mr Mike Harris, Chief Executive

Dr Maxine Cooper, Executive Director, Arts, Heritage and Environment

Mr Darro Stinson, Acting Director, Environment Protection

Mr John Heinemann, Finance Manager, Environment ACT

Mr Geoff Wells, Manager, Parks and Conservation

Mr Daniel Iglesias, Manager, Canberra Nature Park, East District

Dr David Shorthouse, Manager, Natural Environment Policy and Research

Mr Rod Hillman, Manager, Public Affairs and Information

Ms Kate Naser, Acting Director, Corporate Management

Mr Hilton Taylor, Acting Executive Director, ACT Forests

Commissioner for the Environment—

Dr Rosemary Purdie, Commissioner for the Environment

Dr Helen Sims, Manager

9 November 2005

Mr John Hargreaves, Minister for Urban Services

Department of Urban Services—

Mr Mike Zissler, Chief Executive

Mr Hamish McNulty, Executive Director, Municipal Services Network

Mr Alan Galbraith, Executive Director, Enterprise Services Network

Ms Susanna Kiemann, Director, Strategic Finance

Mr Gordon Elliot, Manager, Corporate Budgets

Ms Helen Willson, Manager, Cabinet and Assembly Unit

Mr Chris Horsey, Manager, ACT NOWaste

Canberra Cemeteries Board —

Professor Paul Perkins, Deputy Chair

Mr Hamish Horne, Secretary Manager

10 November 2005

Mr Simon Corbell, Minister for Planning

ACTION Authority —

Mr Peter Wallace, Chief Executive

Mr Brian Quirke, Senior Manager, Finance and Administration

Ms Karen Greenland, General Manager, Road Transport, Department of Urban Services

Land Development Agency —

Ms Anne Skewes, Chief Executive Officer

Mr Gerry Ryan, Chief Financial Officer

Ms Jenny Morison, Deputy Chair

ACT Planning and Land Authority —

Mr Neil Savery, Chief Planning Executive

Ms Dorte Ekelund, Deputy Chief Planning Executive

Mr Richard Johnston, Director, Leasing and Building Services Branch

Mrs Jacqui Lavis, Statutory Planning and Development Services Branch

Mr John Meyer, Director, Business and Information Services Branch

Mr Ian Sakkara, Manager, Corporate Resources, Business and Information Services Branch

Ms Faye Powell, Project Director, Busway Team

APPENDIX D: Terms of reference for CSIRO project brief

Scientific Research Paper – Revegetation of Water Supply Catchments⁷⁷

1. Collate and synthesise local, national and international data and literature relating to the revegetation of water supply catchments relevant to ACT catchments after fire with an emphasis on:
 - natural vegetation of similar or different genetic material;
 - radiata pine or similar species;
 - revegetation from pine or exotic species back to native vegetation;
 - natural re-establishment versus debris clearing, then site preparation and then replanting; and
 - grassland (native and/or exotic).
2. Identify literature supporting contentions of the effectiveness of the various revegetation types for addressing the following natural resource and land management factors:
 - water yield;
 - water quality;
 - controlling sediment yield to streams;
 - biodiversity;
 - bushfire management implications;
 - weed control;
 - road network requirements and whether they vary for different vegetation types;
 - ongoing maintenance; and
 - fire sensitivity and regenerative capacity after fire.

The study should particularly focus on studies conducted in a landscape that is similar to the lower Cotter Catchment.

3. Prepare a report that includes:

⁷⁷ ACT Legislative Assembly, Response to Question on Notice No. 51 from Mrs Vicki Dunne MLA to Minister for the Environment, Mr Jon Stanhope MLA, Standing Committee on Planning and Environment, Inquiry on Annual and Financial Reports 2004–2005, QON PE 51.

- an analysis of the information and a summary of key issues addressed in scientific literature;
- an assessment of the relativities of different vegetation types for the range of factors identified above (in reference 2);
- identifies sensitivities and treatments for slope and soil types in relation to erosion control; and
- an assessment of the interactions between all of the factors identified above (reference 2).

4. The consultant will be required to:

- consult with appropriate experts including from ANU, UC, ACT and Commonwealth Departments and Agencies and ACTEW to obtain data and information;
 - provide a copy of the report for peer review; and
 - finalise the report by the end of October 2005.
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