

2010

**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 5**

REPORT ON ANNUAL AND FINANCIAL REPORTS 2008-2009

**Presented by
Mr Jon Stanhope MLA
Chief Minister**

Government Response

Standing Committee on Planning, Public Works and Territory and Municipal Services
Report No 5 – Report on Annual and Financial Reports 2008-2009

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:

- ACT Planning and Land Authority;
- ACT Public Cemeteries Authority;
- Department of Territory and Municipal Services; and
- Land Development Agency.

The Committee made 14 recommendations.

Response to Committee Recommendations

Recommendation 1

2.8 The Committee recommends that the Land Development Agency comply with the Chief Minister's 2007-2010 Annual Report Directions with regard to the reporting of Legislative Assembly Committee Inquiries and Reports.

Government Response

Agreed.

Recommendation 2

3.9 The Committee recommends that the Annual Report for the Land Development Agency includes the procurement type for each contract listed.

Government Response

Agreed.

Recommendation 3

3.13 The Committee recommends that the Chief Minister's Annual Report Directions for 2011 onward be updated to reflect the 2009 changes to Government Procurement Regulation 2007 public tender threshold, so agencies report on the reason for use of Select Tender procurement process, if applicable, for contracts of a value greater than \$200 000.

Government Response

Agreed.

This change will be incorporated in the Annual Report Directions for 2009-10 Annual Reports.

Recommendation 4

4.6 The Committee recommends that planning for the provision of ACTION services for the Molonglo region and other new residential areas be anticipated from the beginning of settlement in those areas.

Government Response

Noted.

The timeframe for introduction of services is beyond current ACTION network planning, however, it is consistent with the strategic planning being undertaken by TAMS to develop the Public Transport Strategy as part of an action plan that supports the Sustainable Transport Plan 2004.

Recommendation 5

4.15 The Committee recommends that future planning for major road projects should include a consideration of likely changes to greenhouse gas emissions generated from traffic.

Government Response**Noted.**

The planning for major roads already includes an assessment of the likely changes in greenhouse gas emission generated from traffic. This consideration forms part of the environmental impact assessment process and is reported as part of the Environmental Impact Assessment Report.

Recommendation 6

4.22 The Committee recommends that the ACT Government examine the published literature on the environmental impacts of the different end-of-life options including cremation, lawn burials and natural burials.

Government Response**Noted.**

The ACT Public Cemeteries Authority (the Authority) has reported that it has researched and considered information from a wide variety of sources including the South Australia Parliament document *Natural Burial Grounds*. This information is used in an ongoing basis in the planning and management of current cemeteries.

The ACT Government and the Authority will continue to reference current literature when making decisions relating to the maintenance and development of cemeteries in the ACT.

Recommendation 7

4.26 The Committee recommends that the Department of Territory and Municipal Services provide information in the 2009/2010 Annual Report on the progress of, and the process used to address, the backlog of heritage nominations.

Government Response**Agreed.**

Significant progress has been made in reducing the backlog of nominations to the ACT Heritage Register over the last three years.

Recommendation 8

4.29 The Committee recommends that the Namadgi National Park Plan of Management is released as soon as possible.

Government Response**Noted.**

The Namadgi National Park Plan of Management will be released shortly.

Recommendation 9

4.33 The Committee recommends that the Department of Territory and Municipal Services and the ACT Planning and Land Authority coordinate their public consultation processes where an obvious cross over exists.

Government Response**Agreed.**

The ACT Government is committed to engaging the Canberra community in the development and delivery of government policies, programs, public works and services. The Government actively encourages Agencies to work together to ensure collaborative opportunities are identified and engagement activities co-ordinated wherever possible.

Recommendation 10

4.34 The Committee recommends that, given that Green Square is, in effect, the backyard for many unit dwellers in Kingston, the ACT Government should maintain grass there.

Government Response**Not agreed.**

Reintroduction of grass to Green Square is an unsustainable approach to providing a green character to Green Square. Even prior to the introduction of Stage 3 water restrictions introduced in December 2006, Parks, Conservation and Lands (PCL) was unable to maintain a healthy sward of grass in the lawn areas of Green Square due to the compaction issues associated with increasing pedestrian use.

Recommendation 11

4.35 The Committee recommends that the ACT Government consider the recreation needs of multi-unit dwellers when deciding what landscaping to maintain or improve.

Government Response**Noted.**

Planning for development, upgrade or improvement of Canberra's public open space does consider the needs of multi-unit dwellers as part of the forward design and/or master planning processes. Future population density and recreational needs of these communities are then provided for in future works when funding is provided for upgrade or improvement projects.

Recommendation 12

4.37 The Committee recommends that the ACT Government clearly articulate its policy on watering public spaces, including grassed areas.

Government Response**Agreed.**

Under Stage 3 water restrictions, the ACT Government irrigates grass and trees in high use public areas in town and district parks. This is on the TAMS web site

NB. This policy relates to parks and public open space and excludes sportsgrounds.

Recommendation 13

5.5 The Committee recommends that the ACT Government release for discussion the draft amendments to the Territory Plan, outlining enhanced solar orientation and solar access rights, as soon as possible to enable better future development.

Government Response**Agreed.**

The ACT Planning and Land Authority has released the following draft variations to the Territory Plan for public comment:

Draft Variation No 301 to the Territory Plan: Estate Development Code which contains specifications for block design to achieve good solar access and proposes replacing the residential subdivision development code with a new estate development code. Public consultation on the draft variation closes on 23 August 2010

Draft Variation No. 303 to the Territory Plan: Residential housing codes contains provisions ensuring that residential blocks are not shaded in mid winter by more than the shadow from a 1.8m boundary fence. The proposed variation aims to incorporate leading practice solar access provisions into the residential housing development code. Public consultation on the draft variation closes on 23 August 2010.

Recommendation 14

5.14 The Committee recommends that the ACT Government do all it can to ensure that all new developments have high speed broadband connections.

Government Response

Agreed in principle.

The Planning Officials' Group, which supports the Local Government and Planning Ministers Council (of which ACTPLA is a member), has been liaising with the Commonwealth Department of Broadband, Communications and the Digital Economy in relation to the rollout of National Broadband Network and how planning may assist in this process.

The Planning Officials' Group has regularly stated that the planning system is not an appropriate mechanism to facilitate the rollout of the national broadband network. The Group's view is that the Commonwealth's *Telecommunications Legislation Amendment (Fibre Deployment) Bill 2010*, that was introduced into the Federal Parliament on 18 March 2010, can operate on a stand-alone basis.

In the ACT the requirement to comply with the Commonwealth legislation could be stipulated in the deed with developers or through a rule in the estate development guidelines. It would not be appropriate to achieve this compliance through Territory legislation, the lease or the Territory Plan.