

STANDING COMMITTEE ON CLIMATE CHANGE,
ENVIRONMENT AND WATER
Report on Annual and Financial Reports 2008-2009

FEBRUARY 2010

Committee membership

Ms Meredith Hunter MLA	Chair
Mr John Hargreaves MLA	Deputy Chair (member from 20 November 2009)
Mr Zed Seselja MLA	Member
Ms Mary Porter AM MLA	Member (to 19 November 2009)

Secretariat

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Resolution of appointment

On 9 December 2008 the ACT Legislative Assembly agreed by resolution to establish general purpose standing committees to inquire into and report on matters referred to it by the Assembly or considered by the committee to be of concern to the community, including:

(f) a **Standing Committee on Climate Change, Environment and Water** to examine matters related to climate change policy and programs, water and energy policy and programs, provision of water and energy services, conservation, environment and ecological sustainability.

The Assembly agreed that each standing committee can consider and make use of the evidence and records of the relevant standing committee appointed during the previous Assembly.¹

Terms of reference

On 13 October 2009 the ACT Legislative Assembly referred the annual and financial reports for the calendar year 2009 and the financial year 2008-2009 to Assembly standing committees. The reports, and parts of reports, as presented to the Assembly pursuant to the *Annual Reports (Government Agencies) Act 2004*, referred to the Standing Committees on Climate Change, Environment and Water were:

- Department of the Environment, Climate Change, Energy and Water
- Environment Protection Authority
- Office of the Commissioner for Sustainability and the Environment.²

On 10 November 2009, the Assembly amended that resolution, and as a result, the following additional matters were referred to the Standing Committee on Climate Change, Environment and Water:

- Conservator of Flora and Fauna.³

¹ Legislative Assembly for the ACT, *Minutes of Proceedings No 2*, 9 December 2008, pp. 15-18.

² Legislative Assembly for the ACT, *Minutes of Proceedings No 36*, 13 October 2009, pp. 396-399.

³ Legislative Assembly for the ACT, *Minutes of Proceedings No 39*, 10 November 2009, pp. 436-438.

Abbreviations

ACTPLA	ACT Planning and Land Authority
DECCEW	Department of the Environment, Climate Change, Energy and Water
EPA	Environment Protection Authority
EPHC	Environment Protection and Heritage Council
FTE	full-time equivalent
kL	kilolitre
kWh	kilowatt hour
OCSE	Office of the Commissioner for Sustainability and the Environment
TAMS	Department of Territory and Municipal Services
TMP	tree management precinct

TABLE OF CONTENTS

Committee membership	i
Secretariat	i
Contact information	i
Resolution of appointment.....	ii
Terms of reference	ii
Abbreviations	iii
RECOMMENDATIONS	VII
1 INTRODUCTION	1
Conduct of the inquiry.....	1
Purpose and intent of annual reports	2
ACT Legislative Assembly Committees.....	4
2 CLIMATE CHANGE, ENERGY AND WATER ISSUES	5
Role of the Department of Environment, Climate Change, Energy and Water.....	5
Energy	7
Water	11
Waste	13
3 ENVIRONMENT PROTECTION AUTHORITY	15
Complaints.....	15
Water quality.....	16
Air quality	16
4 OFFICE OF THE COMMISSIONER FOR SUSTAINABILITY AND THE ENVIRONMENT	17
Role of the Commissioner	17
State of the Environment Report	18
Complaints.....	19
Sustainability Working Group	20
5 CONSERVATOR OF FLORA AND FAUNA	23
Role of the Conservator.....	23
Tree Protection	24
Plans of Management.....	26
6 CONCLUSIONS	27

APPENDIX A: WITNESSES WHO APPEARED BEFORE THE COMMITTEE	29
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APPENDIX B: QUESTIONS TAKEN ON NOTICE AND SUPPLEMENTARY QUESTIONS	31
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RECOMMENDATIONS

RECOMMENDATION 1

2.11 That the guidelines to assist agencies develop their resource management plans be finalised by DECCEW as a matter of priority. To further assist agencies, a model resource management plan should be made publicly available.

RECOMMENDATION 2

2.22 That DECCEW include in its annual report a report on each greenhouse gas abatement program that includes greenhouse gas savings resulting from the program and the cost of the program for each year of the program.

RECOMMENDATION 3

2.44 That DECCEW and OCSE immediately implement measures to accurately account for resource use and to outline these measures in future annual reports.

RECOMMENDATION 4

2.45 That DECCEW adopt a whole of government approach to implementing resource management and recycling strategies. DECCEW should facilitate whole of government reporting in the context of annual reports.

RECOMMENDATION 5

3.5 That the EPA monitor the recently launched community awareness campaign about neighbourhood noise to determine whether there is a reduction in complaints.

RECOMMENDATION 6

3.9 That the EPA continue to discuss the issue of water quality management with the Commissioner for Sustainability and the Environment and include the progress of these discussions in future annual reports.

RECOMMENDATION 7

4.16 That future annual reports of the OCSE include a table which charts the number of complaints received and their broad subject areas.

RECOMMENDATION 8

5.11 That in future annual reports, the Conservator includes a summary table of the number of applications received and their outcome for the last 5 years.

RECOMMENDATION 9

5.13 That the *Tree Protection Act 2005* be amended to allow for the Conservator of Flora and Fauna to have the same jurisdiction over trees on unleased Territory land as for leased Territory land.

RECOMMENDATION 10

5.14 That the criteria defining regulated trees under the *Tree Protection Act 2005* be reviewed as a matter of urgency to ensure this provision under the Act is meeting its objectives.

1 INTRODUCTION

- 1.1 On 13 October 2009 the annual and financial reports of all ACT government agencies were referred to relevant standing committees of the Legislative Assembly for the ACT.⁴ The referral was amended on 10 November 2009.⁵
- 1.2 The Standing Committee on Climate Change, Environment and Water considered the following agencies' annual reports for this inquiry:
 - Department of the Environment, Climate Change, Energy and Water (DECCEW)
 - Environment Protection Authority (EPA)
 - Office of the Commissioner for Sustainability and the Environment (OCSE)
 - Conservator of Flora and Fauna
- 1.3 This report presents the Committee's assessment of issues raised in the reports, focusing particularly on some of the matters discussed during the Committee's public hearings for the inquiry.

Conduct of the inquiry

- 1.4 The Committee held public hearings on 28 October 2009 and 16 December 2009 and heard from the Minister, departmental officials and statutory office holders (see [Appendix A](#): Witnesses appearing before the Committee). The members of the Standing Committee on Climate Change, Environment and Water participated in the hearings, accompanied by Mrs Vicki Dunne MLA and Mr Shane Rattenbury MLA.
- 1.5 The schedule of hearings was posted on the Legislative Assembly website and the Committee Office issued a media alert about the forthcoming public hearings. All hearings were web streamed and a copy of the transcripts is available on the Assembly website.

⁴ Legislative Assembly for the ACT, *Minutes of Proceedings No 36*, 13 October 2009, pp. 396-399.

⁵ Legislative Assembly for the ACT, *Minutes of Proceedings No 39*, 10 November 2009, pp. 436-438.

- 1.6 Answers to questions taken on notice and supplementary questions were provided to the Committee to assist with the inquiry. The list of questions is provided at Appendix B. The answers to these questions are published on the Committee inquiry webpage.⁶
- 1.7 The Committee met on 3 February 2010 to deliberate on the Chair's draft report which the Committee adopted on 3 February 2010 as amended.

Purpose and intent of annual reports

- 1.8 Agencies' annual reporting requirements are set out in the *Annual Report (Government Agencies) Notice 2009*.⁷ This notice includes the Chief Minister's Annual Reports Directions (the *Directions*) which are issued under the *Annual Reports (Government Agencies) Act 2004* (ACT). That Act requires that agencies comply with the Directions, rendering the directions mandatory.⁸
- 1.9 As key accountability documents concerning management performance, annual reports reflect on the year's performance, achievements and outcomes. They are also a concise way of accounting for the expenditure of public monies.
- 1.10 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.
- 1.11 As specified in the *Directions*, annual reports 'should not be designed for promotional, marketing, commercial or morale-building purposes' but should be 'an objective account, primarily to the Legislative Assembly, of how the entity has performed during the reporting year'.⁹

⁶ <http://www.parliament.act.gov.au/committees/index1.asp?committee=112&inquiry=851>

⁷ Annual Reports (Government Agencies) Notice 2009 (No 1) NI2009-283 , accessible at <http://www.legislation.act.gov.au/ni/2009-283/default.asp>

⁸ *Annual Reports (Government Agencies) Act 2004*, p. 3.
<<http://www.legislation.act.gov.au/a/20048/default.asp>>.

⁹ *Chief Minister's 2007–2010 Annual Report Directions*, p. 7.

1.12 The *Directions* also specify that an effective annual report will:

- provide a clear picture of the agency's purpose, priorities, outputs and achievements;
- focus on results and outcomes – communicate the success or otherwise, including shortfalls, of the agency's activities in achieving government policy outcomes in the reporting year, while accounting for the resources used in the process;
- discuss results against expectations – provide sufficient information and analysis for the Assembly and community to make a fully informed judgement on agency performance;
- clearly identify any changes to structures or functions of the agency in the reporting period and explain changes in performance over time;
- report on agency financial and operational performance and clearly link with budgeted priorities and financial projections as set out in annual Budget Estimate Papers and the agency Statement of Intent and Corporate Plan;
- provide performance information that is complete and informative, linking costs and results to provide evidence of value for money;
- discuss risks and environmental factors affecting the agency's ability to achieve objectives including any strategies employed to manage these factors, and forecast future needs and expectations;
- recognise the diverse needs and backgrounds of stakeholder groups and present information in a manner that is responsive to the maximum number of users while maintaining a suitable level of detail;
- comply with any specific legislative reporting requirement; and
- comply with the *Annual Reports (Government Agencies) Act 2004* and the Chief Minister's Annual Report Directions.¹⁰

1.13 Annual reports which have been nominated by agencies may also be assessed for an award by the Institute of Public Administration (ACT Division).¹¹

¹⁰ *Chief Minister's 2007–2010 Annual Report Directions*, pp. 5–6.

¹¹ Institute of Public Administration Australia [ACT Division], 'Annual report awards', accessed 7 December 2009, http://www.act.ipaa.org.au/annual_report_awards

ACT Legislative Assembly Committees

- 1.14 Section B.3 of the Chief Minister's guidelines requires agencies to include a list of inquiries completed by ACT Legislative Assembly committees that relate to the operations of the agency. Agencies are also required to provide details on the implementation of recommendations of Assembly Committees that have been accepted by the Government of the day.¹²
- 1.15 The Committee notes that the DECCEW Annual Report 2008-2009 includes only brief information relating to Committee inquiries and Government responses presented in the reporting period.
- 1.16 Whilst the Committee acknowledges that the Government Response to the Select Committee on Estimates was tabled in June 2009¹³, therefore limiting the amount of time to consider the response in the preparation of the annual report, this response included a number of recommendations relevant to DECCEW. It is important that future reports include a more comprehensive report of committee inquiries for the reporting period.

¹² *Chief Minister's 2007–2010 Annual Report Directions*, p. 19.

¹³ Legislative Assembly for the ACT, *Minutes of Proceedings No 24*, 23 June 2009, p. 256.

2 CLIMATE CHANGE, ENERGY AND WATER ISSUES

Role of the Department of Environment, Climate Change, Energy and Water

- 2.1 The Department of the Environment, Climate Change, Energy and Water was created on 11 November 2008 through the *Administrative Arrangements 2008 (No 2)*. The Department was formally established from 1 March 2009 bringing together areas from the Department of Territory and Municipal Services (TAMS) as well as a ministerial and corporate branch, strategic finance area and the office of the chief executive.
- 2.2 As at June 2009, the total staffing complement of DECCEW was 91.27 FTE including the Office of the Commissioner for Sustainability and Environment (OCSE) which has 8 FTE staff. At the public hearing on 28 October 2009, department officials responded to a number of questions from the Committee about staff numbers, qualifications and training and development opportunities.
- 2.3 The annual report states that DECCEW has three basic functions to support environmental sustainability: policy, programs and projects, and regulation.¹⁴
- 2.4 The Department identified the following five strategic indicators for 2008-2009:
 - maintain contemporary, best practice environmental standards;
 - progress towards a measurable target on greenhouse gas emissions;
 - raised community awareness of climate change;
 - secure, sustainable and equitable supply of energy; and
 - maintain water security for the ACT.

¹⁴ *Department of the Environment, Climate Change, Energy and Water Annual Report 2008-2009*, p. 2.

- 2.5 The Committee notes that DECCEW has responsibility for developing and implementing a number of policies and strategic documents including:
- revised *Weathering the Change Climate Change Strategy* and associated Action Plan 2
 - Sustainable Energy Policy
 - options paper for an Expanded ACT Electricity Feed-in Tariff Scheme
 - a framework for ACT Government Carbon Neutrality.
- 2.6 The Committee will continue to monitor the development and implementation of these policies in the context of their work, particularly as they relate to inquiries.

Resource Management Plans

- 2.7 The Committee inquired into the development of resource management plans. *Weathering the Change Action Plan 1* stipulates that resource management plans would be developed by all ACT Government agencies and will be in place by 2009. Agencies are expected to report annually on the implementation of these resource management plans. As well as assisting with priority setting, these plans will build on the energy and water audits previously undertaken on a number of Government buildings.¹⁵
- 2.8 DECCEW is currently working on guidelines to assist agencies develop resource management plans and is working with agencies through the Sustainable Property Working Group and the Climate Change Interdepartmental Committee.¹⁶
- 2.9 During this inquiry, a series of questions was asked relating to agency recycling and the Committee expressed concerns about the low level of paper recycling reported in the DECCEW annual report. The Minister noted these

¹⁵ *Weathering the Change Action Plan 1 2007-2011*, p. 13.

¹⁶ *Transcript of Evidence*, 28 October 2009, p. 50.

concerns and indicated that DECCEW's resource management plan will include appropriate recycling targets.¹⁷

- 2.10 The Committee notes that the development and implementation of resource management plans is important in the context of ACT Government agency progress towards carbon neutrality. It is important that these plans encompass actions to ensure carbon neutrality of the physical buildings, as well as resource use, waste management etc. These plans should be finalised across agencies as a matter of priority.

RECOMMENDATION 1

- 2.11 **That the guidelines to assist agencies develop their resource management plans be finalised by DECCEW as a matter of priority. To further assist agencies, a model resource management plan should be made publicly available.**

Energy

Energy Policy

- 2.12 In response to questions from the Committee at the public hearing on 28 October 2009, the Minister advised that the draft energy policy would be released by the end of 2009. The Committee noted the ongoing delay of the release of this document given the role such a document may have as a 'road map' towards the target of zero net emissions for the territory.
- 2.13 The Committee welcomed the release of the Draft Sustainable Energy Policy 2010-2020 in December 2009, and understands that the Department is facilitating community consultation until March 2010. A detailed analysis of this policy will inform the Committee's final report of the Inquiry into ACT Greenhouse Gas Reduction Targets.

¹⁷ Response to question taken on notice, CCEW 23/2009, accessible at <http://www.parliament.act.gov.au/committees/index1.asp?committee=112&inquiry=851&category=15>

Feed-in tariff

- 2.14 The ACT Government Feed-in-Tariff scheme commenced on 1 March 2009. The ACT scheme differs from others in Australia as it pays owners of renewable energy generators up to thirty kilowatts in capacity, for each kilowatt hour (kWh) of energy produced, rather than the excess remaining after the producer's own consumption has been deducted¹⁸
- 2.15 The Committee inquired about the implementation of the feed-in tariff including the cost of this initiative. As at 30 September 2009, 905 solar facilities were connected to the ACT grid.¹⁹ Between 1 March 2009 and 30 June 2009, 221,446kWh of renewable electricity was fed into the grid.²⁰
- 2.16 The Minister advised that after some confusion in the initial stages of the scheme about the payment of the tariff to households with existing solar facilities, the scheme is working well, with installations and approvals occurring in a timely manner.²¹
- 2.17 The Committee sought clarification about the timeframe for the review of the scheme and the development of policy options for stage 2. The Minister acknowledged that the discussion paper had been delayed due to the complexity of the economic modelling and the range of relevant issues²². This discussion paper was released for community consultation on 21 December 2009. The Committee will follow the consultation and any subsequent decisions made by the ACT Government about extending or amending the scheme.
- 2.18 When responding to a question about the estimated number of tonnes of greenhouse gas emissions saved as a result of the feed-in-tariff scheme, the Minister advised that 'it is wrong to characterise the feed-in tariff as simply a

¹⁸ *Department of Environment, Climate Change, Energy and Water Annual Report 2008-2009*, p. 7.

¹⁹ *Transcript of Evidence*, 28 October 2009, p. 10.

²⁰ Response to question taken on notice, CCEW 50/2009, accessible at <http://www.parliament.act.gov.au/committees/index1.asp?committee=112&inquiry=851&category=15>

²¹ *Transcript of Evidence*, 28 October 2009, p. 10.

²² *Transcript of Evidence*, 28 October 2009, p. 16.

mechanism to reduce greenhouse gas emissions. It is not the most efficient way, in terms of a straight dollar analysis, of reducing greenhouse gas emissions. But that is not the sole purpose of the feed-in tariff. In fact, the primary purpose of the feed-in tariff is to encourage the uptake of alternative renewable energy generation and to drive innovation and investment in renewable energy generation'²³

- 2.19 Answers to questions taken on notice revealed that between 1 March 2009 and 30 September 2009, \$251,380.34 was paid to generators participating in the schemes and the electricity generated by small renewable generators in the ACT was equivalent to a saving of 556 tonnes of greenhouse gas emissions.²⁴ This shows that as a greenhouse gas abatement measure, the solar feed-in tariff costs around \$500 for each tonne of greenhouse gas that it saved.
- 2.20 The Committee notes the information included in *National Capital to Solar Capital - Options for an expanded ACT electricity feed-in tariff scheme* which states 'the cost per tonne of abatement achieved using a nominal value approach, ranges between \$195 and \$434 per tonne'. It is acknowledged in the paper that although this figure is considerably higher than the (untested) modelling of the Australian Government's Carbon Pollution Reduction Scheme which was based on \$23 per tonne, it is not inconsistent with the cost of comparable existing jurisdictional schemes.²⁵
- 2.21 The Independent Competition and Regulatory Commission observes that the scheme is more expensive than directly purchasing green energy – for example, AcewAGL promotes 100% green energy for approximately 7.5c/kWh, or an abatement cost of \$70 per tonne.²⁶

²³ *Transcript of Evidence*, 28 October 2009, p18

²⁴ Response to questions taken on notice, CCEW 07/2009 and CCEW 08/2009, accessible at <http://www.parliament.act.gov.au/committees/index1.asp?committee=112&inquiry=851&category=15>

²⁵ *National Capital to Solar Capital – Options for an expanded ACT electricity feed-in tariff scheme*, p 22

²⁶ ICRC, *Draft Report: Electricity feed-in renewable energy premium: Determination of premium rate*, p 7

RECOMMENDATION 2

- 2.22 **That DECCEW include in its annual report a report on each greenhouse gas abatement program that includes greenhouse gas savings resulting from the program and the cost of the program for each year of the program.**

Energy efficiency programs

- 2.23 A number of energy efficiency programs continued to be provided to the ACT community. The Committee pursued questions about the uptake of various programs and the associated costs.
- 2.24 The following table outlines information related to a number of the energy saving programs currently in operation:

Program	Numbers	Estimated Savings	Cost for 2008-2009
Energy Wise Program	861 visits, 477 rebates	Data not available	\$510,000
Home Energy Advice Team	6,329 inquiries	Not applicable (phone advisory service only)	\$144,000
Home Energy Action Kits	Borrowed 157 times	Data not available	\$19,000

- 2.25 The Minister advised the Committee that work had recently been commissioned from the Australian National University to assess the efficacy of water and energy programs in improving water and energy efficiency.²⁷

Operation of the Energy Efficiency Fund

- 2.26 The Committee asked a series of questions relating to the Energy Efficiency Fund and was particularly interested to learn about the savings resulting from the fund.

²⁷ *Transcript of Evidence*, 28 October 2009, p. 36.

- 2.27 The Minister provided information about the four loans currently in place under the fund and advised that although these four projects are progressing well, the low participation rate in the fund has not been satisfactory. Minister Corbell suggested that one of the impediments to the program may be that there is no immediate benefit and limited incentive for agencies in the short term.²⁸
- 2.28 The fund is currently under review in consultation with the Sustainable Property Working Group. This group includes representatives from DECCEW and TAMS as well as all agencies across government.
- 2.29 The Committee notes that only one loan had been added to the three loans in operation in 2007-2008. Due to the low number of loans currently in operation, a review of the fund will be beneficial and will assist to ensure that the fund is viable into the future.

Water

Water security

- 2.30 There are currently a number of programs and initiatives in operation or under development that seek to ensure water security in the ACT.
- 2.31 The annual report provides information about a number of these initiatives including the:
- expansion of the Cotter Dam
 - development of the Murrumbidgee to Googong Pipeline
 - purchase of water from Tantangara Dam
 - Integrated Urban Waterways Program
 - review of the *Think water, act water* policy.
- 2.32 Additional detail about these initiatives was provided by the Minister and departmental officials at the public hearing on 28 October 2009.

²⁸ *Transcript of Evidence*, 28 October 2009, pp. 20-21.

Water efficiency programs

- 2.33 The Minister advised the Committee that ‘water conservation measures are very popular and there is a high level of interest and take-up of them by the community’.²⁹
- 2.34 The following table outlines information related to a number of the water saving programs currently in operation:

Program	Numbers for 2008-2009	Estimated Savings	Cost for 2008-2009
Commercial Bathroom Refit Program	New program (34 expressions of interest received)	5,000kL per average commercial building	
Toilet Smart Program	3,770 registrations	36kL per year for average household of 2-3 people	\$597,294
Rainwater tank rebate Program	182 rebates	86kL per average rain water tank per year	\$359,000
Gardensmart Program	1,234 visits	29 kL per household per year	\$220,000

- 2.35 Another initiative, the WaterRight Gardens Webtool was launched in June 2009. This website enables users to enter details about their garden to produce water efficient watering schedules and other helpful tips.

²⁹ *Transcript of Evidence*, 28 October 2009, p. 4.

Waste

- 2.36 The Committee asked about the progress of various waste initiatives and was advised that work is ongoing to develop a feasibility study on energy from waste. Consultants are finalising a pre-feasibility study report which is expected by the end of 2009. This report was not publicly available at the time of printing of this report.

National initiatives

- 2.37 The Committee understands that a number of waste and resource management initiatives are being investigated by the Environment Protection and Heritage Council (EPHC). As members of the EPHC, Australia's environment ministers have recently agreed to a new national policy on waste and resource management. The National Waste Policy sets directions in six key areas: taking responsibility, improving the market, pursuing sustainability, reducing hazard and risk, tailoring solutions, and providing the evidence. The policy identifies 16 priority strategies in line with the six key areas.³⁰
- 2.38 The EPHC has also agreed that the Australian Government would, under the new product stewardship legislative framework, implement regulation to support an industry-led scheme that will collect and recycle end of life televisions and computers.³¹
- 2.39 At the public hearing on 28 October 2009, Minister Corbell reaffirmed the ACT Government's support for these national initiatives. He noted that e-waste is becoming an increasingly important issue.³²

³⁰ Environment Protection and Heritage Council Communiqué, 5 November 2009, p. 1.

³¹ Environment Protection and Heritage Council Communiqué, 5 November 2009, p. 4.

³² *Transcript of Evidence*, 28 October 2009, p. 1.

Waste reduction

- 2.40 The Committee heard about the recently launched Office Smart and Business Smart programs, designed to assist ACT businesses and office premises to establish efficient waste management systems and improved recycling rates.³³
- 2.41 In the context of this discussion, the Committee raised some concerns about the high estimate of wastepaper to landfill and the low recycling rates in DECCEW for the reporting year. The Minister explained that the figures were not a true reflection of the rate of recycling at DECCEW because, for the majority of the reporting period, the department was co-located with other agencies. As DECCEW has recently become an accredited Office Smart participant, these figures are expected to improve in the future.³⁴
- 2.42 The Committee notes that DECCEW, and the OCSE have not reported resource use accurately due to the difficulties experienced when extrapolating one agency's resource use when the office space is shared with other agencies.
- 2.43 The Committee does not feel that this is an acceptable response. It is especially important for those in the environment portfolio to maintain the highest standard of reporting of resource use to set an example for other Government departments and agencies.

RECOMMENDATION 3

- 2.44 **That DECCEW and OCSE immediately implement measures to accurately account for resource use and to outline these measures in future annual reports.**

RECOMMENDATION 4

- 2.45 **That DECCEW adopt a whole of government approach to implementing resource management and recycling strategies. DECCEW should facilitate whole of government reporting in the context of annual reports.**

³³ *Transcript of Evidence*, 28 October 2009, pp. 38-39.

³⁴ *Transcript of Evidence*, 28 October 2009, pp. 38-39.

3 ENVIRONMENT PROTECTION AUTHORITY

- 3.1 The annual report of the Environment Protection Authority is an annexed report in the DECCEW Annual Report 2008-2009.³⁵
- 3.2 The Environment Protection Authority (EPA) is established by the *Environment Protection Act 1997*. In addition to the *Environment Protection Act 1997*, the EPA has responsibility for administering the *Water Resources Act 2007*.

Complaints

- 3.3 The EPA responded to 1,896 public complaints in 2008-2009 covering a range of issues. This represents a similar number of complaints to the previous year as 1,949 were received in 2007-2008. The Minister informed the Committee that of the 1,896 complaints received in 2008-2009, over 1,500 were about noise and the vast majority were in relation to neighbourhood issues.³⁶
- 3.4 To this end, the Government launched a community awareness campaign about household noise in October 2009. The campaign encourages individuals to be conscious of their noise and the impact it may have on their neighbours. It is hoped that this campaign will result in a decrease in neighbourhood noise complaints.

RECOMMENDATION 5

- 3.5 **That the EPA monitor the recently launched community awareness campaign about neighbourhood noise to determine whether there is a reduction in complaints.**

³⁵ *Department of Environment Climate Change, Energy and Water Annual Report 2008-2009*, pp. 202-207.

³⁶ *Transcript of Evidence*, 28 October 2009, p. 37.

Water quality

- 3.6 The EPA issues several licenses under the *Water Resources Act 2007* for activities ranging from water abstraction and bore construction works to construction and maintenance of waterway structures and bore water drilling.
- 3.7 Under the Act, the EPA has authority to keep the state and condition of the water resources of the Territory under review.³⁷ In conjunction with ACT Health, the EPA has responsibility for ensuring water quality in the ACT.³⁸
- 3.8 As part of the inquiry, the Committee asked the Commissioner for Sustainability and the Environment about the monitoring of water quality and whether the Commissioner participates in the process. The Commissioner indicated that there is scope for both the EPA and her Office to contribute to water quality management and that discussion about this issue with the EPA had occurred with the EPA.³⁹

RECOMMENDATION 6

- 3.9 **That the EPA continue to discuss the issue of water quality management with the Commissioner for Sustainability and the Environment and include the progress of these discussions in future annual reports.**

Air quality

- 3.10 When responding to a question from the Committee, the Commissioner for Sustainability and the Environment advised that a report about air quality is expected from the EPA in the middle of 2010.⁴⁰

³⁷ *Water Resources Act 2007*, p. 42.

³⁸ *Transcript of Evidence*, 28 October 2009, p. 31.

³⁹ *Transcript of Evidence*, 16 December 2009, p. 71.

⁴⁰ *Transcript of Evidence*, 16 December 2009, p. 72.

4 OFFICE OF THE COMMISSIONER FOR SUSTAINABILITY AND THE ENVIRONMENT

Role of the Commissioner

- 4.1 The Commissioner for Sustainability and the Environment is an independent statutory position created by the ACT Legislative Assembly under the *Commissioner for the Environment Act 1993*. The Commissioner is accountable and responsible to the Assembly through the Minister for the Environment, Climate Change and Water.
- 4.2 The OCSE's annual report notes the Government's decision in November 2007 to expand the role of the Commissioner to include responsibility for sustainability.⁴¹ Following this decision, the Commissioner established a Reference Group to provide high-level advice on the expanded role of the Office.
- 4.3 In response to a question from the Committee about the status of the expanded role of the Commissioner, the Commissioner advised that the Office submitted a comprehensive report about the expanded role to the Minister for the Environment, Climate Change and Water in September 2009. This report included recommendations in a range of areas, including the legislative changes that would be required to facilitate the expanded role for the Office. The Committee was advised that the government response to the Commissioner's report was expected soon.⁴²

⁴¹ *Office of the Commissioner for Sustainability and the Environment Annual Report 2008-2009*, p. 4.

⁴² *Transcript of Evidence*, 16 December 2009, pp. 64-65.

Community awareness

- 4.4 The Commissioner indicated that there had been considerable effort put into raising community awareness about the role of the Commissioner and the Office more broadly in 2008-2009.⁴³
- 4.5 The Commissioner has developed a range of partnerships and leadership roles, such as of Young People Ambassadors. Young People Ambassadors assist the Commissioner and staff on advocacy and awareness of sustainability and environmental issues, particularly in the youth sector. The trial was completed in November 2009 and the Commissioner has recently invited expressions of interest for young people to nominate to these roles.⁴⁴
- 4.6 The Committee notes the information included in the annual report about weather and climate change, including statistics about maximum and minimum temperatures in the ACT. The Commissioner indicated that this information has been included for the first time to demonstrate the range of factors that need to be addressed in the context of greenhouse gas emissions and climate change issues.⁴⁵

State of the Environment Report

- 4.7 The Committee heard about the development of the ACT State of the Environment Report and the Regional State of the Environment Reports. Preparation of these reports demands a large amount of resources from OCSE.
- 4.8 The ACT State of the Environment Report was released in August 2008 covering the period from 1 July 2003 to 30 June 2007. The Government responded to the Report in June 2009. When the Committee inquired about the implementation of the agreed recommendations, the Commissioner stated that, due to the timing of the Government response, analysis about the status of the recommendations had not been completed. The Committee looks forward to an update of this progress in future annual reports.

⁴³ *Transcript of Evidence*, 16 December 2009, p. 68.

⁴⁴ Office of the Commissioner for Sustainability and the Environment website, <http://www.environmentcommissioner.act.gov.au/>

⁴⁵ *Transcript of Evidence*, 16 December 2009, p. 67.

- 4.9 The Committee welcomes the first review of the ACT State of the Environment Report framework and the review's aim to ensure that the current reporting is effective and continues to be relevant to the community and government. The Commissioner noted that this review will also investigate ways to streamline the way information is gathered for this report.⁴⁶
- 4.10 The Regional State of the Environment Report was released in December 2008 and, in order to comply with New South Wales legislation, an update was released in November 2009.
- 4.11 The Commissioner provided information about the accompanying material distributed with the Regional State of the Environment Reports. Each council receives a brochure which includes tailored information about their council as well as general regional information. This information is provided to facilitate sustainable local strategic planning and to integrate the report into the local community.⁴⁷
- 4.12 The Committee notes the sustainability focus of the Regional State of the Environment Report and the four areas which have been identified as areas of focus: renewable energy, water, land management and building adaptive communities.⁴⁸

Complaints

- 4.13 The number of formal complaints received by OCSE increased from six in 2007-2008 to 14 in 2008-2009. The Committee recognises that although this represents a 230% increase, caution should be exercised in the analysis due to the small numbers involved.
- 4.14 As the role of the Commissioner is extended and there is greater community awareness about the role of the Office, the number of complaints received by the Office may increase. It may be useful for future annual reports to include a brief table which charts the number of complaints received and the broad

⁴⁶ *Transcript of Evidence*, 16 December 2009, p. 66.

⁴⁷ *Transcript of Evidence*, 16 December 2009, p. 66.

⁴⁸ *Regional State of the Environment Report 2004-2009*,
<http://www.envcomm.act.gov.au/soe/rsoe2009/index.shtml>

subject areas. This would enable a comparative analysis to be conducted across a number of years. This information could also be monitored for informal complaints to assist with the identification of trends and priority areas.

- 4.15 At the public hearing on 16 December 2009, the Commissioner provided an update about the resolution of a number of formal complaints. The Committee heard that the nature of complaints to the OCSE is varied and requires considerable coordinated investigation. Resourcing constraints requires that some complaints are given greater priority, resulting in delayed response time for some complainants.⁴⁹

RECOMMENDATION 7

- 4.16 **That future annual reports of the OCSE include a table which charts the number of complaints received and their broad subject areas.**

Sustainability Working Group

- 4.17 The Committee welcomes the establishment of the Dickson Motor Vehicle Registry Sustainability Working Group. This group was developed on the initiative of the Office and involves a range of business units from TAMS which are co-located in the registry building.
- 4.18 A priority of the working group is to produce a resource management plan for 'the registry as a whole rather than silos of officer users within it'.⁵⁰ As outlined earlier in this report, the Committee acknowledges that the development of resource management plans is a priority area of *Weathering the Change*. Development of these plans has varied across ACT departments.
- 4.19 The working group is also seeking to improve the registry building in a range of ways through the installation of:
- a new heating, air-conditioning and ventilation system in order to achieve a 6-star energy rating;
 - energy efficiency lighting and smart switching

⁴⁹ *Transcript of Evidence*, 16 December 2009, p. 70.

⁵⁰ *Transcript of Evidence*, 16 December 2009, p. 63.

- rainwater tanks to provide water for toilets
- waterless urinals
- external building cladding; and
- solar powered water heating.⁵¹

4.20 The working group is a positive example of co-located business units working collaboratively about important environmental issues. Meeting the aims of the working group should continue to be given high priority. The Committee recognises that it is important for the OCSE to show leadership on issues like resource management plans.

⁵¹ *Office of the Commissioner for Sustainability and the Environment Annual Report 2008-2009*, p. 10.

5 CONSERVATOR OF FLORA AND FAUNA

- 5.1 The Conservator of Flora and Fauna is appointed under the *Nature Conservation Act 1980*. The Conservator also has additional responsibilities under the *Planning and Development Act 2007* and the *Tree Protection Act 2005*.
- 5.2 The annual report of the Conservator of Flora and Fauna is an annexed report in TAMS' Annual Report 2008-2009.⁵²
- 5.3 On 1 August 2009, the role of the Conservator of Flora and Fauna was transferred to DECCEW. The current Conservator of Flora and Fauna is Mr David Papps, DECCEW Chief Executive.

Role of the Conservator

- 5.4 The Conservator of Flora and Fauna is a statutory position and is appointed by the Chief Executive of DECCEW. The Conservator is supported by an officer in TAMS who sources and coordinates information. The Conservator has the capacity to draw on advice from units within TAMS and DECCEW and also seeks advice from the Flora and Fauna Committee and the Natural Resource Advisory Committee as necessary.
- 5.5 The Committee was advised that the transfer of the position from TAMS to DECCEW has been positive. Mr Papps acknowledged that particular attention is given to the range of issues that the Conservator is entitled to consider in arriving at a decision. Performing the dual role of Conservator and chief executive of DECCEW has not led to any conflicts of interest to date.⁵³ The Committee believes it is important that vigilance continues to be exercised in this area.

⁵² *Department of Territory and Municipal Services Annual Report 2008-2009, Vol 1*, pp. 295-297.

⁵³ *Transcript of Evidence*, 16 December 2009, pp. 88-90.

Tree Protection

- 5.6 The Committee notes that in 2008-2009, the Conservator considered 1,842 applications for a tree damaging activity. Of these, 1,355 were granted approval with conditions and 467 were declined. Eighty-eight reconsideration requests were received, resulting in 34 decisions being changed.
- 5.7 When asked about the high approval percentage, Mr Hamish McNulty (former Conservator) informed the Committee that the application must meet at least one criterion under the *Tree Protection Act 2005* for the request to be granted. In response to a question about the comprehensiveness of the criteria, Mr McNulty stated, 'I think the Tree Protection Act is a blunt instrument. It is protecting trees because of their size, not necessarily because of their significance in the landscape'.⁵⁴
- 5.8 The Conservator reviewed a similar number of applications in the years 2006-2007 and 2007-2008, 1,888 and 1,826 respectively. However the number of approved applications varied. The Committee feels it would be beneficial if the Conservator's annual report include a summary table of the number of applications and their outcome (approved, approved with conditions etc).
- 5.9 The *Tree Protection Act 2005* relates to regulated and registered trees. Regulated trees must meet certain size criteria whereas registered trees are trees of special significance. Registered trees receive a higher level of protection than for regulated trees.⁵⁵ To this end, the Conservator provides advice to ACT Planning and Land Authority (ACTPLA) in relation to trees; for registered trees this cannot be overruled but for regulated trees 'ACTPLA can overrule that advice based on the fact that all design options have been considered and there are no other options'.⁵⁶

⁵⁴ *Transcript of Evidence*, 16 December 2009, p. 85.

⁵⁵ *Transcript of Evidence*, 16 December 2009, p. 82.

⁵⁶ *Transcript of Evidence*, 16 December 2009, p. 82.

- 5.10 The Committee sought information about the number of times that the Conservator's advice has been overruled by ACTPLA. The Committee was advised that this information was not easily accessible.⁵⁷

RECOMMENDATION 8

- 5.11 **That in future annual reports, the Conservator includes a summary table of the number of applications received and their outcome for the last 5 years.**
- 5.12 With regard to the scope of the Conservator's role under the Act, the Committee was advised that the role relates solely to the protection of trees on leased land.⁵⁸ The Conservator's role does not extend to the management of trees on unleased territory land, unless there are considerations relating to fauna. The Committee is concerned that this approach is inconsistent and may lead to confusion in the community.

RECOMMENDATION 9

- 5.13 **That the *Tree Protection Act 2005* be amended to allow for the Conservator of Flora and Fauna to have the same jurisdiction over trees on unleased Territory land as for leased Territory land.**

RECOMMENDATION 10

- 5.14 **That the criteria defining regulated trees under the *Tree Protection Act 2005* be reviewed as a matter of urgency to ensure this provision under the Act is meeting its objectives.**

⁵⁷ *Transcript of Evidence*, 16 December 2009, p. 83.

⁵⁸ *Transcript of Evidence*, 16 December 2009, pp. 88-89.

Plans of Management

- 5.15 The Conservator's report includes information about the following plans of management:
- Namadgi National Park Revised Draft Plan of Management
 - Jerrabomberra Wetlands Nature Reserve Draft Plan of Management
 - Tidbinbilla Precinct Plan of Management
 - Googong Foreshore Plan of Management
- 5.16 Traditionally this information has been provided in the annual report because the Conservator was responsible for the preparation of these plans.
- 5.17 The Committee was advised that under the new *Planning and Development Act 2007*, responsibility for developing and managing these plans sits with the land custodian. Although there is not a formal role for the Conservator under the Act, informal consultation often occurs.
- 5.18 As a result of this consultation, the Conservator was able to update the Committee on the progress against some of the plans listed above.

6 CONCLUSIONS

- 6.1 This report represents a summary of the Committee's inquiry into the work of the Department of the Environment, Climate Change, Energy and Water, the Environment Protection Authority, the Office of the Commissioner for Sustainability and the Environment and the Conservator of Flora and Fauna. Through public hearings the Committee was able to gain a greater understanding of the programs, policies and priorities discussed in the annual reports.
- 6.2 The Committee has made some recommendations requesting that additional information be included in future reports in a range of areas. The Committee considers that this additional information would be of interest to the ACT Legislative Assembly and to the ACT community.
- 6.3 The Committee thanks the Minister for Environment, Climate Change and Water, the Commissioner for Sustainability and the Environment and the Conservator of Flora and Fauna and their staff for assisting the inquiry and for providing their time and expertise as witnesses at the public hearings.

Meredith Hunter MLA

Chair

February 2010

APPENDIX A: Witnesses who appeared before the Committee

Wednesday 28 October 2009

Mr Simon Corbell MLA, Minister for the Environment, Climate Change and Water.

Department of the Environment, Climate Change, Energy and Water

Mr David Papps, Chief Executive

Ms Penny Farnsworth, Acting Executive Director, Coordination and Implementation

Mr Alan Traves, Acting Director, Sustainability Programs

Mr David Butt, Director, Policy

Mr Daniel Walters, Acting Director, Environment Protection

Wednesday 16 December 2009

Dr Maxine Cooper, Commissioner for Sustainability and the Environment

Office of the Commissioner for Sustainability and the Environment

Ms Narelle Sargent, Senior Manager

Department of Environment, Climate Change, Energy and Water

Ms Anita Hargreaves, Chief Finance Officer, Strategic Finance

Conservator of Flora and Fauna

Mr David Papps, Conservator of Flora and Fauna

Mr Hamish McNulty, former Conservator of Flora and Fauna

APPENDIX B: Questions taken on notice and supplementary questions

The following table lists the questions on notice and the supplementary questions submitted and answered in the course of the inquiry.

Topic	Page/s of Annual Report	Question	Respondent
Programs	126-127	What are the costs associated with the following programs? Provide rebate costs, administration costs (including advertising): a) Toilet Replacement Program; b) Energywise Program; c) Rainwater Tank Rebate Program; and d) GardenSmart Program.	Minister for the Environment, Climate Change and Water
Programs	126-127	For the above programs, please provide expenditure to date for the programs. What are the actual costs of these programs for the 08/09 year?	Minister for the Environment, Climate Change and Water
Energy savings	126-127	Please provide estimates on water savings or energy savings as a result of the below programs a) Toiletsmart; b) Gardensmart; c) Rainwater tank rebate; d) Commercial building retrofit;	Minister for the Environment, Climate Change and Water

Topic	Page/s of Annual Report	Question	Respondent
		e) School water audits; f) HEAT program; g) ACT energy wise; h) WEST program; i) Home energy kits; and j) Wood heater rebate program.	
Community Events	142	What was the financial assistance for the Hard Rain photographic exhibition?	Minister for the Environment, Climate Change and Water
Communications	113	How many have subscribed to the Climate Change newsletter? How many subscribers with an ACT Government email address? How many subscribers with a non ACT Government email address?	Minister for the Environment, Climate Change and Water
Climate Change Roundtable	114	Who attends the Climate Change Roundtable? Please provide a full list of membership organisations	Minister for the Environment, Climate Change and Water
Feed-in-Tariff	7, 115, 132	What has been the level of the total subsidy that has been paid out to participants in the Feed-in Tariff scheme to date?	Minister for the Environment, Climate Change and Water
Feed-in-Tariff	7, 115, 132	What is the estimate for tonnes of carbon saved as a result of the feed-in tariff scheme to date?	Minister for the Environment, Climate Change and Water
Solar facility	122	a) Who is providing the specialist advice for the solar facility tender evaluation? b) Is anyone from that consultancy (ActewAGL) involved in this technical advice process?	Minister for the Environment, Climate Change and Water

Topic	Page/s of Annual Report	Question	Respondent
Energy policy	121	How many departmental staff have been working on the development of the Energy Policy this year?	Minister for the Environment, Climate Change and Water
Energy efficiency fund	197	Does the \$26,000 repaid by CIT for their loan under the fund represent savings?	Minister for the Environment, Climate Change and Water
Water Security	116	How long after completion of the Cotter Dam Enlargement Project is it expected that the Cotter Dam will fill with water?	Minister for the Environment, Climate Change and Water
Water Security	116	Can you provide a copy of a report that was part of the future water options – titled Willingness to Pay?	Minister for the Environment, Climate Change and Water
Water Security	116	What is the latest cost projection for the Murrumbidgee to Googong pipeline?	Minister for the Environment, Climate Change and Water
Integrated urban waterways project	137, 140	Has money been set aside for the site at Tuggeranong or have those sites been identified and there has been work but no money?	Minister for the Environment, Climate Change and Water
Integrated urban waterways project	137, 140	a) What are the arrangements for delivering water out of these ponds to possible purchasers? From Flemington, you would be talking about the showground and the racecourse. Is it going to be trucked or piped? b) Would end users have to provide the pipe work themselves or what would be the arrangement?	Minister for the Environment, Climate Change and Water
Water Security	116	Regarding Tantangara allocations – As well as the one-off costs, what are the annual costs associated with the extraction? And there are no annual costs?	Minister for the Environment, Climate Change and Water

Topic	Page/s of Annual Report	Question	Respondent
Water Security	116	What are the anticipated running costs of the Murrumbidgee to Googong pipeline? What is the cost of pumping?	Minister for the Environment, Climate Change and Water
Water Security	116	What is the anticipated volume of water that will be pumped from the Murrumbidgee to Googong through this pipeline per annum?	Minister for the Environment, Climate Change and Water
Water Security	116	When was the last time Tantangara reservoir reached 50 per cent capacity?	Minister for the Environment, Climate Change and Water
Water Security	116	How much water will be discharged from Tantangara Dam annually?	Minister for the Environment, Climate Change and Water
DECCEW Recycling	193-194	On page 194 it says that the percentage of paper recycled is 33 per cent... Could you explain what that 33 per cent figure represents?	Minister for the Environment, Climate Change and Water
DECCEW Recycling	193-194	What is the DECCEW target for this year (09-10) for recycling of wastepaper?	Minister for the Environment, Climate Change and Water
Recycling		Has there been any time over the last four years, say, when the ACT recycling rate has gone backwards? Have we continued to maintain or to increase? Is there any dip that has occurred?	Minister for the Environment, Climate Change and Water
Contracts	176-179	Under Policy 1.2, there was a \$100,000 contract for strategies towards zero net emissions and a \$177,000 contract for the same purpose. How long did that process take, start to finish, from when you identified the need for this urgent response, you started identifying people and then you signed contracts?	Minister for the Environment, Climate Change and Water

Topic	Page/s of Annual Report	Question	Respondent
Staffing	163	Can you please provide a breakdown within each of the directorates of those different staff classifications?	Minister for the Environment, Climate Change and Water
Staffing	163	What is the training budget and how much of it is devoted to subject matter or specific training? How much is devoted to generic writing, ministerials training?	Minister for the Environment, Climate Change and Water
Staffing	163	a) How many staff in the department have formal environmental qualifications in one form or another? Is there is a breakdown of the different types of qualifications. b) Are there positions that have mandated qualifications (eg in the EPA)?	Minister for the Environment, Climate Change and Water
Staffing	163	What are the various levels of SES within the Department?	Minister for the Environment, Climate Change and Water
Resource management plans	125	How many staff in other agencies are working on Resource Management Plans?	Minister for the Environment, Climate Change and Water
Contracts	176-179	Can you provide the following details about the contracts listed on pages 176-179 of the Annual Report: a) What is the length of the contract? b) What are the key deliverables for the contract? c) If the contract is single select, what criteria and performance benchmark was used to select the contract?	Minister for the Environment, Climate Change and Water
Sponsorships	181-182	What guidelines does the Department use to determine which sponsorships to undertake?	Minister for the Environment, Climate Change and Water
Sponsorships	181-182	Please provide the following information about the five sponsorships listed on pages 181-182 of the Annual Report:	Minister for the Environment, Climate

Topic	Page/s of Annual Report	Question	Respondent
		a) Who initiated each sponsorship – was it the Department or was it the recipient? b) What role did the Department play in each event that received sponsorship money? c) What criteria were used to select each sponsorship? d) What did the recipient contribute to each event (i.e., money, services or goods)?	Change and Water
Assets	56	Financial information indicates that the Department has \$204,000 worth of plant and equipment. What assets make up this figure?	Minister for the Environment, Climate Change and Water
Travel	52	Can you provide information about the \$99,000 spent on travel in 2008-09? a) What portion of this expenditure was on i) airfares; ii) travel allowances for staff, including accommodation expenses; and iii) allowances for travel by car b) How many staff made trips interstate in 2008-09 and which area of the Department were these staff from?	Minister for the Environment, Climate Change and Water
Telecommunications	52	Information indicates that \$74,000 was spent on telecommunications in 2008-09: a) How much of this amount was spent on i) teleconferencing; ii) mobile phones iii) internet services and iv) landline phones b) How many mobile phones are provided by the Department to employees?	Minister for the Environment, Climate Change and Water
Office Leases	60-61	Can you provide details about the lease(s) for office space or other buildings: How many leases does the Department have? What floor area is each lease? What make-good provision is included in each lease? What is the length of each lease?	Minister for the Environment, Climate Change and Water

Topic	Page/s of Annual Report	Question	Respondent
Grants	53	On page 53 of the Report, it is indicated that the Department made \$1.834 million in Grants: Could the Department provide a breakdown of each grant and its purpose? Why is the financial information on page 53 inconsistent with the Grants programs that are presented on page 180 of the Annual Report?	Minister for the Environment, Climate Change and Water
Grants	64	Information on page 64 of the Annual Report indicates that TAMS paid \$713,000 for grants (in addition to the \$1,834 million paid by DECCEW) prior to the Department's creation on 11 November 2008. Could the Department provide a breakdown of each grant and its purpose?	Minister for the Environment, Climate Change and Water
Strategic Partnerships	114	In relation to the Department's comment that they 'continued to build strategic partnerships'. a) How many strategic partnerships does the Department currently have? b) When did each strategic partnership commence? c) How long will each strategic partnership run for? d) How was each strategic partner selected?	Minister for the Environment, Climate Change and Water
Capital Works	175	Why are the capital works at Flemington Road Ponds not reported in section C13 – 'Capital Works' on page 175 of the Annual Report?	Minister for the Environment, Climate Change and Water
Community Events	142	What was the cost to the Department to have a display at the Royal Canberra Show in 2009?	Minister for the Environment, Climate Change and Water
Community Events	142	How many Department staff were involved in the display at the Royal Canberra Show in 2009, and were any contractors employed for the Display?	Minister for the Environment, Climate Change and Water
Energy Efficiency	112	The Minister noted during the hearing on 28 October 2009 that \$15,000 from the Energy Efficiency Fund had been loaned to Canberra Stadium for an energy audit and the implementation of its recommendations. What were the	Minister for the Environment, Climate

Topic	Page/s of Annual Report	Question	Respondent
Fund		recommendations of the energy audit and has the implementation of these recommendations been completed?	Change and Water
Energy Efficiency Programs	8	Can you provide information about what water saving programs or energy efficiency programs you have examined from other states or territories?	Minister for the Environment, Climate Change and Water
Solar Energy	7	How many installers are currently licensed to install residential solar panels in the ACT?	Minister for the Environment, Climate Change and Water
Feed-in-Tariff	7, 115, 132	What was the total subsidy paid out to participants of the Feed-In Tariff Scheme in 2008-09?	Minister for the Environment, Climate Change and Water
Feed-in-Tariff	7, 115, 132	What are the current estimates for the subsidy to be paid to participants in 2009-10?	Minister for the Environment, Climate Change and Water
Feed-in-Tariff	7, 115, 132	What is the level of subsidy paid to participants in the Feed-In Tariff Scheme from 1 July 2009 to 1 November 2009?	Minister for the Environment, Climate Change and Water
Feed-in-Tariff	7, 115, 132	How much electricity has been fed into the ACT grid by participants in the Feed-In Tariff system in: a) 2008-09 b) to date in 2009-10?	Minister for the Environment, Climate Change and Water
Feed-in-Tariff	7, 115, 132	What was the capacity of the electricity produced by participants in the Feed-In Tariff system in: a) 2008-09 b) to date in 2009-10?	Minister for the Environment, Climate Change and Water

Topic	Page/s of Annual Report	Question	Respondent
Water	120	The Minister noted in the Committee Hearing on 28 October 2009 that the total cost to the community of stage four water restrictions was \$350 million. Could you please explain how this figure was calculated?	Minister for the Environment, Climate Change and Water
Greenhouse Gas Emissions	133	Information indicates that 73 per cent of the ACT's greenhouse gas emissions is from the burning of fossil fuels in the stationary energy sector a) How much of this amount was from the ACT Government? b) How much greenhouse gas did the ACT Government offset in 2007-08? c) What percentage of the total greenhouse gas emissions is from transport? d) How much greenhouse gas did the ACT emit in 2007-08?	Minister for the Environment, Climate Change and Water
Greenhouse Gas Emissions	112	What economic analysis does the Department undertake when it considers new greenhouse gas reduction measures?	Minister for the Environment, Climate Change and Water
DECCEW Recycling	193-194	What recording strategies, devices or measures does the Department have in place to record the amount of paper that it recycles?	Minister for the Environment, Climate Change and Water
DECCEW Recycling	193-194	Are the figures outlining the amounts of waste paper that has gone to landfill in 2008-09 on pages 193-194 correct? If not, will the Department issue a corrigendum for the Annual Report?	Minister for the Environment, Climate Change and Water
Policy	111	Page 111 of the Annual Report states that the Department has developed a draft cat containment policy. Can you provide a copy of this policy? a) If not, when will it be publicly available? b) Does TAMS play a role in developing cat containment policies, or is this solely a DECCEW issue?	Minister for the Environment, Climate Change and Water

Topic	Page/s of Annual Report	Question	Respondent
Programs		Could the Minister please advise the status of the <i>Better Place Electric Car Infrastructure</i> program? a) How much funding has been committed to this program? b) Is there a timeline available for the program?	Minister for the Environment, Climate Change and Water
Resource Use	49-52	Please provide an explanation regarding the reported office space figure of 1937 square metres presented on page 50 of the Annual Report. How much rent is paid?	Commissioner for Sustainability and the Environment
Resource Use	49-52	Please clarify the information included on page 52 regarding the reported 12,210 reams of paper used by the Office	Commissioner for Sustainability and the Environment
Greenhouse Gas emissions	49-52	Please provide additional information about the greenhouse gas emissions reduction of 99% presented on page 99	Commissioner for Sustainability and the Environment
Single select tender	47	Please provide information regarding the single select for NGH Environmental for the Regional State of the Environment Report: Biodiversity indicators	Commissioner for Sustainability and the Environment
Strategic Plan	9	What are the internal key performance indicators used by the Office?	Commissioner for Sustainability and the Environment
Tree Protection Act	287-288	Has the Conservator/Department developed principles for managing a site with a registered tree that has died, or is development underway? (this was a recommendation made by the Commissioner for the Environment in 2008)	Conservator of Flora and Fauna
Tree Protection Act	287-288	a) Is the role of the Conservator an advisory role, or are the decisions enforceable?	Conservator of Flora and

Topic	Page/s of Annual Report	Question	Respondent
		b) How does this differ depending on whether the trees in question are in built up urban areas or in an area still being developed?	Fauna
Tree Protection Act	287-288	a) Which parts of Canberra are Tree Management Precincts (TMPs) under the Tree Protection Act? b) Are there parts of Canberra that are not TMPs? c) When are new areas that are being developed made into TMPs?	Conservator of Flora and Fauna
Beard		a) What assessment did the conservator do in relation to the new development at Beard, and the trees that have been removed there? b) Is Beard a Tree Management Precinct under the Tree Protection Act? If so, when did it become a TMP? If not, will it be made one, and when?	Conservator of Flora and Fauna