

Portfolio: Housing and Suburban Development**BUILD TO RENT INITIATIVE****Talking points:**

- The Suburban Land Agency (the Agency) ran a market sounding process in November and December 2021 to understand appetite and interest in bringing Build-to-Rent to Canberra. The government is reviewing submissions and will use the feedback to inform the potential release of a site for the purpose of Build-to-Rent.
- The ACT Government is committed to improving housing availability, diversity, and choice, and is considering pilot Build-to-Rent projects with affordable rental.
- The 2021-22 ACT Budget includes \$720,000 over four years to investigate Build-to-Rent and seek feedback from the market on building and operating long-term Build-to-Rent developments with affordable rental housing in the ACT. Additionally, funding of \$640,000 has been allocated in the ACT Budget for due diligence, site feasibility investigations and concept design of an affordable Build-to-Rent development on the existing Common Ground Gungahlin site.
- The Build-to-Rent model focusses on increasing the supply of long-term rental housing by the construction of multi-unit dwellings that are rented out rather than being sold. It adds to diversity of housing choice by providing additional opportunities that complement existing private rental and public and community housing options.
- The 10th Parliamentary and Governing Agreement (PaGA) includes a commitment to construct a Build-to-Rent affordable rental development co-located with Common Ground Gungahlin and deliver 600 affordable rental dwellings by 2026. The Environment, Planning and Sustainable Development Directorate is responsible for delivery of the affordable Gungahlin Common Ground Build-to-Rent PaGA initiative and work has commenced for the design and operation of the asset.
- Build-to-Rent housing has the potential to provide long lasting community benefits, with greater housing choice for tenants who would have access to high-quality dwellings in a stable rental environment. Increased rental security offers wider social and economic benefits, with tenants better able to establish themselves in a community.

Key Information

- Build-to-Rent is a relatively new asset class in Australia which is focused on providing additional housing choice for renters with greater security of tenure and amenity.
- Work is well underway on the feasibility of market-rate and affordable Build-to-Rent in Canberra, including the taxation, planning, and financial implications, of Build-to-Rent, as well as possible sites including Turner and Lawson.
- Build-to-Rent is well established overseas and, while take-up has been slower in Australia, governments in New South Wales, Victoria, and Queensland have recently gone to the market seeking Build-to-Rent proposals that include the supply of affordable rental and public housing.

- The ACT's market sounding process closed on 10 December 2021 and provided a broad opportunity for the Build-to-Rent market to express their interest in developing Build-to-Rent projects in Canberra. Twenty written submissions were received from Build-to-Rent developers, operators, advocates, community housing providers, individual and institutional investors.
- The market sounding will enable the ACT Government to:
 - ascertain private sector and community housing provider appetite for developing and operating Build-to-Rent properties in Canberra;
 - consider incentives or subsidies that may be required to include an affordable rental component in a proposal; and
 - identify any legislative changes or policy initiatives that would encourage development of Build-to-Rent in the ACT.
- Part of Block 2, Section 57 (Turner) and Lawson Stage 2 are identified as potential sites for Build-to-Rent.
- Feedback from the market sounding process will be used to inform future decisions about releasing a site for sale for the purpose of Build-to-Rent.

Background Information

- The ACT Government engaged a consultant to provide expert advice about Build-to-Rent and research current policy challenges, financial entity appetite, feasibility analysis, and considerations on market-rate and affordable Build-to-Rent. The report was published on the EPSDD website in 2021 and findings used to inform Government on undertaking a Build-to-Rent pilot program and provide a framework for a market sounding and sales process.
- The Economic Recovery through Social Housing package included a commitment to design and pilot a Build-to-Rent project. Build-to-Rent aligns with goals in the ACT Housing Strategy to grow rental supply and encourage affordable rental, particularly for second income quintile households. If the pilot Build-to-Rent project does go ahead, it could contribute to the PaGA commitment for delivery of 600 additional affordable rental houses by 2025-26.
- As part of the Demonstration Housing Project Expression of Interest, a proposal was received for a build to rent project. Block 45 Section 54 Belconnen was identified as suitable for the proposal, and the Stage 2 Request for Tender is currently being assessed.
- Separately, through round two of the Affordable Housing Innovation Fund, Demonstration Housing proponent Build.RENT Pty Ltd received a grant of \$125,000 (GST inclusive) to progress a proposed Build-to-Rent development. The grant funding will assist Build.RENT Pty Ltd to establish the initial governance model, seek specialist advice and expertise on the proposed project, and form part of the deposit required to seek funding approval from a lender.

Portfolio: Housing and Suburban Development

AFFORDABLE, PUBLIC AND COMMUNITY HOUSING DELIVERY

Talking points:

- In 2020-21, the Suburban Land Agency (the Agency) continued to release land to support the ACT Government's housing targets for affordable, public, and community housing. Sites for a total of 345 dwellings were released against the target of 302 dwellings. Sites in Kenny and Casey with housing targets totalling 45 dwellings were not ready for release and will be carried over into future releases.
- The Agency is working towards releases against the 2021-22 housing targets, which were published in December 2021 as a Notifiable Instrument under the *City Renewal Authority and Suburban Land Agency Act 2017*.

Key Information:

- Sites identified for Affordable Home Purchase are sold with contractual requirements in place to ensure the affordable housing dwellings meet specified design requirements and will be offered to eligible buyers as part of the ACT Government's Affordable Home Purchase Scheme.
- Sites for public housing dwellings are released to Housing ACT for the development of public housing.
- Sites for community housing dwellings are typically released to registered Community Housing Providers or are released to Housing ACT to become community housing in the future.
- Releases against the 2021-22 targets to date include a multi-unit site in Whitlam with requirements for 10 affordable and 20 public housing dwellings.
- Releases against 2020-21 targets included multi-unit sites in Coombs, Gungahlin, Belconnen, Moncrieff, and Wright, with requirements for 214 affordable housing dwellings and 43 public housing dwellings.
- In addition to the housing targets, 82 single residential blocks in Taylor and Whitlam were released for Land Rent on 20 February 2021, and six single residential blocks were released for public housing in Bonner and Wright.

Background Information:

- The Agency sets prices for the sale of sites based on independent market valuations. Affordable housing requirements are applied to both multi-unit sites and single residential blocks.

Affordable Home Purchase Scheme:

- Since December 2019, more than 4,500 people have registered their interest in the Affordable Home Purchase Scheme.
- Recent process changes allow all registered buyers to participate in ballots as they are offered, with eligibility assessments conducted for the top buyers following a ballot draw, before a buyer is able to purchase.

- Following is a summary of Affordable Home Purchase Scheme properties offered to buyers through ballot processes in 2021-22, and those carried over from 2020-21 that are yet to conclude:

Suburb	No. of Dwellings	Dwelling Type	Ballot Release Date	Dwellings Purchased by Eligible Buyers
Phillip	74	Apartments: 2 Bedroom	February 2021 & January 2022	TBC*
Whitlam	19	2 Bedroom House & Land Packages	July 2021	19 (Sold out)
Whitlam	5	3 Bedroom House & Land Packages	August 2021	5 (Sold out)
Taylor	9	Apartments: 1 Bedroom	October 2021	8*
Whitlam	32	3 Bedroom House & Land Packages	October 2021	21*
Whitlam	8	3 Bedroom House & Land Packages	October 2021	7*
Whitlam	13	3 Bedroom House & Land Packages	December 2021	8*
Taylor	20	3 Bedroom House & Land Packages	January 2022	TBC*
Coombs	13	1 Bedroom Apartments	February 2022	TBC*
Taylor	33	3 Bedroom House & Land Packages	February 2022	TBC*
Coombs	22	2 Bedroom 1 Bathroom Apartments	February 2022	TBC*
Whitlam	12	3 Bedroom House & Land Packages	March 2022	TBC*

*Sales process has not concluded

Community Housing

- There are currently no Community Housing sites available for sale. Further sites, as part of the 2021-22 program, are being scheduled for future release.

Portfolio: Planning and Land Management

KOWEN AND WEST MURRUMBIDGEE

Talking points:

Kowen:

- The ACT Government supports the protection and maintenance of Kowen Forest in its current state. The area has been removed from consideration in Government's future land development planning processes.
- Having considered the Kowen Forest/Kowen Plateau in the context of Canberra's overall growth, it does not make sense to pursue development there given the importance of the forest as a natural buffer and recreation zone.
- The Government will instead seek to protect and maintain Kowen Forest in its current state.
- In a speech I made in this place on 30 July 2020, I reiterated this position to definitively exclude Kowen from future urban development. The Chief Minister also confirmed this position in a State of the Territory speech on 9 May 2019, stating "It is a special place that should be preserved for future generations, and we want to protect it from development".

West Murrumbidgee:

- Land to the west of the Murrumbidgee River has been excluded from consideration by this Government as a future urban investigation area, a position I reaffirmed in a speech I made in this place regarding land supply and planning strategy on 30 July 2020.
- Greenfield growth must represent a logical and cost-effective expansion of Canberra's urban area, while protecting or offsetting the environmental values in the areas concerned, and the landscape setting that is valued by the Canberra community. In addition to protecting important environmental values, growth areas must be in locations that facilitate accessibility to existing employment, services, social and urban infrastructure.
- The location of the west Murrumbidgee area means that it does not meet these important criteria for consideration and assessment as a future urban investigation area.
- In addition, land west of the Murrumbidgee River, historically named Freshford and envisaged to form part of Tuggeranong was abandoned by the National Capital Development Commission many decades ago due to landscape and water quality concerns.

Key Information:

- The ACT Planning Strategy 2018 establishes actions to plan for future greenfield housing supply by investigating the potential for new residential development to the west of the city in the area adjacent to the Molonglo Valley district (p 44).
- Within the scope of the 2018 Strategy, future potential greenfield areas, including West Murrumbidgee, Western Greenway and Central Molonglo were deferred from consideration due to the complexity of environmental, landscape and community values (p 44).
- The Kowen Plateau is not shown as a future urban investigation area on the 2018 policy plan map, having been removed from consideration due to significant infrastructure and sustainability considerations associated with the distance from urban Canberra (p 44).
- This position continues the policy direction contained in the 2012 ACT Planning Strategy, which did not identify Kowen as a future urban investigation area.
- West Murrumbidgee is not identified as a future investigation area in the ACT Planning Strategy 2018.
- To assist in the evaluation of greenfield sites, assessment criteria based on best practice in urban growth area planning and triple bottom line evaluation principles are used to help assess the suitability of sites for investigation. These include:
 - a. Location (e.g., proximity to existing urban areas, employment etc);
 - b. Physical attributes (e.g., biodiversity, topography/slope, heritage, etc); and
 - c. Infrastructure (e.g., ease of access/augmentation, indicative costs if known etc).

Background Information

- Over the past 20 years, consecutive spatial planning strategies have outlined the key directions for managing our population growth. Continuing to provide diversity in where and how people live is a fundamental component of the ACT Planning Strategy 2018, which establishes strategic directions to manage future urban growth. These are based on analysis of the social, economic and environmental implications of alternative options.
- Infill development to achieve a more compact and efficient city is the policy focus of the Strategy, with up to 70 per cent of new housing to be provided within the existing urban footprint. However, in recognition of the importance of continuing to provide housing choice through new development, by providing for a range of housing typologies and block sizes, the Strategy identifies that up to 30 per cent of new housing will be provided in greenfield areas.

Portfolio: Planning and Land Management

Kippax Flood Study and Erosion Downstream

Talking points:

- A flood study has been undertaken for the Kippax Group Centre area by independent specialist consultants and a final report was produced in July 2020.
- The flood study was generally consistent with a previous report in 2015 and identified a number of proposed works to address possible flooding in the Kippax Group Centre area as identified in a revised flood model.
- In line with the 2020 flood study, the 2020 Holt Precinct Map and Code (the Precinct Code) includes provisions for a 50 metre set-back from Moyes Crescent for flood conveyance and water sensitive urban design work to be undertaken as part of any future development of Block 71, Section 51 Holt.
- Other stormwater management works are currently being considered for inclusion in the Government's capital works upgrade program.
- TCCS manage the open spaces around and downstream of the Kippax Group Centre and maintain the stormwater infrastructure. TCCS and Ginninderra Creek catchment group will be engaged to look at solutions for existing erosion issues identified.

Key Information

- There has been ongoing community interest in potential flooding issues at Kippax Group Centre and erosion issues downstream.
- Four items of Ministerial correspondence have been received on these issues since May 2021, including correspondence from Umbalong Landcare Group and a letter from Peter Cain MLA on 25 June 2021.
- With the Water Sensitive Urban Design Code controls on future development, there is not expected to be any impact by the development on the erosion issues identified downstream of the Kippax Group Centre.
- Possible flooding of leased land has been identified in the revised flood study, however no habitable floor levels were identified that would be impacted by flooding at the 1% Annual Exceedance Probability (AEP, also known as the 100 year flood) level.
- This 1% AEP is the flood planning level for most development including residential and commercial sites and is usually also subject to an acceptable freeboard of 300mm.
- As part of any new development proposal a stormwater and flood assessment will be required and will need to include floor levels that are above the 1% AEP flood level plus a 300mm freeboard.

- The 2020 Kippax Flood Study report does not necessarily represent the ACT Government's view or position on all the issues raised and these will be further reviewed in future studies and designs.
- Kippax/Umbagog Creek is one of five catchments that TCCS are scoping opportunities for Water Sensitive Urban Design interventions. The preparation of preliminary sketch plans are underway to take through to detailed design, design acceptance, and development approvals in 2022. Construction is subject to future budget processes.

Background Information

- Previous QONs on this issue include QON 124 from February 2021 and QON 3178 from July 2020.
- Previous Ministerials on the issue include 21-45105, 21-48474, 21-55804 and 21-56345 (Peter Cain MLA).
- The 2020 Kippax Flood Study is a revision to an earlier flood study prepared in 2015 by the same consultants. The revised study considered a number of changed conditions, more recent survey and updated parameters and methods as contained in the recently revised national flood guideline; Australian Rainfall and Runoff 2019.
- The revised 2020 study has modified the recommendations of the previous 2015 study and now includes the following proposed mitigation measures:
 - Regrade the trapped low point at the Starke Street Underpass,
 - Clear out and regrade the overgrown vegetated swale from the Starke Street underpass, running parallel with Starke Street,
 - Construct a levee with an inlet into the existing stormwater network on the corner of Flack Street and Moyes Crescent,
 - Regrade the existing grassed swale downstream of the Flack Street Underpass, and
 - Double the width of Southern Cross Drive Underpass to increase the hydraulic capacity.
- Decisions on how these recommendations are to be implemented are yet to be determined. These proposed works will likely be either included as part of proposed developments in the area or undertaken by TCCS as part of their program of stormwater upgrades throughout the city.
- Preliminary plans indicate the need for an augmented floodway adjacent to the Kippax Fair expansion site. This will be incorporated as part of future development works. The implementation of water sensitive urban design measures for any expansion will mitigate any additional flooding risks created by the development.
- The proposed road linking Moyes Crescent with Hardwick Crescent would be constructed to acceptable standards including those relating to drainage and flooding requirements. These requirements are well established in ACT Government Codes and Standards.

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Cleared for public release by: Executive Group Manager Ext:77387
Contact Officer name: Nyah Donaldson Ext: 59216
Lead Directorate: EPSDD

Portfolio: Housing & Suburban Development**MOLONGLO DEVELOPMENT UPDATE (INCLUDING WHITLAM)****Talking points:**

- The Molonglo Valley is a major development front with an expected district population of around 60,000 residents when completed in approximately 25 years.
- As of November 2021, the population in the suburbs of Wright, Coombs, and Denman Prospect, is estimated to be around 9,500 residents. The population of Molonglo is expected to grow to around 30,000 over the next ten years as residents move into the existing suburbs of Wright, Coombs, Denman Prospect, Whitlam and in the future suburbs in Molonglo 3.
- Whitlam is the first suburb of Molonglo 3. Whitlam comprises approximately 2,300 single and medium-density dwellings, a community facility site (school), and a local commercial centre. The first single residential settlement has occurred, and the first resident moved into the estate in September 2021. Construction is nearing completion on the Whitlam Display Village Collaboration Hub and the Display Village.

River Corridor Interface

- In developing the suburbs of Coombs, Wright and Whitlam, the Suburban Land Agency (the Agency) placed high importance on minimising impacts on the Reserve through the management of weeds, rubbish, erosion, and stormwater, consistent with the Agency's Sustainability Strategy.
- The Agency has undertaken several restorative projects in Coombs to improve water quality entering the Reserve and has initiated the Whitlam Water Quality Project to demonstrate best practice in sediment and erosion control during, and after, estate construction.
- The Agency is working closely with the Natural Resource Management Team within the Environment, Planning and Sustainable Development Directorate (EPSDD), and Parks and Conservation, to minimise development impacts on the Molonglo River Reserve.

Molonglo Commercial Centre

- The Molonglo Commercial Centre and surrounds will consist of a main commercial core containing a wide range of retail and community uses, as well as a service trades area, a college, police station, emergency services facility, a large town park, and approximately 2,700 dwellings.
- The Centre will also be the Territory's first gas-free commercial and retail precinct in accordance with the current Parliamentary Agreement.
- Planning for the Centre is still being progressed by EPSDD through a technical amendment with the first release of land in the Group Centre scheduled for 2023-24. The Agency is currently working on a high-level release strategy for the period 2023-24 onwards.

Wright and Coombs Village Precinct

- The Agency is committed to delivering great places where communities thrive, and one way of delivering this vision is by tailoring land releases with specific design controls on commercial and community land releases.
- The Wright and Coombs Village Precinct is a result of extensive community engagement (workshops, panels, and surveys), developing sales and marketing material based on these community outcomes, and then binding these outcomes through sales documentation and delivery deeds.
- The sites have been released via a two-stage tender. The EOI closed in September 2021 and the first stage assessment is now complete. A number of suitable developers have been identified and will be invited to participate in the Request for Tender stage, where they will be required to respond to the design criteria, with a view to delivering the development in line with Agency's Urban Design and Place Framework.
- The Agency will soon be going to tender for the design and DA approval of the associated off-site works which include road and parking re-alignments, Coombs Park upgrades and a Community Activity Centre.

Key Information:

- The Agency is currently undertaking a number of projects in the Molonglo Valley with the main activities including:
 - sales activity for the Wright and Coombs Village Precinct land releases, with the stage 2 Tender to be released in April 2022;
 - finalising landscaping works in North Coombs, North Wright and along John Gorton Drive;
 - land servicing in Whitlam Stage 3 due for commencement in March 2022;
 - estate development planning for Whitlam Stage 4;
 - planning and community consultation for the Whitlam Local Centre; and
 - landscape works for the Play Space near Holdens Creek Pond is due for completion Spring 2022.

Background Information:

- The Molonglo Valley is divided into three stages:

Molonglo 1

- The final estate development in Coombs is a small area of approximately 6.7 hectares known as the Coombs Peninsula. The Agency is currently paused on all planning work following the release of the Parliamentary Agreement for the 10th Legislative Assembly, which proposes keeping the Peninsula as open space.
- The Agency is seeking clarification from EPSDD on Cabinet's decision for Government to undertake further Stakeholder Consultation.

Molonglo 2

- The final stage of Denman Prospect, Stage 3, is identified for release in the draft Indicative Land Release Program in 2021-22.
- The EPSDD is undertaking a Technical Amendment to the Territory Plan for the Molonglo Commercial Centre and Denman Prospect Stage 3.

Molonglo 3

- Molonglo 3 will accommodate approximately 12,000 dwellings, including local centres, group centres, and community uses, including government and non-government schools.
- The first suburb of Whitlam is 50 per cent complete and requires the construction of three critical pieces of infrastructure. These are the Deep Creek water quality pond, relocation and undergrounding of the 132KV powerlines, and the mitigation of odour from the Molonglo Valley Interceptor Sewer. These projects are being progressed by the Agency in conjunction with Evo Energy and Icon Water.
- EPSDD are in the early stages of planning for the next suburb in Molonglo 3 which is due for release in 2023-24 financial year.

Portfolio: Housing and Suburban Development**WEST BELCONNEN GINNINDERRY DEVELOPMENT UPDATE****Talking Points:**

- The West Belconnen Joint Venture, known as Ginninderry, stretches from the north western suburbs of Canberra (Holt and Macgregor) across the ACT/ NSW border into part of the Yass Valley. It is bounded on two sides by the Murrumbidgee River and Ginninderra Creek. The first two suburbs of Ginninderry will be Strathnairn and Macnamara.
- The site is being developed by a Joint Venture between the Territory and Riverview Developments Pty Limited (Riverview).
- Based on the development potential of land being contributed to the joint venture, the respective interests of the parties are 60 percent for the Territory and 40 percent for Riverview. Project costs and risks will be shared in those proportions.
- Following the easing of lockdown restrictions, the Ginninderry team are back on site and the Link building is open.

Construction

- Strathnairn
 - Stage 1 (356 blocks) is complete. First settlements occurred in June 2019.
 - Stage 2 (814 blocks) is complete. The sale results of the most recent release are detailed at the end of this brief.
- Macnamara
 - Yet to commence. Procurement of civil contractor in progress.

Recent initiatives of the project include:

- The Ginninderry Joint Venture (GJV) have successfully retained its Six Star Green Star Communities rating.
- The first Development Application (DA) for the suburb of Macnamara was partially approved on 23 December 2021. The Planning Authority has approved the development of all proposed land outside of the two Environmental Clearance Zones (ECZ). This will allow the GJV to achieve their Indicative Land Release Program target for 22-23FY
- More than 880 residents have now moved into Strathnairn (350 completed dwellings).
- The Suburban Land Agency (the Agency) has progressed the purchase of two NSW blocks of land within the Ginninderry Masterplan.
 - The Agency will purchase the blocks under the understanding that these will be added into the GJV's developable land in the future.

- The first block settled on 17 December 2021; the second is due to settle once the planned sub-divisions for the block are completed.
- The GJV have signed a Memorandum of Understanding for a Women's Housing Initiative pilot at Ginninderry. The initiative will support vulnerable women at risk of homelessness and women into homeownership.
- The Ginninderry Charity Housing project is progressing well and the dwelling will go to auction mid-2022.
- Major project considerations currently being addressed are the removal of ECZ surrounding the West Belconnen Landfill and the Lower Molonglo Water Quality Control Centre. Several different options are being considered to expedite the process as the removal of the ECZ's is impacting the GJV development front and its ability to achieve future dwelling targets in the Indicative Land Release Program (ILRP).

Sales releases for 2021-22 are as follows:

- 45 Flexi Living product dwellings were released on 6 November 2021. These will not count towards the 2021-22 Financial Year ILRP target as they were counted as released during the 2020-21 Financial Year, when the builders tender was released.
 - Eight dwellings were given to ACT Public Housing.
 - The sale of three dwellings were delayed due to redesign requirements.
 - 34 were sold on 6 November 2021 however, two were subsequently provided back to the GJV as the purchasers failed to meet purchasing requirements.
 - The sale of the remaining five (three redesigned dwellings and the two dwellings that were handed back) occurred on 29 January 2022.
- The GJV released 126 single residential blocks on 19 February 2022.
 - 55 were via a Display Village Builder ballot (house and land); and
 - 71 via a public ballot.
- An additional release of single residential blocks is planned for mid-2022. A date is yet to be confirmed.

Key Information:

- The total area of land covered by the development proposal is over 1,600 hectares. Around 800 hectares is protected in the open space network, including approximately 600 hectares for the river corridor/conservation area.
- On completion, the new community will become home to up to 30,000 residents.
- There will be approximately 11,500 dwellings, of which 6,500 will be in the ACT and 5,000 in NSW (subject to rezoning approval).
- It will provide a diverse range of housing and lot sizes to suit a wide range of budgets, buyers, and lifestyles.

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Cleared for public release by: Executive Group Manager Ext: 75533
Contact Officer name: Gareth Burdon Ext: 70282
Lead Directorate: Suburban Land Agency

- GJV affordable housing product ‘Flexi Living’ considers additional sustainable and efficiencies beyond those considered in the the ACT Government affordable housing policy.
 - The GJV have now released 70 affordable ‘Flexi Living’ Built form dwellings, all within Strathnairn.
 - The GJV are now considering additional affordable housing built form based on the independent audit of their first two tranches, the ACT Government affordable housing thresholds and the implications of DV369.
- It will be the first cross-border development for the ACT and NSW, with three suburbs in the ACT and one adjacent border community in NSW (subject to rezoning approval). The project will cross the border in approximately 2034.
- It will take 30-40 years for the development to be complete.

Background Information:

- In May 2013, the ACT Government entered into an agreement with the Riverview Group to develop land in West Belconnen and adjacent land in NSW. On 5 December 2015, the ACT Government agreed to the Territory entering into a land development joint venture with Riverview. The area to be developed is approximately 1,600 hectares: 670 in the ACT and 330 in NSW. The balance of approximately 600 hectares is to meet requirements of the National Capital Plan, and protection for the ecology of the Murrumbidgee River and Ginninderra Creek corridor.
- The project has been conceived and developed, to date, with high environmental and sustainability values. Project initiatives include:
 - a memorandum of understanding with the adjacent Strathnairn Community Arts facility to provide additional resources and facilities for Strathnairn and minimise the impacts of the development on the community;
 - formation of a Conservation Trust to actively manage the river corridor to protect the environmental values of the corridor whilst allowing community access;
 - a training and employment initiative, called SPARK, in partnership with stakeholders across community services, vocational training, and industry, to deliver engagement training and employment opportunities for the Ginninderry community; and
 - attainment of a six star 'Green Star' - Communities rating by the Green Building Council of Australia, the highest possible rating under the scheme. In order to attain this rating, the planning, design and construction of the Ginninderry community was assessed across six categories including: governance, design, economic prosperity, liveability, environment, and innovation.
- Processes are currently underway to manage the following:
 - relocation of the powerlines that traverse the site;
 - appropriate buffer zones for the Lower Molonglo Water Quality Control Centre; and
 - reduce the environmental clearance zones around the West Belconnen Resource Recovery Centre as well as investigating future land uses on the site. The capping of the landfill has been delayed further due to environmental testing suggesting the migration of groundwater from the site. Transport Canberra and City Services have advised the capping of the landfill won't be complete until February 2023. This impacts the GJV's ability to achieve their ILRP targets.
- The Variation to the Territory Plan No.351 allowing the development was approved in June 2016. Amendment 86 to the National Capital Plan was formalised on 23 November 2016.
- Approval under the *Environment Protection Biodiversity Conservation Act 1999* was received in September 2017.
- The Joint Venture commenced after the disallowance period for Amendment 86 to the National Capital Plan expired on 23 November 2016.
- Marketing of Stage 1 commenced in April 2017 with the first resident occupation occurring in mid-February 2020.

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Cleared for public release by: Executive Group Manager Ext: 75533
Contact Officer name: Gareth Burdon Ext: 70282
Lead Directorate: Suburban Land Agency

Portfolio: Housing and Suburban Development**LAND PRICING – INDUSTRY COMPARISON****Talking points:**

- The Suburban Land Agency (the Agency) does not have single residential blocks available for purchase Over the Counter (OTC). However, land is currently available for purchase through partner builders. Under this Put and Call arrangement, there are approximately 169 blocks available in Whitlam and Taylor, including 91 affordable housing blocks.
- There are no blocks available OTC in the private NSW sector estates of Googong Township, Jumping Creek (Queanbeyan) and South Jerrabomberra, as well as the Molonglo Valley estate of Denman Prospect within the ACT.

Key Information:Summary of recent SLA releases/updates

- In November 2021 115 single residential blocks in Taylor were all sold by ballot. The median price for the release was \$485,000 with a median size of 540m². Blocks ranged from 316m² to 1,249m². Block selection for the event was conducted over the phone.
- In December 2021 the Agency entered into Put and Call deeds with three builders for 147 blocks in Taylor as a part of the Affordable Home Purchase Scheme.
- On 8 December 2021 13 packaged lots and two terrace lots totalling 66 dwellings in Taylor were sold by online auction. The 13 packaged lots comprised 48 blocks, all around 250m². The two terrace lots each comprised nine dwellings and ranged between 146m² and 243m²
- Two industrial blocks (Fyshwick and Hume) were auctioned 15 December 2021 with both selling at strong prices.
- On 9 December 2021 the Agency launched the Whitlam Ballot for 101 single residential blocks. Block selection for these blocks is scheduled to commence Monday 7 March 2022 and will be conducted as a “book to buy” process over the phone.
- On 3 March 2022 the Agency auctioned four packaged lots (16 dwellings) and a 74 dwelling multi-unit site in Whitlam via the Realtair platform.
- Between 7 and 10 March 2022 the Agency sold 101 single residential blocks in Whitlam that were released through a ballot process.
- On 9 March 2022 the Agency auctioned a commercial block in Belconnen which was marketed as *Belconnen Central* via the Realtair platform. This block sold above the reserve.

Summary of Private Estate blocks

- The private estates of Googong Township, South Jerrabomberra and Denman Prospect do not have any blocks publicly available for sale OTC.
- Googong released 22 blocks in late January 2022 to be sold by ballot on 12 February 2022. They are expected to be land ready between January and April 2023. A summary of the release is shown in the table below.

Googong	No. of Blocks	Median Price	Median Size	Median RPSM	Min Price	Max Price	Min Size	Max Size	Min RPSM	Max RPSM
Ballot Feb 2022	22	\$459,000	513m ²	\$933	\$433,000	\$529,000	455m ²	822m ²	\$644	\$1,002

- Jumping Creek (a new estate in the south of Queanbeyan) has released 61 blocks since their first release in September 2021. Its first two releases of 40 blocks were for sale by appointment, and the remaining 21 blocks have been sold at three auctions. They are expected to be land ready between June 2023 and March 2024. A summary of the releases is shown in the table below.

Jumping Creek releases	No. of Blocks	Median Price	Median Size	Median RPSM	Min Price	Max Price	Min Size	Max Size	Min RPSM	Max RPSM
OTC October 21	20	\$454,000	781m ²	\$588	\$404,000	\$499,000	604m ²	943m ²	\$529	\$669
Auction Nov 2021	8	\$790,000	827m ²	\$949	\$722,000	\$870,000	684m ²	978m ²	\$741	\$1,199
Auction Dec 2021	8	\$705,000	643m ²	\$1,100	\$665,000	\$745,000	604m ²	765m ²	\$942	\$1,166
Auction Feb 2021	5	\$810,000	628m ²	\$1,326	\$755,000	\$833,000	603m ²	665m ²	\$1,135	\$1,359

- Denman Prospect released six blocks by auction on 12 October 2021 that sold at a median price of \$910,000, with a median rate per square metre of \$1,845 and a median block size of 498m². They are expected to be land ready by March 2023.
- They also released 25 blocks in November 2021 by appointment at a median price of \$850,000, with a median rate per square metre of \$1,707 and a median block size of 499m². Anticipated settlement is late 2023. A summary of the releases is shown in the table below.

Denman Prospect	No. of Blocks	Median Price	Median Size	Median RPSM	Min Price	Max Price	Min Size	Max Size	Min RPSM	Max RPSM
Auction Oct 2021	6	\$910,000	498m ²	\$1,845	\$855,000	\$940,000	439m ²	549m ²	\$1,688	\$1,959
By Appmt Nov 2021	25	\$850,000	499m ²	\$1,707	\$735,000	\$1,008,000	423m ²	616m ²	\$1,612	\$1,762

- Denman Prospect also released five packaged lots for sale by expression of interest in late 2021. The lots comprise multi-unit blocks and terrace blocks yielding 37 dwellings. The terrace blocks range from 187m² to 300m². The expression of interest closed on 4 November 2021 with no further information released to date. The anticipated settlement for these blocks is late 2023.
- South Jerrabomberra released a small number of blocks via the online portal Realtair in December 2021. Totalling 14 blocks they sold at prices around \$120,000 (24%) or \$196/m² (23%) higher than recent releases in Taylor of similar sized blocks. They are expected to be and ready in May/June 2022. A summary of the release is shown in the table below.

South Jerrabomberra	No. of Blocks	Median Price	Median Size	Median RPSM	Min Price	Max Price	Min Size	Max Size	Min RPSM	Max RPSM
Auction Dec 2021	14	\$615,500	609m ²	\$1,036	\$568,000	\$640,000	361m ²	617m ²	\$943	\$1,614

Background information:

- The forecast timing of which financial year the Agency releases land to the market is set out in the Indicative Land Release Program.
- There are a number of sale methods used by the Agency, including:
 - Tender – Allows for more complex criteria to be applied to sale of the land to achieve better outcomes. Once land is released a development application will be required which will need to comply with the Territory Plan. The Territory Plan provides specific guidance in the form of Precinct Codes to guide design and assessment of development.
 - Ballot – An effective way to release housing lots to the general public where there is a high level of interest.
 - Auction – Typically used for larger commercial releases where the more experienced commercial sector of the market is expected to participate. An auction is generally used for land which does not require complex additional conditions beyond the requirements of the Territory Plan.
 - Put and Call option – Allows builders to secure blocks of land with an extended settlement, enabling them to offer house and land packages to customers. Put and call builders will offer the buyer expertise on house designs which make the most of the block's features.
 - Direct sale – The applicant and their proposed use of land must meet requirements in the Planning and Development Act, including eligibility criteria under the *Planning and Development Regulation 2008*.
 - Over the Counter sales – Buyers purchase property directly from the Agency. This typically occurs when land has been offered for sale via a Ballot or Auction, and blocks have been unsold or returned to the market, and usually occurs in a market with lower consumer demand.
- Settlement on single residential blocks will generally take 30-60 working days.

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 Cleared for public release by: Chief Executive Officer Ext: 75346
 Contact Officer name: Kathy Torcasio Ext: 59547
 Lead Directorate: Suburban Land Agency

Portfolio: Housing and Suburban Development

BELCONNEN TOWN CENTRE LAND RELEASES

Talking points:

- The Belconnen Town Centre continues to grow as an urban renewal hub with several development projects nearing completion and ACT Government projects being implemented in the area.
- The indicative Land Release Program (ILRP) identified mixed use sites for release at the northern end of the Belconnen Town Centre including:
 - Circus Sites Precinct (Blocks 38 and 39/Section 52 and Block 2/Section 151) in 2020-21; and
 - Lathlain Street Precinct (Block 24/Section 21, Block 2 and 3/Section 22 and Block 2/Section 23) in 2022-23, which incorporates delivery of the newly rezoned public open space.
- The Circus Sites Precinct, together with the Former Belconnen Water Police site (Block 29, Section 149) at Emu Inlet Waterfront Precinct, were packaged as the Belconnen Lakeshore market release. The release methodology is a two-stage tender process. The first stage, a Request for Proposal (RFP), was released to the market on 17 June 2021 and closed on 7 October 2021.
- The RFP sought design and development proposals in response to the Place Design Brief, Intended and Required Development Outcomes and Greenstar 5 Star rating and were a high priority in the RFP Submission evaluation. A weighting of 50 percent for Design Response was identified as part of weighted assessment criteria.
- The RFP Evaluation was completed in late February 2022 and participating proponents have been advised if they are progressing to stage 2 Request for Tenders (RFT). SLA is currently finalising RFT documentation planned for release in late March/early April.

Key Information:

- The Place Design Brief has been prepared with input from the community and stakeholders and describes the community's aspirations for making great places that connect people.
- Detailed information regarding the Place Design Brief and the place planning engagement is available on the ACT Government's YourSay website including the final Place Design Brief at <https://yoursayconversations.act.gov.au/belconnen-place-planning>
- The Suburban Land Agency (the Agency) met regularly with the Belconnen Community Council (BCC) during the development Place Design Brief. The BCC will be updated on the project at its April or next available meeting. The community will be updated via updates on the Your Say and Agency websites.

- The next steps in the Belconnen Lakeshore sale and development process;
 - Release of the RFT, March/April 2022
 - Closing date for stage 2 RFT, May/June 2022
 - Tenderer Evaluation & Preferred Tenderer identification July 2022
- The Agency are currently undertaking a Financial Feasibility Assessment on the Lathlain Street Precinct to determine the feasibility and appropriate release methodology for the site. This assessment will be completed late April.

Background Information:

- The former Water Police site is located at the northern edge of Emu Inlet on Lake Ginninderra at the end of Evelyn Parker Place. The site is small, isolated, and heavily constrained. Its viability as a release site relies greatly on its future use and context within which this future use can be supported.
- The former Water Police site within the Emu Inlet Precinct was scheduled for auction in June 2018. However, was withdrawn to allow the Agency to further reconsider the site constraints and community input.
- The place-based community engagement has assisted the Agency in identifying relevant uses for the former Water Police Site that are complimentary to the community's vision for the area, and included that highly successful development will be development that integrates into the park's environment and substantially enhances the lake foreshore's recreational uses, activation, and connections.

Portfolio: Environment

2022-2023 ACT Environmental Grants Program

Talking points:

- The ACT Environmental Grants Program supports and empowers the community to play an important role as stewards helping to conserve, promote and protect the environmental values of the ACT. The program achieves this by providing additional opportunities for the community to:
 - a) build capacity of the volunteer groups in the ACT;
 - b) address environmental issues that they are concerned about;
 - c) restore and conserve natural places that are special to them; and
 - d) engage other community members to do the same.
- The ACT Environmental Grants Program is an “umbrella” program and has three streams of investment:
 - a) Environment Grants Stream;
 - b) Nature in the City Grants Stream; and
 - c) Environmental Volunteer Group Assistance Grants Stream (new for the 2022-2023 round).
- In 2021 a review was undertaken of the ACT Environmental Grants program to ensure the administration burden for applicants are simplified, while ensuring probity and accountability requirements.
- There is \$478,000 available under this years umbrella program across the three streams.
- The 2021 ACT Government budget provided an additional \$128K funding for the grants program.
- This years program was officially opened on the 28th of February and will be closed on the 1st of April.
- Successful applicants are due to be announced in June 2022.

Key Information

- Notable changes to the 2022-2023 ACT Environmental Grants program include:
 - a) A reduction in the administrative requirements with a focus on simplification in language to improve readability.
 - b) Additional transparency of the merit criteria involved in assessing projects with the aim of assisting applicants to submit more competitive applications.
 - c) Updating of the branding and design of the guidelines to align it with other directorate programs.
 - d) Redesigned project acquittals. Previously the program has required proof of expenditure (invoices and receipts) to assist with the grant acquittal process. The process has been redesigned to allow proof of outcomes (photos, reports etc.) as proof of expenditure.
- The indicative funding of \$478,000 is being allocated across the three streams as follows:
 - a) Environment Grants - \$278,000

Cleared as complete and accurate:	17/03/2022	
Cleared for public release by:	Executive Group Manager	Ext: 59027
Contact Officer name:	Chris Glennon	Ext: 59023
Lead Directorate:	Environment, Planning and Sustainable Development	

- b) Nature in the City Grants - \$150,000
- c) Environment Volunteer Group Assistance Grants - \$50,000
- To ensure probity and minimise potential risks, grants will be determined by the Environment Planning and Sustainable Development Directorate with advice from an independent assessment panel.
- Funding priorities across the 3 streams are:
 - Environment Grants:
 - a) **Connecting people with nature** through innovative initiatives like
 - i. Nature based health
 - ii. Nature based education
 - iii. Improving universal access
 - iv. Citizen science
 - b) **Enhancing ecological condition and connectivity** of woodlands, grasslands and/or aquatic ecosystems by
 - i. Reducing threats to biodiversity, such as invasive species, erosion etc
 - ii. Protecting and conserving native plants and animals
 - c) **Rewilding Canberra** to enhance biodiversity across urban areas through innovative approaches such as
 - i. Establishing biodiverse plantings on road reserves and nature verges
 - ii. Controlling invasive species
 - d) **Care for Country** by providing opportunities for Traditional Custodians and other Aboriginal and Torres Strait Islanders to share knowledge and deliver work to conserve and enhance Country
 - e) **Food and Fibre initiatives** – by trialling innovative approaches to food and fibre production in urban areas
 - f) **Nature In the Cities Grants:**
 - I. Reducing urban heat and increasing access to shade;
 - II. Retaining and or reusing rainwater including improving water penetration for vegetation growth and recharge of ground water;
 - III. Maintaining and enhancing biodiversity and ecosystem services in the city's landscape.
 - Funding priority for **Environment Volunteer Group Assistance Grants** is to build capacity within volunteer stewardship groups.
- Funding priorities are set by the directorate to align with current Government priorities.

Background Information

- The ACT Environment Grants commenced in 1996 and funds community projects that support environmental activities consistent with the ACT Government's policies and priorities. Over this period, 288 projects have shared in almost \$4.5 million of funding.
- Prior to the current budget initiative, the ACT Environmental Grants program has not received additional funding since its inception in 1996.

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Contact Officer name: Chris Glennon Ext: 59023
Lead Directorate: Environment, Planning and Sustainable Development

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Cleared for public release by:	Executive Group Manager	Ext: 59027
Contact Officer name:	Chris Glennon	Ext: 59023
Lead Directorate:	Environment, Planning and Sustainable Development	

Portfolio: Heritage

PINE PLANTINGS AT THE BRADFIELD DEVELOPMENT - DOWNER

Talking points:

- The existing Monterey Pine trees along Bradfield Street, Downer, were planted in the early 1940s as a windbreak to protect the former Council for Science and Industry Research, Dickson Experiment Farm.
- These trees are of heritage significance and are registered on the ACT Heritage Register.
- The Heritage Act requires that registered heritage places are conserved and responsibly managed, for current and future generations.
- In this instance, conservation requires the replacement of trees when they reach their end of life, and that these replacement trees be pines planted in a windbreak formation.
- The replanting of the historic windbreak is a requirement of heritage and planning approvals for the redevelopment, which date to 2017.
- In November 2021, some residents of The Bradfield proposed changes to the replanting outcome, on the basis that pine trees would reduce solar access to the new development.
- These changes, such as using deciduous trees or planting a single row of pine trees in the road reserve, were not supported by the ACT Heritage Council (the Council) as they would result in the loss of a registered place of heritage significance.
- However, in January 2022, the Council did endorse minor amendments to the replanting outcome, to provide for some improved solar access to the new development whilst conserving the heritage windbreak for future generations.

Key Information:

- Heritage requirements for The Bradfield development have been identified by the Council, who is the independent statutory body established to administer the *Heritage Act 2004*.
- The Council has decision making authority at arms-length from the government of the day.
- The ACT planning and land authority also considers the expert advice of the Heritage Council in development applications for registered heritage places.
- For Stages 1 and 2 of the development:
 - On 1 August 2017, a Heritage Act approval was issued, which permitted the removal of the existing Monterey Pine trees and their replacement with Canary Island Pine trees.

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Cleared for public release by: Executive Group Manager Ext: 59027
Contact Officer name: Edwina Jans Ext: 59237
Lead Directorate: Environment, Planning and Sustainable Development

- On 5 September 2017, the ACT planning and land authority conditionally approved development, which also required the replanting of the historic windbreak.
- For Stage 3 of the development:
 - On 24 August 2021, a Heritage Act approval was issued, which permitted the removal of the existing Monterey Pine trees and their replacement with Canary Island Pine trees.
 - A development application (DA) has been submitted, which is currently under assessment by the ACT planning and land authority. The DA has also been referred to entities for advice, including the Council, whose advice on the DA was provided on 17 October 2021.
- On 13 January 2022, the Council provided advice to the ACT planning and land authority and the developers of Stages 1, 2 and 3 of The Bradfield, endorsing the following amendments to the replanting outcome along Bradfield Street:
 - Support for pruning of pine trees as they mature, to lift their canopies by up to one third of their height; and,
 - Movement of the entire windbreak formation approximately three metres north within the block, closer to the street.
- These two amendments will not significantly alter the heritage significance of the place, but the increased setback and lifted canopies will allow greater solar penetration to the ground floor living areas within the new development, especially to Building 1 which is the closest to Bradfield Street.

Background Information:

- The 'Trees of the Former CS&IR Experiment Station' was registered on the ACT Heritage Register on 26 June 1998.
- Canary Island Pine trees are to be used for replanting of the historic windbreak, as Monterey Pine trees are now a declared pest species in the ACT.

HERITAGE NOMINATION LIST

Talking points:

- The ACT Heritage Council is an independent statutory authority established under the *Heritage Act 2004*. The Council is responsible for the assessment of nominations to the Heritage Register and decisions on the inclusion of heritage places and objects in the Register.
- Heritage nominations are prioritised by the Heritage Council for assessment based on a range of factors including imminent threat, thematic representation, and pressures from development or other works.
- Since reaching a peak of 320 nominations in 2008, hundreds of decisions have been made, resulting in a current nomination list of 78.
- ACT Heritage within EPSDD conducts research and makes recommendations to the Heritage Council, which then reviews this work before making a decision, applying the knowledge of Council members. The steady and carefully considered addition of places and objects to the Heritage Register is a significant conservation outcome for the ACT community.

Key Information:

- Nominations receive statutory recognition under the Heritage Act, which requires the Heritage Council to advise on any proposed development impacts.
- Nominations older than 20 years were made under the repealed *Land (Planning and Environment Act) 1991* which did not require the same level of information upon submission as those made under the current Heritage Act. As such, research and assessment of older nominations is more resource intensive.
- The Heritage Council determines priority assessments at the beginning of each financial year. Priorities include older nominations, private residences and Aboriginal heritage.

Background Information

- ESPDD provides 2.2 FTE to assist the Council in assessing nominations.

	2019-20	2020-21	2021 to date
Nominations accepted	2	10	2
Nominations dismissed	1*	1	0
Provisional registration decisions (including decisions to not provisionally register)	6	6	9
Registration decisions (including further registration decisions)	4	3	1

*Includes the removal of identified duplicate entries on the nomination list.

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 Cleared for public release by: Executive Group Manager Ext: 59027
 Contact Officer name: Daisy Chaston Ext: 77379
 Lead Directorate: Environment, Planning and Sustainable Development

Portfolio: Heritage

THE FOOTHILLS CAMPBELL– DOMA GROUP, “AINSLIE VOLCANICS” HERITAGE

Talking points:

- On 9 December 2020, the ACT Heritage Council (the Council) accepted a nomination to the ACT Heritage Register (the Register) for the Ainslie Volcanics (the Nomination), submitted by Ngambri Elder Shane Mortimer.
- The Nomination includes the former Commonwealth Scientific and Industrial Research Organisation (CSIRO) headquarters site, at Blocks 4 and 5 Section 38 Campbell.
- Doma Group propose to develop this site as ‘The Foothills’ residential complex.
- As the Foothills includes National Land, development approval authority does not lie with the ACT Government. However this did not prevent the Council from accepting the Nomination as per the requirements of the *Heritage Act 2004* (the Heritage Act).
- The Nomination encompasses both National Land and Territory Land, and claims there are Aboriginal, historic, natural and geological heritage values present on both the National Land and Territory Land portions of the Nomination.
- The ACT Heritage Council called a special meeting for 2 August 2021 to address two matters concerning the Nomination:
 1. The National Land portion of the nomination
 2. The Territory Land portion of the nomination

Key Information:

- National Land (Campbell Section 38 Blocks 4 and 5)
 - The *Heritage Act 2004* (the Heritage Act) has no effect on National land, and so the ACT Heritage Council (the Council) has no jurisdiction to make a decision on this part of the Nomination. Doma Group and the nominator have been advised of this.
- Territory Land (Campbell Section 63 Block 4; Ainslie Section 60 Blocks 2 and 3; Wolseley Road Reserve)
 - The Territory land part of the Nomination will remain nominated to the ACT Heritage Register (the Heritage Register), until such time as the Council makes a decision to, or not to provisionally register the place under the Heritage Act. Doma Group and the nominator have been advised of this.
 - A provisional registration decision requires the Council to assess whether the place meets, or does not meet one or more of the heritage significance criteria under section 10 of the Heritage Act.

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Cleared for public release by: Executive Group Manager Ext: 59027
Contact Officer name: Daisy Chaston Ext: 77379
Lead Directorate: Environment, Planning and Sustainable Development

- The Nomination includes outcroppings of the Ainslie Volcanics geology which have overlapping Aboriginal heritage values that the Council will be required to assess in the future as part of the heritage registration process.
- The nominated geology and overlapping Aboriginal heritage values are protected by, and subject to the requirements of the Heritage Act.
- The Nomination also includes the following species/habitats (the ‘Natural Values’) which are protected under the *Nature Conservation Act 2014* (NC Act):
 - Natural Temperate Grasslands;
 - Yellow Box Blakeley’s Redgum Woodland;
 - Canberra Spider Orchid habitat;
 - Golden Sun Moth habitat; and
 - Hoary Sunray habitat.
- The planning and land authority (PLA) is the decision maker on development applications that occur on the Territory land portion of the Nomination.
- Any development on Territory land would be subject to the provisions of the *Planning and Development Act 2007*. Development in an area where the *Nature Conservation Act 2014* applies triggers a requirement for an Environmental Impact Statement and a referral would be made to the Conservator of Flora and Fauna as part of that process.

Background Information:

- At the time of accepting the Nomination in December 2020, the Council understood that Territory enactments do not bind a Commonwealth entity unless agreed to by the Commonwealth, however, the matter of private entities on National land was unclear at that time.
- The Heritage Act stipulates conditions under which the Council can dismiss a nomination application, and the Ainslie Volcanics nomination did not meet any conditions for dismissal.
- Note that acceptance of a nomination does not equate to heritage listing on the Register. Nomination acceptance is a separate and preliminary step.
- The Nomination includes Blocks 4 and 5 Section 38 Campbell, which Doma Group propose to develop as ‘The Foothills’ residential complex.
- As the Foothills is National Land, development approval authority does not lie with the ACT Government, and the National Capital Authority (NCA) granted approval for the development on 26 February 2021.
- Redevelopment has also been subject to heritage impact assessment under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.
- The NCA advise that a 2020 Aboriginal Cultural Heritage Assessment by Navin Officer Heritage Consultants sufficiently informs the management of Aboriginal heritage

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Cleared for public release by: Executive Group Manager Ext: 59027
Contact Officer name: Daisy Chaston Ext: 77379
Lead Directorate: Environment, Planning and Sustainable Development

matters on the Foothills development site, enabling approval of the Foothills development.

- In December 2021, site clearing activities were undertaken on Blocks 4 and 5 Section 38 Campbell, as part of preparation works for The Foothills development. These works occurred only on these blocks, which are National Land.

Portfolio: Heritage

ACT Heritage Grants Program 2022-2023

Talking points:

- The ACT Heritage Grants Program (Program) is an annual funding program administered by the ACT Government to assist the community to identify, conserve and celebrate the history and heritage of the ACT.
- Enhancements to the 2022-2023 Program include a new focus on the history and heritage of the ACT's diverse communities, and the more explicit recognition of the increasing role of preservation and interpretation through digitisation, and community involvement in digital heritage experiences.
- On 5 March 2022 the opening of the 2022-2023 Program was announced in the Canberra Times and by Minister Vassarotti via media release.
- Successful projects are scheduled to be announced by Minister Vassarotti in August 2022.
- The funding amount available for the 2022-2023 Program is \$350,850 comprised of the Territorial funding allocation of \$344,000 and an additional \$6,850 from two cancelled/underspent 2019 projects.

Key Information

The funding priorities for the 2022-23 round are:

- **ACT Heritage Register:**
 - Conservation works that enable the continued preservation, protection, use and access to places and objects registered on the ACT Heritage Register.
 - Conservation Management Plans for registered places and objects, and Aboriginal places and objects.
- **Community Participation**
 - Projects that increase the utilisation, awareness and engagement in heritage places and objects through education (of all ages), oral histories, tourism, digitisation, interpretation and events.
- **Aboriginal Heritage**
 - Projects initiated by or involving local Aboriginal communities in cultural heritage activities.
 - Partnerships Projects that provide partnership opportunities between community organisations and ACT Government agencies.
- **Diversity**
 - Projects that reflect the Territory's diversity and equality. Documenting and recording the histories of women and Indigenous, multicultural, disability and LGBTQIA+ communities of the ACT.

Background Information

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Cleared for public release by:	Executive Group Manager	Ext: 0437 198 706
Contact Officer name:	Jen O'Connell	Ext: 72179
Lead Directorate:	Environment, Planning and Sustainable Development	

- The 2021-22 Program funded 18 successful individual projects and four Community Heritage Partnership Projects – the Heritage Advisory Service, the Heritage Emergency Fund, Heritage Assessments, and the annual Canberra and Region Heritage Festival.
- The Ngunnawal and broader Aboriginal communities will also be engaged and assisted in developing project ideas.
- The decision to fund heritage grant projects and emergency heritage grants will now be taken by Environment Planning and Sustainable Development Directorate (EPSDD) Executive with applications to be assessed by a panel of heritage staff, experts in their specific fields.

Portfolio/s: Sustainable Building and Construction
Planning and Land Management
Water, Energy and Emissions Reduction

LIVING INFRASTRUCTURE PLAN (including DV369)

Talking points:

- The ACT Government is committed to achieving sustainable development outcomes that meet the needs of the growing population, while retaining the values, features and landscape setting that make Canberra unique.
- The ACT Government recognises that population growth, urban densification and climate change pose challenges for how we achieve this outcome.
 - Continued urban expansion puts pressure on the valued natural resources that surround the city such as our bushland and grasslands, landscape setting and connectivity of ecosystems.
- Urban densification introduces new challenges for which innovative and ecologically sustainable urban development solutions will need to be considered and adopted.
- The ACT Government is committed to planning for connected open space networks and sufficient tree canopy cover for public spaces and to mitigate against the loss of tree canopy cover, permeable surfaces and planting area as a result of urban intensification.
- *Canberra's Living Infrastructure Plan: Cooling the City* outlines the ACT Government's commitment to addressing urban heat, primarily by protecting and improving living infrastructure within urban Canberra.
- Living Infrastructure helps to make our city 'climate-wise', enhancing its capacity to cope with the impacts of urban densification and climate change by reducing urban heat island effects, increasing access to shade, and safeguarding urban landscape function and health.
- The Living Infrastructure Plan has established targets of 30 percent tree canopy cover (or equivalent) and 30 percent permeable surfaces by 2045 within the built environment footprint. They are an important element of achieving the sustainability and resilience objectives for our city set out in the *ACT Planning Strategy 2018*.
- Achieving the Plan will rely on collective and collaborative efforts across Government, community and the business sector.
- Current action being undertaken by the ACT Government includes:
 - Planting of 54,000 trees in Canberra between 2020-21 and 2023-24 to contribute to the 30 percent canopy cover (or equivalent) target for Canberra's urban footprint.

Cleared as complete and accurate:	10/03/2022	
Cleared for public release by:	Executive Group Manager	Ext: 54752
Contact Officer name:	Carolyn Goonrey	Ext: 76858
Lead Directorate:	Environment, Planning and Sustainable Development	

- The Development of an Urban Forest Strategy to support the long term strategic management and growth of the urban forest. The final Strategy was released on 30 March 2021.
- Demonstration projects such as the Whitlam Display Village which trials innovative living infrastructure solutions such as passive irrigation, permeable driveway surfaces and advanced street tree planting.
- Introducing changes to the Territory Plan requirements, notably to the draft Territory Plan Variation 369 – Living Infrastructure in Residential Zones which are outlined below -
 - These requirements don't go all the way to achieving the Plan's targets, but they significantly strengthen the contribution that residential developments make to tree canopy and green infrastructure.
 - Further amendments to planning processes in the future will be introduced to support the ACT reaching its targets by 2045.

DV369 – Living Infrastructure in Residential Zones

- This draft Variation proposes higher requirements for the minimum planting area, along with new requirements for planting of trees for blocks with a residential zoning.
- DV369 also introduces new site coverage requirements for different sized residential blocks, introduces a new definition for deep soil zone and strengthens the definitions for site coverage and planting areas.
- Changes to the recommended version respond to community feedback that living infrastructure should be embedded across private and public land. These included adjustments for small blocks to enable an appropriately sized home to be built while providing planting area on the site.
- The recommended version of DV369 and associated consultation report were made available to the public on Friday 29 October 2021 on the Legislation Register and EPSDD website.
- The Standing Committee on Planning, Transport and City Services advised that an inquiry into DV369 will not be conducted at this time.
- Industry information sessions on the changes proposed with DV369 were held during the weeks of 21 and 28 February 2022.
- The variation once approved is anticipated to be tabled in the Assembly in the March sitting week.

2020 Tree Canopy Cover Estimate

- Updated Light Detection and Ranging (LiDAR) analysis has allowed us to more accurately estimate current tree canopy coverage and provides us with a better picture of our living infrastructure in Canberra.

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Cleared for public release by: Executive Group Manager Ext: 54752
Contact Officer name: Carolyn Goonrey Ext: 76858
Lead Directorate: Environment, Planning and Sustainable Development

- Canberra's Total Canopy Cover (TCC) in 2020 was estimated to be 22.5 percent of Canberra's urban footprint.
- This provides a new baseline and helps identify areas where canopy cover is low so planting efforts can be prioritised.

Key Information

- In 2017, the ACT Government commissioned CSIRO to study Canberra's urban heat island effect. The research found that Canberra's summer land surface temperatures can be up to 10 degrees Celsius hotter than surrounding rural areas.
- Common measures to reduce urban heat include trees, watered grass, shading structures, wetlands, green walls and appropriate building and surface materials.

Background Information

- The Plan was released in September 2019. Canberra currently has an estimated 22.5 percent TCC, although this is not evenly distributed across the city.
 - This latest estimate has been prepared using LiDAR data captured in 2020 and represents the most recent analysis of TCC in urban Canberra.
- The urban heat island effect occurs when urban areas are warmer than surrounding rural areas. This is often due to buildings, roads and pavements (built environment) absorbing heat, which is then slowly released, leading to higher temperatures at both day and night.

2020 Tree Canopy Cover Estimate

- On 28 October 2021, the Minister for Transport and City Services, Mr Chris Steel MLA, released new estimates for tree canopy cover in Canberra.
- The estimates were prepared by staff in both EPSDD and TCCS using an updated methodology and LiDAR (Light Detection and Ranging) data collected in April 2020.
- The new estimate replaces the previous estimate using 2015 LiDAR data that was found to be unreliable due to inaccuracies in the data and the time of year the data was collected. Consequently, direct comparisons between the current 2020 estimate and the previous 2015 estimate should not be made.

Portfolio: Sustainable Building and Construction**Property developer licencing****Talking points:**

- The ACT Government remains committed to introducing a licensing scheme for property developers during this term.
- The ACT Government has already implemented and continues to implement reforms designed to lift standards and practices across the building and construction sector.
- Introducing a regulatory scheme for property developers is another way the ACT Government is taking action to increase the accountability of practitioners in the building industry.
- The ACT Government's aim is to make sure that property developers are accountable for the work they do and the decisions they make.
- The Environment, Planning and Sustainable Development Directorate (EPSDD) is undertaking policy and regulatory analysis considering various options including project trust accounts and disclosure obligations.
- Further development of the scheme will involve consultation with stakeholders in industry and the community before the legislation can be finalised and introduced to the Legislative Assembly. Through a range of forums the ACT Government has already received feedback about the proposal and suggestions for inclusions, however, not all of these fit within a licensing framework. In progressing this project the ACT Government is considering a range of options including ways in which consumers can receive greater information about developers and developments.
- Introducing a licencing scheme for property developers is just one way the ACT Government is taking action to lift standards and practices across the building and construction industry.
- EPSDD is also undertaking important projects to introduce a registration scheme for engineers and to establish a public sector building certification service in line with the Government's commitments to deliver both during this term.

Key informaton:Next steps and timing

- EPSDD has undertaken initial policy and regulatory analysis and has identified a range of matters that need to be further considered and issues that will need to be resolved. For example, property developers can have complex legal and corporate structures and this needs to be well understood to ensure any new laws are effective. Further EPSDD has identified a range of possible regulatory interventions that could potentially address the issues raised by stakeholders and the community. These interventions include the provision of greater information to the community and industry stakeholders about the developers undertaking projects, and project bond and/or trust accounts.

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Contact Officer name: Bethel Sendaba Ext: 50030
Lead Directorate: Environment, Planning and Sustainable Development

- As noted above, stakeholder engagement will be required to inform the development of the final scheme and the during the first part of 2022, EPSDD will be undertaking targeted stakeholder consultation before broader consultation is undertaken later in the year which will inform any legislative changes that will be progressed in 2023.

Background Information:

- Policy considerations by EPSDD to date have included –
 - an appropriate definition of property developer,
 - interactions between the different parties involved in projects, and
 - how to treat instances where the developer and builder are one and the same, interactions with existing law and how best to increase the community's awareness of who is involved in development projects so that they can make informed decisions.
- The current regulatory framework that exists for occupations in the building and construction industry is the *Constructions Occupations (Licensing) Act 2004* (COLA). Other property occupations, such as real estate agents, are regulated under other laws.
- COLA focuses on construction services, rather than the general business operations and industrial relations practices of licensed entities. A licence that applies to a broad range of activities and obligations and/or the business practices of developers requires a new legislative model separate to COLA to be developed.
- No other jurisdiction currently has property developer licensing legislation. Queensland is the only jurisdiction to have enacted a licensing regime but repealed the legislation in 2014. NSW recently passed legislation that gives the relevant regulator the ability to issue property developers:
 - Prohibition orders to block the issue of an occupation certificate (or strata plan, in ACT referred to as unit title).
 - Stop work orders; and
 - Building work rectification orders (with the ability to recover costs associated with such orders).
- The NSW legislation does not license developers; however, it does allow for oversight and sanctions to be issued to the developer.

Portfolio: Sustainable Building and Construction

Government Response to the Building Quality Inquiry

Talking points:

- The ACT Government response (the response) addresses each of the 48 recommendations, including: to agree to 12 recommendations, agree in principle with 20 recommendations, note 12 recommendations and not agree with 4 recommendations.
- The ACT Government recognises the importance of compliance with building standards for health, safety, amenity and sustainability in maintaining our quality of life, and the extensive work undertaken to date to improve the ACT's building regulatory system and lift practices across the construction industry.
- The ACT Government completed a comprehensive review of the ACT Building Act 2004 and the associated building regulatory system in 2015. This review led to extensive reforms to improve the ACT building regulatory system and practices in the local building industry.
- The reforms were chosen to target the cause of problems and cover design and documentation; stage inspection and supervision; practitioner licensing; contracts for residential buildings and building work; project funding, payment, claims and retentions; auditing; and dispute resolution.
- A second stage of reforms will include addressing issues of licensing and accountability for people designing, building, certifying and contracting for off-the-plan; insurance and other protections for clients and building owners; implementing a residential building dispute resolution scheme; and security of payment issues.
- The ACT Government has also committed to introducing a licensing scheme for property developers, establishing a team of building certifiers within the ACT Public Service and introducing a registration scheme for engineers in the building sector in this term of government.
- This work and the existing laws have or will address many of the issues raised during the Inquiry into Building Quality.
- The ACT has also participated in work with other jurisdictions on building reforms and standards at a national level including work to address the recommendations of the Building Confidence Report.
- Although the response does not agree with all recommendations, we believe the intent of these recommendations is already met under the existing regulatory scheme or can be met by alternative means.

Background information:

- The 9th Legislative Assembly’s Economic and Tourism Standing Committee conducted an Inquiry into Building Quality in the ACT.
- Written submissions to the Inquiry closed on 30 November 2018. The ACT Government made a submission.
- The Committee tabled its report on 23 July 2020. It included 48 recommendations across a variety of subjects.
- There are overlaps between matters that are the subject of recommendations and the scope of some of reforms already completed or underway as part of the Improving the ACT Building Regulatory System reform program. Particularly those relating to residential building contracts (reform 22), accountability and protections (reforms 36 and 39), licensing (reform 35), dispute resolution (reform 43), and consideration of other issues (reform 42).
- The Government response to the Inquiry recommendations noted the extensive work already completed under the ACT’s reform program and the further work the government has already committed to.
- Although the Government does not agree in full with all of the Committee’s recommendations, the intention of the recommendations is or can be met by alternative means.
- The four recommendations that were “not agreed” asked the ACT Government to:
 - establish a new statutory office of Building Commissioner to ensure building code and standards compliance
 - provide the Assembly with audited accounts and an annual report on the performance of Fidelity Funds established under the Building Act 2004
 - make it a standard contract requirement that the display unit of a project dwelling be the same as used in the development it represents.
 - include minimum specifications for seals or membranes in standard contracts to ensure suitable waterproofing.
- The detailed reasons for not agreeing with these recommendations are outlined in the response.

Portfolio: Sustainable Building and Construction

BUILDING REFORMS

Talking points:

- As Minister for Sustainable Building and Construction I look forward to working with industry and the community to support the continued improvement of building practices in the ACT.
- During the last term, the ACT Government undertook a substantial program of 43 interconnected reforms arising from a review of the ACT building regulatory system. The majority of the reforms were completed with the remainder progressing under a second stage of the reform program.
- Completed reforms include development of a new building audit and inspection tool, guidelines for builders for final industry comment before they are adopted as a code of practice, a new online training course for building surveyors, and legislation for a dispute resolution scheme for residential building work.
- These are important reforms that set standards of practice for people designing, building and certifying buildings in the ACT.
- The Government has also introduced legislative amendments to make sure that building and construction legislation operates effectively and as intended, including that directors associated with licensed construction corporations can be issued rectification orders even if the corporation is wound up.
- The Government has also committed to further reforms through the Parliamentary and Governing Agreement including to introduce engineer registration in the ACT, greater accountability measures for property developers and a public sector building certification scheme.
- We have considered the recommendations from the Economic Development and Tourism Standing Committee's Inquiry and formally responded to the Committee's report.
- There will always be suggestions for further reforms to be added to the program, and while we are open to considering additional measures, the current reforms have been chosen as the most effective in increasing compliance and resolving defects. We are focused on completing the existing program and the additional commitments we have made in response to the Inquiry report in this term of government.
- This work is complemented by increased enforcement of building laws.

Background Information:

- EPSDD carried out a full policy review of the ACT building regulatory system and Building Act, including its supporting administration and compliance systems. The review was a recommendation of the 2010 Building Quality in the ACT report and was completed in 2015.
- The reform program (stage 1 and 2) complements previous administrative, policy and legislative reforms, which improved licensing and compliance powers, offences and penalties for failing to comply with a rectification order and building standards, and information for consumers.

Portfolio: Sustainable Building and Construction**ENERGY EFFICIENCY STANDARDS****Talking points:**

- As Minister for Sustainable Building and Construction, Building energy efficiency standards falls within my portfolio responsibilities.
- The 2019 National Construction Code included substantial increases in the stringency of the energy efficiency standards for non-residential buildings and common areas of multi-residential buildings.
- Nationally, changes to residential standards for the next Code this year are being considered, including a possible increase in the level of thermal comfort and a whole-of-house-energy use budget. These changes are included in the second tranch of the NCC 2022 public comment draft which was released and made available for community feedback until 17 October along with a Regulatory Impact Statement.
- The Parliamentary and Governing Agreement includes commitments to improve the sustainability and energy efficiency of our buildings including setting sustainability standards that new buildings must meet and commencing a 10-year pathway to shift to world's best practice on climate-ready and environmentally sustainable buildings.
- As I have noted, the next update of the National Construction Code is expected to include increased energy efficiency requirements for residential buildings. In line with the commitments in the Parliamentary and Governing Agreement, I look forward to working with building Ministers nationally to introduce these important changes.
- The Government offers a range of different programs and schemes to help people improve their existing properties and reduce their energy costs, including options for low-income earners.

Portfolio: Sustainable Building and Construction**PROFESSIONAL INDEMNITY INSURANCE****Talking points:**

- Availability of Professional Indemnity (PI) insurance for practitioners operating in the building industry is an international issue.
- From 1 July 2019, there have been exclusions in building surveyors policies issued by private sector insurance bodies for certain projects involving combustible cladding. These exclusions do not prevent a building surveyor from continuing to operate in the ACT, but may restrict the kind of work they can undertake under their licence.
- While we expect that unlawful approval of non-compliant products would not be covered by PI insurance policies, any exclusions must be clearly expressed.
- At the July 2019 Building Ministers' Forum (now called the Building Ministers Meeting), states and territories recommitted to working towards a coordinated approach to deal with the issues surrounding professional indemnity insurance.
- A professional indemnity options paper was released for targeted consultation with insurers and the building industry.
- In December 2019, Building Ministers discussed the outcomes of the consultation and agreed there is no single solution and that a range of responses may be necessary. There was agreement to a nationally consistent amount of required insurance coverage, which is at the level already in place in the ACT.
- Building Ministers met with the Insurance Council of Australia in mid-February 2020 to discuss ways that could reduce the cost and improve the availability of professional indemnity insurance premiums for building industry practitioners.
- Ministers have also met with building surveyor and certifier industry associations to discuss their implementation plans for raising standards within the industry and reducing risks.
- Regulation alone will not address this issue. The insurance sector and professionals in the construction industry all have a critical role to play in developing solutions.
- We also encourage local building surveyors to provide information and feedback on any changes in the market directly to the Environment, Planning and Sustainable Development Directorate or Access Canberra, so they can help determine the best way to respond to the issue.

Key information:

ACT licencing laws allow licences to be issued as long as the practitioner has adequate insurance. The scope of the licence can be matched to the scope of the insurance.

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Cleared for public release by: Executive Branch Manager Ext:50030
Contact Officer name: Bethel Sendaba Ext:50030
Lead Directorate: Environment, Planning and Sustainable Development

Background information:

- From 1 July 2019, professional indemnity (PI) insurance policies for building surveyors have included exclusions for work in relation to combustible cladding.
- Due to international contraction and subsequent adjustment in the insurance market, the cost of premiums for PI policies has also increased. Increases in costs are not primarily in relation to combustible cladding.
- While there have been reports, from building surveyors in the ACT, that it can be more difficult (take longer and cost more) to obtain the required PI insurance, it is still possible to find the required cover.

With thePortfolio: Sustainable Building and Construction

BUILDING QUALITY INITIATIVES (ENGINEER REGISTRATION AND GOVERNMENT CERTIFIERS)

Talking points:

- The ACT Government has committed to several measures aimed at improving building quality and the operation of the building regulatory system in the ACT.
- The Parliamentary and Governing Agreement states that during this term the Government will:
 - Establish a public sector building certification service;
 - Introduce a registration scheme for engineers; and,
 - set up a licensing scheme for property developers¹.
- These commitments follow on from the extensive reforms the ACT Government has already implemented, and continues to implement, designed to lift quality and accountability across the local building sector.
- We have been working to address issues and lift the quality of work by the different sub-sectors. This includes delivering a code of practice for building certifiers, tightening licencing and requirements for builders and introduced clear and robust documentation guidelines for building designers.
- Work underway now is considering a fee-for-service public sector or government run building certification service that would run alongside private certification services currently available. It is also considering how a public sector certification service may be applied to different types of buildings.
- The ACT Government has already implemented a number of reforms to improve quality and accountability across the local building sector. This has been further backed up by findings of the Building Confidence Report, commissioned by the Building Ministers Meeting. Design practitioners, such as engineers, should be accountable for the work they do, and any contribution it makes to non-compliant and defective buildings.
 - The ACT Government is committed to introduce a regulatory scheme and associated framework, for the accountability of engineers within this term of Government. Work underway now is considering the appropriate model for the ACT taking into consideration view of industry stakeholders and schemes recently introduced and under development in other jurisdictions.
- I acknowledge that there are many individuals and businesses across the ACT operating in the building and construction sector who do good work and provide quality services to their customers. These reforms intend to give greater choice and

¹ See Briefing #5 - Property Developer Licensing

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Contact Officer name: Bethel Sendaba Ext:50030

Lead Directorate: Environment, Planning and Sustainable Development

protection for the community and make those who are not up to standard accountable for their actions.

Background information:

Government Building Certification Service

- To meet obligations under competition laws, any certification services set up in competition with private practitioners will not be provided by the regulatory agency, but by a separate entity. Services provided by this entity would be subject to the same regulatory system as private sector certification, including auditing, inspection and complaints processes.
- The ACT Government indicated in its submission to the Legislative Assembly inquiry into building quality in the ACT that it is considering the most appropriate model for certification in the long term and that while this is under consideration, recent reforms already implemented will support building certifiers to carry out their functions by improving building approval applications, providing clearer expectations for certification and stage inspections and improving the skills and competencies of people designing and constructing buildings in the Territory. Reforms completed that relate to clarifying the role of the certifier or minimum standards of practice and documentation for building approvals are:
 - Minimum documentation requirements for building approval applications, which provides the baseline for building approvals for apartment and other complex buildings. The guideline supports building certifiers in their discussions with applicants, establishes a starting point for auditing approvals and indicates what the builder and owner can expect to be provided.
 - A new code of practice for licenced building surveyors, which came into effect on 1 September 2019, and new provisions in the Building Act outlining the functions of the certifier and the purpose and scope of stage inspections and supporting codes of practice.
 - Lodgement of stage inspection information shortly after the inspection is complete.
 - New pre-licence application assessments for building surveyor licence applicants.
 - Online course for building surveyors, compulsory for new building surveyor licensees.
 - Regulations to delineate agency agreements (including those for appointing certifiers) from building contracts.
 - New risk-based auditing system for building certification and building work.

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Contact Officer name:	Bethel Sendaba	Ext:50030
Lead Directorate:	Environment, Planning and Sustainable Development	

Engineer Registration

- During 2020 officers from the Environment, Planning and Sustainable Development Directorate (EPSDD) met with representatives of the three main engineering industry groups, Engineers Australia, Professionals Australia, and Consult Australia. The discussions outlined the ACT Government's intentions to pursue detailed policy development which will support future enactment of an engineer registration scheme. Feedback from the industry groups during these discussions have provided useful inputs to the development of an ACT scheme to date. EPSDD continued policy development for the scheme in 2021.
- The Building Confidence Report Implementation Team, established within the Australian Building Codes Board Office to progress the recommendations, has developed and consulted on a draft National Registration Framework (NRF) for Building Practitioners to support implementation of recommendation one of the BCR. Building Ministers agreed to the final NRF in November 2021, which will inform work underway in the ACT on the accountability of building practitioners.
- EPSDD is continuing to develop a registration and certification scheme for the ACT, as a priority project with legislation planned for introduction in the Legislative Assembly during the November 2022 sitting period.

Portfolio: Sustainable Building and Construction

HOME SWIMMING POOL SAFETY

Talking points:

- The Government, during the last term, announced it will begin to take steps to ensure every backyard pool in the Territory meets modern safety standards.
- The work commenced with conversations with industry about how a pool safety inspection regime might work.
- Development of the scheme during 2022 is considering fair transition times, potential exemptions for properties where there are physical constraints to installing a fully compliant barrier, and the possibility of extensions to comply in particular circumstances – for example, if a pool owner is in financial hardship but needs a new pool barrier or substantial upgrade to the existing barrier.
- All the materials from the Backyard Lifeguard Campaign are still available online, including a checklist on the campaign website that can help people check if their pool has a barrier that meets modern safety standards.
- Close adult supervision is also critical to keeping our kids safe around backyard pools and spa pools.

Background Information:

- In 2017, in response to the Coronial Inquiry on the drowning death of a toddler in an ACT swimming pool, the ACT Government agreed in principle to the ACT legislative framework requiring all existing home swimming pools to comply with the latest version of the Building Code. It noted the government was considering potential schemes for improving the safety of existing swimming pools.
- Some pools already have barriers isolating the pool that may need only minor upgrades. Many backyards have some structures that may be able to form part of a barrier already in place. So for many people there may be no or low costs to have a compliant pool barrier.
- Any swimming pools or spa pools built since mid-2013 has to comply with the safety standard (AS1926:2012) currently in place through the National Construction Code (NCC). Pools built since mid-2010 have to comply with the previous safety standard (AS1926:2007). QLD apply a modified version of the 2007 standard. The NT requires compliance to the 1993 standard.
- The Directorate is working with key stakeholders to determine which standard should be applied and appropriate transition time periods. Victoria took the approach of staggered compliance dates, with the older pools required to be compliant first.
- A cross-directorate working group has been established to inform development of legislation planned for introduction in the Legislative Assembly in November 2022.

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Cleared for public release by: Executive Branch Manager Ext: 50030
Contact Officer name: Alison Kemp Ext: 75891
Lead Directorate: Environment, Planning and Sustainable Development

Portfolio/s: Sustainable Building and Construction
Water, Energy and Emissions Reduction

MINIMUM ENERGY PERFORMANCE REQUIREMENTS FOR RENTAL PROPERTIES

Talking points:

- The ACT Government is committed to ensuring that renters can enjoy the liveable homes that all Canberrans have a right to expect.
- Poorly insulated and energy inefficient housing can contribute to high energy bills and poor thermal comfort, affecting health and liveability.
- Renters living in these properties are either unable to make significant changes to the property or less able to afford energy efficiency measures like curtains, shading devices and more efficient appliances, leaving them subject to either discomfort or high energy costs.
- The Parliamentary and Governing Agreement for the 10th Legislative Assembly includes a commitment (A1.iii) to enact minimum energy efficiency standards regulations for rental properties in 2021.
- This reiterates Action 4.7 of the ACT Climate Change Strategy 2019-2025.
- To support delivery of this action, a Regulatory Impact Statement (RIS) was undertaken which considered minimum standard options along with consideration of issues such as safety and potential consequences for rental prices and availability. ACIL-Allen was commissioned to deliver this RIS. A round of engagement of key stakeholders to inform the RIS was undertaken in April and May. This included a survey of renters and rental providers through the ACT YourSay website. The results of the survey are available on the YourSay website.
- Three main options outlined below were considered through the RIS:
 - a minimum ceiling insulation standard; or
 - a minimum energy efficient heating standard; or
 - a 'performance' based standard, such as a minimum star rating, that gives rental providers a choice of upgrades to make.
- The option proposed for the standard is for rental homes with less than R2 insulation to be required to install or upgrade to a minimum of R5, where the R value is a measure of thermal performance and R5 is what is typically installed in new builds in Canberra. This was the option preferred from the RIS analysis.
- This standard will target only the worst performing properties. There will also be a phase in period of several years to allow rental providers that don't meet the standard plenty of time to comply.

- Recognising that a minimum energy performance requirement may potentially impose costs on rental providers, the Parliamentary and Governing Agreement also commits to a \$50 million program to improve efficiency of housing for vulnerable households, including “financial incentives to implement minimum energy efficiency standards in rental properties.”
- Another round of community consultation and stakeholder engagement was undertaken in November and December last year. It garnered views on the proposed minimum standard and on how it should be implemented. These views are now being considered and are informing the detailed design of the regulation to enact the standard and associated measures.
- A “Listening Report” summarising the feedback received will be released in March.
- We expect the regulation to commence in mid-2022 with the minimum standard being phased-in over several years.

Key information:

- The 2016 Census identified that there were approximately 45,000 residential rental properties in the ACT.
- Housing ACT has close to 12,000 dwellings, representing about 25 percent of the total rental market, and about 50 percent of the low-income rental market, in the ACT.
- The *Residential Tenancies Act 1997* as amended in 2020, allows for a regulation to be made to require minimum standards for residential rental properties. The Act specifies that regulated minimum standards may relate to energy efficiency.
- There is a ‘split incentive’ barrier to landlords investing in energy performance improvements as tenants end up as the beneficiary through reduced energy costs and improved thermal comfort. Government intervention through a regulation is necessary to overcome this barrier.
- Many rental properties are already energy efficient. Well-performing properties are unlikely to be affected by these minimum requirements. The standard will not apply to lower floor units in apartment blocks, and dwellings where installation of insulation is physically unfeasible will be exempt.
- The impact analysis in the RIS shows that this minimum standard, with a four-year phase-in, would provide around \$18 million in benefits for the ACT. The analysis also shows that for every dollar spent on the minimum standard, it returns \$1.30 to the community.

Portfolio: Sustainable Building and Construction

ACT Government – Response to Asbestos – Asbestos Response Taskforce

Talking points:

- As at 7 March 2022, 999 of the known 1029 residential properties identified as affected by loose fill asbestos insulation have been demolished and remediated from the Canberra community.
- The Loose Fill Asbestos Insulation Eradication Scheme (Scheme) original voluntary Buyback Program operated from 28 October 2014 and closed on 17 August 2021. The ongoing Buyback Program commenced on 18 August 2021.
- The Asbestos Response Taskforce (Taskforce) is continuing its work to address the residual risks associated with the presence of loose fill asbestos in the community by:
 - administering a Buyback Program;
 - providing personal support and assistance to homeowners and residents who remain in their homes.;
 - progressing demolition and remediation activities as properties are surrendered to the Territory, and,
 - supporting the sale of remediated blocks in Canberra streets and suburbs that were once affected by loose fill asbestos insulation.
- The Taskforce remains focused on supporting homeowners of the remaining known 31 affected properties, and any newly identified affected properties, as they consider their options to manage their property – either through the Scheme or privately.
- Homeowners who have elected to manage their affected property privately must abide by the relevant responsibilities, such as Asbestos Management Plan requirements, development and building approval restrictions, and occupancy prohibition for any new owners and tenants. They should also remain aware of the potential for compulsory acquisition from mid-2025.

Management of newly identified affected properties from 18 August 2021

- Since commencement of the Scheme, seven new properties have been identified as affected by loose fill asbestos insulation, including two which were added to the Affected Residential Premises Register on 18 August 2021 and 21 December 2021 respectively. It is possible that further affected properties, not yet identified, may exist across Canberra suburbs.
- The ongoing Buyback Program and associated initiatives commenced on 18 August 2021. This offering continues to support community safety through the effective management of their removal from the community.
- The ongoing Buyback Program is similar to the original Buyback Program for affected and impacted properties, however has adjusted timeframes to take into account the

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Cleared for public release by:

Contact Officer name:

Lead Directorate:

Executive Branch Manager

Michelle O'Donnell

Environment, Planning and
Sustainable Development

Ext: 50477

Ext: 55591

number of properties the ACT Government will likely manage at any one time going forward.

- These initiatives make sure that homeowners who may discover loose fill asbestos insulation in their property at some point in the future will still be supported by the ACT Government and will have options and assistance available to them, like homeowners whose properties were identified earlier.
- The Taskforce remains available to homeowners and residents with concerns about the presence of loose fill asbestos insulation in their home. The team can be contacted by phone on 6205 4700 or by email at asbestostaskforce@act.gov.au.

Asbestos Disease Support Scheme

- A diagnosis of an asbestos related disease, such as mesothelioma, presents a very difficult path ahead for the individual as well as their family. I acknowledge how challenging it must be to receive such unwelcome news.
- The ACT Government and Federal Government have committed to contributing \$8 million each to establish the Asbestos Disease Support Scheme to support people who contract, or have contracted, an asbestos related disease as a result of exposure to loose-fill asbestos from living in a Mr Fluffy property.
- The Support Scheme will be administered by the ACT Government. The structure of the Support Scheme is currently under consideration, but expected to commence in early 2022. Interested parties can register for Support Scheme updates by sending an email to Workplace Safety and Industrial Relations at wsir@act.gov.au.
- The Personal Support Team in the Taskforce also remains available to provide guidance, and support access to health services to assist current and former residents of Mr Fluffy properties who have been diagnosed with an asbestos related disease.

Key Information

- As at 7 March 2022, a total of 999 out of 1,029 residential properties identified as affected by loose fill asbestos insulation have been demolished:
 - 969 by the Taskforce through the Scheme
 - 12 through assisted private demolition
 - 17 self-funded demolitions
 - 1 surrendered to the Territory following demolition.
- There are 33 residential properties remaining on the Affected Residential Premises Register:
 - 13 are owned by the Territory:
 - 3 have been demolished and are in the process of being remediated and deregistered
 - 10 with demolition planning underway.

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Contact Officer name:

Lead Directorate:

Executive Branch Manager

Michelle O'Donnell

Environment, Planning and
Sustainable Development

Ext: 50477

Ext: 55591

- 20 remain privately owned:
 - 1 is a newly identified affected property, the homeowners of which are participating in the ongoing Buyback Program
 - 1 has a settlement date of 30 June 2022 under Transition Assistance arrangements
 - 1 is approved for Transition Assistance, with a contract exchange pending, and
 - 17 elected to not participate in the Scheme. Of these:
 - 2 have been approved for waste disposal fee relief to privately demolish the property
 - 3 are subject to Occupancy Prohibition, including 1 of the 2 approved for waste disposal fee relief.

Background Information:

- Under the ongoing buyback program, on surrender of the Crown Lease for the affected block, the owner will receive:
 - the value of the affected block (house and land), as though it was not contaminated by loose fill asbestos as of the date the property was added to the Register
 - an additional \$1,000 (GST incl) to cover or contribute to legal fees incurred in attending to the surrender
 - a stamp duty concession on the purchase of a residential dwelling in the ACT
 - a First Right of Refusal to purchase the affected block, at market value, after it is remediated (available only on blocks with a separate Crown Lease)
 - access to other financial concessions such as relocation assistance grants, transition assistance, waste disposal fee relief.
- All remaining homeowners, regardless of whether they are participating in the Buyback Program, continue to have access to financial supports such as relocation assistance upon permanent vacation of their affected property.

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Cleared for public release by:

Contact Officer name:

Lead Directorate:

Executive Branch Manager

Michelle O'Donnell

Environment, Planning and
Sustainable Development

Ext: 50477

Ext: 55591