



To: Chief Minister Obj Ref: 22/83957
Rec'd Minister's Office .../.../...

From: Chief Executive Officer, City Renewal Authority

CC: Director-General, Environment, Planning and Sustainable Development
Directorate

Subject: Nominees for City Renewal Authority Board Deputy Chair

Critical Date: 12 September 2022

Critical Reason: The list of nominees, including the name of your preferred nominee, will be presented for Cabinet consideration on 10 October 2022

Purpose

To seek your consideration of the selected nominees for the position of Deputy Chair of the City Renewal Authority Board.

Recommendations

That you:

1. **Note** the nominees for the position of City Renewal Authority Board Deputy Chair at Attachment 1.
2. **Agree** to recommend the preferred nominees for the position of City Renewal Authority Board Deputy Chair to Cabinet for a period of three years commencing 1 January 2023.

Noted / Please Discuss

Agreed / Not Agreed / Please Discuss

Andrew Barr MLA *Andrew Barr* 6./9./22

Minister's Office Feedback

Background

1. The City Renewal Authority (CRA) advised you via Ministerial Brief 22/23393 of the:
 - a. expiry of appointments of current members of the CRA Board in the period 22 June 2022 to 31 December 2022; and
 - b. the preferred succession plan for the Board positions.
2. On 11 March 2022, you agreed to the commencement of the selection process for a new Deputy Chair of the CRA Board.
3. The CRA engaged Watermark Search International to conduct a national executive search and recruitment process to source and shortlist viable nominees for the position, during August 2022. Watermark received 14 applications, from which five were shortlisted for detailed consideration through interview by a CRA selection panel. The selection panel comprised:
 - a. Christine Covington - CRA Board Chair
 - b. John Fitzgerald - Suburban Land Agency Board Chair; and
 - c. Jim Corrigan - Deputy Director-General City Services, TCCS.
4. In most cases Cabinet appointments are actioned in three stages:
 - a. Minister's agreement to the Appointment, signing of Appointment Paper and approval to lodge for Cabinet Consideration.
 - b. Standing Committee Consultation period.
 - c. Signing of instrument of appointment and letters to appointees.

Issues

5. The CRA selection panel shortlisted 2 applicants for your consideration for nomination to Cabinet, being:
 - a. Ms Marcia Doheny; and
 - b. Sch 2.2(a)(ii).
6. This brief requests your:
 - a. consideration of the above nominees, with their information presented at Attachment 1; and
 - b. agreement for submission of the nominees to Cabinet.

Financial Implications

7. There are no financial implications. The costs of Board members are met from existing CRA financial appropriations.

Consultation

Internal

8. The CRA Board Chair chaired the selection panel to shortlist applicants to those nominated in this brief.

Cross Directorate

9. EPSDD, as the CRA's administrative unit, was consulted in the development of this brief.

External

10. Diversity consultation on your approved nominees will occur prior to submission of those nominees to Cabinet.

Benefits/Sensitivities

11. Nil.

Media Implications

12. Nil.

Signatory Name: Malcolm Snow

Phone: 6207 2478

Action Officer: Fiona Codd

Phone: 6207 3098

Attachments

1.	Selection Report – City Renewal Authority Board Deputy Chair – 2022
2.	Candidate Report and Background Information – Ms Marcia Doheny
3.	Candidate Report and Background Information – Sch 2.2(a)(ii)



Environment, Planning and Sustainable Development Directorate

To:	Chief Minister	Tracking No.: 22/83962
CC:	Director-General, Environment, Planning and Sustainable Development	
Date:	19 July 2022	
From:	Chief Executive Officer, City Renewal Authority	
Subject:	Report on the outcomes of the City Renewal Authority Board meeting held on 5 May 2022	
Critical Date:	31 August 2022	
Critical Reason:	You have requested to be briefed on an ongoing basis of all Authority Board decisions and be provided with the minutes of all Board meetings.	

Recommendations

That you:

1. **Note** the information contained in this brief.


 Noted / Please Discuss
 Andrew Barr MLA 23./7./22

Minister's Office Feedback

Background

1. On 17 July 2018 you wrote to the Authority Chair and requested that the Authority provide after each meeting of the Board:
 - a brief on the decisions made at the meeting; and
 - a copy of the Minutes of the meeting.

Issues

2. The Board held a meeting on 5 May 2022 and considered one item out of session in March 2022. In relation to those considerations, I provide the following documents:
 - a. A summary of the decisions made at the meeting and/or out of session at Attachment A; and
 - b. the Board-approved minutes of the meeting at Attachment B.

Financial Implications

3. Nil.

Consultation

Internal

4. Nil.

Cross Directorate

5. Nil.

External

6. Nil.

Work Health and Safety

7. Nil.

Benefits/Sensitivities

8. Nil.

Communications, media and engagement implications

9. Nil.

Signatory Name: Malcolm Snow

Phone: x51878

Action Officer: Fiona Codd

Phone: x73098

Attachments

Attachment	Title
Attachment A	CRA Board Decisions Register – extract of March to May 2022.
Attachment B	Minutes - CRA Board Meeting 22/02, 5 May 2022.



Environment, Planning and Sustainable Development Directorate

To: Chief Minister

Tracking No.: 22/83970

CC: Director-General, Environment, Planning and Sustainable Development

Date: 25 August 2022

From: A/g Chief Executive Officer, City Renewal Authority

Subject: City Centre research findings

Critical Date: 2 September 2022

Critical Reason: To ensure you are briefed on these findings in a timely manner

Recommendations

That you **note** the information contained in this brief.

Noted / Please Discuss

Andrew Barr MLA *Andrew Barr* 30 / 8 / 22

Minister's Office Feedback

Background

1. In February 2022, the City Renewal Authority (Authority) engaged an independent researcher, Pollinate to deliver a research project to understand the following:
 - a. Community sentiment toward the places in the City Renewal Precinct (Precinct) and awareness of projects undertaken by the Authority.
 - b. Evolving consumer motivations for the Precinct, using the consumer segmentation developed in 2020.
 - c. City Centre Marketing and Improvements Levy (CCMIL) payer satisfaction with CCMIL management.
2. The projects were in the market in April/May with:
 - a. a focus group with the CCMIL Advisory Group
 - b. six interviews with City Centre key influencers
 - c. a survey to a representative sample of 650 people in the ACT
 - d. a survey sent to CCMIL payers
3. The final reports are attached:
 - a. Attachment A: City sentiment and awareness
 - b. Attachment B: City consumer behaviour and motivations
 - c. Attachment C: CCMIL feedback
4. Key findings include:

Research	Key findings
Place sentiment	<ul style="list-style-type: none"> ● Perceived safety, comfort and cleanliness has declined slightly across all places in the Precinct which is consistent with national and international city trends in 2022. ● Very few Canberrans feel uncomfortable in the Precinct places – the least comfortable and safe places are Dickson and Haig Park. ● Civic feels like a ‘poor cousin’ in the City Centre.
Consumer behaviour	<ul style="list-style-type: none"> ● Reported visitation is lower over the period of the survey, although footfall data shows an increase (albeit at different times of day) since that period. ● When people do visit the City, they spend on average \$140 a visit. ● Top activities in the City are shopping, eating and meeting friends with only 1 in 5 people saying ‘to work’. ● Event attendance is steady for main events. ● Braddon and Dickson are well known as locations while the rest of the Precinct is known as the City or Civic. ● Most Canberrans think it is easy to get to the City, Dickson and Braddon.

<p>Awareness of Authority projects</p>	<ul style="list-style-type: none"> • The most effective Authority projects are perceived to be City Illuminations @Enlighten, City Walk upgrade and Acton Waterfront. • Awareness and trust in the Authority and its projects remains high and steady.
<p>CCMIL feedback N.B. not representative with only 16 respondents</p>	<ul style="list-style-type: none"> • CCMIL payers want more done in the City. • Hygiene, cleanliness, and safety are the most important themes for payers. • CCMIL payers do not feel well informed about expenditure.

Issues

5. Only 16 payers responded to the CCMIL five-minute survey however it was opened by 200 people. The survey was posted to 650 payers via ACT Revenue and promoted via the CCMIL Advisory Group for sharing, LinkedIn, Facebook, an eNewsletter and the City Place Manager emailing property owners.
6. The CCMIL Advisory Group of 13 payers has acknowledged the challenges of acquiring feedback and advised that the findings cannot be considered relevant.
7. The CCMIL Advisory Group has agreed to continue to support the Authority to get a better understanding of CCMIL payer feedback.
8. To close off the survey with CCMIL payers, the Authority has invited payers to attend online workshops where we are sharing high level findings and seeking additional feedback. A one-page summary of feedback will be included and shared with payers in the CCMIL annual snapshot in October 2022.

Recommendations

9. The Authority is planning to develop an engagement strategy this year to improve participatory engagement with CCMIL payers.

Financial Implications

10. The city sentiment and awareness report was paid for by the Authority from operating funds.
11. The city consumer research and the CCMIL feedback survey was paid for with CCMIL funds.

Consultation

Internal

12. The findings of these reports were shared with the Authority Board in July 2022.

Cross Directorate

13. The Authority consulted with the CMTEDD Research and Insights team to develop the RFQ to procure Pollinate.
14. The Authority requested access to the YourSay panel for the survey but it was not available.

15. The city consumer behaviour research has been shared with the CMTEDD Research and Insights, and Economic Development teams.

External

16. The CCMIL performance and evaluation framework requires the Authority to undertake independent evaluation each year.
17. The city consumer behaviour research and the CCMIL feedback has been shared with the CCMIL Advisory Group.
18. This month the Authority is conducting three online workshops with Precinct property and business owners to present consumer behaviour findings and CCMIL feedback. The team will endeavour to capture additional CCMIL payer feedback at this time and will share a summary of the findings with payers in October 2022 with the CCMIL annual snapshot.

Benefits/Sensitivities

19. The findings in the three reports are being used to inform the Authority’s delivery of projects in 2022/23 and in the development of the Authority’s second City Precinct Renewal Program.
20. The city consumer behaviour research and the CCMIL feedback has informed the development of the Place Experience and Marketing Action Plan for 2022/23.

Communications, media and engagement implications

21. The Authority is sharing a summary of the consumer behaviour research and CCMIL feedback with city property and business owners directly. Owners can contact the Authority directly to discuss the information. It is possible, although unlikely to generate media attention.

Signatory Name: Craig Gillman
 Action Officer: Jennifer Ramsay

Phone:
 Phone:

Sch 2.2(a)(ii)

Attachments

Attachment	Title
Attachment A	City sentiment and awareness
Attachment B	City consumer behaviour and motivation
Attachment C	CCMIL feedback



Environment, Planning and Sustainable Development Directorate

To:	Chief Minister Minister for the Arts	Tracking No.: 22/84000
CC:	Director-General, Environment, Planning and Sustainable Development	
Date:	30 August 2022	
From:	Chief Executive Officer, City Renewal Authority	
Subject:	Second Space Pilot Program	
Critical Date:	5 September 2022	
Critical Reason:	Program Launch event is proposed for 13 September 2022	

Recommendations

That you:

- Note** the information contained in this brief.

Andrew Barr MLA  **Noted** / Please Discuss 2/9/22

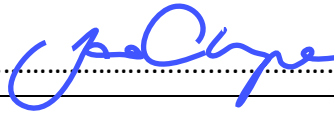
Minister's Office Feedback

That you:

2. **Note** the information contained in this brief.

Noted / Please Discuss

Tara Cheyne MLA



7/9/22

Minister's Office Feedback

Please consult with Kerri on comments.

Background

1. The City Renewal Authority's **Second Space Pilot** is a targeted micro-economic stimulus program that seeks to partner with the creative industry and business to activate and repurpose vacant tenancies and buildings in the City Centre, with a specific focus on City West.
2. The aim of the program is to attract more people, more investment, and more business to the city that catalyses social, and economic benefits that can be extended. With several vacant tenancies and buildings in the city, the program will support activation and visibility of these spaces for its duration. The simple act of 'turning on the lights' can have the effect of changing the way ground-level spaces are perceived, creating a feeling of safety after hours, catching people's attention, dissuading anti-social behaviour and reducing building vacancy to enliven the experience of the city.
3. Based on similar programs the purpose of the pilot is to test the feasibility of connecting vacant retail and commercial city spaces with local creatives and innovators for 3 to 6 months on a rent-free agreement.
4. The Authority has conducted an initial expression of interest (EOI) process to attract interested building owners and has identified three commercial properties (15 Moore Street, 13 London Circuit, 14 Childers Street) and one ACT Government owned space (the North Building on Civic Square).
5. The Authority has also conducted an EOI for potential individuals and businesses to activate these spaces. 40 responses were received as part of the process.
6. The first site to be activated is the ACT Government-owned space in the North Building (formerly the ACT Electoral Office) from mid-September and is a partnership between the Authority, Australian National University (ANU) School of Art and Design, Cultural Facilities Corporation and Craft ACT. Additional information on the schedule for the North Building tenancy can be found at Attachment A. The ANU vision statement for their proposal is at Attachment B.
7. The Authority is continuing to meet with property owners and creatives to activate spaces. Below is a summary status update for each location.

UNCLASSIFIED

Location	Status
15 Moore Street	<ul style="list-style-type: none">• Owner agreement confirmed until January 2023• Occupier agreement in progress• Likely start date is September
13 London Circuit	<ul style="list-style-type: none">• Owner agreement in progress• Occupier agreement in discussion• Likely start date is September
14 Childers Street	<ul style="list-style-type: none">• Owner agreement in progress• Occupier agreement in discussion• Likely start date is October

Issues

8. Onboarding property owners has been challenging but identified risks have been mitigated and the contractual arrangements simplified where possible through a close collaboration with the Government Solicitor's Office (GSO).
9. Short-term lease arrangements have proved to be a barrier for space activators following the EOI process. The Authority continues to negotiate and explore tailored solutions to meet the needs of activators and property owners.

Financial Implications

10. The total cost of the pilot program is expected to be between \$100,000 and \$130,000 on completion and is funded through the City Centre Marketing and Improvements Levy (CCMIL). \$54,732 was spent in the 21/22 FY and the remaining costs will be incurred in the 22/23 FY.
11. Consultant, Town Team Movement, was awarded a \$50,000 contract to create and conduct the pilot program. This may increase by an additional \$30,000 to finalise pilot delivery.
12. Legal fees for creating and executing contracts (through the GSO) has cost \$7000 and an additional \$3000 is expected to complete the pilot.
13. The Authority will manage and produce building signage and promotion for the program. This is expected to cost \$20,000 on completion.
14. The Authority is absorbing the initial cost of incurred power and water charges for the occupied spaces. This is expected to cost \$20,000 on completion.

Consultation

Internal - ongoing

15. Malcolm Snow, Jennifer Ramsay, Communication and Engagement

Cross Directorate - ongoing

16. ACTIA – Marion Lynch, Damian Black, Julia Garcia
17. Treasury – Damian Black, Collen Chapman
18. Government Solicitors Office – Leszek Stawski, Tamara Sullivan Smith and Brendan Ding
19. Cultural Facilities Corporation – Brooke Thomas and Ian Tidy
20. CMAG – Danyka Van Buuren and Anna Wong

21. CBR Innovation Network – Sharyn Smith

External - ongoing

- 22. CCMIL Advisory Group
- 23. Property Council of Australia – Adina Cirson
- 24. Town Team Movement – Cate Baker and David Snyder
- 25. KDN Group (15 Moore Street) – George Kathakalis and Peter Taylor
- 26. HTI Group (13 London Cct) – Jon Tanchevski
- 27. Cox Architecture (13 London Cct) – Ronan Moss
- 28. Space Market
- 29. Risk Essential – Sch 2.2(a)(ii)

Work Health and Safety

- 30. The WHS component of the program is complex. Risks have been identified and managed to ensure activities in spaces can be conducted safely.
- 31. Additional support has been provided by ACTIA regarding assessment of risks and insurance.
- 32. Building owners are required to ensure their space is safe and meets Australian Standards for Fire and Electrical Safety.
- 33. Space activators are required to provide documentation to ensure their activity is conducted safely and dependent on the activity may be required to provide Safe Work Statements.

Benefits/Sensitivities

Benefits

- 34. Reducing building vacancy rates and activating ground-level spaces in the City Centre, especially City West which has experienced the most significant reduction in footfall since 2019.
- 35. Encouraging creatives and innovators to operate in the City Centre which aligns with the recommended place identity as the 'knowledge quarter'.
- 36. Developing an understanding of the place narrative of the precinct and how it needs to be positioned as a destination.
- 37. Encouraging more active participation in the local area, both financially and socially.

Sensitivities

- 38. This type of renewal initiative has been implemented in other Australian cities such as Newcastle and is complex and time consuming to manage. The pilot is therefore only focused on Civic and City West and for a time-limited period with the outcomes informing the program's viability and possible extension.
- 39. The CCMIL budget has been used to fund the pilot.
- 40. The budget expended includes the drafting of all process requirements which should reduce the financial requirements if the trial is successful, and the program is extended.
- 41. Collaboration with property owners and developers must be transparent.
- 42. There is a risk of not appropriately matching individuals and businesses with the available spaces which is being actively managed by Town Team.

Communications, media and engagement implications

43. Please refer to Attachment C for Event Proposal and Speaking Notes and to Attachment D for the Draft Media Release for relevant communications and media information. This will be forwarded to the respective Minister's media advisers.

Signatory Name: Malcolm Snow

Phone: 51805

Action Officer: Patrick Rose

Phone:

Attachments

Attachment	Title
Attachment A	Activation Schedule Civic Square
Attachment B	ANU Vision and Space Activation Civic Square
Attachment C	Event Proposal and Speaking Notes – will be sent to CMO media adviser
Attachment D	DRAFT Media Release – will be sent to CMO media adviser



Environment, Planning and Sustainable Development Directorate

To:	Chief Minister	Tracking No.: 22/84004
CC:	Director-General, Environment, Planning and Sustainable Development	
Date:	6 September 2022	
From:	Chief Executive Officer, City Renewal Authority	
Subject:	Dickson Shops revitalisation – update	
Critical Date:	23 September 2022	
Critical Reason:	To keep you informed in a timely manner	

Recommendations

That you **note** the information contained in this brief.

Andrew Barr MLA *Andrew Barr* Noted / Please Discuss *9./9./22*

Minister's Office Feedback

Background

The City Renewal Authority (the Authority) is developing a concept plan to revitalise the ageing Dickson Shops precinct through a staged program of short-to-long term public realm upgrades. Further background was provided in Brief 22/74853 and at a subsequent meeting with you on Tuesday 19 July 2022.

Issues

Dickson Group Centre - renewal opportunities and constraints

1. At the 19 July 2022 meeting, the Authority agreed to provide a map of key renewal opportunities and issues for the broader Dickson Group Centre (see Attachment A).
2. As highlighted in the map, key issues for the renewal of the Dickson Group Centre include:
 - a. Pedestrian connectivity, particularly east-to-west.
 - i. Aspirations identified in the City and Gateway Urban Design Framework (City and Gateway UDF) and the 2011 Dickson Centre Master Plan for direct east-west pedestrian connections are not currently permissible as they are intercepted by several existing (ageing) blocks. Interventions such as the introduction of pedestrian easements could be considered to ensure access is achieved as part of future redevelopment.
 - b. Provision of future public parking supply.
 - i. A large proportion of the existing public parking provision is via surface level parking on privately owned blocks and future ACT land release sites. For sites that are privately owned, strategies to mitigate the risk of loss during future redevelopment may need to be considered to avoid a future parking shortage. Requirements are also likely to be included for the future land release sites.
 - c. Several desired outcomes identified in the City and Gateway UDF and the 2011 Dickson Centre Master Plan are on land that is currently (or soon to be) owned by the Dickson Tradies Group. These include the establishment of a new public open space and new pedestrian links from both Sullivans Creek and Badham Street.
 - d. Several key green open spaces along Cowper Street in the Dickson Shops precinct are zoned for commercial use. Rezoning may need to be considered to facilitate their upgrading and maintenance as high value 'green' community spaces.
3. These broader contextual factors will be considered as the project progresses, however, responsibility for addressing these broader issues in the group centre largely rests in the hands of other planning and land development agencies. With the Inner North District Plan currently in development by the Environment, Planning and Sustainable Development Directorate (EPSDD), it is an opportune time to consider these issues.

Recent community engagement

4. From late July to August 2022 the Authority undertook initial engagement with a small cross-section of community stakeholders. This included a virtual workshop with residents and traders, door knocking around the shops and meetings with several property owners.

5. The engagement confirmed that previous findings from engagement activities related to the Dickson Shops and its surrounds still apply. These include engagement activities relating to the development of the 2018 Dickson Place Plan, Woolley Streetscape Upgrades, Dickson Pool forecourt and Section 72 planning, as well as regular informal engagement by the Authority's place managers. There also appears to be general support for the proposals identified in the 2018 Dickson Place Plan.
6. Key messages from the feedback to date include:
 - a. Widespread agreement that the public realm is in poor condition and ageing.
 - b. Safety is a major concern among the community. This includes:
 - i. Regular incidents of tripping and slipping on paving.
 - ii. Concerns about homeless people and antisocial behavior.
 - iii. Concerns about night-time safety, exacerbated by poor lighting.
 - iv. Pedestrian and cyclist safety on Dickson Place.
 - c. Flooding due to stormwater drainage issues in the central courtyards is a major challenge.
 - d. Wayfinding and pedestrian connectivity to surrounding parts of the Dickson Group Centre needs improvement.
7. The Authority met with four property owners to discuss their priorities and plans to improve their buildings, noting these have a significant impact on the place experience. All of them have recently completed, or are planning to undertake, building improvements, however the scope of these plans varies considerably. An owner of a large central block plans to improve external lighting but has no further plans at this point. The others are contemplating more significant changes. However, most property owners have not responded to the Authority's request to meet.
8. The Authority is now moving on to the preliminary design stage for public realm improvements, drawing on the feedback received, the 2018 Dickson Place Plan and the 2011 Dickson Centre Master Plan. Further engagement will be undertaken on the designs. You will be briefed on the outcomes of this process in due course.

Financial Implications

9. In 2022-23, \$155K is allocated for design and stakeholder engagement and \$150K for the first short-term, low-cost improvements.
10. A proposed budget to deliver capital upgrades will be included in the updated City Precinct Renewal Program for consideration as part of the 2023-24 Budget.

Consultation

Cross Directorate

11. The Authority has notified Transport Canberra and City Services about the safety issues raised related to basic assets including paving and stormwater drainage. The Authority has offered to meet with TCCS to discuss opportunities to submit a joint funding bid to rectify these issues concurrently with any proposed future upgrades.
12. EPSSD's Development and Implementation Branch has been consulted and supports this

project. They are currently focused on planning for the redevelopment of Section 72.

External

13. Please see 'Recent community engagement' above.

Work Health and Safety

14. Safety in Design reports will be undertaken as part of the concept design.

Benefits/Sensitivities

15. If the safety issues raised in the recent community feedback are not addressed, this may result in negative feedback about the ACT Government's failure to maintain public spaces to a minimum safety standard.

16. Addressing the renewal opportunities and constraints identified in the map at Attachment A will involve detailed consideration of associated benefits and sensitivities.

Communications, media and engagement implications

17. Not applicable.

Signatory Name: Malcolm Snow Phone: 6205 1805

Action Officer: Lucy Wilson Phone: 6205 2995

Attachments

Attachment	Title
Attachment A	Dickson Group Centre – renewal opportunities and constraints



City Renewal Authority

To:	Chief Minister	Tracking No.: 22/113106
CC:	Director-General, Environment, Planning and Sustainable Development	
Date:	9 September 2022	
From:	Chief Executive Officer, City Renewal Authority	
Subject:	City Renewal Authority brand refresh	
Critical Date:	16 September 2022	
Critical Reason:	To enable usage of the refreshed brand in Authority collateral.	

Recommendations

That you:

- Note** the Authority’s refreshed brand identity.

Noted Please Discuss
 Andrew Barr MLA *Andrew Barr* 19./9./22

Minister’s Office Feedback

Brand consistency is required from here on. This really should be durable for several decades.

AB

Background

1. Corporate branding represents the reputation, values, and identity of an organisation. A strong visual identity must be recognisable in the market, provide employees with strategic direction and connect with audiences. The Authority's current visual identity has been in use since December 2017.
2. After more than four years of application the Authority wishes to refresh its visual identity and ensure greater rigor is applied to our style guide to make sure all assets reflect the design-led, people-first strategic goals of the agency. The brand refresh 'fine-tunes' existing brand assets and provides clearer guidance for their application by Authority staff and our suppliers.
3. The City Renewal Authority is a statutory authority. The ACT Government Brand Guardian 2021 version 2.0 (page 42) states that statutory authorities are not required to use the ACT Government brand.

Issues

4. The refreshed visual identity for the City Renewal Authority (refer Attachment A) has the following attributes:
 - a. demonstrates graphic design excellence
 - b. inspires excitement about the future of the City Renewal Precinct
 - c. prioritises people and community in the renewal process
 - d. reinforces Canberra's reputation as an innovative and leading city
 - e. aligns to our mission set out in the City Renewal Authority and Suburban Land Agency ACT Division 2.2 Item 8(a) and 9(g); and
 - f. aligns to your Statement of Ambition 20-21.
5. The brand refresh has been designed to align with key elements from the ACT Government Brand Guardian 2021 including copy, tone, photography, campaigns and events, social media communication, and digital uses.
6. Consistent with the ACT Government Brand Guardian and brand exemption, the Authority's refreshed brand will:
 - a. always present the ACT Government and City Renewal Authority logo lock-up at least once prominently per piece of collateral
 - b. never colour the ACT Government logo; and
 - c. be compatible with Built for CBR infrastructure brand.

Financial Implications

7. The brand refresh was developed in the 21/22 FY and funded through the Authority's five-year appropriation.

Consultation

Internal

8. 3 August 2022 – the Authority's Board endorsed the brand refresh.
9. 9 August 2022 - the Head of Service approved an exemption for the use of the Authority Brand

Cross Directorate

10. Across early to mid-2022, WWhoG Creative Director – Campaign Team, Renee Murray advised on content and requirements for the procurement and provided comments during the development of the draft brand guardian.
11. 2 August 2022 - Senior Director, Campaigns and Creative, Jody Gleeson reviewed the refreshed brand and provided endorsement on behalf of EBM Strategy and Creative, Nicole Mahar.
12. 9 September 2022 – I briefed Head of Service, Kathy Leigh and CMTEDD EGM Communications and Engagement Trish Johnston on the materials. The Head of Service subsequently approved an update to the branding exemption for the refreshed brand, noting the items listed at item 6 above.

External

13. Nil apart from the design consultant, Garbett. The supplier demonstrated experience in brand development, especially in the public sector having developed the branding for the City of Sydney and the Goulburn Regional Art Gallery, and met the Authority's requirements for design excellence having won the AGDA Pinnacle award, Best Design Gold, Good Design Gold, Dieline Gold, and New York Type Directors Gold.

Work Health and Safety

14. Nil.

Benefits/Sensitivities

15. This brand refresh emphasises the Authority's role in driving design excellence and innovation in the City Renewal Precinct and aligns to our Objects set out in the *City Renewal Authority and Suburban Land Agency Act* (Division 2.2 Item 8(a) and 9(g)).

Communications, media and engagement implications

16. The switch to the new brand will occur over one day in late September or early October with an emphasis on online properties (website and social media). A blog post highlighting the thinking behind the project and its benefits will be included in the Authority's newsletter. A media release is not planned.
17. The design consultant has submitted the project for an Australian Graphic Design Association award. Any media opportunities will be flagged with the Chief Minister's Office as they arise.

Signatory Name: Malcolm Snow

Phone: x51878

Action Officer: Doug Millen

Phone: x59410

Attachments

Attachment	Title
Attachment A	City Renewal Authority Brand Guardian

OFFICIAL

Environment, Planning and Sustainable Development Directorate**To:** Minister for Water, Energy and Emissions Reduction

Tracking No.: 22/74298

Date: 27 July 2022**From:** Executive Group Manager, Climate Change and Energy / Energy Efficiency Improvement Scheme Administrator**Subject:** Update to EEIS Eligible Activities Determination**Critical Date:** 1 August 2022**Critical Reason:** To rectify the issue as soon as possible to enable retailers to meet their legislated obligations under the EEIS and resume delivery of affected activities

- DDG, Environment, Water and Emissions Reduction 31/07/22

Recommendations

That you:

1. **Sign** the Disallowable Instrument at Attachment A;

Signed / Not Signed / Please Discuss

2. **Note** the Explanatory Statement at Attachment B; and

Noted / Please Discuss

Shane Rattenbury MLA


2/8/22

Minister's Office Feedback

Background

1. The *Energy Efficiency (Cost of Living) Improvement Act 2012* (EEI Act) establishes the Australian Capital Territory's Energy Efficiency Improvement Scheme (EEIS). The EEI Act places a legislative obligation on electricity retailers to achieve energy savings either through delivering eligible activities to households and small-to-medium businesses or through making an energy savings contribution.
2. The *Energy Efficiency (Cost of Living) Improvement (Eligible Activities) Determination* outlines eligible activities under the EEIS and how the Energy Savings Factor for each activity is calculated.
3. Activity 3.1 (*Decommission an electric resistance water heater and install a specified high efficiency water heater*) and Activity 3.2 (*Decommission a gas or liquefied petroleum gas water heater and install a specified high efficiency water heater*) include a requirement for the specified high efficiency water heater (hot water heat pump (HWHP)) to be eligible for a minimum number of Renewable Energy Certificates (REC, also referred to as small-scale technology certificates). This is as per the Clean Energy Regulator's register of air source heat pumps, under the Commonwealth Renewable Energy Target.
4. In December 2021, the Clean Energy Regulator introduced amendments to the *Commonwealth Renewable Energy (Method for Solar Water Heaters) Determination 2016* (the Regulation) to adjust the calculation of RECs. This amendment included an incremental reduction in the deeming period (number of years of operation the technology is credited for) for Solar Water Heaters and Air Source Heat Pumps for all systems installed after 1 January 2022.
5. The Commonwealth Renewable Energy Target scheme is designed to slowly reduce support for installation of small-scale renewable energy technologies to ensure there is a smooth phase down to 2030 when the scheme ends. Consequently, the deeming period for Solar Water Heaters and Air Source Heat Pumps decreases by one year, each year, for all systems installed from 1 January 2022. This means a technology installed in 2022 earns 90% and in 2023 earns 80% of the RECs it would have been eligible for in 2021.
6. This phase down is not related to the performance of these systems or their ability to provide energy savings under the EEIS. The decrease in RECs reflects the technology being credited for fewer years of service under the Commonwealth Renewable Energy Target and does not reflect any decline in the efficiency of these systems.

Issues

7. As the ACT uses the RECs as an input to determine Energy Savings Factors under the EEIS, the unintended consequence of the CER amendments is that several commonly installed HWHPs that were previously eligible under the EEIS activities 3.1 and 3.2 are now excluded.
8. ActewAGL Retail, halted delivery of this activity upon realisation installations were inadvertently ineligible under the EEIS.
9. Sch 2.2(a)(xi) 

10. Amendment is required to the *Energy Efficiency (Cost of Living) Improvement (Eligible Activities) Determination* to both reinstate the eligibility of efficient HWHP to be installed under the EEIS, and to revise the calculation of Energy Savings Factors to restore to intended levels to enable retailers to continue to meet their legislated obligations.
11. The commencement of the Determination is taken to have occurred on 1 January 2022 to align with the amended Regulation and to avoid disadvantaging the effected retailer.
12. To address the unintended exclusion of eligible systems from participation under the EEIS, the minimum RECs required will be revised down to match Clean Energy Regulator reductions across the next two years.
13. The proposed legislative change will result in a figure of 25.2 and 22.4 respectively for 2022 and 2023, which represents a 10% reduction for 2022 and a 20% reduction for 2023 from the pre-change figure of 28.
14. To ensure retailers are eligible for the original, intended Energy Savings Factors for the specified activity, the amendment introduces a multiplier to the eligible RECs. This means a retailer installing a HWHP in 2022 or 2023 will be eligible for the same amount of Energy Savings Factors they would have received for installing the same HWHP in 2021.
15. As the above amendments are a short-term fix, EPSDD will consider if an alternate methodology to replace RECs in the legislation may be more appropriate over the coming 12 months. RECs were originally included in the legislation as they are measured as part of a Commonwealth government-audited and carefully controlled framework. These RECs reflect climatic zone performance of a technology, making it a useful metric for applicability within the ACT.
16. The *Legislation Act 2001* specifies retrospective laws can only be introduced if there are no provisions that would adversely affect any person's rights or impose any liabilities on any person (other than the Territory or a territory authority or instrumentality).
 - a. The Determination has a positive impact on obligated retailers delivering activities by reinstating the eligibility of HWHP systems that have fallen below the eligibility threshold.
 - b. Households that have received an installation of the affected models of medium-size hot water heat pumps (MSHWHP) will not be impacted by the change. The amendment only affects how energy savings factors are calculated for a retailer undertaking the activity to meet their Retailer Energy Savings Obligation (RESO) since 1 January 2022.
 - c. Businesses will be unaffected as the retailer delivering activities is not delivering MSHWHP to businesses.
 - d. The Determination does not affect any Tier 2 retailers as none of these are currently delivering activities under the EEIS. However, the amendment will provide Tier 2 retailers the possibility to deliver this activity to meet their RESO if they should choose to do so.

Financial Implications

17. There are no financial implications associated with this brief.

Consultation

Internal

18. EPSDD Legal Services has reviewed the disallowable instrument and explanatory statement and provided advice on backdating the commencement of the instrument.

Cross Directorate

19. No cross-directorate consultation was required for this brief.

External

20. ActewAGL Retail first highlighted the issue to EPSDD on 29 April 2022. The Directorate has advised ActewAGL Retail this matter has been investigated as a priority.

Work Health and Safety

21. There are no work health and safety issues associated with this brief.

Benefits/Sensitivities

22. The Determination has positive impacts on obligated retailers delivering activities by reinstating the eligibility of HWHP systems that have fallen below the eligibility threshold.

Communications, media and engagement implications

23. EPSDD will notify retailers once the new Determination is made.

Signatory Name: Fiona Wright Phone: 02 6207 9780
Action Officer: Mhairin Hilliker Phone: 02 6207 4176

Attachments

Attachment	Title
Attachment A	EEIS Eligible Activities Determination – Disallowable Instrument
Attachment B	EEIS Eligible Activities Determination – Explanatory Statement

OFFICIAL

Environment, Planning and Sustainable Development Directorate**To:** Minister for Water, Energy and Emissions
Reduction

Tracking No.: 22/84992

Date: 13 July 2022**From:** Deputy Director-General, Environment Water and Emissions Reduction**Subject:** Energy Ministers Meeting paper on changes to the National Energy
Objectives**Critical Date:** 22 July 2022**Critical Reason:** To allow time to progress the paper for consideration by Energy Ministers**Recommendations**

That you:

1. **Agree** for the paper at Attachment A to be provided for consideration at the next Energy Ministers Meeting.

Agreed / Not Agreed / Please Discuss

Shane Rattenbury MLA

22/7/22
...../...../.....

Minister's Office Feedback

Background

1. On 24 September 2021, the Energy National Cabinet Reform Committee (ENCRC) agreed that you and Minister de Brenni would bring forward a paper on the inclusion of emissions in the National Electricity Objective (NEO) to the next ENCRC meeting. This paper has been redirected to the Energy Ministers Meeting on advice of Energy Senior Officials, as it is the more appropriate forum for this matter.
2. Further consideration by the Environment, Planning and Sustainable Development Directorate (EPSDD) identified that all three objectives set out in the national energy laws – the NEO, the National Energy Retail Objective (NERO) and the National Gas Objective (NGO) – should be reviewed in parallel to provide a holistic view of energy markets and policy, given there is a preference for consistency across all three laws where feasible.
3. At the Energy Senior Officials Meeting (ESOM) on 24 June 2022, Senior Officials considered a number of issues and approaches, including:
 - a. Should changes to the national energy objectives be pursued;
 - b. Should a Statement of Policy Principles (SoPP) also be investigated;
 - c. Should Senior Officials or the Australian Energy Market Commission (AEMC) progress the work; and
 - d. Alignment with other work, such as the National Energy Transition Agreement being progressed by the Commonwealth.

Issues

4. Senior Officials agreed that a recommendation be made to Energy Ministers to identify and evaluate options to incorporate emissions reduction into the national energy objectives, and that this work should be led by Senior Officials to ensure coordination with Commonwealth and state and territory programs.
5. It is also recommended that Energy Ministers agree that Senior Officials investigate whether a SoPP, directing the AEMC to consider emissions reductions when making rules or conducting a review under Energy Laws, should be progressed. A review of the national energy objectives will likely be a detailed process, and the development of a SoPP is a shorter-term solution that could be advanced ahead of a process to amend the national energy objectives, should that process be delayed or if more specific direction on emissions reduction is required.
6. EPSDD have prepared the draft the paper at [Attachment A](#) in consultation with the Queensland Department of Energy and Public Works, as co-drafters, and the Commonwealth.
7. The Commonwealth is of the view that there is appetite across Senior Officials, and likely with Ministers, to get a quick agreement to including emissions in the energy objectives at the August 2022 Energy Ministers Meeting. As such, the Commonwealth has made amendments to the paper reflecting an expedited process, recommending Ministers agree in-principle to including emissions into the national energy objectives, and to task Senior Officials with undertaking the necessary consultation and legislative drafting to give effect to this, and develop a final proposal by the end of 2022. The Commonwealth has noted that Ministers would then be required to sign off on the final amendments before they would be implemented.

OFFICIAL

- a. EPSDD has sought advice from the Commonwealth on who would lead the work achieve this. The Commonwealth advised that the decision on who would lead the work on the consultation and drafting would need to be discussed by Senior Officials, but given its Minister's interest in moving the work forward, the Commonwealth would likely be playing an active role.
8. Discussions between EPSDD and market bodies to date have indicated that they are supportive of this work being undertaken and will be able to provide examples of how the amendments, once drafted, will support their work.
9. You may wish to engage with Minister de Brenni and Minister Bowen in advance of the meeting to update them of the progress of this work.

National Energy Transition Agreement

10. The Commonwealth is also progressing the development of a National Energy Transition Agreement to set the vision for Australia's energy sector transition to net zero.
11. EPSDD met with Commonwealth officials on 5 July 2022 to discuss the National Energy Transition Agreement and how it may interact with the proposed changes to the national energy objectives. EPSDD and the Commonwealth Officials agreed that the changes to the national energy objectives could be proposed as a 'quick win' in the development of the agreement.
12. The Commonwealth intends to take a paper on the National Energy Transition Agreement to the next Energy Ministers Meeting, expected to be held 12 August 2022.
13. EPSDD proposes that the draft paper provided at Attachment A on the proposed changes to the national energy objective be provided to be considered in conjunction with the Commonwealth's paper.

Financial Implications

14. There are no financial implications associated with this brief.

Consultation

Internal

15. No internal consultation was required for this brief.

Cross Directorate

16. No cross-directorate consultation was required for this brief.

External

17. The paper at Attachment A was developed jointly with officials from the Queensland Department of Energy and Public Works, and with input from the Commonwealth.
18. EPSDD met with officials from the Commonwealth on 5 July 2022 to discuss the National Energy Transition Agreement and how it interacts with the proposed changes to the national energy objectives.

Work Health and Safety

19. There are no work health and safety issues associated with this brief.

Benefits/Sensitivities

20. The consideration of emissions in the national energy objectives will provide a clear signal to the energy industry to allow it to plan for and implement the transitions to zero emissions.

Communications, media and engagement implications

21. There are no communications implications associated with this brief.

Signature Name: Geoffrey Rutledge

Phone: 6207 5001

Action Officer: Emma Ereaut

Phone: 6207 7901

Attachments

Attachment	Title
Attachment A	Draft Energy Ministers Meeting paper

To: Minister for Water, Energy and Emissions
Reduction

Tracking No.: 22/86818

From: Executive Group Manager, Climate Change and Energy Division

Date of meeting: Friday, 12 August 2022

Subject: Energy Ministers' Meeting 5

Purpose of the meeting

To discuss matters of national significance with all jurisdictions, including updates on recent issues in the National Electricity Market (NEM), the Reform Agenda, Gas Markets, Energy Security Board taskings, Energy Ministers' governance protocols, and energy market body matters.

Recommendations

That you:

1. **Note** the agenda and meeting papers at Attachments A to C; and
Noted / Please Discuss
2. **Note** the briefing and annotated agenda provided below.
Noted / Please Discuss

Shane Rattenbury MLA/...../.....

Minister's Office Feedback

Signatory Name: James Priestley

Phone: x54176

Action Officer: Mhairin Hilliker

Phone: x72092

OFFICIAL Sensitive

Purpose of the meeting:	To discuss matters of national significance with all jurisdictions including updates on the National Electricity Market, Reform Agenda, Gas Markets, Energy Security Board Tasking, Energy Ministers' governance protocols, and energy market body matters.
Attendees:	All Energy Ministers are invited to attend: <ul style="list-style-type: none"> • The Hon Chris Bowen MP, Minister for Climate Change and Energy, Commonwealth • The Hon Matthew Kean MP, Minister for Energy and Environment, New South Wales • The Hon Lily D'Ambrosio MP, Minister for Energy, Environment and Climate Change, Victoria • The Hon Mick de Brenni MP, Minister for Energy, Renewables and Hydrogen, Queensland • The Hon Bill Johnston MLA, Minister for Energy, Western Australia • The Hon Guy Barnett MP, Minister for Energy and Emissions Reduction, Tasmania • The Hon Selena Uiibo, Minister for Renewables and Energy, Northern Territory • The Hon Susan Elizabeth Close MP, Minister for Climate, Environment and Water, South Australia.
Directorate representative in attendance:	Geoffrey Rutledge, Deputy Director-General, Environment, Planning and Sustainable Development Directorate
Who will meet you (include mobile):	Ministers are welcome to arrive from 9am at the main entrance to Parliament House and will be escorted to the Committee Room. Refreshments will be offered on arrival.
Day / date:	Friday 12 August 2022
Time:	9:30am – 3:30pm
Venue:	Committee Room 1R1 Australian Parliament House Microsoft Teams option if cannot attend in person: Click here to join the meeting Meeting ID: 490 617 668 077 Passcode: YxUAjM Or call in (audio only) +61 2 5104 4240,,247668961# Australia, Canberra Phone Conference ID: 247 668 961#
Transport arrangements:	Nil
Where to park:	Forecourt Basement
Catering:	Working lunch
Background:	EMM last met 8 June 2022
Discussion:	The agenda provided as part of Attachment A . Notes on items to be discussed are provided below in this document.

OFFICIAL Sensitive

Consultation Internal:	Nil
Cross directorate:	Nil
External:	Nil
Media implications:	A communique will be published following the meeting. The meeting and the communique may attract media interest.

Environment, Planning and Sustainable Development Directorate**To:** Minister for Water, Energy and Emissions Reduction

Tracking No.: 22/87287

Date: 13 July 2022**From:** Executive Branch Manager, Climate Change and Energy Policy**Subject:** Victorian Government Gas Substitution Road Map**Critical Date:** 22 July 2022**Critical Reason:** To understand the Victorian Government's position on gas transition matters, including areas of alignment and important differences with the ACT Government's proposed approach, prior to upcoming meetings with the ACT plumbing industry (22 and 28 July) and for 27 July Cabinet discussions on the ACT gas transition

- DDG, Environment, Water and Emissions Reduction 19/ 07/22

RecommendationsThat you **note** the information contained in this brief.**Noted / Please Discuss**

Shane Rattenbury MLA/...../.....

Minister's Office Feedback

FOR OFFICIAL USE ONLY

Tracking No. 22/87287

Background

1. Action 4.5 of the *ACT Climate Change Strategy 2019-2025* is to develop a plan for achieving zero emissions from gas use by 2024. In addition, the Parliamentary and Governing Agreement (PAGA) for the 10th Legislative Assembly sets out several specific initiatives that will be implemented during the current term of government to reduce natural gas use.
2. On 27 July 2022, Cabinet is scheduled to consider three gas transition papers (CAB22/199, CAB22/430 and CAB22/400). This is in advance of an expected public announcement in late July or early August of the ACT Government's long term gas transition pathway.
3. On 2 July 2022 the Victorian Government released its *Gas Substitution Roadmap*. The roadmap follows public consultation that the Victorian Government undertook during 2021.
4. The Victorian Government's Roadmap ('Roadmap') generally supports the ACT Government's current transition pathway findings, particularly given our primarily residential gas market. However, it does include a focus on developing a hydrogen and renewable gas industry. An understanding of what is included in the Roadmap, particularly what complements and what differs from the ACT's current preferred pathway will help in providing commentary and responses to potential questions from the industry and other stakeholders.

Issues

5. The Roadmap does not contain any firm commitments or targets. It highlights challenges, noting that energy efficiency and electrification are the most cost-effective pathway.. There is a specific narrative that relates to shifting the scarce gas resource use from households to industry that needs it most. Victorian Government incentives, rebates and regulatory reform will support electrification as a choice, but importantly, it does not prevent the ongoing investment and development in fossil gas infrastructure into residential or commercial spaces.
6. The Roadmap presents an outline for the types of additional work such as specific targets, measures and incentives that will follow. Given sensitivities, it is unlikely any targets that could impact businesses or industry would be published this year.
7. The Roadmap broadly outlines the following focus areas for gas decarbonisation:
 - a. Focusing on real cost savings achieved through efficiency upgrades and improvements (all sectors);
 - b. Electrification of household (and where appropriate business and commercial) gas use;

FOR OFFICIAL USE ONLY

- c. Development of a hydrogen and renewable gas sector for electricity production, industry, commercial and transport;
 - d. Maintaining gas reliability and supply throughout the transition (which includes expansion of gas infrastructure and supply);
 - e. Upskilling and transitioning gas plumbers;
 - f. Reducing fugitive emissions; and
 - g. Reducing government gas use.
8. Media coverage of the Victorian Government’s announcement was neutral to positive, with limited social media coverage and amplification of the roadmap.
9. Community perception appears largely neutral with no significant communications campaign immediately following the announcement.
10. There has not been any significant negative industry or community objection to the announcement. It is understood that the gas industry and gas fitting trades are generally positive about the Roadmap.

Victorian context

11. Victoria has the highest gas use per capita of any Australian Jurisdiction. 61 per cent of Victorian’s demand is for residential and commercial use.

	ACT	Victoria
Annual demand	7PJ	220PJ
Total connections	140,000	2.2M
Residential & Commercial demand	86%	61%
Industrial demand	14%	39%
Industrial connections	40	600+

12. Victoria’s industrial processes are primarily manufacturing with a significant high-heat needs (over 800°C). Few large gas users have these requirements in the ACT.
13. The gas sector contributes about 16 per cent of Victoria’s emissions. Coal fired electricity generation continues to dominate Victorian emissions.
14. Approximately 8 per cent of Victoria’s gas demand is used for electricity production.

Scenario modelling results

15. Similar to the ACT modelling, Victoria’s scenario modelling finds that, whilst electrification increases peak demand in winter, it is a critical and economically efficient pathway. The full costs of generation and network investment were included within

FOR OFFICIAL USE ONLY

each scenario and compared at a total system cost level, and the Victorian modelling still selects electrification as a critical and economically efficient path to lower emissions.

Electrifying households and assisting business

16. The Roadmap is consistent with the ACT Government's findings to date that electrification is the preferred pathway for homes, and small businesses. The Victorian modelling demonstrates that electrification will immediately reduce emissions and household energy bills. The modelling and bill savings illustrations will complement the ACT's findings and show that this is common in other jurisdictions.
17. Victoria is following the ACT's lead in removing the mandatory requirement for gas infrastructure in greenfield developments. This was completed in the ACT in 2020. The PAGA extends this measure by committing to a moratorium on new connections. The ACT experience in developments like Ginninderry has demonstrated that all-electric suburbs do not pose significant barriers to the electricity network, developers, homes or small businesses.
18. Whilst the Roadmap places a strong emphasis on consumer choice to electrify, Victoria will provide rebates, incentives and education towards all-electric homes. Their programs include improved efficiency standards for new homes through the National Construction Code, and minimum efficiency standards for rental properties.
19. The Victorian Energy Upgrades program will provide additional incentives and assistance for business to install solar, improve efficiency and reduce gas use. There is also funding allocated for assisting in the transition of gas and manufacturing workers to highly skilled digital jobs.

Supporting industry, developing a hydrogen and renewable gas economy

20. A key message highlighted throughout the Roadmap is that electrification reduces demand for fossil gas, making it more available for industrial users to secure it on more affordable terms. This messaging sets the foundation that gas should only be used by those that need it, or can't electrify.
21. The Roadmap outlines specific actions the Victorian Government is taking to support a renewable hydrogen industry. Developing a renewable gas industry in Victoria is required given its market context. Victoria has a significant manufacturing industry, where gas is an essential feedstock. Victoria also uses gas to produce electricity.
22. The Victorian Government will consider establishing a renewable gas scheme, and renewable gas targets, to help drive investment in gas substitution and guide transition planning for businesses, consumers and energy market participants. A report on these proposals is expected in 2023.
23. The ACT does not have a specific hydrogen strategy, but given our market context it is most likely to be prospective for heavy transport. Cabinet agreed in May 2022 that

FOR OFFICIAL USE ONLY

renewable gases will be considered as part of the gas transition plan for bespoke, niche and industrial customers where electrification may not be possible.

Other matters

24. The Roadmap foreshadows additional infrastructure spend to increase gas supply and storage. This is primarily due to current gas scarcity and pricing pressures.
25. Clean economy workforce skills packages are being developed to assist in the transition. Victoria has over 20,000 registered gas fitters, so understanding and monitoring how this develops will be of great interest in the ACT.
26. Victoria will advocate for Commonwealth mechanisms to support fugitive emissions reductions.
27. The Victorian Government has committed to actions within their own operations including:
 - a. Requiring that all new buildings and infrastructure business cases must include an all-electric option for consideration (but does not specify all-electric as a preference);
 - b. Announcing its first all-electric hospital;
 - c. Replacing gas infrastructure in existing healthcare buildings through asset renewal programs;
 - d. Schools to consider the intention to phase out fossil gas when making appropriate heating choices; and
 - e. Social housing energy efficiency upgrades for 35,000 public and community housing properties, including all-electric specifications for housing wherever possible.

Financial Implications

28. There are no financial implications of the subject of this brief.

Consultation

Internal

29. EPSDD Communications has been consulted regarding the Victorian Roadmap, and any related consideration for Gas Transition related communications.

Cross Directorate

30. No cross-directorate consultation was required for this brief, however a link to the Victorian Roadmap has been provided to Officers within Treasury and the Office for Climate Action.

External

31. No external consultation was required for this brief.

Work Health and Safety

32. There are no work health and safety implications of the subject of this brief.

Benefits/Sensitivities

33. The Victorian Roadmap has been generally well received by the gas industry, noting the continued commitment to retain the reticulated gas network and work towards eventual substitution of fossil fuel gas sources with renewable gases in later decades. This is a material difference with the ACT's proposed gas transition pathway.

34. Under the ACT transition pathway proposed, the ACT gas network is expected to become sub-economic to operate as significant numbers of consumers disconnect from the network in future years. EPSDD anticipates that the gas industry to contrast the two transition approaches and be critical of the ACT Government's planning to only consider renewable gas sources for specific or niche uses in future.

35. The Victorian Roadmap and supporting analysis is consistent with ACT Government modelling and analysis which finds that electrification of residential energy consumption is the most cost effective energy choice for households. This positively reinforces the ACT Government findings.

Communications, media and engagement implications

36. There are no media implications for the subject of this brief.

Signatory Name: Daniel Harding Phone: 6207 7533
Action Officer: Cath Collins Phone: 6205 9568

Attachments

Attachment	Title
Attachment A	Victorian Gas Substitution Roadmap

OFFICIAL Sensitive

Environment, Planning and Sustainable Development Directorate**To:** Minister for Water, Energy and Emissions
Reduction

Tracking No.: 22/98963

Date: 4 August 2022**From:** Executive Group Manager, Climate Change and Energy**Subject:** Letters to Energy Ministers – Notification of future derogation to National
Gas Laws**Critical Date:** **11 August 2022****Critical Reason:** To ensure letters are sent out prior to the Energy Minister's meeting
scheduled for Friday, 12 August 2022

- DDG, Environment, Water and Emissions Reduction 08/08/22

RecommendationsThat you **sign** the letters to Energy Ministers at Attachment A.**Agreed / Not Agreed Please Discuss**

Shane Rattenbury MLA


19/8/22

Minister's Office Feedback

Background

1. The *Climate Change and Greenhouse Gas Reduction Act 2010 (ACT)* sets a target for the Territory to reduce greenhouse gas emissions in the ACT to zero net emissions by 30 June 2045. The *ACT Climate Change Strategy 2019-2025* sets the initial pathway for the Territory to achieve this objective.
2. The Parliamentary and Governing Agreement of the 10th Legislative Assembly (PAGA) includes the following commitments in Appendix 1A1 Next steps on climate action:
 - (vii) *Legislate to prevent new gas mains network connections to future stages of greenfield residential development in the ACT in 2021-22. Future stages of Jacka and Whitlam will be all-electric.*
 - (viii) *Commence a transition project, working with industry and other stakeholders, to advance all-electric infill developments, with a goal of no new gas mains network connections to future infill developments from 2023.*
3. Sch 1 1.2
4. On 4 August 2022, you presented the *Climate Change and Greenhouse Gas Reduction (Natural Gas Transition) Amendment Bill 2022* (the Bill) to the Assembly. This Bill will allow a future regulation to change the national energy laws as they relate to new customer connections for natural gas in the ACT.

Issues

5. Whilst the AEMA agreement does foresee that parties will implement policies relating to environmental (including greenhouse), energy efficiency (including demand management) and planning issues within their own jurisdictions, there is an express intention at section 6.7 that derogation from the National energy legislation would not be implemented without the agreement of the Energy Ministers.
 - a. Sch 1 1.2
6. A derogation from the national energy legislation will not occur until such time as a future regulation is made, which will explicitly specify the modification to the national energy laws, as they relate to new natural gas connections in the ACT.
7. Public consultation on the scope and application of a future regulation, and regulatory impact statement, will commence before the end of 2022, with a regulation to be in place during 2023.
8. To honour the spirit of the AEMA, it is recommended that you inform Energy Ministers of the Bill and planned regulation-making progress. Sch 1 1.2

Sch 1 1.2

- a. Agreement of all parties to a jurisdictional derogation can assist in providing clarity if there is ever a need for the Australian Energy Regulator (AER) to consider whether it has enforcement capabilities of a jurisdictional application of the national energy laws. It is understood that the AER's ability to enforce derogations that have not been unanimously agreed under the AEMA have not been tested.
 - b. The Bill and any future regulation would be locally enforced, as compliance is a condition of the gas distributor's licence under the *Utilities Act 2000*.
9. It is recommended that you sign the letters to Energy Ministers at Attachment A providing this advice.

Financial Implications

10. Nil for the purpose of this brief.

Consultation

Internal

11. Nil for the purpose of this brief.

Cross Directorate

12. Nil for the purpose of this brief.

External

13. Energy Senior Officials have been advised of the ACTs intention to introduce legislation to create a regulation making power. This was noted at a Senior Officials meeting on 2 August 2022. The Commonwealth Chair of Energy Senior Officials committee indicated that the ACT gas transition policy announcement could be referenced in the 12 August Energy Ministers Meeting Communique.

Work Health and Safety

14. Nil for the purpose of this brief.

Benefits/Sensitivities

15. The ACT has previously held a position of supporting uniform and harmonious rules across jurisdictions. This request would be a departure from the ACTs previous position in this regard (refer 20/24703).
16. Providing prior notice of the intention to derogate will demonstrate the Territory's commitment to the AEMA. It will not however, ensure the unanimous agreement of Commonwealth, State and Territory Ministers to the derogation at a later stage.

Communications, media and engagement implications

17. There are no communications or media issues in relation to this brief. Communications relating to the 'electrification pathway' and introduction of the legislation are included in CAB22/199.

Signatory Name: Fiona Wright Phone: 79780
Action Officer: Cath Collins Phone: 59568

Attachments

Attachment	Title
Attachment A	Nine letters to Energy Ministers

SHANE RATTENBURY MLA - ARRANGEMENTS BRIEF

FUNCTION:	Launch announcement of Category B products for the Home Energy Support Program.
VENUE:	Home of ^{Sch 2.2(a)(ii)} [REDACTED], a participant who is benefiting from the Category A solar rebate and anticipating the launch of Category B. ^{Sch 2.2(a)(ii)} [REDACTED]
HOST:	Name: Ros Malouf, Senior Director, Climate Change and Energy Programs Mobile: ^{Sch 2.2(a)(iii)} [REDACTED]
DAY:	Thursday
DATE:	15 September 2022
TIME:	10:00am – 10:20am <i>Note: travel time is not included – an estimated additional 30 minutes would be required.</i>
TIME COMMITMENT:	20 minutes plus travel time
CATERING:	Nil.
DRESS CODE:	Business casual
MINISTER'S ROLE:	To announce the launch of the next products (Category B) available for rebates to eligible homeowners under the Home Energy Support Program. New products include electric heating and cooling, hot water heat pumps and electric stovetops/ovens.
YOUR ROLE:	You will give a five minute speech, followed by five minutes of questions. Talking points have been prepared and can be found at <u>Attachment A</u> .
Equipment available	Lectern/ microphone will not be available.
WHERE TO PARK:	A map of the venue and where to park is available at <u>Attachment B</u> .
WHO WILL MEET YOU:	Ros Malouf will meet you ^{Sch 2.2(a)(ii)} [REDACTED].
ADVISOR ATTENDING:	Yes. Anna McGuire and Lachlan Roberts.
AUDIENCE:	The primary target audience is eligible participants of the Program, which includes homeowners who hold a Pensioner Concession Card and/or DVA Gold Card. The secondary target audience is friends and family members of those eligible as they can share information via word of mouth.
VIPs:	<ul style="list-style-type: none"> Media Category A participant, ^{Sch 2.2(a)(ii)} [REDACTED]
PAST INVOLVEMENT:	Nil.

Shane Rattenbury MLA - Arrangements brief

SENSITIVITIES:	The announcement of these products was anticipated by the community since June 2022. EPSDD has been registering interest from constituents about these products (stove-tops, heating, cooling and hot water systems).
ORDER OF CEREMONIES	9:50am: Guests and media arrive. 10.00am: Minister arrives, welcomes media, and offers thanks. 10.05am: Minister launches Category B products. 10.15am: Photo opportunity, media questions and answers. 10:20am: Event ends.
MEDIA:	A media release is available at Attachment C
SOCIAL MEDIA ACCOUNTS	Government social media: @ACTGovernment EPSDD social media: @EnvironPlan
OUTSTANDING REGULATORY ISSUES	Nil.



**Environment, Planning and Sustainable
Development Directorate**

To: Minister for the Environment

Tracking No.: 22/95847

Date: 28/07/2022

From: Chief Finance Officer

Subject: Environment Funding for the previous 3 - 5 years

- DDG, Environment, Water and Emissions Reduction 31/07/22

Recommendations

That you note the information contained in this brief.

Noted / Please Discuss

Rebecca Vassarotti MLA /...../.....

Minister's Office Feedback

OFFICIAL Sensitive

Background

1. Your office has sought information regarding two emails sent to you from [Sch 2.2(a)(ii)] on 19 and 20 July 2022.
2. The emails are a comparison between the Total Costs in Output Class 2 Environment for the Financial Year (FY) 2020-21 and the 2021-22 FY. [Sch 2.2(a)(ii)] states that this represents a material reduction in funding for Output 2 Environment between the two FYs and a transfer of resources from Output Class 2 Environment to Output Class 6 Public Housing Renewable Taskforce (PHRT)/Planning and Urban Policy.

Correspondence from [Sch 2.2(a)(ii)]

3. . The figures quoted by [Sch 2.2(a)(ii)] are for the Total Cost expended in the FY not the budgeted funding received by the Directorate. Total Costs are a statement of the total expense for the financial year from all sources. In this case there was a significant input from the Commonwealth for the Healthy Water Ways project. Further information about the Healthy Waterways funding is below at point 12.
4. The Controlled Recurrent Payments (CRP) is the figure the ACT Government has funded for the Budget Output in that FY. The Total Costs relate to all costs attributed to that year not just the budgeted costs.
5. Total Cost include non-cash items such as depreciation and amortisation, additional revenue from other sources including direct funding from the Commonwealth Government for specific projects, various schemes, and environmental programs; and other accounting entries as required.
6. The position put by [Sch 2.2(a)(ii)] that there has been a reduction in funding for the environment cannot be sustained as the CRP for Output 2.1 for 2020-21 FY, was \$15.378 million. This increased in the 2021-22 FY to \$22.899 million an additional \$7.521 million. **Attachment A**, EPSDD, Tab Output 2.1 Portfolio Budget Statements provides further details.
7. [Sch 2.2(a)(ii)] second email referenced the percentage for output class 2. In the 2020-21 FY Output 6 included the PHRT. The PHRT was not included in the 2021-22 accounts as the taskforce had closed.
8. In 2021-22 FY EPSDD undertook a restructure of the outputs for improved alignment and reporting. There is a note in, Budget Statements 2021-22 Output 6 on page 21 and 22 referencing this. Changes have been made to previous output 1, 4 and 6. From 2021-22 Output 6 Planning and Urban Policy no longer include PHRT..
9. All the funding the Directorate receives for output 2 has been allocated to the Environment. There has not been any reduction or transfer of funding from Output 2 Environment to subsidise Output 6 which [Sch 2.2(a)(ii)] proposes in [Sch 2.2(a)(ii)] second email.

5 year funding statistics

10. , The funding for Output 2 Environment has increased from 2018-19 FY to the 2021-22 FY. Funding will increase again in the 2022-23 FY. with the creation of the Office of Water. Output 2 Environment funding will As a percentage of the Directorate total budget, output 2

OFFICIAL Sensitive

will increase between 39-49% of total directorate funding over the five-year period.

11. Sch 2.2(a)(ii) comment regarding the decrease of the \$75.946 million (2020-21) compared to \$22.222 (2021-22), a difference of \$53,724 million is related to the Total Cost allocated to the environment in Output 2 as noted above.

ACT Healthy Waterways Funding

12. The completion of the ACT Healthy Waterway tranche 1 project and associated funding (\$56.5 million) was transferred to Transport Canberra and City Services (TCCS) in 2020-21. In the 2021-22 FY there was no asset transfer to another Directorate.
13. The ACT Waterways Program is primarily funded by the Commonwealth. There is a requirement from the Australian Accounting Standards Board (AASB) to reflect the accounting treatment in the Directorate's books.
14. During the building stage of the project the cost is recorded under the Directorate's Balance Sheet (Work in Progress) as an asset. With the completion of each tranche of the project, the Directorate transferred the asset to TCCS. The transferor (EPSDD) must recognise this as an expense (cost) in their books whilst the transferee (TCCS) recognises it as a revenue in their books.

Funding Across ACT Directorates

15. There is funding embedded in other ACT Government Directorates and Agencies linked to Environmental measures which EPSDD does not have financial visibility or responsibility for. An example of this would be the urban forest and the increase and maintenance of tree canopy undertaken by TCCS.

Attachments

Attachment A – Output 2.1 Environment - Funding Profile for the 5 years.

Signatory Name:	Craig Simmons	Phone:	x76322
Action Officer:	Ms Thao Le	Phone:	x73042

Environment, Planning and Sustainable Development Directorate

To:	Minister for Sustainable Building and Construction	Tracking No.: 22/104791
	Minister for the Environment	
Date:	15 August 2022	
From:	Director-General	
Subject:	EPSDD 2022-23 Fees increase - Access Canberra Service Pressures	
Critical Date:	26 August 2022	
Critical Reason:	To meet the timelines for the ministerial endorsed Instruments to be notified on the Legislation Register to commence on 1 September as per Cabinet decision (22/357)	

- DDG, Environment, Water and Emissions Reduction 15/8/22

Recommendations

That you:

1. **Agree** the proposed 2022-23 EPSDD fees and charges included in the Disallowable Instruments at Attachment A;

Agreed / Not Agreed / Please Discuss

2. **Sign** the Disallowable Instruments at Attachment A; and

Signed / Not Signed / Please Discuss

3. **Note** the signed Disallowable Instruments at Attachment A and the Explanatory Statement at Attachment B will be notified on the Legislation Register.

Agreed / Not Agreed / Please Discuss

Rebecca Vassarotti MLA



25/8/2022

Minister's Office Feedback

Background

1. In June 2022, a number of legislative fees and charges were approved in your portfolio as a result of the annual review process of Environment, Planning and Sustainable Development Directorate (EPSDD) Fees and Charges.
2. The previous increase in fees reflected the Wage Price Index (WPI) of 3.25%. Any changes or variations to existing fees payable other than the WPI which are classified as a 'major variation' require Cabinet approval.
3. Fees and services can be reviewed at any time. When the fee increase occurs at a rate greater than WPI the increase must be justifiable based on business need.
4. Legislative fees and charges are published by legislative instrument and require ministerial approval.

Issues

5. As part of the 2022-23 ACT Budget process, the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) submitted a business case (Access Canberra Service Pressures) to seek funding to cover the rising postage costs through indexation of 0.29 per cent above WPI on regulatory fees.
6. A cabinet decision (22/357) was made to increase the below regulatory fees under your portfolio by 0.29 percent:
 - Environment Protection (Fees) Determination (Schedule 1&2: 1.2 (1) to 1.2 (46));
 - Electrical Safety (Fees) Determination;
 - Gas Safety (Fees) Determination;
 - Water and Sewerage (Fees) Determination; and
 - Architects (Fees) Determination.
7. All fees and charges have been rounded to the nearest \$0.05 to allow for any potential payment in cash with the exception of annual pollutant fees as these are a unit-based calculation which are not appropriate to round. Rounding of fees is allowed under the fees and charges guidelines, which allows rounding to the nearest convenient amount. This is consistent with prior EPSDD processes in setting fees and charges.
8. The proposed disallowable instruments at Attachment A and associated Explanatory Statements at Attachment B have been updated to reflect the Cabinet's decision.

Financial Implications

9. There is no financial impact on EPSDD. Relevant revenue will be collected by Access Canberra and will be used to offset postage costs.

Consultation

Internal

10. EPSDD Legal Policy has reviewed and cleared the proposed DIs and associated Explanatory Statements.

11. Relevant EPSDD areas including Environment, Heritage and Water and Planning and Urban Policy have reviewed the proposed fees and confirmed the increases.

Cross Directorate

9. Access Canberra has provided the relevant initiative outcome to support the increase.

External

10. N/A.

Work Health and Safety

11. The proposed changes to the fees in the attachments are not expected to impact on Work Health and Safety.

Benefits/Sensitivities

12. There is a general risk of criticism any time government increases fees and charges.

Communications, media and engagement implications

13. Limited media attention is anticipated as the increases are announced through the release of 2022-23 Budget.

Signatory Name:	Ben Ponton	Phone:	6207 8359
Action Officer:	Thao Le	Phone:	6207 3042

Attachments

Attachment	Title
Attachment A	Disallowable Instruments
Attachment B	Explanatory Statements

Environment, Planning and Sustainable Development Directorate

To:	Minister for Water, Energy and Emissions Reduction	Tracking No.: 22/104817
Date:	15 August 2022	
From:	Director-General	
Subject:	EPSDD 2022-23 Fees increase - Access Canberra Service Pressures	
Critical Date:	26 August 2022	
Critical Reason:	To meet the timelines for the ministerial endorsed instruments to be notified on the Legislation Register to commence on 1 September as per Cabinet decision (22/357)	
•	DDG, Environment, Water and Emissions Reduction	15/08/22

Recommendations

That you:

1. **Agree** the proposed 2022-23 EPSDD fees and charges included in the Disallowable Instrument at Attachment A;

Agreed / Not Agreed / Please Discuss

2. **Sign** the Disallowable Instrument at Attachment A; and

Signed / Not Signed / Please Discuss

3. **Note** the signed Disallowable Instrument at Attachment A and the Explanatory Statement at Attachment B will be notified on the Legislation Register.

Agreed / Not Agreed / Please Discuss

Shane Rattenbury MLA  24/8/22

Minister's Office Feedback

Background

1. In June 2022, two legislative fees were approved in your portfolio as a result of the annual review process of the Environment, Planning and Sustainable Development Directorate (EPSDD) Fees and Charges.
2. The previous increase in fees reflected the Wage Price Index (WPI) of 3.25%. Any changes or variations to existing fee payable other than the WPI which are classified as a 'major variation' require Cabinet approval.
3. Fees and services can be reviewed at any time. When the fee increase occurs at a rate greater than WPI the increase must be justifiable based on business need.
4. Legislative fees and charges are published by legislative instrument and require ministerial approval.

Issues

5. As part of the 2022-23 ACT Budget process, the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) submitted a business case (Access Canberra Service Pressures) to seek funding to cover the rising postage costs through indexation of 0.29 per cent above WPI on regulatory fees.
6. A cabinet decision (22/357) was made to increase the below regulatory fees under your portfolio by 0.29 percent:
 - Water Resources (Fees) Determination
7. All fees and charges have been rounded to the nearest \$0.05 to allow for any potential payment in cash with the exception of volume-based fees in relation to water abstraction. Rounding of fees is allowed under the fees and charges guidelines, which allows rounding to the nearest convenient amount. This is consistent with prior EPSDD processes in setting fees and charges.
8. The proposed disallowable instrument at [Attachment A](#) and associated explanatory statement at [Attachment B](#) have been updated to reflect the Cabinet's decision.

Financial Implications

9. There is no financial impact on EPSDD. Relevant revenue will be collected by Access Canberra and will be used to offset postage costs.

Consultation

Internal

10. EPSDD Legal Policy has reviewed and cleared the proposed DI and associated Explanatory Statement.
11. Environment, Heritage and Water has reviewed the proposed fees and confirmed the increases.

Cross Directorate

9. Access Canberra has provided the relevant initiative outcome to support the increase.

External

10. N/A.

Work Health and Safety

11. The proposed changes to the fees in the attachments are not expected to impact on Work Health and Safety.

Benefits/Sensitivities

12. There is a general risk of criticism any time government increases fees and charges.

Communications, media and engagement implications

13. Limited media attention is anticipated as the increases are announced through the release of 2022-23 Budget.

Signatory Name: Ben Ponton Phone: 6207 8359

Action Officer: Thao Le Phone: 6207 3042

Attachments

Attachment	Title
Attachment A	Disallowable Instrument
Attachment B	Explanatory Statement

OFFICIAL

Environment, Planning and Sustainable Development Directorate

To: Minister for Housing and Suburban Development

CC: Chief Executive Officer, Suburban Land Agency

Date: 5 August 2022

From: Chief Operating Officer

Subject: Appointment of member on the West Belconnen Joint Venture Board

Critical Date: 15 August 2022

Critical Reason: The appointment of the current member expires on 31 August 2022. A replacement appointment needs to be in place before this date.

Tracking No.: 22/99381

- DDG, Environment, Water and Emissions Reduction 09/08/22

Recommendation

That you support the appointment of Mr Guy Gibson to the West Belconnen Joint Venture Board.

Agreed/ Not Agreed/ Please Discuss

Yvette Berry MLA

15/08/22

Minister's Office Feedback

Background

1. The West Belconnen Joint Venture Board (the Board) is established by the West Belconnen Joint Venture Agreement (the agreement). The agreement provides that the Board comprises an independent Chair appointed by the Territory and six members, three of whom are appointed by the Territory and three appointed by Riverview Developments.
2. The Director-General of EPSDD appoints the three Territory members of the Board and the chair. Board members are appointed for an indefinite, unlimited period, although the *Governance Principles for Appointments, Boards and Committees within the ACT* are taken into account when considering the terms of the Board's members.

Issues

3. The appointment of one of the Territory members of the Board, Mr Angus Dawson, is due to expire on 31 August 2022.
4. On 28 July 2022, the Chief Executive Officer of the Suburban Land Agency wrote to the Director-General to advise that the Suburban Land Agency Board has recommended that Mr Guy Gibson be appointed to the Board to fill the vacancy that will be created by the expiry of Mr Dawson's term.
5. You recently appointed Mr Gibson as a member of the Suburban Land Agency Board until 22 May 2025.
6. Mr Gibson is an experienced non-executive board director and executive with in-depth knowledge of property development.
7. Subject to your views, the Director-General is considering the Board's request to appoint Mr Gibson as a Territory representative on the Board.

Financial Implications

8. Board members are paid an honorarium for attending meetings. This honorarium will be extended to Mr Dawson's replacement on the Board.

Consultation

Internal

9. Nil for the purpose of this Brief.

External

10. Nil for the purpose of this Brief.

Cross Directorate

11. The Suburban Land Agency was consulted with in the preparation of this Brief.

Work Health and Safety

12. Nil.

Benefits/Sensitivities

13. If Mr Gibson were to be appointed, his experience and skills in property development would be of benefit to the Board.

Communications, media and engagement implications

14. None expected.

Signatory Name: Craig Simmons

Phone: 70619

Action Officer: Adam Roach

Phone: 77803

Sch 1 1.6

Sch 1 1.6

Sch 1 1.6

Sch 1 1.6

Sch 1 1.6

Sch 1 1.6

Sch 1 1.6

Sch 1 1.6

UNCLASSIFIED

Environment, Planning and Sustainable Development Directorate

To: Minister for Planning and Land Management Tracking No.: 21/56988

Date: 17 August 2022

From: Executive Group Manager, Development and Implementation

Subject: Demonstration Housing Project Video Series – Phase Two

Critical Date: 12 September 2022

Critical Reason: To allow the release of the video for Stellulata to follow the approval of their Development Application

- DDG, Planning and Sustainable Development 25/08/22

Recommendations

That you **agree** to release the second series of Demonstration Housing Project videos in line with the Demonstration Housing Project Video Series Phase 2 Communications Plan (Attachment A).

Agreed / Not Agreed / Please Discuss

Mick Gentleman MLA  15/8/2022

Minister's Office Feedback


Background

1. The Environment, Planning and Sustainable Development Directorate (EPSDD) is delivering the Demonstration Housing Project which aims to showcase innovative housing design and delivery in Canberra. This initiative has the potential to drive changes in housing choices and improvements in the design and construction quality of homes.
2. The Demonstration Housing Project Communications and Engagement Strategy from 2019 (at [Attachment B](#)) identified a video series as a way of effectively promoting the initiative. WildBear Entertainment was engaged to deliver the videos.
3. The video series will comprise of five phases. The first phase is a video which introduces the Demonstration Housing Project (this has been completed and released). Phases two, three and four will follow each 'with a site' proponent through the design, construction and completion phase of their proposals. Phase five will be a completion video that will reflect on the overall project showcasing what worked well and what the benefits were. Phases two, three and four will offer an avenue to personalise the project and share the human element of this project by having proponents and their architect on screen explaining their proposals.
4. Presenting information about the initiative and experience of proponents in the design, construction and completion of their projects is a useful and interesting way of engaging with the community about the benefits of good urban infill development and how it can be achieved.
5. The then Minister for Urban Renewal approved the first video for release on 20 February 2020. The first video featured Ms Catherine Townsend, ACT Government Architect, explaining what the Demonstration Housing Project is seeking to achieve and how new housing typologies present opportunities to improve our urban environment. The video is on the Demonstration Housing Project website and can be viewed at this link: www.planning.act.gov.au/urban-renewal/demonstration-housing-project#1

Issues

6. The Demonstration Housing Project videos will be used to:
 - inform stakeholders and the general community about the Demonstration Housing project;
 - provide insight into each proponent's design and construction processes;
 - provide project updates;
 - showcase the final built products, how they function, how they benefit their residents, and how it could benefit the wider community if replicated elsewhere; and
 - assist Government in explaining and showcasing good examples of urban infill.
7. There are six Phase Two 'design phase' videos that were filmed in the new ACT Government Dickson office building. Each features the architect or builder of the six 'with a site' proposals, explaining the rationale and design features of their proposal. The 'draft final cut' of each video can be viewed at the following link:

Sch 2.2(a)(xi)



8. The distribution plan for the release of the second phase of videos in the series (at Attachment A) has been informed with advice from the ACT Whole of Government Communications and Peer Advice Panel. It is proposed to:
- promote the videos through EPSDD and ACT Government social media channels;
 - liaise with local media channels to feature the videos and capture interviews with relevant spokespeople; and
 - circulate the videos and associated stories through industry stakeholders including industry magazines, news blogs and websites.
9. The proposed schedule for releasing the videos considers key milestones for each project. So rather than releasing all six videos at once, each video will be released to coincide with a significant milestone such as the Territory Plan changes open for public comment with the new Territory Plan or the commencement of community consultation on a particular design. This will stagger the release of the videos so that maximum value is gained from them and the interest in the Demonstration Housing project is maintained throughout 2022/23.
10. The schedule of proposed videos for release is below. Note that these dates are estimates and based on the current status of each individual TPV and are subject to change pending the progression of those TPVs:

Estimated Date	Project	Location	Focus	Key message(s) / milestone
Completed	Stellulata	Ainslie	Co-housing	First Demo Housing proponent to complete TPV and DA approved.
TBC / on hold (refer para 19)	Manor House	Griffith	Ageing in place/ disability and independent living	DV375 commenced Friday 19 August 2022
Nov 2022 – Feb 2023	In Loco – Forrest	Forrest	Ageing in place	Territory Plan changes open for public comment (with draft new Territory Plan)
Nov 2022 – Feb 2023	Echo	Lyneham	Affordable community housing	Territory Plan changes open for public comment (with draft new Territory Plan)
Nov 2022 – Feb 2023	In Loco – O'Connor	O'Connor	Ageing in place	Territory Plan changes open for public comment (with draft new Territory Plan)
Nov 2022 – Feb 2023	Verdant	Weston	Multi-generational and independent living	Territory Plan changes open for public comment (with draft new Territory Plan)

11. Recent media attention associated with recommended Territory Plan variation DV375 Demonstration Housing – Manor House, for the most part has been balanced; however, some media coverage and commentary being provided by some community groups/associations may be considered to be inflammatory and to include misinformation.

Financial Implications

12. A budget of \$60,000 across three years has been established to deliver the video series. The

majority of this funding will be used for the pre-production, filming and post-production work associated with creating the video series.

Consultation

Internal

13. The Demonstration Housing Project team has been liaising closely with EPSDD Communications on the design, delivery and release of the video series.

Cross Directorate

14. The Demonstration Housing Project was reviewed by the ACT Whole of Government Communications and Engagement Peer Advice Panel on 1 October 2019, as the Project was classified as a 'Tier 1' project. The Panel was very encouraging of showcasing this unique and interesting project and the development of a video series. The Panel's report is at Attachment C.
15. As part of the *Government Agencies (Campaign Advertising) Act 2009*, all ACT Government advertising and promotion campaigns with expenditure in excess of \$40,000 must be reviewed by the Independent Reviewer of Campaign Advertising. The Independent Reviewer considered and approved the video series in December 2019 (approval at Attachment D).

External

16. In May-July 2021, the six proponents interviewed for the video series were shown their own video to provide feedback and approve its use.
17. In March 2022, the proponents for the Stellulata proposal identified that they were seeking a builder. Recent correspondence with the proponent indicates that this is still the case. The Stellulata proponents have confirmed that any attention brought to the project through the release of the video would be seen as a benefit to their project.

Sch 2.2(a)(ii), Sch 2.2(a)(xii), Sch 2.2(a)(xi)



Work Health and Safety

18. Nil for the purpose of this Brief.

Benefits/Sensitivities

19. Sch 2.2(a)(xi), Sch 2.2(a)(xii)



20. The release of the Stellulata video will provide an avenue for government to convey in an

engaging and simple way the objectives, design and ethos behind the Demonstration Housing project and potentially remove some of the misconceptions and negative feedback. The videos of other Demonstration Housing proposals that have received less attention to date may also help to shift community attitudes towards the Manor House proposal by showcasing other types of housing being tested throughout the project.

Communications, media and engagement implications

21. A communications plan for the release of the videos has been provided at Attachment A. A list of media opportunities can be further drafted in consultation with your office prior to release of the video. This communications plan (Attachment A) sits as a specific action plan for this stage of the project. The broader communications strategy for the project is also provided for further context at Attachment B.
22. The release of the videos is likely to draw community interest, particularly from groups and individuals who have been vocal (both positively and negatively) about each of the proposals. Therefore, targeted communications with local community stakeholders in each of the proposal locations will be an important aspect of releasing the videos.
23. The videos provide a good opportunity to promote positive messages about the Demonstration Housing Project, the ACT Governments commitment to 70% urban infill and the importance of sustainable and innovative design and quality building outcomes. Proactive media opportunities are recommended (media release, preparation of talking points, local media interviews) to maximise the outreach of these positive messages.
24. Talking points to support the release of the Stellulata video as at Attachment E.

Signatory Name:	Ben Green	Phone:	x77387
Action Officer:	Graham Mundy	Phone:	x70241

Attachments

Attachment	Title
Attachment A	Demonstration Housing Project Communications on a Page (including video series)
Attachment B	Demonstration Housing Communications Plan
Attachment C	Independent Reviewer Approval
Attachment D	ACT Whole of Government Communications and Engagement Peer Advice Panel Report
Attachment E	Talking Points for Stellulata Video Release

Environment, Planning and Sustainable Development Directorate

To: Minister for Planning and Land Management Tracking No.: 22/59350

Date: 08/08/2022

From: Executive Group Manager Environment, Heritage and Water

Subject: Reserve Management Plans – *Nature Conservation Act 2014*

Critical Date: 22/08/2022

Critical Reason: To ensure statutory requirements for extending the review of the Tidbinbilla Nature Reserve Management Plan (RMP) is achieved.

- DDG EWER 15/08/22

Recommendations

That you:

1. **Agree** to extend pursuant to s.189(4) of the Act the ten-year review of the Tidbinbilla Nature Reserve RMPs to 31 December 2024 to ensure statutory compliance; and

Agreed / Not Agreed / Please Discuss

2. **Agree** to publish the listening report (Attachment A) from public consultation on the review of the Murrumbidgee River Corridor RMP, which was completed and released for public consultation in December 2021.

Agreed / Not Agreed / Please Discuss

Mick Gentleman MLA  24./9./2022

Minister's Office Feedback

Strategic review of RMPs is necessary. Please commence work on ToR as soon as feasible. Once MO has approved ToR we can engage stakeholder groups. Please also advise my Office if an item on this should go to Cabinet subcommittee for awareness.

Agree to Tidbinbilla RMP extension due to budget funding for new visitor centre and upgrades. Done together, the plan and the upgrade work will be a good opportunity to evaluate and shape the future of the reserve.

Background

1. The development of RMPs is a requirement of the custodian of a reserve under s.176 of the *Nature Conservation Act 2014* (Act). RMPs describe “how the planning and development management objectives for the reserve are to be implemented or promoted in the reserve” (Act, s.176(b)).
2. As the custodian, the Environment Planning and Sustainable Development Directorate (EPSDD) through ACT Parks and Conservation Service (PCS) maintains eight RMPs. These include Canberra Nature Park, Murrumbidgee River Corridor, Namadgi National Park, Jerrabomberra Wetlands, Tidbinbilla, Lower Cotter Catchment and Molonglo River.
3. Under the Act, the RMPs must be reviewed by the custodian every 10 years after the plan commences (s.189(3)(a)).
4. EPSDD also undertakes management planning for Googong Foreshores, which is land in NSW leased from the Commonwealth. The lease requires the Googong Foreshores Land and Conservation Management Plan to be reviewed and updated every five years from the date of lease (4 September 2008).
5. On 3 May 2021, you agreed through Ministerial Brief (21/16729) ([Attachment B](#)) to extend pursuant to s.184(4) of the Act the review timeframe for three RMPs as shown in the table below:

Reserve Plan	10 year review due to commence	Minister Agreed Extension	Status of review
Murrumbidgee River Corridor	2008	Dec 2021	Completed Nov 2021, but work ongoing to finalise the RMP
Namadgi National Park	2020	Dec 2022	In progress and due for completion by Dec 2022
Jerrabomberra Wetlands	2020	Dec 2023	Not commenced

Issues

Statutory Review of Reserve Management Plans

6. There are three RMP that are due for review or are approaching the timeframe for the 10-year review.
 - a. The review of the Murrumbidgee River Corridor RMP is complete. A listening report for public consultation on the review has been prepared and is attached for your approval ([Attachment A](#)).
 - b. The review of the Tidbinbilla Nature Reserve RMP is due to commence in August 2022. This will not be achieved due to the competing review pressures.
 - c. The review of the Namadgi National Park Reserve Plan is due to be completed in December 2022. This is expected to be achieved although there are considerable

competing resourcing pressures for other reviews and management plans. This will be monitored carefully and further advice will be provided to you if the deadline is unlikely to be achieved.

7. To ensure compliance with the Act, it is recommended that you agree pursuant to s.189(4) of the Act to extend the timeframe to conduct a ten-year review of Tidbinbilla Nature Reserve RMP to 31 December 2024. During this time a strategic review of RMPs is proposed to be completed as described later in this brief.

Reserve Plan Five Year Implementation Report

8. S.189(2) of the Act requires that “the custodian of the reserve must report to the Minister about the implementation of the plan at least once every 5 years”.
9. A preliminary review of the custodian’s reporting has not identified that statutory requirement has been achieved for any RMP older than five years (Murrumbidgee River Corridor, Namadgi National Park, Jerrabomberra Wetlands, Tidbinbilla Nature Reserve). This represents a potential non-compliance against the legislation.
10. Urgent work is underway to provide you with an integrated report covering all four plans by the end of 2022 to ensure statutory reporting requirements are achieved.

Next Steps

11. The growing number of extended RMPs due for their 10-year review, anticipated timeframes for completion, resource pressures and potential non-compliance about five-year implementation reporting suggest there are serious challenges and pressures in relation to the resourcing, management, administration, development and review of RMPs. Furthermore, the actual benefit, application, monitoring and evaluation of RMPs appears questionable from an operational perspective.
12. To address these issues with RMPs, your agreement is sought to commence a strategic review. The review will examine the objective of the RMPs and how they are developed, managed, operationalised, reviewed and evaluated. The review could consider:
 - a. Whether current approaches to RMP management are consistent with recognised best practice, as articulated by organisations such as International Union for Conservation of Nature and Australian and New Zealand Environment and Conservation Council (ANZECC);
 - b. The adequacy of resourcing currently allocated to management planning for the ACT conservation estate;
 - c. Alternative approaches to the development of RMPs, such as having a single RMP with schedules;
 - d. Simplified and shorter RMPS to reduce administrative overheads; and
 - e. Legislative reforms.

Subject to your agreement to the review, a term of reference will be developed by EPSDD.
ACT Audit Office Potential Audit of Nature Reserves

13. The ACT Audit Office [2022-23 Performance Audit Program](#) has Nature Reserves listed as an audit topic with the following as the potential objective and scope:

Parks and reserves are a significant part of the ACT's identity as a bush capital. They are an asset to the environmental, cultural, and social fabric of the Territory, but also present a number of risk factors, including pest animals and plants and bushfires. The audit could consider the effectiveness of the arrangements in place to develop, implement, monitor, and review reserve management plans in the Territory. The scope of the audit could include: the policies, procedures and guidance in place to support the requirements of the Nature Conservation Act 2014; the policies, procedures and practices in place to support the development and maintenance of reserve management plans; an assessment of how the reserve management plans are implemented; and an assessment of the monitoring, reporting and evaluation of the reserve management plans.

14. It is proposed that EPSDD will engage with the ACT Audit Office to explore options to defer the audit until the Strategic Review is undertaken and its recommendations considered.

Other Statutory Issues under Review

15. The Act contains a high number of statutory requirements in relation to the development of plans and reporting matters to the Minister. An internal review is being undertaken at present on compliance with statutory reporting requirements, including:
- a. Development of Biodiversity research and monitoring program (BRAMP) by the Conservator every two years (s25(1)). The last recorded BRAMP was for the period 2017-2019.
 - b. Cultural resource management plan five year reporting (s.168H).
 - c. Ramsar wetland management plan 7 year reporting (s.203(2)).
 - d. Review of Act after the end of the Act's 10th year of operation (due 2024) (s.371).
16. You will be briefed on the outcomes of this internal review as soon as the review is completed. This is expected to be by September 2022.

Financial Implications

17. The costs to undertake a strategic review of Reserve Plans will be funded from existing directorate resources.

Consultation

Internal

18. Relevant staff within PCS, Planning, Urban Policy and Conservation Research have been consulted with in the preparation of this brief.

Cross Directorate

19. Nil for the purpose of this brief.

External

20. Nil for the purpose of this brief.
21. There is benefit in engaging with the Biodiversity Conservation Forum (BCF) during the course of the review into RMPs. The BCF is co-chaired by the EGM EHW and the co-chair of the Conservation Council ACT Region Executive Director Helen Oakley. The BCF includes membership of over 40 environmentally focused organisations.

Work Health and Safety

22. Nil for the purpose of this brief.

Benefits/Sensitivities

23. The challenges to review and refresh RMP in a timely manner as per statutory timeframes is a potential sensitivity. Public, media and Assembly scrutiny in relation to the matters described in this brief could be expected should they become public.
24. Noting the challenges described in this brief, the commencement of a strategic review is necessary and a defensible mechanism for you to better understand the inherent challenges for the land custodian and options to address them.

Communications, media and engagement implications

25. Nil.

Signatory Name:	Bren Burkevics	Phone:	6207 8628
Action officer	Stu Jeffress	Phone:	6207 8082

Attachments

Attachment	Title
Attachment A	Listening Report – Murrumbidgee River Corridor Management Plan Review
Attachment B	Ministerial Brief 21/16729 - Extension of time for the reviews of reserve management plans

OFFICIAL

Environment, Planning and Sustainable Development Directorate

To:	Minister for Water, Energy and Emissions Reduction	Tracking No.: 22/14462
cc	Minister for the Environment Minister for Business and Better Regulation	<i>R. D. Venn</i> 17/8
Date:	12 July 2022	
From:	Executive Group Manager, Environment, Heritage and Water	
Subject:	Queanbeyan Sewage Treatment Plant upgrades: update and policy direction	
Critical Date:	22 July 2022	
Critical Reason:	To provide advice ahead of the tabling of the 'State of the Lakes and Waterways in the ACT' in the Assembly in August.	

- DDG, Environment, Water and Emissions Reduction 12/07/22

Recommendations – Minister for Water, Energy and Emissions Reduction

That you:

1. **Note** this update on the proposed infrastructure upgrades for the Queanbeyan Sewerage Treatment Plant, including the proposed review on the existing Environmental Authorisation.

Noted/Please Discuss

Shane Rattenbury MLA/...../.....

Minister's Office Feedback

Thank you for sharing this information with me. This is an important issue, and I recognise that with work occurring around the review of the EPA and approaches to environmental protection, this is a good example of an issue that could be lost in the gaps of responsibilities - particularly around the Office for Water, EPSDD as the policy agency for EPA and environment protection regulation and Access Canberra. I was wondering if it would be appropriate for joint briefing with the three responsible Ministers to ensure that all issues are adequately covered?

R. D. Venn 17/8

Background

1. The Queanbeyan Sewage Treatment Plant (QSTP) is located in Oaks Estate ACT and treats wastewater from the Queanbeyan and Oaks Estate urban areas. The treated effluent is discharged into the ACT at the Molonglo River and flows downstream to Lake Burley Griffin (LBG), with outflow into the Molonglo and Murrumbidgee rivers.
2. The Queanbeyan-Palerang Regional Council (QPRC) operates the QSTP under an Environmental Authorisation issued by the ACT Environment Protection Authority (EPA).
3. The QSTP contains ageing infrastructure which is estimated to have three to five years left of serviceable operation. It was designed for 34,500 equivalent persons (EP) but currently serves approximately 50,000EP. The population of Queanbeyan is predicted to reach 75,000EP by 2045.
4. To address this issue, the QPRC propose the construction of a new treatment plant to upgrade the QSTP's capacity and elevate the infrastructure above the Molonglo River flood zone. This will reduce the risk of bypass events of partially treated sewage that pollute the river. The statutory planning process for the QSTP upgrade is well advanced.
5. The ACT Conservator raised concerns on a previous Draft Environmental Impact Statement (EIS) about the new QSTP in early 2021. Concerns included impacts to aquatic biodiversity and water quality and noted the socio-economic and cultural significance of LBG as a centerpiece of the national capital. The issues highlighted the need for best practice effluent management to minimise water quality issues and harmful blue-green algae blooms in LBG.
6. Concerns raised by community members and the ACT & Region Catchment Management Coordination Group on the Draft EIS included:
 - a. the QSTP upgrade will foreseeably have a negative impact upon water quality, aquatic ecosystems and human amenity;
 - b. negative water quality impacts will be most evident under scenarios of increasing population, low flow conditions, prolonged drought and warmer weather; and
 - c. the current Environmental Authorisation held by the QPRC does not encourage best practice sewage treatment plant operation, and the pollution compliance limits do not adequately protect LBG.
7. A revised EIS was submitted by QPRC on 2 May 2022 to the Planning and Land Authority and referred to relevant ACT Government entities. This referral sought comments on whether requirements in the scoping document and Draft EIS were adequately addressed. This process supports feedback in relation to concerns that have been raised about whether the QSTP upgrades will deliver acceptable water quality outcomes.
8. The Minister for Planning and Land Management is expected in the next two to three months to consider if the EIS provides an acceptable level of information on the environmental impacts of the development to enable an assessment. This step is required prior to allowing the QPRC to apply for Development Approval for the proposed QSTP upgrades.

Issues

9. An upgraded QSTP will avoid a potential critical failure of the existing plant and will accommodate population growth within the region. The impact from the upgraded QSTP can be lessened, to an extent, through the Development Approvals process.
10. The Commissioner for Sustainability and the Environment has prepared an investigation report on the 'State of the Lakes and Waterways in the ACT' (22/273) which is to be tabled in the Assembly on 2 August 2022. The report raises a number of issues with the ACT Government's management of urban water, including a recommendation to review the Queanbeyan STP Environmental Authorisation.
11. Additional policy options and treatments, as described below, are recommended to reduce long-term water quality impacts from the upgraded QSTP and other polluting activities as part of maintaining and improving the condition of receiving waters including LBG and the Molonglo and Murrumbidgee rivers.

Regulatory standards

12. The existing discharge limits in the Environmental Authorisation issued by the EPA for the current QSTP are used by QPRC as the basis of proposed future compliance limits presented in the EIS.
13. The EPA has responded to this EIS by initiating a review of the Queanbeyan STP Environmental Authorisation in line with the recommendation from the Office of the Commissioner for Sustainability and the Environment investigation. This includes requesting additional commentary about what progressive environmental improvements have been factored in proposing these limits and noting that:
 - a. the *Environment Protection Act 1997* (EP Act) requires people engaging in polluting activities to make progressive environmental improvements (Section 3C(1c)). Therefore, additional information is also requested about what options have been considered for reducing contaminant discharge concentrations; and
 - b. the Environmental Authorisation, including the associated Environmental Management Plan, will be reviewed to take account of the upgrades, with the new conditions to be finalized prior to completion of the proposed works and commissioning of the new plant. The revision would aim to take account of the latest relevant water quality and discharge guidelines and consideration of the receiving environment including both the Molonglo River and Lake Burley Griffin; and
 - c. QPRC has indicated an expectation that actual discharge limits will be considerably better than those in the existing Environmental Authorisation and a willingness to work with the ACT Government in establishing more sophisticated, best practice standards in an anticipated updated Environmental Authorisation. Engagement by the EPA is underway towards this goal.
14. The Office of Water could have a role in supporting the EPA by establishing a policy framework for protecting water quality. This role could include collaborative development of environment protection policies and facilitating technical expertise to help inform the EPA's decisions in conditioning Environmental Authorisations. Final decisions on Environmental Authorisations would continue to rest with the EPA, as an independent statutory authority.

15. A review is proposed, to be conducted by the EPA, in conjunction with the Office of Water that would support the setting of licence condition to achieve the objectives of the Environmental Protection Act. The review would:
 - a. review and provide independent advice on the environmental authorisation for the QSTP;
 - b. provide an assurance review of the process for setting licence conditions related to water quality; and
 - c. advise on best practice licence conditions for supporting the regulatory function of the EPA, including information requirements, discharge emission limits and monitoring requirements.
16. The review will ensure that future licence conditions are fit for purpose and take account of environmental, social and economic impacts in supporting best practice regulatory outcomes. This will form part of the Government's management response to the State of the Lakes and Waterways report.

Point Source Pollution (PSP) policy (draft)

17. Environment, Planning and Sustainable Development Directorate (EPSDD) is developing a draft PSP policy to drive improvement in managing pollution of single 'end-of-pipe' sources such as STPs. It is important to note:
 - a. this would be developed collaboratively with the EPA;
 - b. this would work towards the proposed PSP policy which could also fit into a broader review of the 2008 [ACT Water Quality Environment Protection Policy](#); and
 - c. additional internal and external consultation, including water utility operators (Icon Water, QPRC), is required to finalise the draft PSP policy.
18. Implementing a PSP policy would provide a set of medium to long-term measures to reduce water quality impacts. Because of the consultation process and timeframe to finalise the policy, it will not affect the statutory planning processes for the QSTP upgrade proposal. However, the PSP policy would guide planning by Icon Water for Icon Water's proposed Eastern Treatment Plant and reviews of existing authorisations for other STPs.
19. The draft PSP policy encourages uptake of current scientific knowledge and better practice to optimise the standard of ACT water quality, by:
 - a. facilitating better practice development consistent with Section 3C(1c) of the EP Act;
 - b. reducing the load of point source pollution in waterways; and
 - c. where practical, removing point source pollution from waterways.
20. An integrated, coordinated approach to sewerage management such as development of sewerage master planning, would benefit the ACT by embedding consideration of pollution impacts as a key decision criterion into strategic planning activity.
21. Integrated water management, sewerage management master planning, and incentivising behavior change are central features of the PSP policy.
22. The use of treated wastewater for outcomes such as supporting food and fibre production or other re-use, needs to be evaluated as part of integrated water management planning

and the requirements to maintain lake and waterway values and environmental and cultural flows.

23. The development of the PSP will be further advanced through the Office for Water and a briefing will be provided.

Financial Implications

24. The proposed review of authorization and licence conditions, and the development of a point source pollution policy can be met within existing EPA and EPSDD resources.

Consultation

Internal and Cross Directorate

25. The EPA was consulted in developing this brief.
26. Relevant Government water stakeholders in EPSDD, Chief Minister, Treasury and Economic Development Directorate (CMTEDD) (including the EPA and Utilities Technical Regulation), ACT Health and Transport Canberra and City Services Directorate (TCCS) were consulted in the scoping phase of the PSP policy. Consultation on the draft policy is yet to occur.
27. Consultation with CMTEDD Treasury is being undertaken to consider pricing incentives for the use of treated wastewater (non-potable water). Consultation will need to occur on options proposed in the draft PSP policy document, subject to agreement on the options.

External

28. Consultation is proposed with sewage utility operators (Icon Water, QPRC) and the ACT & Region Catchment Management Coordination Group (includes National Capital Authority) to socialize PSP policy direction around STP operational planning and alignment with Government strategic priorities.

Work Health and Safety

29. There are no work health and safety implications associated with this brief.

Benefits/Sensitivities

Commissioner for Sustainability and the Environment's lakes and waterways report

30. The Commissioner's report on the 'State of the Lakes and Waterways in the ACT' raises a number of issues with management of urban water in the ACT, including the need for a review of the Queanbeyan STP Environmental Authorisation. The proposal to establish a PSP policy could form part of the Government's response to the Commissioner's report.

Office of Water

31. The proposed governance model for the Office of Water provides functions for Government water policy and program implementation. Collaboration with the EPA and other relevant regulators would be designed into the proposed review, recognising the value of retaining an institutional separation of policy and regulatory roles, and the independence of the EPA.

Sch 2.2(a)(xi)

Communications, media and engagement implications

- 33. On 9 May 2022, there was media coverage about the National heritage status being granted to LBG which may heighten community interest in protecting the water quality of LBG.
- 34. Media interest may emerge following the Commissioner’s release of the State of the Lakes and Waterways Report, the EIS outcome for the proposed Queanbeyan STP upgrade, or potential review of STP regulatory standards.

Signatory Name: Bren Burkevics

Phone: 0434 564 090

Action Officer: Tom Nilsen

Phone: 6205 4644

OFFICIAL

Environment, Planning and Sustainable Development Directorate

To:	Minister for Water, Energy and Emissions Reduction	Tracking No.: 22/14462
cc	Minister for the Environment	
	Minister for Business and Better Regulation	
Date:	12 July 2022	
From:	Executive Group Manager, Environment, Heritage and Water	
Subject:	Queanbeyan Sewage Treatment Plant upgrades: update and policy direction	
Critical Date:	22 July 2022	
Critical Reason:	To provide advice ahead of the tabling of the 'State of the Lakes and Waterways in the ACT' in the Assembly in August.	

- DDG, Environment, Water and Emissions Reduction 12/07/22

Recommendations – Minister for Water, Energy and Emissions Reduction

That you:

1. **Note** this update on the proposed infrastructure upgrades for the Queanbeyan Sewerage Treatment Plant, including the proposed review on the existing Environmental Authorisation.

Shane Rattenbury MLA

Noted/Please Discuss

28/8/22

Minister's Office Feedback

Thanks for the update. I am still unclear exactly where the decision point sits for finalising the standard ASTP will operate too, and not confident a new standard will be applied before the final DA approval.
Can you please organise a joint discussion/briefing for advisers from Rattenbury/Cheyne/Gentleman/Vassorelli offices.

Sch 1 1.6

Background

1. The Queanbeyan Sewage Treatment Plant (QSTP) is located in Oaks Estate ACT and treats wastewater from the Queanbeyan and Oaks Estate urban areas. The treated effluent is discharged into the ACT at the Molonglo River and flows downstream to Lake Burley Griffin (LBG), with outflow into the Molonglo and Murrumbidgee rivers.
2. The Queanbeyan-Palerang Regional Council (QPRC) operates the QSTP under an Environmental Authorisation issued by the ACT Environment Protection Authority (EPA).
3. The QSTP contains ageing infrastructure which is estimated to have three to five years left of serviceable operation. It was designed for 34,500 equivalent persons (EP) but currently serves approximately 50,000EP. The population of Queanbeyan is predicted to reach 75,000EP by 2045.
4. To address this issue, the QPRC propose the construction of a new treatment plant to upgrade the QSTP's capacity and elevate the infrastructure above the Molonglo River flood zone. This will reduce the risk of bypass events of partially treated sewage that pollute the river. The statutory planning process for the QSTP upgrade is well advanced.
5. The ACT Conservator raised concerns on a previous Draft Environmental Impact Statement (EIS) about the new QSTP in early 2021. Concerns included impacts to aquatic biodiversity and water quality and noted the socio-economic and cultural significance of LBG as a centerpiece of the national capital. The issues highlighted the need for best practice effluent management to minimise water quality issues and harmful blue-green algae blooms in LBG.
6. Concerns raised by community members and the ACT & Region Catchment Management Coordination Group on the Draft EIS included:
 - a. the QSTP upgrade will foreseeably have a negative impact upon water quality, aquatic ecosystems and human amenity;
 - b. negative water quality impacts will be most evident under scenarios of increasing population, low flow conditions, prolonged drought and warmer weather; and
 - c. the current Environmental Authorisation held by the QPRC does not encourage best practice sewage treatment plant operation, and the pollution compliance limits do not adequately protect LBG.
7. A revised EIS was submitted by QPRC on 2 May 2022 to the Planning and Land Authority and referred to relevant ACT Government entities. This referral sought comments on whether requirements in the scoping document and Draft EIS were adequately addressed. This process supports feedback in relation to concerns that have been raised about whether the QSTP upgrades will deliver acceptable water quality outcomes.
8. The Minister for Planning and Land Management is expected in the next two to three months to consider if the EIS provides an acceptable level of information on the environmental impacts of the development to enable an assessment. This step is required prior to allowing the QPRC to apply for Development Approval for the proposed QSTP upgrades.

Issues

9. An upgraded QSTP will avoid a potential critical failure of the existing plant and will accommodate population growth within the region. The impact from the upgraded QSTP can be lessened, to an extent, through the Development Approvals process.
10. The Commissioner for Sustainability and the Environment has prepared an investigation report on the 'State of the Lakes and Waterways in the ACT' (22/273) which is to be tabled in the Assembly on 2 August 2022. The report raises a number of issues with the ACT Government's management of urban water, including a recommendation to review the Queanbeyan STP Environmental Authorisation.
11. Additional policy options and treatments, as described below, are recommended to reduce long-term water quality impacts from the upgraded QSTP and other polluting activities as part of maintaining and improving the condition of receiving waters including LBG and the Molonglo and Murrumbidgee rivers.

Regulatory standards

12. The existing discharge limits in the Environmental Authorisation issued by the EPA for the current QSTP are used by QPRC as the basis of proposed future compliance limits presented in the EIS.
13. The EPA has responded to this EIS by initiating a review of the Queanbeyan STP Environmental Authorisation in line with the recommendation from the Office of the Commissioner for Sustainability and the Environment investigation. This includes requesting additional commentary about what progressive environmental improvements have been factored in proposing these limits and noting that:
 - a. the *Environment Protection Act 1997* (EP Act) requires people engaging in polluting activities to make progressive environmental improvements (Section 3C(1c)). Therefore, additional information is also requested about what options have been considered for reducing contaminant discharge concentrations; and
 - b. the Environmental Authorisation, including the associated Environmental Management Plan, will be reviewed to take account of the upgrades, with the new conditions to be finalized prior to completion of the proposed works and commissioning of the new plant. The revision would aim to take account of the latest relevant water quality and discharge guidelines and consideration of the receiving environment including both the Molonglo River and Lake Burley Griffin; and
 - c. QPRC has indicated an expectation that actual discharge limits will be considerably better than those in the existing Environmental Authorisation and a willingness to work with the ACT Government in establishing more sophisticated, best practice standards in an anticipated updated Environmental Authorisation. Engagement by the EPA is underway towards this goal.
14. The Office of Water could have a role in supporting the EPA by establishing a policy framework for protecting water quality. This role could include collaborative development of environment protection policies and facilitating technical expertise to help inform the EPA's decisions in conditioning Environmental Authorisations. Final decisions on Environmental Authorisations would continue to rest with the EPA, as an independent statutory authority.

15. A review is proposed, to be conducted by the EPA, in conjunction with the Office of Water that would support the setting of licence condition to achieve the objectives of the Environmental Protection Act. The review would:
 - a. review and provide independent advice on the environmental authorisation for the QSTP;
 - b. provide an assurance review of the process for setting licence conditions related to water quality; and
 - c. advise on best practice licence conditions for supporting the regulatory function of the EPA, including information requirements, discharge emission limits and monitoring requirements.
16. The review will ensure that future licence conditions are fit for purpose and take account of environmental, social and economic impacts in supporting best practice regulatory outcomes. This will form part of the Government's management response to the State of the Lakes and Waterways report.

Point Source Pollution (PSP) policy (draft)

17. Environment, Planning and Sustainable Development Directorate (EPSDD) is developing a draft PSP policy to drive improvement in managing pollution of single 'end-of-pipe' sources such as STPs. It is important to note:
 - a. this would be developed collaboratively with the EPA;
 - b. this would work towards the proposed PSP policy which could also fit into a broader review of the 2008 [ACT Water Quality Environment Protection Policy](#); and
 - c. additional internal and external consultation, including water utility operators (Icon Water, QPRC), is required to finalise the draft PSP policy.
18. Implementing a PSP policy would provide a set of medium to long-term measures to reduce water quality impacts. Because of the consultation process and timeframe to finalise the policy, it will not affect the statutory planning processes for the OSTEP upgrade proposal. However, the PSP policy would guide planning by Icon Water for Icon Water's proposed Eastern Treatment Plant and reviews of existing authorisations for other STPs.
19. The draft PSP policy encourages uptake of current scientific knowledge and better practice to optimise the standard of ACT water quality, by:
 - a. facilitating better practice development consistent with Section 3C(1c) of the EP Act;
 - b. reducing the load of point source pollution in waterways; and
 - c. where practical, removing point source pollution from waterways.
20. An integrated, coordinated approach to sewerage management such as development of sewerage master planning, would benefit the ACT by embedding consideration of pollution impacts as a key decision criterion into strategic planning activity.
21. Integrated water management, sewerage management master planning, and incentivising behavior change are central features of the PSP policy.
22. The use of treated wastewater for outcomes such as supporting food and fibre production or other re-use, needs to be evaluated as part of integrated water management planning

and the requirements to maintain lake and waterway values and environmental and cultural flows.

23. The development of the PSP will be further advanced through the Office for Water and a briefing will be provided.

Financial Implications

24. The proposed review of authorization and licence conditions, and the development of a point source pollution policy can be met within existing EPA and EPSDD resources.

Consultation

Internal and Cross Directorate

25. The EPA was consulted in developing this brief.
26. Relevant Government water stakeholders in EPSDD, Chief Minister, Treasury and Economic Development Directorate (CMTEDD) (including the EPA and Utilities Technical Regulation), ACT Health and Transport Canberra and City Services Directorate (TCCS) were consulted in the scoping phase of the PSP policy. Consultation on the draft policy is yet to occur.
27. Consultation with CMTEDD Treasury is being undertaken to consider pricing incentives for the use of treated wastewater (non-potable water). Consultation will need to occur on options proposed in the draft PSP policy document, subject to agreement on the options.

External

28. Consultation is proposed with sewage utility operators (Icon Water, QPRC) and the ACT & Region Catchment Management Coordination Group (includes National Capital Authority) to socialize PSP policy direction around STP operational planning and alignment with Government strategic priorities.

Work Health and Safety

29. There are no work health and safety implications associated with this brief.

Benefits/Sensitivities

Commissioner for Sustainability and the Environment's lakes and waterways report

30. The Commissioner's report on the 'State of the Lakes and Waterways in the ACT' raises a number of issues with management of urban water in the ACT, including the need for a review of the Queanbeyan STP Environmental Authorisation. The proposal to establish a PSP policy could form part of the Government's response to the Commissioner's report.

Office of Water

31. The proposed governance model for the Office of Water provides functions for Government water policy and program implementation. Collaboration with the EPA and other relevant regulators would be designed into the proposed review, recognising the value of retaining an institutional separation of policy and regulatory roles, and the independence of the EPA.

Sch 2.2(a)(xi)

Communications, media and engagement implications

33. On 9 May 2022, there was media coverage about the National heritage status being granted to LBG which may heighten community interest in protecting the water quality of LBG.
34. Media interest may emerge following the Commissioner's release of the State of the Lakes and Waterways Report, the EIS outcome for the proposed Queanbeyan STP upgrade, or potential review of STP regulatory standards.

Signatory Name: Bren Burkevics

Phone:

Sch 2.2(a)(ii)

Action Officer: Tom Nilsen

Phone:

6205 4644

Environment, Planning and Sustainable Development Directorate**To:** Minister for Heritage

Tracking No.: 22/83213

Date: 8 August 2022**From:** Executive Group Manager – Environment, Heritage and Water**Subject:** 2022-2023 ACT Heritage Grants Applications - Assessment Outcomes**Critical Date:** **18 August 2022****Critical Reason:** It was publicly advertised that grant recipients would be announced in August 2022.

- DDG, Environment, Water and Emissions Reduction 9/08/22

Recommendations

That you:

1. Note the list of successful (Attachment A) and unsuccessful (Attachment B) 2022-23 Heritage Grant applications.

Noted / Please Discuss

2. Agree to sign the Letters of Offer (Attachment D) to successful grant recipients dated the day that you make the announcement of successful grant recipients.

Signed / Not Signed / Please Discuss

Rebecca Vassarotti MLA



15/8/2022

Minister's Office Feedback

Background

1. The ACT Heritage Grants Program (the Program) is an annual funding program administered by the ACT Government to assist the community in working to conserve and promote the heritage of the ACT.
2. The Program is divided into the following categories:
 - a. applications from individual/community groups;
 - b. Community Heritage Partnership Projects; and
 - c. The Heritage Emergency Fund.
3. The 2022 program opened on 5 March and closed on 29 April 2022.
4. Funding of the individual/community group applications is determined by the ACT Grants Assessment Panel and approved by the EPSDD delegate.

Issues

5. Twenty-eight applications from individual/community groups were received. One application was voluntarily withdrawn by the applicant. Twenty applications (Attachment A) were successful and will receive funding the value of \$183,860.
6. Details of the seven unsuccessful projects are at Attachment B. Letters to unsuccessful applicants will be signed by ACT Heritage and emailed prior to your announcement of the successful projects.
7. Funding will also be provided to the Canberra and Region Heritage Festival worth \$120,000 under the Community Heritage Partnership Projects.
8. Additional funding of \$46,990 will also be allocated to the existing Heritage Emergency Fund.
9. The Heritage Advisory Service will also continue to be available using funding that was rolled over from 2021-22 into this financial year.

Financial Implications

10. \$344,000 was allocated in Territory funding for the 2022-2023 Program. Additional funding of \$6,850 was included from two cancelled/underspent 2019 projects. The total budget envelope for the 2022 program was \$350,850.

Consultation

Internal

11. All applications were assessed and ranked by an ACT Heritage staff heritage grants assessment panel (the Panel). The Panel has broad experience and qualifications covering architecture, archaeology, natural and built conservation, interpretation, and Aboriginal cultural management.
12. Each panel member independently scored the projects against set criteria and the grant guidelines (Attachment E). The Panel determined that the final list of recommended projects represent collectively best value for money, satisfy grant terms and conditions for eligibility and scope, and comply with ACT Government legislative and policy requirements.
13. The delegate for approval of the ACT Heritage Grants is the Executive Group Manager,

Environment Heritage and Water.

Cross Directorate

14. The required letters of support have been provided and matching funding committed for all conservation works that involve an ACT Government asset (Partnership Projects).

External

15. In accordance with the Program guidelines, all applications with Aboriginal heritage content have provided evidence of consultation with Representative Aboriginal Organisations (RAOs) and/or other Aboriginal stakeholder groups. Applicants must include in their application: written support from relevant landowners/managers, application /permit fee costings, and evidence of consultation with relevant community stakeholders.

Work Health and Safety

16. Nil.

Benefits/Sensitivities

17. The Program attracts strong community interest. The public announcement of the successful projects raises awareness of the Program and heritage in the ACT.
18. Sensitivities may arise for projects that have received reduced funding due to revised scopes or budgets. However, this is not anticipated as the relevant applicants have agreed to the amount sought following consultation during the assessment process.
19. ACT Heritage Grants are funded by the ACT Government, and all assessments and approval decisions are undertaken by the Directorate. The ACT Heritage Council has no involvement in the process.

Communications, media and engagement implications

20. An event proposal (Attachment C), EPSDD media and communications will engage with your office to progress organising an event.

Signatory Name: Bren Burkevics Phone: 6207 8628
Action Officer: Mary Gleeson Phone: 6207 2160

Attachments

Attachment	Title
Attachment A	Successful grant applications
Attachment B	Unsuccessful grant applications
Attachment C	Event Proposal
Attachment D	Letters of Offer
Attachment E	Grant Guidelines

Environment, Planning and Sustainable Development Directorate**To:** Minister for Heritage

Tracking No.: 22/84030

Date: 11 July 2022**From:** Executive Group Manager, Environment, Heritage and Water**Subject:** Outcomes of Public Consultation on the Provisional Registration of the former Kingston Post Office**Critical Date:** 2 August 2022**Critical Reason:** In order to achieve your statutory obligations under s.39 (Minister may require council to further consider issues related to registration) of the *Heritage Act 2004* (Act), you must give the direction to Council within 15 working days after the day you receive the report (Attachment A).

- DDG, Environment, Water and Emissions Reduction 13/07/ 2022

Recommendations

That you:

1. **Note** the report (Attachment A) describing the outcomes of public consultation on the provisional registration of the former Kingston Post Office; and **Noted / Please Discuss**
2. **Agree** to by signing the letter (Attachment B) within 15 working days of receiving the report to issue a Ministerial direction under section 39(1)(a) of the Act, for the Council to further consider issues arising from the Report. **Signed / Not Signed / Please Discuss**

Rebecca Vassarotti MLA



1 / 5 / 2022

Minister's Office Feedback

Background

1. On 7 April 2022, the Council provisionally registered the former Kingston Post Office (Post Office).
2. Pursuant to s37 of the Act, a four-week period of public consultation was undertaken between 12 April and 9 May 2022.
3. Pursuant to s38 of the Act, the Council must as soon as practicable after the end of the public consultation period in relation to the registration of a place develop a written report on issues raised during public consultation. The Report is at [Attachment A](#).

Issues

Outcomes of Public Consultation

4. Prior to the provisionally registration of the Post Office, the Council made reasonable endeavors to contact and engage with interested persons as defined under the Heritage Act and other key stakeholders (see [Attachment A3](#) for details).
5. Twenty four submissions were received during public consultation. Of these, 18 were received in support of provisional registration, one of which was a duplicate email in addition to completing a Your Say submission. Six submissions were received that did not support provisional registration, one of which was a duplicate emailed in addition to completing a Your Say submission.
6. Public consultation resulted in detailed submissions from the ACT community, but no comment has been submitted by the owners, Australia Post or their property managers.
7. The submissions included comments which the Council must review in detail, then decide whether changes are required prior to final registration. Before making a final registration decision, the Council will report to you on its further considerations in a second, subsequent brief.

Direction to Council

8. Under s39(1)(a) and (b) of the Act, you may issue a direction to the Council within 15 days of receiving the Report, to provide further consideration to any issue raised in, or arising from the Report, or any issue relating to the Council's functions.
9. Once you issue a s39 direction, an automatic extension of three months applies to the original five-month provisional registration period to allow the Council time to further consider the issues without provisional registration lapsing.
10. Due to not receiving any comments from the owners, Australia Post or their property managers, it is recommended you sign the letter ([Attachment B](#)) to issue a section 39 direction, to allow time for the Council to further consider issues raised by stakeholders in relation to provisional registration of the Post Office and to allow for further attempts to seek a response from the owners.
11. If a decision to register a place is not made within the five-month provisional registration period, or a further period of statutory extension, provisional registration will lapse, and the place will revert to a nominated status on the ACT Heritage Register. The Council may re-provisionally register a place under s32 of the Act, however the place would be subject to another four-week public consultation period.

Financial Implications

12. Nil associated with this brief.

Consultation

Internal

13. The Chief Planning Executive (the Executive), is an ex officio member of the Council, whose representative attended the Council meeting on 7 April 2022 when the Council made a provisional registration decision on the Post Office. The Executive received a full copy of the Council papers and received a notice of the decision as an interested person under s13 of the Act.

Cross Directorate

14. On 8 April 2022 the Council wrote to the Deputy Under Treasurer, Chief Minister, Treasury & Economic Development, Stephen Miners, seeking comment on the provisional registration. No comments were received.

External

15. Attachment A describes the dates and outcomes of public consultation, including the platforms used by the Council to publicise the decision.
16. As a courtesy, the Council wrote to the National Trust of Australia, ACT (Trust) and the Canberra and District Historical Society, informing them of the decision and seeking comments in relation to the provisional registration. The Trust made a submission in support of provisional registration.
17. The Council wrote to interested persons under s13 of the Act, informing them of its decision and inviting them to provide comment during public consultation.

Work Health and Safety

18. Nil associated with this brief.

Benefits/Sensitivities

19. Potential sensitivities concerning the Council decision on the Post Office are identified in the Report at Attachment A.
20. To mitigate these sensitivities surrounding the Council's decision, it is recommended you sign the letter at Attachment B, issuing a direction and allowing the Council more time to consider stakeholder issues in detail.

Communications, media and engagement implications

21. A decision on registration by the Council may attract media attention when entered onto the ACT Legislation Register. The Chair of the Council is available to respond to any media enquiries.
22. In previous registration processes, the Council has re-provisionally registered a place under s32 of the Act. The place is then subject to another four-week public consultation period. This has attracted negative attention from the media and public.

OFFICIAL

Signatory Name: Bren Burkevics
Action Officer: Richard Hekimian

Phone: Sch 2.2(a)(ii)
Phone: 6207 8538

Attachments

Attachment	Title
Attachment A	Council Report on Public Consultation
Attachment A1	Summary of Public Consultation and Council Responses
Attachment A2	Copies of Written Submissions
Attachment A3	Ongoing Consultation and Engagement Record
Attachment A4	Former Kingston Post Office - Provisional Register entry
Attachment A5	Former Kingston Post Office – Background Information
Attachment B	Ministerial direction for Council to further consider issues

To: Minister for the Environment

Tracking No.: 22/87890

From: Executive Group Manager, Environment Heritage & Water

Date of meeting: Wednesday, 20 July 2022

Subject: Agriculture Ministers' Meeting – Supported Agenda

Purpose

To provide you with the supported agenda for the Agriculture Ministers' Meeting scheduled for 20 July 2022.

Recommendations

That you:

- a) Note the supported agenda (Attachment A) for the Agriculture Ministers' meeting (AMM) on 20 July 2022.

Noted / Please Discuss

- b) Note the supported agenda has been developed from existing knowledge and information on issues on the basis that only the agenda and no papers have been received.

Noted / Please Discuss

Rebecca Vassarotti MLA/...../.....

Minister's Office Feedback

Signatory Name: Bren Burkevics

Phone: 6207 8628

Action Officer: Molly Folkard

Phone: 6205 3004

OFFICIAL

Purpose of the meeting:	To meet with other agriculture Ministers to discuss current high priority issues. <ul style="list-style-type: none"> • Jurisdictional priorities • Endorsement of the national biosecurity strategy • Current priorities • Update on the review of Ministerial forums
Attendees:	Attendees will be State and Territory Ministers for Agriculture and the Federal Minister for Agriculture
Directorate representative in attendance:	Bren Burkevics, Executive Group Manager, Environment Heritage & Water Bruce Hancocks, Director Biosecurity and Agriculture Policy Molly Folkard, Agriculture Policy Officer, Biosecurity and Agriculture Policy
Day / date:	Wednesday, 20 July
Time:	3:00 – 5:00pm (AEDT)
Venue:	Join via Microsoft Teams link in calendar invitation.
Background:	You attended the last Agriculture Ministers’ Meeting (AMM) on Monday 1 November 2021.
Sensitive or contentious items	Agenda item 5 will provide an update on the future of the AMM noting the Terms of Reference had the groups scheduled to be disbanded in February 2022.
Resource implications:	Within existing resources.
Consultation Internal:	Nil
Cross directorate:	Nil
External:	Nil
Media implications:	A public communique of the meeting will be released after circulation and agreement by all jurisdictions.

To: Minister for the Environment

Tracking No.: 22/98273

From: Executive Group Manager – Environment, Heritage and Water Division**Date of meeting:** Friday, 9 September 2022**Subject:** National Meeting – Agriculture Ministers Meeting (AMM)**Recommendations**

That you:

Note the agenda, associated paper and ACT policy position for the Agriculture Ministers meeting at Attachment A on 9 September 2022.

Noted / Please Discuss

Rebecca Vassarotti MLA/...../.....

Minister's Office Feedback

Signatory Name: Bren Burkevics

Phone: 6207 8628

Action Officer: Molly Folkard

Phone: 6205 3004

Purpose of the meeting:	<p>To meet with Australia's Agriculture Ministers to discuss the following high priority issues:</p> <ul style="list-style-type: none"> • Actions arising from previous meeting (to be circulated as soon as possible) • Jurisdictional priorities for the Agriculture Ministers' Meeting • Approach to the National Biosecurity Strategy implementation plan • Border response to manage the risk of entry of foot and mouth disease in the international traveler pathway • Livestock vaccine capabilities • Foot and mouth disease public awareness communication activities • National biosecurity exercise • Livestock traceability – National implementation of individual electronic identification for sheep and goats • Fruit fly situation report • National eradication response for electric ant <p>The agenda, associated papers and ACT policy position for each discussion item are at Attachment A.</p>
Attendees:	Attendees will be State and Territory Ministers for Agriculture and the Federal Minister for Agriculture
Directorate representatives in attendance:	<p>Bren Burkevics, Executive Group Manager, Environment Heritage & Water</p> <p>Bruce Hancocks, Director Biosecurity and Agriculture Policy</p> <p>Molly Folkard, Policy Officer, Biosecurity and Agriculture Policy</p>
Day / date:	Friday 9 September 2022
Time:	1:00 – 3:00 PM
Venue:	The meeting will be held electronically. Join via Microsoft Teams link in calendar invitation.
Background:	You attended the last Agriculture Ministers Meeting (AMM) on Wednesday 20 July 2022.
Consultation Internal:	Nil
Cross directorate:	Nil
External:	Nil
Media implications:	A public communique of the meeting will be released after circulation and agreement by all jurisdictions.

Environment, Planning and Sustainable Development Directorate

To:	Minister for the Environment Minister for Business and Better Regulation Minister for Water, Energy and Emissions Reduction	Tracking No.: 22/106987
Cc:	A/g Head of Access Canberra	
Date:	29 August 2022	
From:	Executive Group Manager, Environment Heritage and Water	
Subject:	Updated Environment Protection Guidelines for Construction and Land Development in the ACT	
Critical Date:	9 September 2022	
Critical Reason:	To release the updated Guidelines in a timely manner	

- DDG, Environment, Water and Emissions Reduction 05/08/22

Recommendations – Minister for the Environment

That you:

1. **Agree** to publish the updated *Environment Protection Guidelines for Construction and Land Development in the ACT, Environment Protection Authority, August 2022* (Guidelines) (Attachment A).

Agreed / Not Agreed / Please Discuss

2. **Note** the communications materials (Attachment B to Attachment F) that have been developed to support the new Guidelines.

Agreed / Not Agreed / Please Discuss

Rebecca Vassarotti MLA



7/9/2022

Minister's Office Feedback

Recommendations – Minister for Water, Energy and Emissions Reduction

That you **Endorse** the updated *Environment Protection Guidelines for Construction and Land Development in the ACT, Environment Protection Authority, August 2022 (Attachment A)*.

Endorsed / Not Endorsed / Please Discuss

Shane Rattenbury MLA  9/9/22

Minister's Office Feedback

Recommendations – Minister for Business and Better Regulation

That you **Endorse** the updated *Environment Protection Guidelines for Construction and Land Development in the ACT, Environment Protection Authority, August 2022 (Attachment A)*.

Endorsed / Not Endorsed / Please Discuss

Tara Cheyne MLA/...../.....

Minister's Office Feedback

Background

1. On 19 July 2022 Minister Vassarotti, Minister Rattenbury, Minister Cheyne, advisors and officials from the Environment, Planning and Sustainable Development Directorate (EPSDD) and Access Canberra met to discuss the Guidelines.
2. At this meeting, Minister Cheyne requested a schedule of offences be included in the Guidelines. It was subsequently agreed at the meeting that the changes would be communicated to stakeholders via a communications package.

Issues

3. The Guidelines ([Attachment A](#)) have been updated and now include Schedule 8 – Offences (p.100). Feedback on the draft Guidelines from Ministers Offices and the proposed position is included at [Attachment B](#).

Financial Implications

4. Nil.

Consultation

Internal

5. Nil.

Cross Directorate

6. The amendments to the Guidelines have been developed between EPSDD and Environment Protection Authority from Access Canberra.

External

7. Nil.

Brief Benefits/Sensitivities

8. The Guidelines will assist developers and builders to comply with the Act and their general environmental duty under the *Environment Protection Act 1997* to protect human health and environment. It also aligns with and supports the Government's Healthy Waterways and wellbeing initiatives to improve water quality and environmental amenity.
9. The Office of the Commissioner for Sustainability and the Environment has recently released a report on *The State of the Lakes and Waterways in the ACT*. The updates and implementation of the Guidelines will continue to support the government in preventing and minimising pollution from construction and land development. It will therefore form part of the government's response to the report.

Communications, media and engagement implications

10. Subject to Ministerial agreement, the new Guidelines will be notified to be public through media release and other actions.
11. The Communications-on-a-page ([Attachment C](#)), draft Media Release ([Attachment D](#)), Factsheet ([Attachment E](#)), and a proposed email to stakeholders from the EPA and web material for the Access Canberra website ([Attachment F](#)) are attached for reference.

- 12 The release of the Guidelines is expected to attract low media interest as they are technical guidance for industry and consistent with contemporary best practice supported by peak bodies.
13. Targeted stakeholders including the Master Builders Association (MBA) and Housing Industry Association (HIA) who have supported updates to the Guidelines will receive an email and/or letter advising of the updated Guidelines.

Signatory Name: Bren Burkevics Phone: x59027
Action Officers: Daniel Walters Phone: x76334
Diego Bastos x78319

Attachments

Attachment	Title
Attachment A	Environment Protection Guidelines for Construction and Land Development in the ACT
Attachment B	Responses to feedback from the Ministers Office
Attachment C	Communications-on-a-page for the draft Guidelines
Attachment D	Draft Media Release
Attachment E	Factsheet - EP Guidelines for Construction and Land Development in the ACT
Attachment F	Supporting material

OFFICIAL

Environment, Planning and Sustainable Development Directorate

To: Minister for the Environment

Tracking No.: 22/107522

Date: 31 August 2022**From:** Executive Group Manager – Environment Water and Heritage**Subject:** Letters from the Federal Minister for the Environment and Water Minister Tanya Plibersek MP about new threatened species listing (Glossy Black-cockatoo and Mountain Skink)**Critical Date:** 9 September 2022**Critical Reason:** To ensure you are briefed and to provide a response back to in a timely manner

- DDG, Environment, Water and Emissions Reduction 02/09/2022

Recommendations

That you:

1. **Note** the letter to you dated 24 July 2022 from the Federal Minister for the Environment and Water the Hon. Tanya Plibersek MP ([Attachment A](#)) about her decision to list the South-eastern Glossy Black-cockatoo as a Vulnerable threatened species under the *Environment Protection and Biodiversity Conservation Act 1999*.

Noted / Please Discuss

2. **Note** the letter to you dated 3 August 2022 from Minister Plibersek ([Attachment B](#)) about her decision to list the Mountain Skink as an Endangered threatened species under the *Environment Protection and Biodiversity Conservation Act 1999*.

Noted / Please Discuss

3. **Note** the South-eastern Glossy Black-cockatoo is already listed as Vulnerable under the ACT's *Nature Conservation Act 2014* Threatened Native Species list and the latest implementation report for the action plan is at [Attachment C](#)).

Noted / Please Discuss

OFFICIAL

4. **Note** the ACT Scientific Committee will provide advice to you in due course on whether the Mountain Skink needs to be listed under the *Nature Conservation Act 2014* as a threatened native species.

Noted / Please Discuss

5. **Agree** to sign the letter of reply to Minister Plibersek (Attachment D).

Signed / Not Signed / Please Discuss

Rebecca Vassarotti MLA



14/9/2022

Minister's Office Feedback

Background

1. On 24 July 2022, the Federal Minister for the Environment and Water the Hon. Tanya Plibersek MP wrote to you (at Attachment A) to advise that she had decided to amend the list of threatened species under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) to include the South-eastern Glossy Black-cockatoo (*Calyptorhynchus lathami lathami*) (Glossy Black-cockatoo).
2. The Minister's decision to list the Glossy Black-cockatoo as a threatened species in the Vulnerable Committee is based on advice from the Commonwealth's Threatened Species Scientific committee. The Minister has agreed that a National Recovery Plan under the EPBC Act is required.

Issues

Glossy Black-cockatoo

3. As described in the [Commonwealth Conservation Advice](#), the main factor that makes the sub-species eligible for listing in the Vulnerable category is that it has undergone a substantial reduction (30–50 per cent) in the last three generations due mostly to the 2019–2020 bushfires, and as a result of historical and ongoing habitat loss.
4. The extent of occurrence (EOO – range distribution) and area of occupancy (AOO) are contracting, and the estimated total number of mature individuals (7,500) is declining rapidly. It is estimated that 34 per cent of the AOO of the subspecies was burnt in the 2019–2020 bushfires with 10 per cent burnt in high to very high severity fire, and 15 per cent burnt in low to moderate severity fire.
5. Minister Plibersek has agreed that a national recovery plan is required to be prepared for the Glossy Black-cockatoo as:
 - a. the subspecies occurs across a wide range, including across multiple jurisdictions

OFFICIAL

- and land tenure types (i.e., four jurisdictions, the National Reserve Network and a large proportion of private land);
- b. regulatory benefits may flow from having a recovery plan that provides additional guidance on avoidance, mitigation and offsets for major actions (i.e., urban and agricultural development);
 - c. the subspecies is adversely impacted by a range of complex threats across its range;
 - d. a recovery plan would allow a coordinated approach of conservation planning across a large range and a diverse group of stakeholders;
 - e. the subspecies has a very high public profile across its range and there is substantial interest and willingness at the state and local level to lead the recovery management for the subspecies; and
 - f. a recovery plan that identifies those organisations responsible for the implementation of priority actions will assist in conservation planning, on-ground action and the allocation of resources.
6. In the ACT, sightings of the Glossy Black-cockatoo are rare. The highest single count of 16 birds (and first breeding record) recorded in the ACT in the Mount Majura Nature Reserve in 2004. Records of the species over the last 30 years are sparse and intermittent, and consistent with the birds seen here being individuals travelling further afield when pushed to look for food sources. Despite the single breeding record, it has not been established that a small population is resident in 'the ACT and region'. It is possible the ACT only records wandering individuals from further east, from the main area of the coastal population (Dabb 2020).
 7. Glossy Black-cockatoos feed almost exclusively on the seeds of Sheoaks. Mapping of foraging habitat was completed in 2018. 670 ha of Drooping Sheoak was identified in Namadgi National Park (Mt Tennant and hills surrounding the Naas Valley) and is likely to represent high quality foraging habitat.
 8. An additional 5,018 ha of forest and woodland that contain lower densities of Drooping Sheoak that provide moderate quality foraging habitat (at [Attachment C](#)). This woodland is located within Canberra Nature Park on Mount Majura, Mount Ainslie, Red Hill, Isaacs Ridge, Mount Taylor, Tuggeranong Hill and Rob Roy nature reserves. Plantings of Drooping Sheoak occurred at Goorooyarroo Nature Reserve in 2008 and in 2011 at Isaacs Ridge, Tuggeranong Hill, Wanniasa Hills and Red Hill nature reserves. These plantings have improved habitat connectivity between Mount Majura-Mount Ainslie nature reserves, Rob Roy Nature Reserve and Namadgi National Park (Mt Tennant and the hills surrounding the Naas Valley). A large area of habitat near Stromlo is within the Western Edge Investigation Area.
 9. The main threat causing the decline of the Glossy Black-cockatoo is a result of habitat loss, degradation, and fragmentation of both feeding and breeding habitats. Wildfires have caused further habitat loss and degradation. The 2003 Canberra Bushfires resulted in the loss or damage to 67 per cent of all high-quality foraging habitat and 82% of all moderate quality foraging habitat. While these areas were regenerating well before the 2020 Orroral Valley fire, it can take 25 years for the trees to reach their maximum cone bearing potential.

OFFICIAL

10. The 2020 Orroral Valley fire further impacted the Drooping Sheoaks in Namadgi. Frequent fires and droughts can significantly impact the habitat of the Gloss Black-cockatoo and the likelihood of the species presence in the ACT. The Parks and Conservation Service (PCS) work to protect Drooping Sheoak when it undertakes burning activities and these are guided by the ACT Government Ecological Guidelines.
11. The Glossy Black-cockatoo is already listed as Vulnerable on the ACT Threatened Native Species List under the *Nature Conservation Act 2014*. An ACT Glossy Black-cockatoo Action Plan is in place and is due to be reviewed by the Scientific Committee in 2023. As part of that review a recommendation will be made about the continuation of the Action Plan. The current ACT conservation advice for the Glossy Black-cockatoo will be updated by the Scientific Committee.

Mountain Skink

12. As outlined in the [Commonwealth Conservation Advice](#), the main factors that make this species eligible for listing in the Endangered category are its restricted AOO, severe fragmentation, ongoing loss and degradation of habitat and inferred decline in the number of mature individuals. Before the 2019–2020 fires burnt approximately 32% of the species known and likely distribution, the Mountain Skink was assessed as Near Threatened on the [IUCN Red List of Threatened Species](#).
13. Minister Plibersek has [determined](#) (22 July 2022) that a national recovery plan is not required to be prepared for the Mountain Skink since:
 - a. there are not significant complexities in conservation planning for the species that present special challenges for coordination of effort
 - b. the species does not predominantly occupy Commonwealth land nor is it subject to threats that can be regulated under the EPBC Act through having a recovery plan
 - c. the species is largely restricted to state or territory national parks or forest reserves and responsibility for managing the key threats to the species can be guided efficiently and effectively through the Commonwealth Conservation Advice.
14. The Mountain Skink is found in high country woodlands where it is associated with rocky habitats such as rock outcrops, scree and tors and it shelters in burrow systems beneath rocks. In the ACT it has been recorded in Namadgi National Park at Mt Gingera, Ginini Flats, Mt Ginini, Stockyard Spur, Mt Scabby, Rolling Ground Gap and Square Rock.
15. While the main threats to the Mountain Skink in other jurisdictions, including logging and clearing of habitat do not impact the species in the ACT, climate change related threats such as increased frequency, extent and severity of wildfires and predation by feral cats and foxes can pose significant threats to the species in the ACT.
16. The ACT Scientific Committee will provide advice to you under Section 90A of the *Nature Conservation Act 2014* (NC Act) on listing the Mountain Skink as Endangered on the ACT Threatened Native Species List.

Financial Implications

17. The process of listing a species on the ACT Threatened Native Species List is normal Government business and does not place additional financial burden on the ACT Government.

OFFICIAL

18. If required, the development and implementation of ACT action plans for the species will need to be factored into future EPSDD budgets

Consultation

Internal

19. Renee Brawata – Senior Fauna Ecologist in the EPSDD’s Conservation Research team was consulted in the preparation of this brief.
20. Kate Boyd – Ranger in Charge for Environmental Offsets Operations for Canberra Nature Park North – PCS was consulted in the preparation of this brief.

Cross Directorate

21. Nil.

External

22. During the development of the draft Commonwealth Conservation Advice, the Australian Government consulted a range of stakeholders across both taxon’s distribution. Relevant officers in the EPSDD reviewed these Conservation Advice as part of this process and agreed with the Commonwealth assessment to list the taxa in these categories under the EPBC Act.

Work Health and Safety

23. Nil.

Benefits/Sensitivities

24. One of the objectives in the ACT Glossy Black-cockatoo Action Plan is to increase the community’s awareness of the need to protect the Glossy Black-cockatoo and its nesting and foraging habitat, and supporting related community-based conservation action. Therefore, this is an opportunity to raise the profile of Canberra Nature Map’s role in the Mapping Glossy Blacks Project that commenced in 2017 in collaboration with NSW.

Communications, media and engagement implications

25. EPSDD Comms in preparation for Threatened Species Day (7 September 2022) with a focus on threatened birds in the ACT.
26. Other communications opportunities for the Mountain Skink will be realised subject to a future threatened species listing.

Signatory Name: Bren Burkevics Phone: 6207 8628
Action Officer: Linden Chalmers Phone: 6207 5314

Attachments

Attachment	Title
Attachment A	Letter to the ACT – Glossy Black-cockatoo (South-eastern)
Attachment B	Letter to the ACT – Mountain Skink
Attachment C	Glossy Black Cockatoo, Action Plan Implementation Report
Attachment D	Response to Minister Plibersek [FOR SIGNATURE]

To: Minister for the Environment

Tracking No.: 22/109602

From: Executive Group Manager, Environment, Heritage and Water

Date of meeting: Thursday, 1 September 2022

Subject: Meeting with Commissioner for Sustainability and constituents about air quality

- DDG, Environment, Water and Emissions Reduction .../.../...

Purpose of the meeting

To discuss air quality matters with the Commissioner for the Environment and Sustainability Dr Sophie Lewis, and constituents Sch 2.2(a)(ii) and Sch 2.2(a)(ii).

Recommendations

That you note the possible discussion topics for your meeting at Attachment A.

Noted / Please Discuss

Rebecca Vassarotti MLA/...../.....

Minister's Office Feedback

Signatory Name: Bren Burkevics

Phone: 78628

Action Officer: Daniel Walters

Phone: 76334

OFFICIAL

Purpose of the meeting:	To discuss air quality matters in the ACT
Attendees:	<ul style="list-style-type: none"> • Dr Sophie Lewis, Commissioner for Sustainability • Sch 2.2(a)(ii) (constituent) • Sch 2.2(a)(ii) (constituent)
Directorate representative in attendance:	Nil.
Day / date:	Thursday, 1 September 2022
Time:	11:00am - 11:45am
Venue:	Follett Room ACT Legislative Assembly
Background:	You have not previously met with the meeting participants in relation the matters to be discussed.
Discussion:	<p>Sch 2.2(a)(ii) and Sch 2.2(a)(ii) are constituents. Both constituents have previously written to you (see below) about air quality associated with emissions from domestic wood heaters. The relevant Objective files include:</p> <ul style="list-style-type: none"> • Sch 2.2(a)(ii) (21/82152 and 21/14657) • Sch 2.2(a)(ii) (21/118262) <p>Sch 2.2(a)(ii) has lodged a complaint with the Commissioner for the Environment regarding the EPA's handling of his complaint. The Commissioner has investigated the matter and provided a report to the EPA. The EPA response to the Commissioner's report is at <u>Attachment B</u>.</p>
Consultation Internal:	Nil.
Cross directorate:	Nil.
External:	Nil.
Media implications:	None identified.

Items to be discussed

Air quality associated with emissions from domestic wood heaters

Policy Position

Air Quality

The ACT Government's current initiatives and proposed actions to address smoke emissions from domestic wood heaters is detailed in the Bushfire Smoke and Air Quality Strategy 2021-25 released in late November 2021.

In relation to implementation of the first action plan (Nov 2021-23):

- Building Policy, EPSDD, who are responsible for building legislation for the installation of wood heaters, have been consulted and provided with an outline of the emissions and registration proposal in the Strategy. Building Policy indicated it would have time and resources to consider in August 2022.
- The Australian Home Heating Association (AHHA) is the key stakeholder for wood heater retailers and manufacturers. AHHA have been consulted and provided a submission in relation to the actions detailed in the Strategy.
- The other key stakeholder are the broader community and organisations such as the Asthma Foundation and Centre for Air pollution, energy and health Research (CAR). The views of the Asthma Foundation and CAR have been clearly articulated in their written submissions, papers and campaigns on wood heater emissions.
- Meetings have been held with the Asthma Foundation and CAR who generally support the first action plan initiatives in the Strategy.
- The broader community have been consulted through the Faster Horses consultancy to evaluate the WHRP and BRT campaign. This campaign found there was limited concern with wood smoke from wood heaters from the focus groups.
- A recent Wood heater article from the ABC which suggested banning of wood heaters elicited approximately 160 Facebook comments from the community with approximately 30 in favor and 130 against.
- A YourSay Panel survey was released on 11 August 2022 for two weeks to gain further insights and community feedback on the wood heater related actions proposed in the Strategy. A Brief is being prepared detailing the findings.
- The BRT campaign have been modified by EPSDD Comms for the 2022 campaign following the feedback from Faster Horses consultancy and consultation with agencies and will be further refine in 2023 with input from the YourSay Panel Survey.
- CCE, EPSDD who administers the WHRP is currently evaluating changes to the WHRP including the recent Davis MLA Motion in the assembly to facilitate no cost removal and replacement with electric heating for low-income households.

Complaint Report from the Commissioner for Sustainability and the Environment

- On 11 October 2021, the Commissioner for Sustainability and the Environment (Commissioner) sent Minister Stephen-Smith and yourself, her Final Report (Report) on the investigation into a woodfire smoke complaint (Attachment A1).

- The Report was in response to many complaints from Sch 2.2(a)(ii) a property reported to be producing excessive and harmful smoke.
- The Report provided findings and identified opportunities for improvements around:
 - The complaint investigation process
 - Information provided to the complainant
 - Complaints handling and investigation procedures
 - The continued use of woodfired heaters in the ACT.
- On 10 November 2021, Sch 2.2(a)(ii) requested Minister Cheyne's response to the Commissioners' Report. As the Report was provided to Minister Cheyne for information, tabling of a response in the Legislative Assembly was deemed not to be required.
- On 29 October 2021, Mr David Pryce Deputy Director-General Access Canberra provided a written response to the Commissioner's Report ([Attachment B1](#)). In this letter an offer was made to meet with the Commissioner to discuss matters raised in her Report.

As a result of this correspondence, on 16 November 2021, Deputy Director-General David Pryce, Executive Branch Manager Nick Lhuede and then Senior Director Narelle Sargent, the Environment Protection Authority (EPA) met with the Commissioner and Ms Miranda Gardner, Assistant Director, to discuss matters raised in the Report.

Suggested Talking Points

Air Quality

- Canberra's overall air quality compared to other cities is excellent, however there are well known impacts from wood heater emissions during the winter months due to cold weather inversions.
- The combustion of wood generates a complex mixture of fine particulate matter (PM) and gasses, such as carbon dioxide, carbon monoxide, nitrogen oxides, organic compounds and organic matter.
- These pollutants are both damaging to human health and the environment, but of these pollutants PM2.5 has the greatest health impacts.
- The ACT meets the national air quality standards set out by the Ambient Air Quality National Environment Protection Measure (AAQ NEPM) more than 99% of the time with yearly averages for PM2.5 rarely exceeding the AAQ NEPM standard, with exceedances attributed to bushfire and dust storm events.
- In 2021 there were two marginal exceedances of the average daily standard for PM2.5 directly associated with wood heaters.
- The national particulate matter standards in the AAQ NEPM for PM10 and PM2.5 are due for review in 2025.
- Domestic wood heaters sold in the ACT must comply with Australian Standards 4013 for efficiency and 4012 of emissions. All Australian jurisdictions' environment ministers endorsed these standards through the National Clean Air Agreement.
- The ACT Government's current initiatives and proposed actions to address smoke emissions from domestic wood heaters is detailed in the Bushfire Smoke and Air Quality Strategy 2021-25 released in late November 2021. The current actions include:

- the 'Burn Right Tonight' campaign, which is a public education tool that has run every winter since 2011 to remind ACT residents on the correct use of wood heaters to reduce smoke
- implementation of stricter national agreed emissions and efficiency standards for wood heaters in 2019 through amendments to the Environment Protection Regulation 2005
- bans on the installation of wood heaters in new suburbs in the Molonglo Valley (except Wright), Dunlop and East O'Malley
- regulation of firewood merchants and audits of wood heater retailers by the EPA
- compliance and enforcement of wood heaters emissions by the EPA
- the Wood Heater Replacement Program (WHRP), which commenced in 2004 to provide financial incentives to encourage the removal of wood heaters from Canberra homes with over 1300 heaters removed. This program is complemented by the 2021 Sustainable Household Scheme, which provides zero-interest loans of between \$2,000 to \$15,000 to support eligible ACT households to reduce emissions and their energy costs.
- The Strategy includes the first two-year action plan, which for wood heaters details:
 - Review and strengthen wood heater emissions standards (to 1 gram particulate matter/kg of firewood burnt from 1.5) via building regulations, including investigating and implementing measures to phase out wood heaters that don't meet standards; and
 - Evaluate the Burn Right to Tonight campaign; the Wood Heater Replacement Program; and the efficacy of measures to ensure that firewood sold is seasoned, sustainably sourced, and meets compliance with Government recommended wood burning practices

Complaint Report from the Commissioner for Sustainability and the Environment

- Access Canberra have used the findings of the Commissioners report to inform future service improvements around the management of complaints and the operations of the EPA. In particular:
 - In response to matters raised in the Report, EPSDD assisted the EPA to update its Standard Operating Procedure (SOP) on Determining Environmental Harm from Wood Heaters ([Attachment C1](#)). The updated SOP has reduced the time officers are required to observe smoke from a residential chimney from 30 minutes to 10 minutes.
 - The updated SOP also includes a new section on responding to complaints. The EPA's complaints management process is in accordance with the Access Canberra Accountability Commitment Policy for Regulatory compliance and enforcement available at <https://www.accesscanberra.act.gov.au/s/article/about-access-canberra-tab-access-canberra-accountability-commitment>. In the first instance, members of the community are encouraged to contact the Conflict Resolution Services (CRS) to seek tips about resolving their complaint and/or mediation.

OFFICIAL

- The Access Canberra website includes information on the updated procedures and a chart detailing the steps taken in assessing wood heater pollution complaints, available at <https://www.accesscanberra.act.gov.au/s/article/air-pollution-tab-smoke-and-odour-complaints-from-wood-heaters>.
- The EPA is delivering a heightened regulatory education program focusing on the updated complaints procedure and advising householders on how to protect air quality when using wood heaters. This includes the requirement that unseasoned wood should not be purchased or burned; unseasoned wood is defined as containing more than 20 per cent moisture.
- The EPA has emailed information to wood merchants operating in the ACT, informing them of the requirement to ensure that only well-seasoned wood be sold. Twelve wood merchants have received the information, together with brochures to be supplied to customers on every wood purchase. Five of the wood merchants have depots, and all were inspected, and firewood was tested for compliance with the seasoning requirements.
- Access Canberra, through the EPA, continues to work collaboratively with the Environment, Planning and Sustainable Development Directorate (EPSDD) on policy matters to help protect and enhance the quality of the environment in the ACT.
- Access Canberra will continue to work collaboratively with the Commissioner's office to help protect and enhance the quality of the environment in the ACT and meets regularly to discuss matters of mutual interest.
- While Sch 2.2(a)(ii) case has been formally closed at this stage, Sch has been advised to contact the EPA if he has further concerns.

OFFICIAL

OFFICIAL

Environment, Planning and Sustainable Development Directorate

To: Minister for the Environment Tracking No.: 22/110421

Date: 26 August 2022

From: Conservator of Flora and Fauna

Subject: Pialligo RSPCA Site – Ecological Considerations

Critical Date: 9 September 2022

Critical Reason: To ensure you are briefed on this issue in a timely manner

- DDG, Environment, Water and Emissions Reduction 02/09/22

Recommendations

That you:

1. **Note** the ecological considerations for the proposed site of the new RSPCA headquarters in Pialligo; and

Noted / Please Discuss

2. **Agree** to share this brief with the Minister for Planning and Land Management and the Minister for City Services for their awareness noting the proposed development has been referred to the Commonwealth under the *Environment Protection and Biodiversity Conservation Act 1999*.

Agreed / Not Agreed / Please Discuss

Rebecca Vassarotti MLA



14.09.2022

Minister's Office Feedback

Background

1. Ahead of the 2020 ACT Election, the ACT Government committed to build a new facility for RSPCA ACT to strengthen animal welfare outcomes in the ACT.
2. On 16 February 2022, Cabinet agreed that Pialligo Block 2, Section 14 was the preferred site for the new RSPCA ACT facility which is currently located in Weston (21/802).
3. The Site Investigation Report (SIR) summarised the investigations undertaken up to that point including a Preliminary Ecological Assessment undertaken in August 2021. The SIR recommended that the following further studies be undertaken:
 - a. Targeted surveys for Striped Legless Lizard, Golden Sun Moth, Perunga Grasshopper and diurnal birds/Superb Parrot; and
 - b. Flora transects for Button Wrinklewort and Hoary Sunray.
4. A considerable number of these flora and fauna are considered either vulnerable or engaged under the *Nature Conservation Act 2014* or the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)
5. Transport Canberra and City Services Directorate (TCCS) engaged consultant WSP to undertake further studies in the south-west paddock of Block 2 (see [Attachment A](#)), which commenced in October 2021.

Issues

6. The Biodiversity Report (see [Attachment B](#)) states that six Striped Legless Lizard (SLL) captures including a gravid (pregnant) female were made over the survey period, all within the southernmost tile array, located in the south-west corner of the project site.
7. Additionally, two small, fragmented patches of Natural Temperate Grassland (NTG), a critically endangered ecological community were observed. The patch located in the south-western corner of the study area was of sufficient condition to meet the EPBC Act listing criteria. No other threatened flora and fauna were detected. These values would be directly impacted by any development on that part of the block.
8. On Wednesday, 23 March 2022, Conservation Officers from the Office of the Conservator of Flora and Fauna, Conservation Research and Evaluation, and the ACT Parks and Conservation Service attended a site visit with TCCS and WSP to discuss the survey findings and potential options/approval pathways.
9. The advice provided was that based on Commonwealth guidelines, the whole area could be considered habitat - *"If the species is detected during a survey, all potentially suitable habitat at the site should be considered occupied by the species."*
10. The site visit did confirm lower quality habitat in the northern section of the site, and the potential for it to be unoccupied by SLL due to the presence of a creek and surrounding trees. However, SLL habitat is characterised by vegetation structure rather than floristic condition, therefore it is possible that functional connectivity for SLL exists across the site.
11. Additionally, the site connects to the larger Majura West Grassland to the north, which has had record low and decreasing numbers of SLL in recent years. This population may therefore be considered more important in the context of wider conservation of the species, and may be considered an 'important population' under the Commonwealth's Significant Impact Guidelines, as it may currently provide opportunities for natural

recolonisation of the Majura West Grassland.

- ✱ 12. For these reasons, it was recommended to TCCS that should they wish to proceed with the development, additional surveys should be undertaken to demonstrate a lack of connectivity, or a referral under the EPBC Act be made.
13. On 27 July 2022 TCCS lodged an EBPC referral for the proposed development ([2022/09285](#)). Based on the information provided the proposal will:
- a. Isolate or destroy a known population of SLL in the southern corner of the block.
 - b. Reduce connectivity between the SLL population on the block and other populations to the North.
 - c. Remove NTG and potential SLL habitat on the block.
14. The ACT Government was invited to provide a submission to the referral, and the above advice was provided in addition to a recommendation for further SLL surveys and assessment of habitat connectivity.
15. The Commonwealth will now make a determination on whether the proposed development action is not controlled or controlled. This decision will then determine the appropriate ACT development approval pathway.

Financial Implications

16. The North Weston site that currently houses the RSPCA ACT facility is drafted to be on the Indicative Land Release Program for 400 dwellings in 2024-25 and another 400 in 2025-26. Land release cannot occur until the RSPCA facility has been relocated.

Consultation

Internal

17. Officers from EHW with expertise in SLL management, survey and monitoring provided advice on the impacts of the proposed development.

Cross Directorate

18. The Office of the Conservator of Flora and Fauna has engaged with TCCS and provided advice in March 2022.

External

19. Nil.

Work Health and Safety

20. Nil.

Benefits/ Sensitivities

21. If the Commonwealth determines the proposal is a controlled action an offset may be required as part of an Environmental Impact Statement. Impacts and threats on SLL are on-going in the ACT and offset options are very limited which could make achieving this development challenging.

Communications, media and engagement implications

22. Nil associated with this brief. However, if construction of the new RSPCA facility is delayed this may attract media attention and interest from the RSPCA.

OFFICIAL

Signatory Name: Bren Burkevics

Phone: 6207 8628

Action Officer: Eliza Larson

Phone: 6207 7009

Attachments

Attachment	Title
Attachment A	Project Area
Attachment B	Biodiversity Report

To: Minister for Water, Energy and Emissions
Reduction

Tracking No.: 22/106554

From: Executive Group Manager, Environment, Heritage and Water

Date of meeting: Thursday, 1 September 2022

Subject: ACT Government Response to the Non-potable Water Review

- DDG, Environment, Water and Emissions Reduction 30/8/22

Purpose of the meeting

The Community Clubs Ministerial Advisory Council (CCMAC), chaired by Minister Rattenbury and Minister Cheyne, will discuss the ACT Government's response to the Non-potable Water Review at the upcoming CCMAC meeting on 1 September.

Recommendations

That you:

1. **Note** the information in this brief for your meeting with CCMAC; and
Noted / Please Discuss
2. **Note** the talking points at Attachment A.
Noted / Please Discuss

Shane Rattenbury MLA/...../.....

Minister's Office Feedback

Signatory Name: Bren Burkevics

Phone: x78628

Action Officer: Tom Nilsen

Phone: x54644

OFFICIAL Sensitive

Purpose of the meeting:	Community Clubs Ministerial Advisory Council standard meeting
Attendees:	<ul style="list-style-type: none"> • Mr Shane Rattenbury MLA, Minister for Gaming (Chair) • Ms Tara Cheyne MLA, Minister for Business and Better Regulation (Deputy Chair) • Executive Branch Manager, Civil and Regulatory Law Branch, Legislation, Policy and Programs Division, Justice and Community Safety Directorate (JACS) (Senior executive from JACS) • Ms Yu-Lan Chan, Chief Executive Officer (CEO), ACT Gambling and Racing Commission (Senior executive or Board member representing the ACT Gambling and Racing Commission) • Mr Athol Chalmers, Chair, Canberra Community Clubs (CEO or Board member representing Canberra Community Clubs) • Ms Kim Marshall, President, ClubsACT (CEO or Board member representing ClubsACT) • Ms Lyndal Ryan, Secretary, United Workers Union (Secretary or nominated representative from the United Workers Union) • Ms Wendy Sandeman, Financial Counsellor, Care Inc. Financial Counselling Service and Consumer Law Centre of the ACT (Representative: Gambling harm reduction organisation or expert) • Mr Jeremy Halcrow, Founder and Co-chair, Canberra Gambling Reform Alliance (Representative: Gambling harm reduction organisation or expert) • Ms Kate Seselja, Founder, the Hope Project and person with lived experience of gambling harm (Representative: Gambling harm reduction organisation or expert) • Mr Geoff McKay, President, Canberra Bowling Club (Representative: Community clubs) • Ms Mary Collier, President, Canberra Irish Club (Representative: Community clubs) • Mr Garrett Purtill, President of Canberra Labor Club (Representative: Community clubs) • Mr Thomas Stevens, Director, Youth Coalition of the ACT (Representative: Young people)
Directorate representative in attendance:	The Liquor, Racing and Gaming team in Justice and Community Safety is the secretariat for the Council
Who will meet you (include mobile):	You have access to the building. Directorate staff will meet you in the Conference Room.

Day / date:	1 September 2022
Time:	2:00pm-4:00pm
Venue:	220 London Circuit CIVIC, Level 5 Conference Rooms
Transport arrangements:	Nil.
Where to park:	Nil.
Catering:	Nil.
Background:	<p>The Community Clubs Ministerial Advisory Council (CCMAC) was formed in May 2021 and is comprised of 14 members, including the Minister for Gaming, Mr Shane Rattenbury MLA, and the Minister for Business and Better Regulation, Ms Tara Cheyne MLA.</p> <p>CCMAC's terms of reference provide that the CCMAC is a non-statutory body, established to perform an advisory role for the ACT Government, with the purpose of building a long-term, sustainable clubs sector in the ACT.</p> <p>CCMAC is one of 10 initiatives under the Parliamentary and Governing Agreement for the 10th Legislative Assembly (PAGA) to reduce harm from gaming while supporting sustainable clubs.</p> <p>Currently the CCMAC meets every six weeks.</p>
Discussion:	<p>The Environment Planning and Sustainable Development Directorate (EPSDD) is preparing the ACT Government Response to the Non-potable Water Review. This has cost implications for community clubs and other non-potable water licensees. Draft policy positions will be reviewed by Expenditure Review Committee ahead of public consultation in early 2023.</p> <p>See Attachment A.</p> <p><i>See related brief 22/107147 for more information.</i></p>
Consultation Internal:	Nil.
Cross directorate:	ACT Treasury
External:	ACT-Monaro District Golf Association 4 August 2022. EPSDD provided a high-level update of the status and indicative timeline for the Response to the Non-potable Water Review.
Media implications:	<p>Cost impacts to golf clubs from water abstraction fees have previously attracted media interest.</p> <p>See talking points at Attachment A.</p>

OFFICIAL

Environment, Planning and Sustainable Development Directorate**To:** Minister for Planning and Land Management

Tracking No.: 22/10213

Attorney-General

Date: 17 August 2022**From:** Executive Branch Manager, Building, Design and Projects**Subject:** Update on stage two of the Unit Titles Reform Project**Critical Date:** 2 September 2022**Critical Reason:** To enable a Cabinet submission seeking policy approval of the proposed reforms to be progressed for cabinet late 2022 / early 2023

- DG 29/08/22
- DDG, Planning and Sustainable Development 27/08/22
- EGM, PUP 25/08/22

Recommendations – Minister for Planning and Land Management

That you:

1. **Note** the proposed reforms for stage two of the Unit Titles Reform Project, outlined at Attachment A;

Noted / Please Discuss

2. **Sign** the letter to the Attorney-General at Attachment B seeking agreement to amend unit titles legislation within their responsibility; and

Signed / Not Signed / Please Discuss

3. **Sign** the letter to the Chief Minister at Attachment C seeking agreement to defer introduction of the Unit Titles Legislation Amendment Bill 2022 to 2023.

Signed / Not Signed / Please Discuss

Mick Gentleman MLA



14/9/2022

Minister's Office Feedback

Has consideration being given to using a rule based formula where water consumption for a unit complex is apportioned according to floor area and type of use. i.e. complexes with retail, say hotel, will pay a higher percentage of the water use compared to residential apartments. This may also help solve issues in existing mixed use unit complexes and have limited cost on new dwelling costs.

Recommendations – Attorney-General

That you:

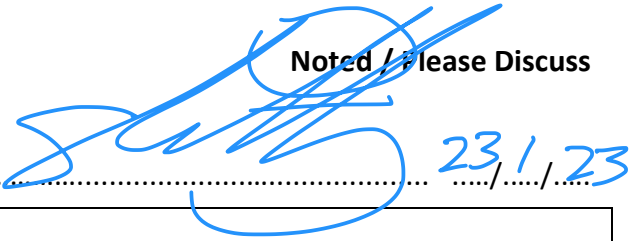
1. **Sign** the *Unit Titles (Management) Certificate Determination 2022* disallowable instrument at Attachment D; and

Signed / Not Signed / Please Discuss

2. **Note** the Explanatory Statement for the Disallowable Instrument at Attachment E.

Noted / Please Discuss

Shane Rattenbury MLA



Minister's Office Feedback

Background

1. The Unit Titles Reform Project (the Project) is about updating legislation to improve the development, governance and management of new and existing units plans in the ACT.
2. The Environment, Planning and Sustainable Development Directorate (EPSDD) is responsible for the development and delivery of the Project which commenced in 2016. The Project is occurring in two stages.
3. The reforms have been developed in collaboration with the Unit Titles Reform Project Consultative Group (the Consultative Group), which consists of ten members from key industry groups such as the Owners Corporation Network ACT, Strata Community Association ACT and the ACT Law Society.
4. Stage one of the Project was delivered with the commencement of the *Unit Titles Legislation Amendment Act 2020* in November 2020. These reforms implemented a number of important changes for the management of units plans and included several new legislative instruments to help owners corporations comply with their new legislative requirements.

Issues

Stage two of the Project

5. Following on from the successful delivery and implementation of the stage one reforms, stage two of the Project is now underway. EPSDD will continue working with the Consultative Group to develop the legislation, including reviewing drafts of the Bill.
6. Stage two will seek to make further reforms to unit titles legislation, including reviewing insurance and audit requirements, subleasing common property and clarifying rules and sustainability improvements. This is also an opportunity to progress other minor amendments to clarify some of the stage one reforms.

- a. A list of proposed matters for stage two of the Project is outlined at Attachment A for your consideration.
7. One of the reforms included in stage two of the project is to require that all new unit developments have individual water meters for each unit, rather than one meter for the building. This will give unit owners more visibility over their water use and support a fairer distribution of water charges between residential and commercial units.
 - a. This reform will have a cost impact on unit buyers, developers and renters, which will be explained in the policy approval Cabinet submission. The proposal will also have water conservation benefits, and a more equitable distribution of water costs.
 8. The proposed “end of building life” reform is not being considered in stage two as originally planned. This reform would allow an owners corporation to cancel a units plan for redevelopment or renewal with agreement from 75 per cent of owners instead of unanimously as currently required.
 - a. The ACT was considering the model used in NSW, however the Consultative Group has advised that the NSW reforms have not achieved the intended outcomes, and a watching brief was recommended for the ACT.
 9. Amendments are proposed to the *Unit Titles (Management) Act 2011*, *Unit Titles Act 2001*, *Land Titles (Unit Titles) Act 1970*, and associated Regulations.
 - a. A letter has been prepared from the Minister for Planning and Land Management to the Attorney-General at Attachment B seeking approval to amend legislation that falls within the Attorney-General’s portfolio.
 10. A Cabinet submission is being prepared to seek policy approval for the proposed legislative amendments. Introduction of the Bill is currently scheduled for November 2022. Due to impacts of COVID and ongoing impacts of recruitment¹ this has resulted in limitations for resourcing for the Project. Additionally, prioritisation of the new Planning Bill within the Planning and Urban Policy portfolio has impacted relevant allocation of appropriately skilled people within EPSDD and other agencies. It is therefore proposed to defer introduction of the Unit Titles Legislation Amendment Bill 2022 to the 2023 legislation program.
 - a. This has previously been raised with Minister Gentleman’s office, with in-principle support for the deferral. The impacts of the changed timeline are expected to be minimal. The proposed amendments are not time critical and are largely administrative improvements. It is anticipated that the legislation can be introduced in the first quarter of 2023 (subject to other necessary steps).
 - b. A letter has been prepared from the Minister for Planning and Land Management to the Chief Minister at Attachment C seeking approval to defer introduction of the Bill.

New disallowable instrument – s119 Certificate Determination

11. As a part of the stage one reforms introduced in 2020, the Unit Titles (Management)

¹ This is referring to issues across the ACT and nationally in regard to movement of people taking up new positions, and recruiting suitably skilled people for roles at a time where impacts of COVID and high employment are being experienced.

Certificate Determination disallowable instrument was updated to increase the information that is provided in a section 119 certificate, which is used in contracts for sale of units to provide administrative and financial information about a units plan to potential buyers.

12. Currently, section 3(l) of the determination requires that a section 119 certificate must include *the minutes of meetings of the owners corporation, and the executive committee, held in the 2 years before the day the property was first advertised or offered for sale or listed with an agent.*
13. The Consultative Group noted that this section is confusing, and that it would be helpful to clarify the requirements. Section 3(l) has been redrafted as follows:
 - i. *copies of the minutes of meetings of the owners corporation, and the executive committee:*
 - i. *for a unit title certificate, held in the 2 years before the date of the certificate; or*
 - ii. *for unit title update certificate, held from the date of the unit title certificate ending on the date of the unit title update certificate.*
14. The Consultative Group is supportive of this wording. An updated disallowable instrument (*Unit Titles (Management) Certificate Determination 2022*) has been prepared for the Attorney-General's consideration at Attachment D, and an Explanatory Statement (ES) at Attachment E.

Financial Implications

15. Nil.

Consultation

Internal

16. The EPSDD Legal Policy team has reviewed and cleared the draft instrument and ES.

Cross Directorate

17. The Civil Law team in the Legislation and Policy Branch of the Justice and Community Safety Directorate (JACS) has been consulted and supports the reforms proposed for stage two of the Project. The team was also consulted on and supports the new instrument.

External

18. EPSDD continues to work with the Consultative Group in the development of the new instrument and reforms for stage two. The Consultative Group supports the proposed reforms, and EPSDD will consult with the Group on the draft legislation and implementation of the reforms.

Work Health and Safety

19. Not applicable.

Benefits/Sensitivities

20. Progressing with stage two of the Project will deliver on commitments to improve unit titles legislation for new and existing units plans in the ACT. The Consultative Group supports the prioritised list of reforms.
21. As this is the final stage of the Project underway by EPSDD, any further unit titles reform

issues will be referred to JACS for future consideration.

Communications, media and engagement implications

22. The approved instrument will be published on the legislation register once notified, and EPSDD will provide a copy to the Consultative Group so they can inform their members.
23. The Managing Buildings Better website will be updated once the stage two legislative reforms are passed. EPSDD will work with Access Canberra to update its unit titles website and guides.

Signatory Name: James Bennett Phone: 6205 4877
 Action Officer: Amy Kingham Phone: 6205 3398

Attachments

Attachment	Title
Attachment A	List of proposed reforms for Stage 2 of Unit Titles Reform Project
Attachment B	Letter – Gentleman to AG – Agreement to amend unit titles legislation
Attachment C	Letter – Gentleman to CM – Agreement to defer introduction of Unit Titles Legislation Amendment Bill 2022
Attachment D	Disallowable Instrument - Unit Titles (Management) Certificate Determination 2022
Attachment E	Explanatory Statement - Unit Titles (Management) Certificate Determination 2022

Environment, Planning and Sustainable Development Directorate**To:** Minister for Planning and Land Management

Tracking No.: 22/57238

Date: 5 July 2022**From:** Acting Executive Group Manager – Planning and Urban Policy**Subject:** King Street Deakin Master Plan**Critical Date:** 5 August 2022**Critical Reason:** Proponent intends to seek meeting with the Minister for Planning and Land Management to discuss the master plan

- DDG, Planning and Sustainable Development 02/08/22

RecommendationsThat you **note** the information contained in this brief.**Noted / Please Discuss**

Mick Gentleman MLA



10/10/2022

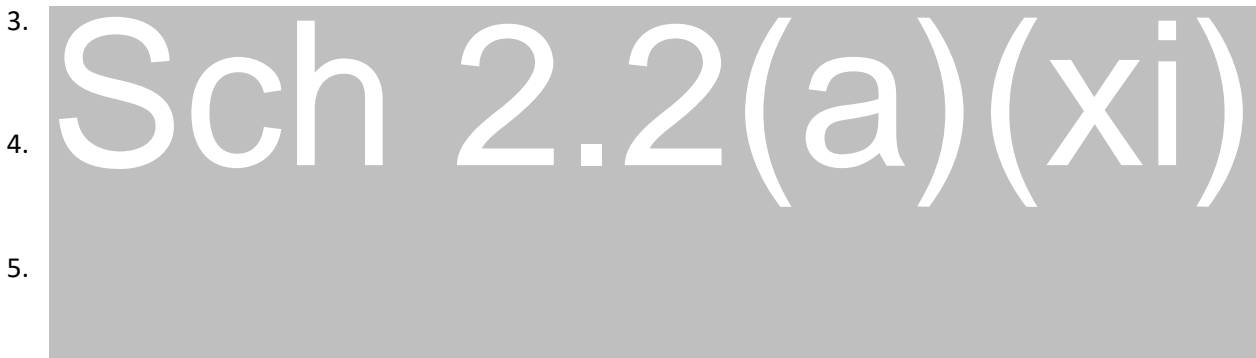
Minister's Office Feedback

Background

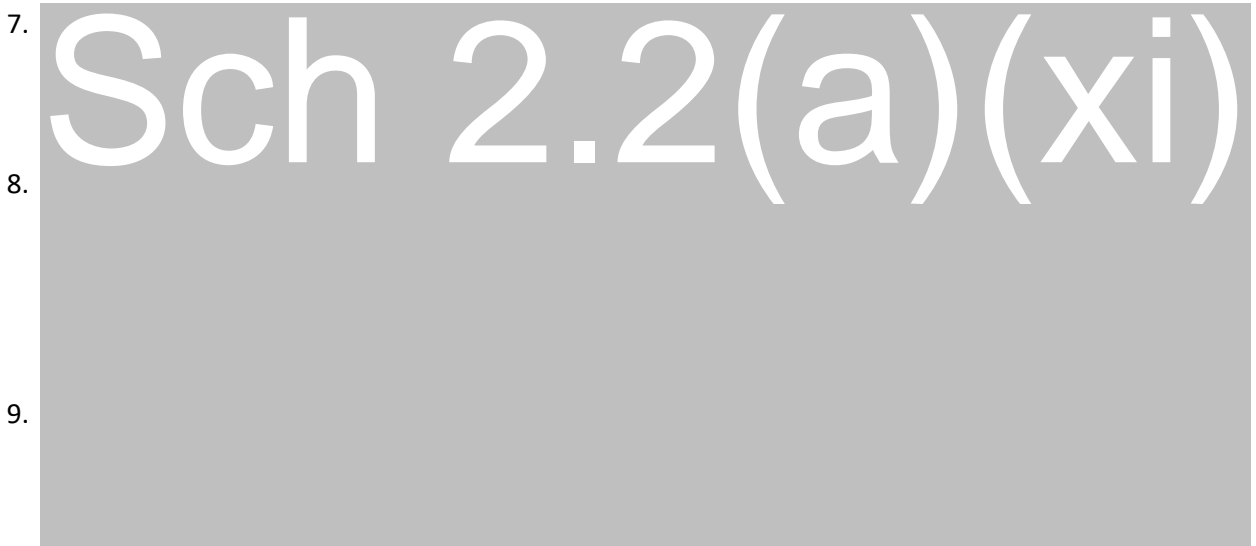
1. Representatives from the Environment, Planning and Sustainable Development Directorate (EPSDD) have met with the proponent (Cypcill Pty Limited) on multiple occasions (at Attachment A) from 2018 to discuss their proposal for an Sch 2.2(a)(xi)



2. The subject site is a surface carpark adjacent to King Street Deakin. It is zoned under the Territory Plan as CZ6: Leisure and Accommodation. Transport Canberra and City Services (TCCS) are the land custodian of the block, and the proponent is the licensee. The licensee operates the land as a private and paid carpark. The proponent is the lessee of the adjacent commercial and health facility on Block 27, Section 68 (Attachment B).



6. In June 2021, an amended master plan was received by EPSDD. This proposal included utilising an area of PRZ1: Urban Open Space zoned land that forms part of the South Canberra Deakin Playing Fields (at Attachment B), and part of the South Canberra Netball Association's crown lease, in addition to Block 22, Section 86, part Block 13, Section 68 and the surface carpark on Block 23, Section 67, Deakin.



Issues

Planning for the Stage 2B light rail corridor and District Strategies

10. The subject site falls within the investigation area for Stage 2B of the light rail network, and the proponent was advised that it is premature for a decision to be made on its land release without consideration of the potential future uses in this corridor in order to fully realise benefits of light rail.
11. EPSDD is progressing work on District Strategies which will provide strategic and spatial

planning guidance at a district area level.

12.

Sch 2.2(a)(xi)

Sch 2.2(a)(xi)

16. The proponent has not undertaken the above requirements requested by EPSDD, which includes consulting with local community councils, affected sporting organisations (South Canberra Netball Association and Triathlon ACT whose leases are directly affected) and the National Capital Authority.
17. One off and site specific rezonings of land are not ordinarily supported unless there is an overriding public benefit or good, and it can be demonstrated that the land is suitable for and capable of accommodating the uses proposes.
18. In this instance, the proponent has not provided further information or addressed the issues raised in the 2018 agency circulation (Attachment D) and circulations in 2019 and 2021 (Attachment E) regarding the site's suitability Sch 2.2(a)(xi)

Financial Implications

19. There are no direct financial implications resulting from this brief, however it is noted the Territory would benefit from a competitive land sales process that reflects land value changes

for any future sale and redevelopment of this site.

Consultation

Internal

- 20. A number of areas within EPSDD provided comments on the proposal in 2018, 2019 and 2021.
- 21. The Executive Group Manager of the Planning System Review and Reform Project attended the meeting and has provided information to the district planning team.
- 22. The D&I Division, including Direct Sales were consulted in the preparation of this brief.

Cross Directorate

- 23. The proposal has been circulated across the ACT Government for comment in 2018, 2019 and 2021. TCCS, Housing ACT, and CMTEDD have all provided comment on the master plan.
- 24. Additional information was sought from Sport and Recreation (CMTEDD) in the preparation of this brief.

External

- 25. The NCA and utility providers including ICON water, EvoEnergy, JEMENA and TransACT have provided comments on the proposal in 2018, 2019 and 2021.
- 26. The proponent has been asked by the EPSDD Direct Sales team to undertake community and key stakeholder engagement on the Master Plan but has not yet commenced this consultation.

Work Health and Safety

- 27. Not applicable

Benefits/Sensitivities

- 28. While the subject site is located close to nearby sporting facilities, recreation assets and medical services, it is however isolated from other necessary retail services and is outside an 800m walking distance to the proposed light rail stops.
- 29. The proponent has not consulted with affected sporting organisations, the National Capital Authority, ACT Government Directorates (such as Sport and Recreation) or the local community on this proposal, and has not provided compelling information that the site is suitable or capable of Sch 2.2(a)(xi)
- 30. It is considered more relevant to look at this area as part of broader light rail corridor planning and district planning.

Communications, media and engagement implications

- 31. No media coverage is anticipated as a result of this brief.

Signatory Name: Di Stewart Phone: 62054141
 Action Officer: Katrina Williams Phone: 62075894

Attachments

Attachment A	Timeline of meetings and correspondence
Attachment B	Site location of Block 23, Section 67 Deakin
Attachment C	Master Plan Presentation April 2022
Attachment D	Summary of agency comments on 2018 proposal
Attachment E	Summary of agency comments on 2019 and 2021 King Street master Plan proposals

Environment, Planning and Sustainable Development Directorate

To: Minister for Planning and Land Management Tracking No.: 22/65308

Date: 14 June 2022

From: Executive Group Manager, Planning and Urban Policy

Subject: DV387 – Amendment to RZDC and MUHDC for number of dwellings permitted on a non-standard block in Residential RZ1 zones - release for public consultation

Critical Date: 29 July 2022

Critical Reason: To allow for the release of the draft Territory Plan variation for public notification with interim effect as soon as possible

DDG, Planning and Sustainable Development

25/07/22

Recommendations

That you:

1. Note the information contained in this brief including the draft variation to the Territory Plan 387 at Attachment A; and

Noted / Please Discuss

2. Agree to the release of DV387 (Attachment A) for statutory public notification with interim effect.

Agreed / Not Agreed / Please DiscussMick Gentleman MLA  20/9/2022

Minister's Office Feedback

Background

1. The Environment, Planning and Sustainable Development Directorate (EPSDD) has prepared Draft Variation 387: Amendment to the Residential Zones Development Code and Multi Unit Housing Development Code for non-standard block in the Residential RZ1 zone - for public consultation.
2. Variation 350 to the Territory Plan (V350) (Attachment B), which commenced on 23 August 2019, was prepared in response to concerns about inappropriate multi-unit residential redevelopment occurring on certain residential blocks in some older Canberra suburbs.
3. This situation came about from an interpretation of the previous definition of 'single dwelling block' that enabled more dwellings than intended to be built on blocks in the Residential RZ1 Suburban and RZ2 Suburban Core Zones, as some of the controls in the Multi Unit Housing Development Code (MUHDC) did not apply to multi-unit residential redevelopment on those blocks.
4. This resulted in a built form and residential density that was not sensitive to the neighbouring blocks and the predominantly single dwelling streetscape character of the surrounding areas.
5. V350 addressed this issue by changing the title of the definition from 'single dwelling block' to 'standard block' and adjusting the wording in the definition to capture those blocks that were originally leased, or used for the purpose of one or two dwellings or created by the consolidation of blocks where originally leased, or used for the purpose of one or two dwellings. The definition specifically excludes blocks where the original lease explicitly permits two dwellings.
6. This change was intended to make sure that redevelopment proposals for these blocks complied with the relevant provisions in the MUHDC in the residential suburban zones so that the built form is appropriate and complementary to the streetscape.
7. The definition of 'standard block' was specifically worded to allow a block to have two dwellings if the lease allowed two dwellings. However, it was not the intent of the definition to enable a block with a lease allowing two dwellings to then have additional dwellings by varying the lease.
8. More recently, there have been concerns raised about redevelopment proposals where multiple dwellings are proposed on blocks in RZ1 zones where the lease explicitly allowed for two dwellings. In these cases, an application is sought to vary the lease to change the specific allowance for two dwellings to allow for additional dwellings.
9. The proposed developments are not captured by the definition of a 'standard block' (and therefore considered to be a non-standard block) and the current rules in the MUHDC do not limit the number of dwellings on a non-standard block in the RZ1 zone. There are currently no explicit prohibitions in the Territory Plan to prevent this occurring, even

though this would result in a form of development inappropriate for the RZ1 zone.

Issues

10. DV387 proposes to amend the MUHDC in the Territory Plan to address the issue described above by adding a provision to limit the number of dwellings on a non-standard block in the RZ1 zone to two if the Crown lease explicitly permits two dwellings.
11. It is also proposed to further strengthen these controls on two dwellings by introducing a new provision in the Residential Zones Development Code to limit subdivision of a dual occupancy development on a non-standard block in the RZ1 zone to only that which is permitted under the *Unit Titles Act 2001* and only where both dwellings in the dual occupancy have been lawfully constructed
12. EPSDD is seeking your agreement to release DV387 (Attachment A) for public consultation with interim effect. If you agree, pursuant to the *Planning and Development Act 2007*, comments will be invited from the public for a period of not less than 30 working days.
13. DV387 will be published on the EPSDD website and the ACT Legislation Register.

Financial Implications

14. There are no financial implications in relation to this brief. Territory Plan variations are covered by directorate base funding.

Consultation

Internal

15. The relevant sections of EPSDD (Statutory Planning, including the Leasing section) have been consulted during the preparation of the draft variation. Changes were made to the draft variation in response to matters raised by Leasing:
 - a) the proposed wording of the new rule in the MUHDC was strengthened to:
 - i. remove any doubt, and
 - ii. refer to 'Crown lease' to make sure the original lease of the land was captured, and
 - b) a proposed new rule in the RZDC was added to limit subdivision of dual occupancies on non-standard blocks in the RZ1 zone only to that which is permitted under the *Unit Titles Act 2001*.

Cross Directorate

16. The draft variation was circulated to all relevant ACT Government agencies, including mandatory referral agencies, for input and comment. Comments from mandatory referral agencies are included in the draft variation document.

External

17. Mandatory agency consultation was undertaken with the National Capital Authority (NCA) and comments from the NCA have been included in the draft variation.

Benefits/Sensitivities

- 18. The proposed changes will address concerns around the potential for overdevelopment of non-standard blocks in the RZ1 zone.
- 19. The draft variation will be released with immediate interim effect, to stop any further inappropriate multi-unit redevelopment proposals being lodged with the planning and land authority.

Communications, media and engagement implications

- 20. A draft media release can be prepared at your request.

Signatory Name: Di Stewart Phone: 62054141
Action Officer: Janine Ridsdale Phone: 62054060

Attachments

Attachment	Title
Attachment A	DV387 Amendments to RZDC and MUHDC
Attachment B	Variation 350

OFFICIAL

Environment, Planning and Sustainable Development Directorate

To:	Minister for Planning and Land Management	Tracking No.: 22/91258
Date:	17 August 2022	
From:	Executive Group Manager, Planning and Urban Policy	
Subject:	Eastern Broadacre Strategic Assessment	
Critical Date:	30 August 2022	
Critical Reason:	To inform negotiations with the Department of Defence on the degazettal of National Land	
•	DDG, Planning and Sustainable Development	18/08/22

Recommendations

That you:

1. **Agree** to next steps in progressing the Majura split blocks with the Department of Defence per the following actions:
 - a. EPSDD recommence degazettal discussions with Defence to confirm the Commonwealth's current expectations for the future use of the land.
 - b. EPSDD discuss and progress the degazettal process with the Department of Defence.
 - c. EPSDD indicate the ACT Government position with Defence of an intended outcome that tenure be provided to the lessees for a maximum of 25 years.
Agree / Not Agree / Please Discuss

2. **Agree** to:
 - a. The Eastern Broadacre Strategic Assessment being recommenced in 2022 with the split block sites identified for a range of uses including future employment (industrial) use.
 - b. The ACT Government confirm its position that granting long term tenure (beyond 25 years) to split block lessees is not supported due to the strategic importance of the land for future uses such as employment uses
Agree / Not Agree / Please Discuss

3. **Agree** that other options, including a commercial sale of the land to the ACT, be further explored if degazettal negotiations fail to achieve an agreement on land tenure.
Agree / Not Agree / Please Discuss

Mick Gentleman MLA



30/8/2022

Minister's Office Feedback

Further options will need to be explored should Defence negotiations on revocation fail.

Please share brief with CM and Minister for Environment.

Background

1. Officials from the Environment, Planning and Sustainable Development Directorate (EPSDD) and the Commonwealth Department of Defence (Defence) have met on several occasions this year to discuss the Majura split blocks, including the future use of the land and the Commonwealth's expectations with respect to a proposed degazettal and transfer of the land to the Territory.
2. Through these discussions, EPSDD has learned that Defence proposes to achieve the degazettal of the land through a revocation of the National Land status (at no cost to the Territory), rather than through a commercial, concessional or market value sale to the Territory.
3. Defence is seeking agreement to specific principles to finalise the negotiation of a transfer package, which includes agreement on future land use, the avoidance of future 'windfall gains' to the Territory through rezoning and development and providing some security and timing of tenure to the split block lessees.
4. The principles outlined by Defence would give the current lessees the long-term certainty they are seeking about the future use of the land. However, depending on the timeframe and approach to leases, this would prevent the use of the split blocks for employment (industrial) development in the short and medium term, which might constrain strategic land use outcomes for the Territory in the short-medium term and potentially longer term.
5. The split block parcels are listed below and provided at Attachment A:
 - Block 52 Majura;
 - Block 59 Majura – now referred to block 716 Majura;
 - Block 135 Majura – now referred to as block 718 Majura;
 - Block 138 Majura – now referred to as block 2 section 8 Pialligo; and
 - Block 139 Majura – now referred to as block 717 Majura.
6. The five split blocks are located within the Eastern Broadacre strategic assessment (SA) study area. However, only four blocks are identified for future employment (industrial) development in the current draft SA (Attachment B).

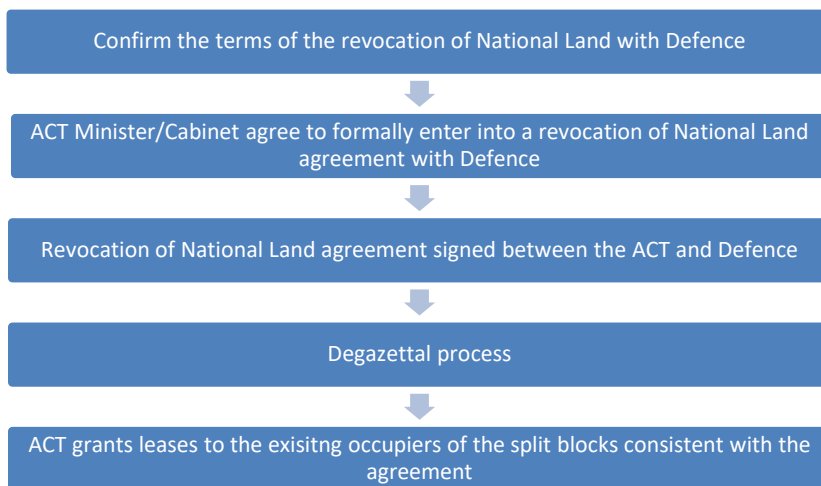
Issues

7. A number of matters have a bearing on your consideration in the Majura split block degazettal negotiations with the Commonwealth. These are discussed below.

Majura Split Block Degazetta

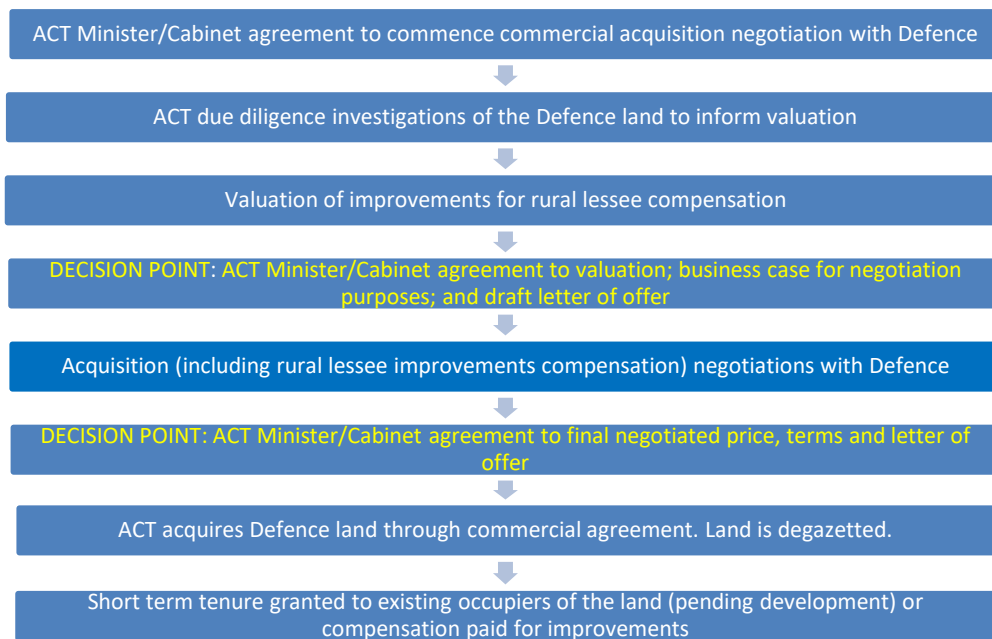
8. As discussions with Defence occurred prior to the recent Federal election, the position of the current Commonwealth Government on a degazetta process and the principles that will underpin their negotiations will need to be confirmed.
9. EPSDD proposes to meet with the nominated contacts in Defence to progress these discussions once the ACT's preferred approach is confirmed. The various options for progressing these discussions are outlined in this brief.
10. There are two broad processes for the degazetta of National Land. These are:
 - Revocation; or
 - Commercial, concessional or market value sale.
11. The revocation process is relatively simple, involves no payment to Defence for the land (but there will be some costs to the Territory such as surveys for the new blocks), and could possibly be completed in several months, subject to decision-making processes (a cabinet process may extend timeframes) (Figure 4). The tenure term would need to be confirmed in the agreement with Defence.

Figure 4 – Indicative Revocation Process



12. A sale process, in comparison, is far more complex, prolonged and costly in terms of required due diligence investigations and a commercial purchase (Figure 5). The ACT has already been exploring a sale process for the split blocks and Defence land at South Pialligo (south of the airport) for several years. This was because Defence had linked the sale of the split blocks with the constrained land at South Pialligo (more recently Defence indicated a willingness to separate them).

Figure 5 – Indicative Sale Process



13. The implications of the two degazettal options are:

- Revocation – the land becomes Territory land and leases granted as per the agreement with Defence. No valuation of the land is required as there is no “sale” to the Territory. It is assumed that any risk and liability with the land (such as the presence of unexploded ordinances) is transferred to the Territory. Due diligence investigations could be undertaken sometime in the future to support any subsequent negotiation for the purchase of the land from the lessee in the medium term and subsequent rezoning of the land.
- Sale – the Territory has already undertaken some due diligence investigations of the split blocks that identified a number of issues including unexploded ordinances and flooding. There is also a potential for Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) on the land. Further investigation of these issues would be required prior to the sale and specific budget funding would be required to undertake all required due diligence site investigations to determine a valuation of the land.

Split Blocks Tenure

14. The future of the split blocks is directly linked to a decision on the degazettal process of the National Land.

15. If a decision is made that the land will be degazetted via revocation, the agreement with Defence will need to specify a tenure term for the subsequent leases. The tenure term options are:

- Sch 2.2(a)(x), Sch 2.2(a)(xiii)

Sch 2.2(a)(x), Sch 2.2(a)(xiii)

• Sch 2.2(a)(x), Sch 2.2(a)(xiii)

•

16.

Sch 2.2(a)(x), Sch 2.2(a)(xiii)

17. The ACT Government has also indicated the need to consider ongoing rural use and land availability to support food security and sustainability. The land in the Eastern Broadacre SA area has been flagged for this consideration. This presents a range of future uses to be considered in the context of future growth.

Eastern Broadacre Strategic Assessment

18. The ACT Planning Strategy 2018 identifies the Eastern Broadacre area for investigations into establishing new industrial and employment opportunities for the ACT. However, the area contains critically endangered flora and fauna, such as natural temperate grassland, striped legless lizard and the grassland earless dragon. As such, the ACT Government has entered into an agreement with the Commonwealth Government to undertake a strategic assessment under the Environment Protection and Biodiversity Conservation Act 1999.

19. A consultant has prepared the majority of the required SA documentation in consultation with EPSDD and the then Commonwealth Department of Agriculture, Water and the

Environment (now the Department of Climate Change, Energy and the Environment and Water). However, the project was paused in 2020 due to the Covid-19 pandemic, just prior to seeking final Commonwealth agreement to commence public consultation.

20. The contract with the consultant has now lapsed and a re-engagement process is required in order to resume the project. To complete the SA process and receive a determination from the Commonwealth may take up to 11 months, following the re-engagement of a consultant to finalise studies (Figure 1).

Figure 1 – Eastern Broadacre Strategic Assessment Process (Indicative)

Activity	MONTHS											
	1	2	3	4	5	6	7	8	9	10	11	
Procure and re-engage consultant	█											
Consultant updates draft SA documents and internal EPSDD review		█	█	█								
EPSDD final review and Cth agreement to commence public consultation					█	█						
Public notification						█	█					
Consultation and supplementary reports by consultant								█	█			
Brief Minister and lodge with Cth for determination									█	█		
Cth review and determination										█	█	

Note: subject to funding and consultant availability.

21. EPSDD proposes to recommence the SA process. However, in order to update the SA and undertake public consultation, the ACT’s position on the degazettal process and the desired future use of the of the National Land needs be resolved.

Land Release in the Eastern Broadacre Study Area

22. Following the approval of the SA and with typical internal process timeframes, land release (other than for the split blocks) may take a further five to six years to occur. This is predominately due to the time required for relevant studies to inform rezonings to the Territory Plan and National Capital Plan and Suburban Land Agency (SLA) processes. These are indicated in Figure 2.

Figure 2 – Timeframe to Land Release (excluding Symonston) (Indicative)

Activity	Months	1 - 6	7-12	13-18	19-24	25-30	31-36	37-42	43-48	49-54	55-60	61-66	67-72	73-78	79-84
	Years	1	2	3	4	5	6	7							
Strategic assessment process		█	█												
Planning report and draft EIS preparation				█	█										
Territory Plan and National Capital Plan rezoning processes					█	█	█								
ACT EIS statutory process**						█	█	█							
Due diligence and assurance package processes								█	█	█					
SLA processes to land release									█	█	█	█	█	█	█

Notes:

- Subject to funding and consultant availability.
- ** for known environmental values, not major infrastructure items.

23. While land release elsewhere in the Eastern Broadacre may take up to six years, land at Symonston is already zoned for industrial use and predominately only requires an ACT EIS and SLA processes for land release to occur (Figure 3). The draft Indicative Land Release Program 2022-23 to 2026-27 proposes Symonston land releases in 2023-24 and 2024-5.

Figure 3 – Timeframe for Symonston Land Release (Indicative)

Activity	Months	1 - 6	7-12	13-18	19-24	25-30	31-36
	Years	1	2	3			
Strategic assessment process							
Draft EIS process							
Due diligence and assurance package processes							
SLA processes to land release							

Note: subject to funding and consultant availability.

24. Taking into consideration the above steps, processes and the indicative timeframes, a possible land release and development sequence, could be:

- Short term – Symonston – land adjacent to Amtech estate, which is already zoned industrial;
- Medium Term – land to the west of Ikea and to the east of Fyshwick along Canberra Avenue to Queanbeyan. The land will need to be rezoned to industrial; and
- Sch 2.2(a)(ii)

Sch 2.2(a)(ii)

Financial Implications

26. Nil for the purpose of this Brief. Noting however that if certain work is required as described there may be need for budget.

Consultation

Internal

27. This brief was prepared in consultation with Development and Implementation Division.

Cross Directorate

28. Nil for the purpose of this Brief.

External

29. Nil for the purpose of this Brief.

Work Health and Safety

30. Nil for the purpose of this Brief.

Benefits/Sensitivities

- 31. Determining a position on the Majura split block degazettal will provide certainty to finalise the draft Eastern Broadacre strategic assessment for public notification and in ongoing negotiations with the Department of the Defence.
- 32. The split block land is strategically important to the Territory and the best long-term use of the land is for development to support economic growth and sustainable development. Without this land, land supply will be constrained in the medium term and other areas beyond Eastern Broadacre will need to be investigated for their development potential. However, the likelihood of finding additional industrial and employment land in close proximity to national freight routes is low.

Communications, media and engagement implications

- 33. Nil for the purpose of this Brief.

Signatory Name: Lisa Teburea Phone: 78543
Action Officer: Steven Gianakis Phone: 71741

Attachments

Attachment	Title
Attachment A	National Land
Attachment B	Eastern Broadacre Recommendations
Attachment C	Eastern Broadacre development options

**Environment, Planning and Sustainable
Development Directorate**

SENSITIVE: CABINET

To: Minister for Planning and Land Management

Tracking No.: 22/107638

Date: 10/08/2022

From: Executive Branch Manager, Planning System Review and Reform Project

Subject: Reference to Traditional Custodians in the Planning Bill 2022

• DG 11/08/22

- The draft Planning Bill 2022 (the Bill) references the Ngunnawal people specifically as the traditional custodians of the land in the ACT. This reflects a long-standing ACT Government policy position dating back to 2005 to recognise the ACT as Ngunnawal country.
- Through public consultation on the Bill, several comments were received in relation to the reference to Ngunnawal people only as traditional custodians and omitting references to other groups who have claims of traditional custodianship or connection to Country.

• Sch 2.2(a)(xvi)

•

•

Sch 2.2(a)(xvi)

- This matter will be addressed in the explanatory statement and your presentation speech.

Recommendations

That you:

1. Note the information contained in this brief.

Noted / Please Discuss

Mick Gentleman MLA



29/8/2022

Minister's Office Feedback

Sch 2.2(a)(xvi)

Signatory Name: Matthew Kamarul

Phone: x79307

Action Officer: James Bennett

Phone: x54877

Sch 1 1.6

Sch 1 1.6

Sch 1 1.6

Sch 1 1.6

Sch 1 1.6

Sch 1 1.6

Sch 1 1.6

Sch 1 1.6

**Environment, Planning and Sustainable
Development Directorate**

OFFICIAL

To: Minister for Housing and Suburban
Development

Tracking No.: 21/65524

Date: 12 August 2022

From: Executive Branch Manager, Building Reform

Subject: Affordable Housing Innovation Fund – Outcomes

Critical Date: 30 August 2022

Critical Reason: To ensure that you are briefed on the outcomes of the Affordable Housing
Innovation Fund

- DDG, Planning and Sustainable Development 18/08/22

Recommendation

That you **note** the information contained in this brief which provides the outcomes
achieved from the Affordable Housing Innovation Fund grants process.

Noted / Please Discuss

Yvette Berry MLA

24/08/22

Minister's Office Feedback

Background

1. The Affordable Housing Innovation Fund (the fund) responds to a 2017 commitment under the Parliamentary Agreement for the 9th Legislative Assembly to: *“Create an innovation fund to support new approaches to affordable housing, provide support to establish HomeGround Real Estate, Homeshare for older Canberrans, and a Nightingale Housing Model in Canberra.”*
2. You announced the fund at the ACT Housing and Homelessness Summit on 17 October 2017. The fund provided \$1 million over two years to support innovative projects that aim to increase the supply of affordable housing to low-income households.
3. In 2018-19, \$500,000 was allocated to the fund for round one to support projects within the following three categories:
 - a. an Affordable Rental Real Estate Management Model (similar to HomeGround);
 - b. a Home Sharing Model (similar to HomeShare); and
 - c. a Co-housing model (similar to Nightingale).
4. Ten applications were received in total. There were three successful applicants for this round in the following categories:
 - a. Community Housing Canberra: \$230,000 for an Affordable Rental Real Estate Management Model;
 - b. Environmental Collective Housing Organisation: \$15,000 for a co-housing project; and
 - c. Smart Urban Villages: \$35,000 for a co-housing project.
5. No applications were received for the HomeShare category. You agreed that the funding allocated to this category (\$220,000) could be added to round two of the grants (refer to brief 18/13367). Round one projects concluded on 30 June 2020, with all funding acquitted.
6. In 2019-20, \$720,000 (that is, the remaining \$500,000 plus the \$220,000 roll over) was allocated to the fund for round two to support projects within the following five categories:
 - a. Disability Accommodation project;
 - b. Supportive Housing project on Underutilised Community Facility Land;
 - c. Accommodation for Low Income Families Escaping Domestic Violence;
 - d. Other Innovative Approaches to Boosting Affordable Housing; and
 - e. a Home Sharing Model (similar to HomeShare); (category rolled over from round one).
7. Fourteen applications were received in total, but no applications were received for the Accommodation for Low-Income Families Escaping Domestic Violence category. There were six successful applicants for this round in the following categories:
 - a. Summer Foundation Limited: \$35,000 for a Disability Accommodation project;
 - b. Rights and Inclusion Australia: \$90,000 for a Disability Accommodation project;
 - c. YWCA for YHomes: \$125,000 for a Supportive Housing Project on Underutilised Community Facility Land;

OFFICIAL

- d. CatholicCare Canberra and Goulburn: \$50,000 for a Supportive Housing Project on Underutilised Community Facility Land;
 - e. BUILD.RENT Pty Ltd: \$125,000 for Other Innovative Approaches to Boosting Affordable Housing Supply; and
 - f. Community Connections Incorporated: \$220,000 for HomeShare.
8. The total funding allocated to round two was \$645,000. The remaining \$75,000 of unallocated funding has been returned. Round two projects concluded on 30 September 2021, with all funding acquitted.

Issues

9. Affordable Housing Innovation Fund project outcomes are summarised below, with further detail provided at [Attachment A](#).

Round 1 projects

- a. Community Housing Canberra (CHC) has established an affordable rental real estate management model in the ACT known as HomeGround Canberra. HomeGround has provided 30 properties rented at below market rate.
- b. The Environmental Collective Housing Organisation (ECHO) has developed plans for a co-housing project on two blocks of land in Lyneham. This project, if constructed, will provide nine units to replace two older houses on the subject site, the units are designed to accommodate the needs of people with a disability.
- c. Smart Urban Village (SUV) has developed concept plans to create Canberra's first Smart Urban Village as a co-housing project. The village will be a sustainable community of between 20 and 60 medium-density dwellings of diverse sizes, and housing up to 150 people, with up to 20 per cent affordable housing. SUV has not yet secured a site for this project.

Round 2 projects

- d. Summer Foundation Limited assisted 35 people with disability likely to be eligible for Specialist Disability Accommodation (SDA) in the ACT to complete a new housing needs tool. On completion of this grant, eight of the 35 participants have an offer for new SDA housing.
- e. Rights and Inclusion Australia has successfully formed and facilitated the ACT Housing Solutions Innovation Group to showcase the benefits of providing suitably accessible housing across all markets. Rights and Inclusion Australia has obtained additional funding through the ACT Office for Disability to progress this project.
- f. YWCA for YHomes has developed plans to redevelop Block 1 Section 87 Ainslie to provide supportive accommodation for older women and women escaping domestic violence.
- g. CatholicCare Canberra and Goulburn has developed plans to develop supportive housing on underutilised community facility land in Curtin.
- h. BUILD.RENT Pty Ltd has developed a model to establish long term below-market rental housing targeting people in the first and second-income quintiles. The delivery of the project is part of the Demonstration Housing Project.

OFFICIAL

OFFICIAL

- i. Community Connections Incorporated has established HomeShare ACT, to develop and support active relationships with 15 householders interested in developing a home-sharing partnership. Community Connection has secured funding that will enable HomeShare ACT to continue on a part-time basis.

Financial Implications

- 10. Nil. All projects have been acquitted and grant participants have met their obligations under the grant.

Consultation

Internal

- 11. Nil.

Cross Directorate

- 12. Nil.

External

- 13. Nil.

Benefits/Sensitivities

- 14. The Affordable Housing Innovation Fund projects helped to increase the supply of affordable housing and support low-income households. No sensitivities have been identified associated with these projects.

Communications, media and engagement implications

- 15. A media release and other communications materials can be prepared if requested in consultation with your office.

Signatory Name: James Bennett Phone: 54877
Action Officer: Helen McDonald Phone: 75494

Attachment

Attachment	Title
Attachment A	Further detail – Affordable Housing Innovation Fund Outcomes

**Environment, Planning and Sustainable
Development Directorate**

To: Minister for Planning and Land Management

Tracking No.: 22/78024

Date: 08/07/2022

From: Executive Group Manager, Statutory Planning

Subject: ACAT appeal rights for greenfields estate development plans

- DG .../.../...
- DDG, Planning and Sustainable Development .../.../...

Background

- The Minister for Planning and Land Management has requested that the Environment, Planning and Sustainable Development Directorate (EPSDD) provide options to potentially remove third-party appeal rights for greenfield estate development plan (EDP) development applications (DA) with the aim of expediting land release.
- The primary greenfield land release areas in the Territory (i.e. Gungahlin, Molonglo Valley and West Belconnen) have all been subject to detailed environmental impact assessment with Strategic Assessments being conducted under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and environmental impact statement (EIS) exemptions under the ACT *Planning and Development Act 2007* (PD Act). With this, EDP DAs in these areas are assessed in the impact track.
- Currently only three matters are exempt from third part appeals when assessed in the impact track. These include:
 - The building, alteration or demolition of public facilities on unleased land.
 - A development in relation to the Symonston mental health facility.
 - A development proposal that is related to light rail, other than a development involving a protected matter (i.e. a matter that is protected under the Commonwealth EPBC Act or declared to be protected by the Minister under the PD Act).
- Currently the planning and land authority considers approximately two to three EDP DAs in greenfield areas per year.

OFFICIAL

Options

Option 1: Do nothing

- The 'do nothing' approach would continue to provide community members and other third-party stakeholders with the right to appeal greenfield EDPs.
- This may lead to significant time delays to the commencement of development with applications being considered in the ACAT or Supreme Court. Appeal timeframes do vary depending on their nature; however, recent appeals have spanned approximately 3 months and beyond.
- The do-nothing approach is not considered to be appropriate in expediting land release for housing development.

Option 2: Amend the *Planning and Development Regulation 2008* (the Regulation) to exempt greenfield EDPs from third-party appeals

- The Directorate could add greenfield EDP developments to the list of items exempt from third-party appeal rights when assessed in the impact track.
- Such amendments could be made to the Regulation before the end of 2022.
- Given greenfield EDPs can result in significant impacts to protected matters through the clearance of native vegetation and threatened habitat, there is a risk that such an amendment could be perceived as though the ACT Government are condoning potential environmental damage.
- There is a possibility removing third-party appeal rights could also be perceived as limiting an individual's right to comment on public development proposals and affairs.
- Amending the Regulation to remove third-party appeals would ensure land release for housing development would be somewhat more streamlined, however, there are some broader policy considerations around how this may be perceived given the associated environmental impacts, including to matters protected under the Commonwealth EPBC Act.
- Given how few greenfield EDP DAs the authority consider per year (approx. two to three), a full amendment to the Regulation would likely have little effect/benefit before the release of the new Planning Act in 2023.

Option 3: Exercise Ministerial call-in powers on a case-by-case basis in the short term, and consider a possible third-party appeal exemption as part of the new Planning Act in the longer term

- The Minister may exercise their call-in powers on a case-by-case basis should a EDP DA be made in a greenfield area prior to the new Planning Act comes into force in 2023.
- This would deliver the same benefits of Option 2 in streamlining land release for housing

OFFICIAL

development; however, the same risks would also need to be considered prior.

- Given how few greenfield EDP DAs the authority considers per year and the upcoming release of the new Planning Act, this option is considered to provide the best balance in delivering the benefits in streamlining land release while giving the Directorate time to consider potential policy implications around implementing a third-party appeal right exemption in the new Planning Act.

Recommendations

That you:

1. **Note** the information contained in this brief.

Noted / Please Discuss

2. **Agree** that Option 3 provides the best and most appropriate balance in expediting land release for housing development should the need arise, while allowing any associated policy implications to be fully considered.

Noted / Please Discuss

Mick Gentleman MLA/...../.....

Minister's Office Feedback

Signatory Name: George Cilliers

Phone: 76804

Action Officer: Brad Maxwell

Phone: 57670

Environment, Planning and Sustainable Development Directorate

FOR OFFICIAL USE ONLY

To:	Minister for Planning and Land Management	Tracking No.: 22/87464
Date:	13 July 2022	
From:	Executive Group Manager, Statutory Planning	
Subject:	<i>Planning and Development Act 2007</i> – Section 242 – Notice of Direct Sale statement for the period 1 April 2022 to 30 June 2022	
Critical Date:	27 July 2022	
Critical Reason:	The statement must be tabled in the Assembly within five sitting days after you receive the statement from the ACT planning and land authority. It is to be tabled in the Assembly during the 2 - 4 August 2022 sitting week.	

Recommendations

That you:

1. **Agree** to table the statement and copies of the Crown leases at Attachment A in the sitting week of 2 - 4 August 2022.

Agreed / Not Agreed / Please Discuss

Mick Gentleman MLA



26/7/2022

Minister's Office Feedback

FOR OFFICIAL USE ONLY

Background

1. Section 242(1)(a) of the *Planning and Development Act 2007* (the Act) requires the planning and land authority (Authority) provide you with a quarterly statement of
 - a. all leases granted by direct sale; and
 - b. the number of single dwelling house leases granted.
2. The Act requires the Authority to forward the statement to you within 10 working days after the end of the quarter. This was not met on this occasion due to the high number of staff on leave at this time of year and high numbers of staff impacted by COVID-19 in July 2022. However, the validity of a single dwelling house lease or other direct sale lease is not affected by a failure to comply with this requirement in relation to the lease.
3. The statement and associated Crown leases must be presented to the Legislative Assembly within five sitting days after you receive the statement from the Authority. It is proposed that the statement be tabled during the 2 - 4 August sitting of the Legislative Assembly.

Issues

4. Details of the relevant Crown leases for the period 1 April 2022 to 30 June 2022 are included in the statement at Attachment A.
5. Blocks 1, 2 and 3 Section 251 Gungahlin was granted to Goongarline Properties Pty Limited A.C.N. 098 262 938. The Crown lease is to be consolidated with Blocks 1 and 2 Section 9 Gungahlin. The grant relates to the proposed construction of an elevated pedestrian bridge over Hibberson Street, for Marketplace Gungahlin shopping centre.
6. Block 7 Section 52 Coombs was granted to the Australian Capital Territory (Land Custodian is ACT Property Group).
7. Block 26 Section 28 Red Hill was granted to the Australian Capital Territory (Land Custodian is ACT Property Group).
8. 86 single dwelling direct sale leases were granted during the April to June quarter. There were no Crown leases granted to a former owner of an asbestos affected property on a first right of refusal, or over the counter as a post action sale of an asbestos affected property. There were no Crown leases granted as a single dwelling land rent Crown lease.

Financial Implications

9. There are no financial implications arising from this statement.

Consultation

Internal

10. The information contained within the statement was provided by the Suburban Land Agency, EPSDD Development and Implementation and EPSDD Leasing Services.

Communications, media and engagement implications

11. There are no media issues expected to arise because of the tabling of this statement

FOR OFFICIAL USE ONLY

Signatory Name: Craig Weller Phone: 53846
Action Officer: Aaron Oshyer Phone: 58394

Attachments

Attachment	Title
Attachment A	Direct Sales tabling for the quarter 1 April to 30 June 2022 with leases

To: Chief Minister

Tracking No.: 22/91086

Cc: Minister for Planning and Land Management

From: Executive Group Manager – Statutory Planning

Date of meeting: 15 September 2022

Subject: Meeting with Village Building Co. Executives – Vince Whiteside and Jamie Cregan

- DDG, Planning and Sustainable Development 06/09/22

Purpose of the meeting

The meeting is to provide Vince Whiteside (CEO) and Jamie Cregan (General Manager ACT) of Village Building Co. the opportunity to introduce themselves and their new team.

Recommendations

That you **note** the possible discussion topics for your meeting with Village Building Co at Attachment A and background information at Attachments B-D.

Noted / Please Discuss

Andrew Barr MLA /...../.....

Chief Minister's Office Feedback

Signatory Name: George Cilliers

Phone: x76804

Action Officer: Brad Maxwell

Phone: x57670

OFFICIAL

Purpose of the meeting:	<p>Village Building Co. has recently seen executive staffing changes and would like an opportunity to introduce themselves.</p> <p>No specific agenda has been provided; however, possible topics of discussion are available at Attachment A.</p>
Attendees:	<ul style="list-style-type: none"> • Vince Whiteside – CEO, Village Building Co • Jamie Cregan – General Manager of the ACT • Additional attendees are possible but have not been identified. <p>Refer to Attachment B for pictures and short biography of attendees.</p>
Directorate representative in attendance:	Nil.
Day / date:	Thursday, 15 September 2022
Time:	4:30pm to 5:00pm
Venue:	Chief Minister’s Office 196 London Cct, Canberra ACT 2601
Background:	<p>It is understood that this will be the first meeting with Village Building Co since Vince Whiteside commenced as CEO.</p> <p>Minister Gentleman previously met with Travis Doherty (the then CEO) on 17 July 2018. No minutes are available from this meeting; however, the meeting brief is provided at Attachment C.</p>
Discussion:	<p>It is likely that Village Building Co.’s proposed development of the former AFP site in Weston will be a topic of discussion due to its long history.</p> <p>Discussion may arise on the development application for the proposal that is currently under consideration by the planning and land authority, including associated correspondence from TCCS seeking developer contributions to upgrade surrounding intersections.</p> <p>An overview of the topics likely to be raised and talking points are available at Attachment A.</p>
Consultation Internal:	No cross-division consultation was undertaken in the preparation of this meeting brief.
Cross directorate:	<p>Transport Canberra and City Services (TCCS) were consulted in the preparation of this meeting brief.</p> <p>TCCS advised on recent correspondence with Village Building Co. regarding developer contributions. Please refer to Attachment A for details.</p>
External:	No external consultation was undertaken in the preparation of the meeting brief.

OFFICIAL

Media implications:	<p>Attendees are unlikely to discuss the meeting topics with the media following the meeting.</p> <p>It is acknowledged that there has been media interest in relation to the proposed Weston development which Village Building Co. has previously commented publicly on. Chronology and extracts of media reports on the proposal is available at <u>Attachment D</u>.</p>
----------------------------	--

UNCLASSIFIED

To: Minister for Housing and Suburban
Development

Tracking No.: 22/90922

From: Deputy Chief Executive Officer, Suburban Land Agency

Cc: Director General, Environment Planning and Sustainable Development

Subject: Suburban Land Agency Board Annual Conflicts of Interest statement 2021-22

Critical Date: 29 July 2022

Critical Reason: To meet legislative reporting timelines – Statement must be provided to Standing committee no later than 31 days after the end of the financial year

Recommendations

That you:

1. Sign the attached letter; and

Agreed / Not Agreed / Please Discuss

2. Note the information contained in this brief.

Noted / Please Discuss

Yvette Berry MLA

20/07/22

Minister's Office Feedback

Background

1. Section 89 of the Financial Management Act 1996 (FMA) requires:
 - within 3 months of a Board member disclosing they have a material interest in relation to an issue to be considered by the Board the Chair will notify the Minister; and
 - that the Chair will give the Minister, no later than 31 days after the end of the financial year, a statement that sets out any information given to the Minister that relates to disclosures made during the financial year.
2. A Material Interest is defined under the FMA as:

"material interest"—a governing board member has a "material interest" in an issue if the member has—

(a) a direct or indirect financial interest in the issue; or

(b) a direct or indirect interest of any other kind if the interest could conflict with the proper exercise of the member's functions in relation to the board's consideration of the issue.

Issues

3. For the period 1 July 2021 – 30 June 2022, one member of the Suburban Land Agency (Agency) Board disclosed that they had a material interest in an issue being considered, or about to be considered, by the Agency Board that would be required to be reported under section 89 of the FMA.
4. A letter was sent to your office on 26 November 2021 notifying you that the above Material Interest had been declared ([Attachment A](#)).
5. A statement in accordance with Section 89 (2) of the FMA from the Agency Chair, Mr John Fitzgerald, Annual 2021-22 Material Conflict of Interest for the Agency Board is at [Attachment B](#).
6. A letter has been drafted in accordance with Section 89 (2) of the FMA from yourself to the Standing Committee on Planning, Transport and City Services to accompany this statement ([Attachment C](#)).

Signatory Name:	Joey Lee	Phone:	x53367
Action Officer:	Julia Forner	Phone:	x77096

Attachments

Attachment	Title
Attachment A	Correspondence from SLA Board Chair to Minister Berry - Board Material Conflict of Interest 26 November 2021
Attachment B	Correspondence from SLA Board Chair to Minister Berry - Annual 2021-22 Material Conflict of Interest Statement 12 July 2022
Attachment C	Draft Correspondence from Minister Berry to the Standing Committee on Planning, Transport and City Services - Annual 2021-22 Material Conflict of Interest Statement Suburban Land Agency

UNCLASSIFIED

To:	Minister for Housing and Suburban Development	Tracking No.: 22/95424
CC:	Director General, Environment, Planning and Sustainable Development Directorate	
From:	Chief Executive Officer, Suburban Land Agency	
Subject:	Suburban Land Agency Shared Equity Scheme update and broader landscape	
Critical Date:	9 August 2022	
Critical Reason:	Routine	

Purpose

To provide an update on the Suburban Land Agency's considerations of a pilot shared equity scheme and to provide you an update on other shared equity considerations.

Recommendations

That you **note** the information contained in this brief.




Noted / Please Discuss

Yvette Berry MLA/...../.....

Minister's Office Feedback

UNCLASSIFIED

Background

1. The Suburban Land Agency (the Agency) has been working on possible designs for a pilot of a shared equity scheme for individuals. A business case was provided to the Agency Board in June 2022 for consideration in line with one of the Agency's key performance indicators from its 2021-22 Statement of Intent. A summary of the main aspects of the business case is provided at Attachment A.
2. This work is consistent with the Shared Equity action which was included in the Agency internal Housing Affordability Strategic Action Plan endorsed by the Board in December 2020 and is included in the Agency draft Housing Strategic Action Plan currently being prepared for Board endorsement. Shared equity was also identified as part of the ACT Housing Strategy and the ACT Government's Economic Recovery Package on Social Housing.
3. As part of these considerations, the Agency established a shared equity working group across ACT Government with Treasury, Housing ACT and the Environment Planning and Sustainable Development Directorate (EPSDD). The Agency has also held informal discussions with several potential lenders and external equity providers.
4. During the Federal election campaign, the Labor Party announced a shared equity scheme (to be known as Help to Buy), which will provide for 10,000 places per financial year. ^{Sch 2.2(a)(x), Sch 2.2(a)(xvi)}

5. On 14 June 2022, the Board asked the Agency to temporarily pause work on the pilot shared equity scheme while the details of the proposed Commonwealth Help to Buy scheme ^{Sch 2.2(a)(xvi)}
 are settled.
6. ^{Sch 2.2(a)(xvi)}

7. The ACT Government currently has a shared equity scheme for public housing tenants, however there are limited eligible dwellings under this scheme and eligibility is limited to public housing tenants.

Issues

8. As part of the Board decision on 14 June 2022, it requested the Agency contribute to any discussions to support shared equity operating in the ACT and share the work the

Agency has undertaken to date.

9. The Agency has participated in conversations with the National Housing Finance and Investment Corporation (NHFIC), Commonwealth Treasury, ACT Treasury and EPSDD regarding potential design of the Help to Buy scheme and its implementation in the ACT.
10. In accordance with the Board request, the Agency has shared its analysis and offered any other assistance to NHFIC and Commonwealth Treasury in their formulation of how Help to buy could be implemented in the ACT. The Agency is working closely with Treasury and EPSDD to ensure the ACT Government position is consistent.

Sch 2.2(a)(x), Sch 2.2(a)(xvi), Sch 1 1.6



Financial Implications

16. Given the Board has requested a temporary pause, there are nil financial implications. However shared equity schemes generally do have a financial impact, with initial upfront costs and equity held in property over time. Generally shared equity schemes in the medium-long term are revenue generating due to capital growth.

Consultation

Internal

17. Agency Finance team

Cross Directorate

18. The ACT Treasury and EPSDD are supportive of the Agency being involved in discussions with the Commonwealth given the experience in preparing the business case on a shared equity pilot scheme.

External

19. NHFIC and the Commonwealth Treasury have appreciated the engagement of the Agency and are keen for the Agency to continue to be involved.

Work Health and Safety

20. Not applicable.

Benefits/Sensitivities

21. It is logical that there is a temporary pause while the Commonwealth scheme is settled. It should be noted that all other jurisdictions in Australia, except for the Northern Territory, either already have, or have announced, some form of shared equity scheme.
22. In an expensive housing market like the ACT, the benefits of a shared equity scheme would reduce the up front and ongoing costs associated with purchasing a dwelling, which will help eligible households purchase a dwelling sooner or help to secure a more suitable dwelling ^{Sch 2.2(a)(xvi)} [REDACTED].

Communications, media and engagement implications

23. The Agency has provided an update to the stakeholders with which initial informal discussions were held on the temporary pause in the Agency's considerations, ^{Sch 2.2(a)(xvi)} [REDACTED].
24. At this stage there are no communications, media or engagement implications.

Signatory Name: John Dietz Phone: 6205 7346
Action Officer: Oliver Hough Phone: 6207 6618

Attachments

Attachment	Title
Attachment A	Proposed Agency pilot shared equity scheme summary

UNCLASSIFIED

To:	Minister for Housing and Suburban Development	Tracking No.: 22/97412
CC:	Director General, Environment, Planning and Sustainable Development Directorate	
From:	Chief Executive Officer, Suburban Land Agency	
Subject:	59 Taylor blocks: re-release options	
Critical Date:	31 August 2022	
Critical Reason:	To enable the Suburban Land Agency time to re-schedule a release timeline	

Purpose

To present you with options for the re-release of 59 Taylor blocks for community housing.

Recommendations

That you:

1. **agree** to one of the following five options for re-release of the 59 Taylor blocks at Attachment A :

- a. Option 1 – Rezone blocks and undertake a direct sale to a Community Housing Provider (CHP); or

Agreed / Not Agreed / Please Discuss

- b. Option 2 – Sell to a developer requiring minimum 15 per cent to be on-sold to CHPs; or

Agreed / Not Agreed / Please Discuss

- c. Option 3 – Sell as general release and substitute for apartment dwellings for CHPs; or

Agreed / Not Agreed / Please Discuss

- d. Option 4 – Prepare a budget business case Sch 2.2(a)(viii), Sch 2.2(a)(xiii)

Agreed / Not Agreed / Please Discuss

UNCLASSIFIED

- e. Option 5 – Pause the sale of blocks to allow for further consultation with Commonwealth Government to identify opportunity to attract Commonwealth funding for shovel ready projects.

Agreed / Not Agreed / Please Discuss

- 2. **note** the information contained in this brief.

Noted / Please Discuss

Yvette Berry MLA/...../.....

Minister's Office Feedback

Background

- 1. On 13 April and 28 June 2022, the Suburban Land Agency (the Agency) briefed you about the re-release of 59 blocks in Taylor as detailed at Attachment A (previous briefs at Attachment B and C).
- 2. The Agency had scheduled these blocks for general residential release in quarter one 2022-23. This was proposed following the unsuccessful attempts to sell these blocks as community housing over and above the notified community housing targets in 2019.
- 3. In July 2022, you requested Treasury and the Environment, Planning and Sustainable Development Directorate (EPSDD) investigate the possibility of a direct sale to a Community Housing Provider (CHP).
- 4. A direct sale is a method of land release permitted by the *Planning and Development Act 2007*, where the Government can offer land to an eligible applicant without going through a competitive land sales process.
- 5. The direct sale must be sold at market value unless a concessional rate is applied. Concessional rates can only be applied where blocks are zoned as Community Facilities and must also be approved through Cabinet.
- 6. In response to your request to investigate the possibility of a direct sale, the Agency has developed options for your consideration.

Issues

- 7. The Agency is required to sell land at market value under the *Planning and Development Act 2007*.
- 8. Feedback from CHPs is that they are unable to afford market value for these single residential blocks. Therefore, proposed options require a mechanism for the Government to effectively subsidise the purchase to sell the blocks to CHPs at an affordable rate. Treasury advise that this should be considered by Government through

- a Budget Process, such as a 2022-23 Budget Review or 2023-24 Budget business case.
9. Funding was allocated in the 2022-23 Budget for Treasury, working with EPSDD, to explore opportunities to boost the supply of affordable rental housing in the ACT in response to market gaps, particularly through the expansion of community housing owned and/or managed stock. It is expected that this work will inform a future budget business case on cost-effective options to boost the supply of affordable rental housing, including community housing, in the ACT.
 - a. It may be prudent to await the outcomes of this work before determining how best to proceed in relation to the 59 blocks.
 - b. Conversely, conducting an alternative sales process on these blocks (or a limited number of these blocks) at this time may provide a valuable case study to inform future policy decisions.
 10. The Agency has liaised with EPSDD and Treasury to prepare five options for your consideration as to how we proceed with the 59 blocks in Taylor. These options balance the costs to the Agency associated with holding empty blocks against options to dispose of the land within current legislative mechanisms and providing land/dwellings to the community housing sector.
 11. Options which involve holding land both incur costs to the Agency for upkeep and maintenance of the vacant land and also withhold land supply from the ACT housing market.
 12. The financial implications section sets out specific revenue and costs associated with each option.

Option 1 – Rezone blocks and undertake a direct sale to a CHP

13. This option most closely aligns with your request to investigate a direct sale of the land to a CHP.
14. The direct sales process requires that land is sold at market value. Through the previous sales process the community housing sector advised that it is not financially feasible for them to purchase the land at an unrestricted full market value.
15. The application of a community concessional lease may constrain the market value of the land sufficient for the development to be financially feasible to CHPs, however community concessional leases do not permit residential uses.
16. To enable a direct sale at a concessional rate, the land would need to be rezoned as Community Facility land. The rezoning process usually takes 12-18 months once the planning report is agreed, however this process will take longer due to the Planning System Review and Reform Project that is currently underway.
17. The rezoning process also introduces new risks including that the rezoning may not be supported. The Agency would be required to bear this risk as it would be preparing the planning report. Should the rezoning not be approved, the Agency would need to consider other options to release the residential zoned blocks.
18. Through the previous sales process the CHPs advised that they would look to sell some of the dwellings at full market value to subsidise the cost of the development. Should the sites be rezoned, the CHP would not be able to sell them to subsidise the development or cross-subsidise their broader property portfolios. Consequently, the CHP would need to be able to fund and retain the development of all 59 dwellings as community/supportive housing.
19. As CHPs have not been consulted on this option it is unclear if this requirement would

change the appetite of previously interested CHPs.

20. It is also unclear whether, subsequent to successful rezoning, a CHP would be willing to make a direct sales application and go through the Cabinet process for a decision on the sales outcome unless the complete development is financially feasible. We also note that the community housing sector has advised that they can purchase existing houses now for nearly the same price as some of these blocks, which ultimately could be a more cost-effective option to pursue.
21. Should this option be pursued, the Agency would need to maintain the vacant land over the period of rezoning and until sale which could be as long 3 years. Holding land for this period of time may attract criticism, especially in the current housing market in the ACT. There would also be resource implications for the Agency to prepare the planning report for a Territory Plan variation and for EPSDD to progress the variation.

Option 2 – Sell to a developer requiring a minimum 15 per cent to be on sold to CHPs

22. This option presents a compromise by providing a minimum 15 per cent (8-9 blocks) of the 59 blocks as community housing, but also enables the Agency to dispose of these blocks and finalise the Taylor estate.
23. The Agency has undertaken analysis that has identified that a development would likely be financially feasible for developers if there is a requirement for 15 per cent of the blocks to be sold to CHPs at the highest Affordable Home Purchase Scheme (AHPS) fixed price thresholds.
24. If the requirement to on-sell at the AHPS price threshold was removed, but the requirement to on sell a minimum of 15 per cent to CHPs was retained, a competitive tender process could be run that would enable developers to partner with CHPs to submit proposals that would maximise the number of dwellings on-sold to the CHP but also maximise the financial return to the Agency.
25. Requiring developers to on-sell a minimum of 15 per cent of dwellings to CHPs will impact the revenue achieved by the Agency from the sale. The quantum of this financial impact would be considered as part of the valuations process when market value is determined.
26. As developers and CHPs have not been consulted on this option, it is unclear if there is appetite to undertake a project of this nature. However, by requiring a joint development, this should provide dwellings for CHPs which better meet their needs.
27. This option will lead to a faster resolution than options 1 and 4, and will be less costly to the Government.

Option 3 – Sell as general release and substitute for apartment dwellings for CHPs

28. This option proposes to sell the 59 blocks as a general release as planned but provide an equivalent number of unit dwellings for CHPs in the next four years of multi-unit land releases.
29. This option presents the most timely action on the 59 blocks, as it allows the Agency to proceed with the sale of these blocks in the budget year, finalising the Taylor estate and immediately increasing land supply in the ACT.
30. As the 2022-23 multi-unit releases already have Housing Targets applied through the latest Indicative Land Release Program process, there is very little capacity to include additional community housing dwellings on top of the housing targets already programmed in the current 2022-23 budget year. For this reason, it is proposed that

under this option the additional 59 dwellings are provisioned over a four-year period across Agency developments.

31. This option guarantees 59 dwelling would be made available to CHPs, even though as apartments rather than separately titled blocks. However, there is a risk CHPs may consider that these dwelling types (apartments) do not meet their needs and may elect not to purchase these dwellings. In recent years, CHPs have only taken up around 10 per cent of dwellings offered through the housing targets.
32. Should this option be preferred, consultation with CHPs should occur to assess the level of demand.

Option 4 – Prepare a budget business case Sch 2.2(a)(viii), Sch 2.2(a)(xiii)

[Redacted content]

Option 5 – Pause the sale of blocks to allow for further consultation with Commonwealth Government to identify opportunity to attract Commonwealth funding for shovel ready projects

41. The ACT Government has commenced consultations with Commonwealth Government agencies on the opportunity for the Commonwealth Government to support Territory housing initiatives through direct funding of shovel ready projects.
42. This option proposes to pause further consideration of the sale of the 59 blocks until end of 2022 to allow these blocks to be considered as part of the consultation and for Commonwealth Government funding opportunities to be identified.
43. Should a suitable Commonwealth funding mechanism be identified through this consultation, then the SLA will develop a release methodology that accommodates the Commonwealth funding.
44. If by the end of 2022 there are not identified short term pathways to secure Commonwealth funding to support the project, then the SLA will reconsider the way forward for these sites.

Financial Implications

45. Under each of the five options outlined above there are differing costs associated with delayed release of land and the number of dwellings provided to CHPs.

Table 1: Summary of timing and outcomes under each option

	Option 1	Option 2	Option 3	Option 4	Option 5
Timeframe for release of Taylor blocks	3+ years	0-1 year	Immediate	1-2 years	0-2 year
Timeframe of completion of Community Housing dwellings (occupation)	5+ years	2-3 years	3-6 years	3+ years	2-4 years
CH dwellings	59	Minimum 8-9	59	59	59
Dwelling type	Land	House and Land	Apartments	Land	land

Table 2: Summary of estimated revenue impact over the forward years

Revenue Impact	Option 1	Option 2	Option 3	Option 4*	Option 5^^
2022-23	Sch 2.2(a)(viii), Sch 2.2(a)(xiii)				
2023-24					
2024-25					
2025-26					
TOTAL					

Notes:

1. Updated valuations have not been sought for these blocks under each option, however the above estimates have been determined from recent comparable past sales.

2. Cashflows have no been discounted across outyears.

Sch 2.2(a)(viii), Sch 2.2(a)(xiii)

^^ We have assumed that under option 5 that full market value will be achieved for the site due to Commonwealth funding supporting the purchase.

ConsultationInternal

46. The Finance Branch and the Greenfields Branch support the options proposed in this brief.

Cross Directorate

47. The Housing Strategy and Unit Title Reform team, and Strategic Projects Branches, Environment, Planning and Sustainable Development Directorate support the proposed options.

48. Treasury has been consulted and support consultation with CHPs on options as a way forward.

External

49. Input from CHPs was initially considered in determining available next steps for the re-release of these 59 blocks.

50. The Agency is planning engagement with the Community Housing Industry Association in August 2022 to discuss the requirements which are included in sales packages when developers are required to deliver community housing dwellings.

51. Further consultation will be undertaken with CHPs to progress your preferred option.

Benefits/Sensitivities

52. Benefits and sensitivities of each option have been covered in the relevant sections.

Communications, media and engagement implications

53. The community housing sector expects these blocks to be released for community housing. Any deviation from this may attract criticism from the sector.

54. Some of these options may limit the frustrations from the sector. The Agency is working to build relationships with sector and understand how dwellings identified for community housing can better meet the sector's needs.

Signatory Name:	John Dietz	Phone:	6205 7346
Action Officer:	Oliver Hough	Phone:	6207 6618

Attachments

Attachment	Title
Attachment A	Taylor Block list
Attachment B	22/42640 Ministerial Information Brief – Re-release of Taylor blocks
Attachment C	22/73598 Ministerial Caveat Brief – Provide updates on re-release of 59 Blocks in the suburb of Taylor


To: Minister for Housing and Suburban Development

Tracking No.: 22/98678

Rec'd Minister's Office .../.../...

CC: Director-General, Environment, Planning and Sustainable Development Directorate

From: Chief Executive Officer, Suburban Land Agency

Subject: Indicative Land Release Program 2021-22 Outcome

		ILRP	Actual	Variance (No.)	Variance (%)	Comments
Residential	All	4,737	3,904	-833	-17.58%	Variance due to sites deferred (Kingston, Oaks Estate, Holt, Gungahlin, Jacka, Casey), partial release of Lawson, yield adjustment to Turner site due to Build to Rent (BtR) subdivision. Offset by increased yield in Denman Prospect, Whitlam and Taylor
	New* Only	3,322	2,626	-696	-20.95%	
Mixed Use Site Area		71,917	16,300	-55,617	-77.33%	Variance due to sites deferred (Kingston and Lawson). Refinement of Turner site due to BtR subdivision (reduction).
Commercial Site Area		94,996	27,825	-67,171	-70.71%	Variance due to: - Belconnen brought forward to 2020-21 - Sites deferred (including CRA)
Industrial Site Area		17,030	17,030	-	-	Releases in Fyshwick and Hume
Community Site Area		31,003	0	-31,003	-100%	Variance due to sites deferred in Gungahlin, Lawson and Coombs

*Excludes re-releases

- Actual releases for 2021-22 compared to the Indicative Land Release Program (ILRP) are shown above. All figures include re-releases unless marked.
- The variance in residential dwellings is mainly due to:
 - Jacka (-200dw) delayed due to ACAT referral
 - Additional studies and engagement activities in Gungahlin Town Centre (-300dw)
 - Yield variation in Turner (-88dw) for Build to Rent
 - Kingston (-518dw) being considered by Government for a potential demonstration housing proposal
 - Some Lawson sites (re-release) delayed due to leaving the high voltage powerlines in situ (-643dw)
 - Offset by additional yields in Denman Prospect (+700dw), Whitlam (+327dw)

- The variance in mixed-use sites is mainly due to:
 - Kingston (-28,895m²) being considered by Government for a potential demonstration housing proposal
 - Some Lawson sites (re-release) delayed due to leaving the high voltage powerlines in situ (-19,650m²)
- The variance in commercial sites is mainly due to:
 - Ongoing due diligence in Casey, Holt and Oaks Estate (combined -48,025m²)
 - Additional studies and engagement activities in Gungahlin Town Centre (-10,171m²)
 - Deferral of site in the City (CRA, -8,622m²)
- The variance in community sites is mainly due to:
 - Additional studies and engagement activities in Gungahlin Town Centre and Coombs (combined -20,995m²)
 - Some Lawson sites (re-release) delayed due to leaving the high voltage powerlines in situ (-10,008m²)
- The ILRP by definition is indicative and subject to change. There are a range of factors that can impact on land release, including planning and environmental processes, due diligence processes, community engagement and consultation processes, legal issues and commercial/market influences.
- Much of the variance in 2021-22 is a timing difference, with sites not released in 2021-22 included in the 2022-23 to 2026-27 ILRP. Risks to release, as stated above, remain for the new program.
- There has been cross agency collaboration on improving process (e.g. transfer of assurance packages) however some processes remain outside of the SLA's control.
- The SLA monitors risk to delivery on a regular basis and remains proactive in managing these risks where possible.

Yvette Berry MLA

Minister's Office Feedback

Signatory Name: John Dietz
 Action Officer: Joey Lee

Phone: x57346
 Phone: x53367

OFFICIAL Sensitive

Environment, Planning and Sustainable Development Directorate

To:	Minister for Water, Energy and Emissions Reduction	Tracking No.: 22/95371
cc	Deputy Director-General, Access Canberra	
Date:	1 August 2022	
From:	Technical Regulator, Utilities Technical Regulation	
Subject:	Licence exemption for embedded water, sewer and gas networks in multi-unit complexes from the <i>Utilities Act 2000</i> .	
Critical Date:	In the normal course of business	
Critical Reason:	To provide a timely response to correspondence received from the Treasurer	

Recommendation

That you **sign** the letter of response to the Treasurer at Attachment A referring the responsibility for potential legislative changes to the *Utilities Act 2000* to the Utilities Technical Regulation team, within Access Canberra.

Signed / Not Signed / Please DiscussShane Rattenbury MLA  28/8/22

Minister's Office Feedback

Background

1. The Treasurer wrote to you, as the Minister for Water, Energy and Emissions Reduction, on 21 June 2022 seeking to resolve the issue of licensing of embedded networks for water, sewer and gas. The ministerial response (22/79722) was tasked to Utilities Technical Regulation (UTR).
2. The Independent Competition and Regulatory Commission's (ICRC) review of its licensing framework highlighted that some parts of water, sewer and gas networks within multi-unit complexes could be considered 'embedded networks' and are currently operating without a licence or an exemption to hold a licence under the *Utilities Act 2000*.
3. This means that Owners Corporations could be considered regulated utilities for parts of consumer piping systems that are reticulated throughout multi-unit complexes, regardless of whether the safety of these systems is already regulated under the *Gas Safety Act 2000* and the *Water and Sewerage Act 2000*.
4. Embedded electricity networks were exempted from licensing requirements by regulation under the *Utilities Act 2000* in 2017 however, the water, sewer and gas sectors were not captured during this process.

Issues

5. The definition of an embedded electricity network used in the exemption was adopted from the national electricity rules. There is no current definition of embedded water, sewer or gas networks in ACT utilities legislation, however an Australian Energy Market Commission (AEMC) report describes embedded networks as systems of pipes reticulated within a site which may be on-sold or on-supplied to other tenants within the site.
6. As part of work to assist development of the Gas Transition, UTR investigated the regulatory frameworks of gas, water and sewer installations within apartment buildings that appear to require regulation under the *Utilities Act 2000*. Preliminary findings indicate that these networks are adequately regulated in terms of safety by the plumbing and gas inspectorate on the consumer side of the network boundary (beyond the meter); and remain regulated utilities for the portion that sits on the network side of the boundary.
7. To formalise this understanding and prevent future misinterpretation, there is the option to issue a blanket exemption to the owners of embedded networks through a regulation similar to the exemption for embedded electricity networks. This would not require Cabinet approval however would potentially require a Regulatory Impact Statement.
8. The responsibility for potential legislative change does not sit with one specific area of Government. Within the Environment Planning and Sustainable Development Directorate (EPSDD) the water and sewage aspect would sit with the newly formed Office of Water and gas networks reside nominally with EPSDD Energy Policy. However, neither area currently has the capacity or the detailed experience with utility legislation to address this issue.

9. The ICRC is focused on prudential regulation and has no capacity for the technical analysis of these embedded networks.
10. Currently UTR within Access Canberra is best placed to undertake the necessary analysis, policy development and associated legislation amendment to exempt these embedded networks. Such an action would be similar to the process currently being run as a joint process between EPSDD Building Reform and UTR to amend the *Electricity Safety Act 1971*.

Financial Implications

11. There are no financial implications associated with this brief.

Consultation

Internal

12. The plumbing and gas inspectorate within Access Canberra has been consulted in developing this brief.

Cross Directorate

13. UTR will work with the Office of Water and Energy Policy (for Gas), both within EPSDD, to determine the most appropriate legislative amendments to achieve the desired outcome.

External

14. No external consultation was necessary for this brief.

Work Health and Safety

15. There are no work health and safety implications associated with this brief.

Benefits/Sensitivities

16. Resolving this issue will clarify licensing requirements and ensure parties not intended to be regulated are not unknowingly in breach of legislation.

Communications, media and engagement implications

17. Nil for the purpose of this brief.

Signatory Name:	Ben Ponton	Phone:	X78359
Action Officer:	Vanessa Margules	Phone:	X71814

UNCLASSIFIED

Environment, Planning and Sustainable Development Directorate

To:	Minister for Water, Energy and Emissions Reduction	Tracking No.: 22/118004
Cc:	Chief Minister Minister for Transport	
Date:	31 August 2022	
From:	Executive Branch Manager, Communications, Engagement and Media	
Subject:	Options to deliver Car Free Day	
Critical Date:	9 September 2022	
Critical Reason:	To allow sufficient time for event planning	
	<ul style="list-style-type: none">• DDG, Environment, Water and Emissions Reduction 30/08/22• DDG, Transport Canberra and Business Services 29/08/22• CEO, City Renewal Authority 29/08/22	

Recommendations

That you:

1. **Agree** to Option A, a staged implementation across 2022-2023.

Agreed / Not Agreed / Please Discuss

2. **Agree** that City Renewal Authority deliver the Car Free Day event design and implementation in collaboration with Environment, Planning and Sustainable Development (EPSDD) and Transport Canberra and City Services (TCCS).

Agreed / Not Agreed / Please Discuss

3. **Note** that stages 2 and 3 of Option A are currently unfunded and that a decision to implement Option A will need to include a direction to fund and the funding source.

Noted / Please Discuss

4. **Note** that Options B and C are not funded.

Noted / Please Discuss

Shane Rattenbury MLA 18/9/22

Minister's Office Feedback

Background

1. On 18 April 2022, you agreed to the staging of a car-free day event in the city centre to deliver Action 3.13 of the *ACT Climate Change Strategy 2019-25 (22/25683)*.
2. On 23 June 2022, representatives from Environment, Planning and Sustainable Development Directorate (EPSDD), the City Renewal Authority (CRA) and Transport Canberra and City Services (TCCS) met with representatives from your Office and the Chief Minister's Office where the Chief Minister's Office requested that work being prepared for a September event be paused citing concerns about the timing to deliver a sizable event, and the approach to appoint Pedal Power to facilitate the event.
3. During this meeting, the Chief Minister's Office requested that the City Renewal Authority lead an ACT Government led single day event in the city centre that is large and festival-like to showcase a variety of initiatives and stallholders. EPSDD and TCCS are to provide support as the coordinating Directorates.
4. To ensure that a proposed event is a success, objectives from across government have been considered and integrated into the proposed design of such a day. Objectives to be considered include the activities of the Disruption Taskforce ahead of several large infrastructure projects in the city precinct, including works associated with light rail stage 2A, and to support the delivery of the 'Rethink your routine' behaviour change campaign being developed to encourage the Canberra community to help alleviate pressure on the road network and by choosing a different travel mode.
5. The objectives of the event and the proposed communications activities to support the event are as follows:
 - a) Deliver a large, single-day festival celebrating alternative and non-car-based transport options. Potential food and entertainment should feature as part of the festival
 - b) Give people a chance to experience the joy of car free streets
 - c) Engage Canberrans on how they can make small steps to tackle climate action through their transport choices
 - d) Support business activations in the city following the COVID-19 pandemic
 - e) Support the TCCS "Rethink your routine" campaign encouraging Canberrans to consider alternative means of transport to travel in and around the city. The campaign objectives are to;
 - a. **Encourage** travel behaviour change in the lead up to major construction in the city to help ease congestion on our roads notably;
 - i. Travel outside peaks/work from home.
 - ii. Active travel (walk, ride, scoot – all or part way)
 - iii. Public transport use
 - iv. Park and Ride.
 - b. **Attract** new users to public transport and active travel with regionalised and suburb level travel options and information.
 - c. **Promote** the use of access to 'interventions' including tools, resources and programs developed by the ACT Government to assist with people's commutes (e.g. improved wayfinding, pop up cycle ways)

OFFICIAL

- f) Closure of ACT roads to coordinate a 'try before you buy' initiative and encourage people to have a go at walking, cycling and scooting in a safe environment, with other people
- g) Encourage Canberrans to visit and spend time in the city following the commencement of construction in the city precinct; and
- h) Encourage alternate transport modes other than the car.

Issues

- 6. This is currently an unfunded initiative from the *ACT Climate Change Strategy 2019-25*. EPSDD was going to absorb the cost of a modest event to the value of \$25,000.
- 7. To deliver on the objectives of the proposed event, and the expectations that were discussed on 23 June 2022, the CRA has developed 3 options for consideration.
- 8. Options for how to deliver the event are:
 - a) **Option A** – Staged program of activity (stages 1-3)
 - b) **Option B** – Delivery of a small Car Free Day event
 - c) **Option C** – Delivery of a large Car Free Day event
- 9. The scalability of the event will be defined by the timings for delivery and the associated costs. Stages 2 and 3 of Option A, and Options B and C additional funding will be required to allow CRA to deliver an event that meets the objectives outlined above.
- 10. Delivery of Options B and C (and stages 2 and 3 of Option A) would be facilitated through the CRA's Place Management services provider, Dionysus. Funding associated with this engagement would be included in the overall event budget.
- 11. A proposed list of invited participants to have a kiosk or presence at the event is provided at Attachment B. Only a limited number of participants would be invited to participate in Option B, or stage 2 of Option A.

Financial Implications

- 15. Stages 2 and 3 of Option A as well as Options B and C cannot be delivered within existing EPSDD, TCCS or CRA budget allocations.
- 16. Budget will need to be provided to the CRA to curate and deliver stages 2 and 3 of Option A or either Option B or C.
- 17. To deliver stages 2 and 3 of Option A, an estimated additional \$275,000 is required.

Consultation

Internal

- 18. Communications, Engagement and Media and Climate Change and Energy teams have been consulted with on this.
- 19. City Renewal Authority have been consulted with, including the CEO has cleared this brief.

OFFICIAL

Cross Directorate

20. TCCS have been consulted with, including the DDG, Transport Canberra and Business Services has cleared this brief.
21. Major Projects Canberra have been consulted with on this.

External

22. TCCS has discussed the original event concept with the following non-government organisations:
 - a. Pedal Power
 - b. Amy Gillet Foundation
23. The CRA has flagged the possibility of supporting a Car Free Day event through its Place Management services provider, Dionysus.

Benefits/Sensitivities

24. The original event date was slated for **Sunday, 18 September 2022**. This date aligned with World Car Free Day (22 September 2022). This date has now been cancelled; however, Sunday is still the preferred date to hold a 'car-free' event to minimise traffic disruption for the city, and to ensure the community can attend outside of work commitments.
25. A new event date will need to be confirmed for delivery of stages 2 and 3 of Option A, or for delivery of Option B or C once a decision has been made.
26. Option A, stage 1 would initially align with Phase 1 of the 'Rethink your Routine' TCCS campaign to raise awareness of upcoming construction work and to encourage the community to consider their travel options. This date does not allow for an event with the proposed scale to be delivered.
27. Hosting the Option A, stage 2 small event, or Option B small event in February/March 2023 will align with and strengthen Phase 2 of the 'Rethink your routine' campaign which coincides with major construction work in the city precinct as well as a new bus timetable. A February/March event date will also coincide with other events including Enlighten Festival and the National Multicultural Festival that will require road closures and activations.
28. A February/March event will need to factor in construction work that will be undertaken in the precinct to ensure optimal location for attracting event attendees.
29. It is recommended Option A be pursued.

Communications, media and engagement implications

30. The event will provide an opportunity to engage with the Canberra community about transport options ahead of upcoming disruption associated with raising London Circuit construction in the city precinct.
31. Option A will allow a multi-phased communications approach to deliver a range of

OFFICIAL

communications activities to support the work of EPSDD and TCCS including those that focus on zero emissions vehicles, and active travel.

32. Option A will provide various event and media opportunities throughout implementation.

33. All directorates with a vested interest in the delivery of Option A, including EPSDD, TCCS, MPC and CMTEDD would support the delivery of communications and promotions. The CRA Will be responsible for event production and delivery.

Signatory Name: Alexandra Magee

Phone: 02 6207 2136

Action Officer: Sally-Anne Clark

Phone: 02 6207 0825

Attachments

Attachment	Title
Attachment A	Options Matrix
Attachment B	List of stakeholders

CABINET

Environment, Planning and Sustainable Development Directorate

To: Minister for Planning and Land Management Tracking No.: 22/109716

Date: 19 August 2022

From: Executive Group Manager, Corporate Services and Operations

Subject: Parliamentary and Governing Agreement Status Report No.4 (2022)

Critical Date: **9 September 2022**

Critical Reason: To inform the Whole of Government Cabinet Submission progressing for consideration in the week commencing 26 September 2022

- DDG, Planning and Sustainable Development 06/09/22
- Recommendations

That you:

1. **agree** to submit the information in Attachment C for inclusion in a Whole of Government Cabinet Submission on the fourth PaGA report; and

Agreed / Not Agreed / Please Discuss

2. **note** the information contained in this brief.

Noted / Please Discuss

Mick Gentleman MLA  

Minister's Office Feedback

CABINET

Background

1. The *Parliamentary and Governing Agreement for the 10th ACT Legislative Assembly (PaGA)* (Attachment A) was established at the beginning of this parliamentary term to outline the priorities and outcomes endorsed by the ACT Labor Party and the ACT Greens.
2. Ministers have agreed to report biannually to Cabinet on initiatives that are outlined in Appendices 1 and 2 of the PaGA. The Environment Planning and Sustainable Development Directorate (EPSDD) is lead agency for 38 of the total 102 items listed in PaGA Appendices 1 and 2. EPSDD owns agency responsibility for 19 of these 38 under your Planning and Land Management portfolio.
3. Progress updates for these 19 items were previously reported against in March 2021, September 2021 and March 2022. The updates in September 2021 formed part of the first annually released public document. The *Parliamentary and Governing Agreement Status Report - Report Number One 2021* was publicly released on 27 November 2021 and is at Attachment B for your reference.
4. The tracking responses have been set by CMTEDD and don't allow for variance in responses or to provide further detail on status.

Issues

5. Attachment C provides progress updates on 19 PaGA initiatives (all on track) for your agreement, to be provided to CMTEDD for inclusion in Whole of Government Cabinet Submission that will be considered by Cabinet at the end of September 2022. The document provides the Whole of Government definitions of the status categories, including those related to budget status.
6. The updates in this reporting cycle will form the basis of the second publicly released report, due to be released in November 2022.

Financial Implications

7. Nil.

Consultation

Internal

8. Input was prepared in consultation with Planning and Urban Policy division, Statutory Planning division and Development and Implementation division.

Cross Directorate

9. Nil.

External

10. Nil.

Work Health and Safety

11. Nil.

CABINET

Benefits/Sensitivities

12. Not applicable.

Communications, media and engagement implications

13. Not applicable.

Signatory Name: Craig Simmons Phone: x76322
Action Officer: Ian Phillips Phone: x51225

Attachments

Attachment	Title
<u>Attachment A</u>	Parliamentary and Governing Agreement for the 10 th ACT Legislative Assembly
<u>Attachment B</u>	Parliamentary and Governing Agreement Status Report - Report Number One 2021 (November 2021)
<u>Attachment C</u>	Input for PaGA Status Report No.4 (2022)

CABINET

Environment, Planning and Sustainable Development Directorate

To: Minister for Heritage, Minister for Sustainable Building and Construction

Tracking No.: 22/109723

Date: 15 August 2022

From: Executive Group Manager, Corporate Services and Operations

Subject: Parliamentary and Governing Agreement Status Report No.4 (2022)

Critical Date: **9 September 2022**

Critical Reason: To inform the Whole of Government Cabinet Submission progressing for consideration in the week commencing 26 September 2022

- a/g DDG, Planning and Sustainable Development 25/8/22
- DDG, Environment, Water and Emissions Reduction 04/09/22

Recommendations

That you:

1. **Agree** to submit the information in Attachment C for inclusion in a Whole of Government Cabinet Submission on the fourth PaGA report; and

Agreed / Not Agreed / Please Discuss

2. **Note** the information contained in this brief.

Noted / Please Discuss

Rebecca Vassarotti MLA



8/9/2022

Minister's Office Feedback

CABINET

Background

1. The *Parliamentary and Governing Agreement for the 10th ACT Legislative Assembly (PaGA)* (Attachment A) was established at the beginning of this parliamentary term to outline the priorities and outcomes endorsed by the ACT Labor Party and the ACT Greens.
2. Ministers agreed to report biannually to Cabinet on initiatives that are outlined in Appendices 1 and 2 of the PaGA. The Environment Planning and Sustainable Development Directorate (EPSDD) is the lead agency for 38 of the 102 items listed in PaGA Appendices 1 and 2. EPSDD leads five of these 38 for your portfolios; one in the Heritage Portfolio and four in the Sustainable Building and Construction Portfolio.
3. Progress updates for these five items were previously reported against in March 2021, September 2021 and March 2022. The updates in September 2021 formed part of the first annually released public document. The *Parliamentary and Governing Agreement Status Report - Report Number One 2021* was publicly released on 27 November 2021 and is at Attachment B for your reference.

Issues

4. Attachment C provides progress updates on five PaGA initiatives for your agreement to be provided to CMTEDD for inclusion in the Whole of Government Cabinet Submission that will be considered by Cabinet at the end of September 2022. The document provides the Whole of Government definitions of the status categories, including those related to budget status.
5. All five initiatives are on track. Four of the initiatives are in the building and construction area (with some cross over to planning) and one is in the heritage area.
6. The updates in this reporting cycle will form the basis of the second publicly released report, due to be released in November 2022.

Financial Implications

7. Nil.

Consultation

Internal

8. Input was prepared in consultation with Planning and Urban Policy and Environment, Heritage and Water divisions.

Cross Directorate

9. Nil.

External

10. Nil.

Work Health and Safety

11. Nil.

CABINET

Benefits/Sensitivities

12. Not applicable.

Communications, media and engagement implications

13. Not applicable.

Signatory Name: Craig Simmons
Action Officer: Ian Phillips

Phone: x76322
Phone: x51225

Attachments

Attachment	Title
<u>Attachment A</u>	Parliamentary and Governing Agreement for the 10 th ACT Legislative Assembly
<u>Attachment B</u>	Parliamentary and Governing Agreement Status Report - Report Number One 2021 (November 2021)
<u>Attachment C</u>	Input for PaGA Status Report No.4 (2022)

CABINET

Environment, Planning and Sustainable Development Directorate

To: Minister for Housing and Suburban
Development

Tracking No.: 22/109709

Date: 19 August 2022

From: Executive Group Manager, Corporate Services and Operations

Subject: Parliamentary and Governing Agreement Status Report No.4 (2022)

Critical Date: **9 September 2022**

Critical Reason: To inform the Whole of Government Cabinet Submission progressing for consideration in the week commencing 26 September 2022

- DDG, Environment Water and Emissions Reduction 29/08/22
- DDG, Planning and Sustainable Development 04/09/22

Recommendations

That you:

1. **Agree** to submit the information in Attachment D for inclusion in a Whole of Government Cabinet Submission on the fourth PaGA report; and

Agreed / Not Agreed / Please Discuss

2. **Note** the information contained in this brief.

Noted / Please Discuss

Yvette Berry MLA 06.09.22

Minister's Office Feedback

Background

1. The *Parliamentary and Governing Agreement for the 10th ACT Legislative Assembly (PaGA)* ([Attachment A](#)) was established at the beginning of this parliamentary term to outline the priorities and outcomes endorsed by the ACT Labor Party and the ACT Greens.
2. Ministers agreed to report biannually to Cabinet on initiatives that are outlined in Appendices 1 and 2 of the PaGA. The Environment Planning and Sustainable Development Directorate (EPSDD) is lead agency for 38 of the total 102 items listed in PaGA Appendices 1 and 2. EPSDD owns agency responsibility for two of these 38 under your Housing and Suburban Development Portfolio.
3. EPSDD previously provided progress updates in March 2021, September 2021, and March 2022. The updates in September 2021 constituted the first annual public progress update. The *Parliamentary and Governing Agreement Status Report – Report Number One 2021* was publicly released on 27 November 2021 and is at [Attachment B](#).
4. Updates for the last PaGA Status Report No. 3 (March 2022) are at [Attachment C](#). For the last round, both PaGA initiatives were reported as delayed due to several issues impacting their delivery prospects.
5. CMTEDD has provided the reporting categories (on p.1 of Att D) and all Directorates have to use one of the set terms; which can make it difficult to provide clarity on the status and related details.

Issues

6. [Attachment D](#) provides progress updates on two PaGA initiatives, for your agreement to be provided to CMTEDD for inclusion in the Whole of Government Cabinet Submission that will be considered by Cabinet at the end of September 2022. The document provides the Whole of Government definitions of the status categories, including those related to budget status.
7. The updates in this reporting cycle will form the basis of the second publicly released report, due to be released in November 2022.

Sch 1 1.6

Financial Implications

10. Nil.

CABINET

Consultation

Internal

11. Input was prepared in consultation with Planning and Urban Policy and Development and Implementation divisions.

Cross Directorate

12. Nil.

External

13. Nil.

Work Health and Safety

14. Nil.

Benefits/Sensitivities

15. Not applicable.

Communications, media and engagement implications

16. Not applicable.

Signatory Name: Craig Simmons Phone: x76322
Action Officer: Ian Phillips Phone: x51225

Attachments

Attachment	Title
<u>Attachment A</u>	Parliamentary and Governing Agreement for the 10 th ACT Legislative Assembly
<u>Attachment B</u>	Parliamentary and Governing Agreement Status Report - Report Number One 2021 (November 2021)
<u>Attachment C</u>	Input for PaGA Status Report No. 3 (March 2022)
<u>Attachment D</u>	Input for PaGA Status Report No.4 (2022)

OFFICIAL

Environment, Planning and Sustainable Development Directorate

To:

Chief Minister

Tracking No.: 22/115520

Minister for Housing and Suburban Development

Minister for Planning and Land Management

Minister for Water, Energy and Emission Reductions

Minister for the Environment

Minister for Heritage

Minister for Sustainable Building and Construction

Date:

24 August 2022

From:

Chief Operating Officer

Subject:

Environment, Planning, and Sustainable Development Directorate Strategic Plan 2022-25

Critical Date:

In the normal course of business

- DDG, Environment, Water and Emissions Reduction .../.../...

Recommendations

That you **note** the information contained in this brief.

Noted / Please Discuss

Andrew Barr MLA/...../.....

Minister's Office Feedback

That you **note** the information contained in this brief.

Noted / Please Discuss

Yvette Berry MLA/...../.....

Minister's Office Feedback

OFFICIAL

That you **note** the information contained in this brief.

Noted / Please Discuss

Mick Gentleman MLA/...../.....

Minister's Office Feedback

That you **note** the information contained in this brief.

Noted / Please Discuss

Shane Rattenbury MLA/...../.....

Minister's Office Feedback

That you **note** the information contained in this brief.

Noted / Please Discuss

Rebecca Vassarotti MLA/...../.....

Minister's Office Feedback

Background

1. The previous Environment, Planning and Sustainable Development Directorate (EPSDD) Strategic Plan covered the period 2019-2022, and consequentially EPSDD was due to release a new plan this year.
2. The new EPSDD Strategic Plan 2022-25 (Strategic Plan) has been developed through extensive consideration of the Performance and Accountability Framework released in February 2020, and consultation across the Directorate to define the key objectives and strategic indicators through the lens of the ACT Wellbeing domains.
3. This new plan builds on language from the previous plan and maintains a focus on planning, climate change and the environment. It also links to key government commitments articulated in the Parliamentary and Governing Agreement, Statement of Ambition – CBR Switched On and the ACT Wellbeing Framework.
4. The new EPSDD Strategic Plan 2022-25 was launched via an online all-staff meeting on 25 August 2022.

Issues

5. The Strategic Plan (Attachment A), and abridged 'Plan on a Page' version (Attachment B), are EPSDD's first Strategic Plan since the launch of the ACT Wellbeing Framework. In it, EPSDD has identified 11 of the 12 Wellbeing domains as being of particular importance to our work. The only domain EPSDD does not directly influence is Living Standard, as its definition focuses on 'having the financial resources to live life well'.
6. This Strategic Plan is also the first to contain a First Nations objective about partnerships, demonstrating the Directorate's commitment to the Ngunnawal Traditional Custodians and First Nations people residing and working in the ACT. This objective contains indicators that will measure how EPSDD builds strong partnerships, shares knowledge, promotes language, and respects and values Ngunnawal traditional knowledge to inform the co-management of country.
7. The plan provides 30 strategic indicators across seven strategic objectives which will be measured annually as part of the annual report, and budget statements, process. These indicators comprise EPSDD compliance with the ACT Government's Performance and Accountability Framework.
8. The seven strategic objectives contained in the new Strategic Plan are:

OFFICIAL

- a. Deliver a compact, efficient, and sustainable city to be enjoyed now and into the future;
 - b. Enhance Canberrans' wellbeing by conserving and experiencing nature and culture;
 - c. Create our climate-ready city;
 - d. Support the provision of housing that is equitable, diverse and sustainable;
 - e. Respect our Ngunnawal Traditional Custodians' history, knowledge and aspirations and work in partnership with Ngunnawal people to build a strong and shared future that respects and values Ngunnawal Country. Acknowledge and celebrate the diverse First Nations peoples and their unique cultures through shared opportunities, respecting and valuing their knowledge and contributions to the work we do;
 - f. Build trust and confidence with all our Canberra community; and
 - g. Continue investment in a highly valued, skilled and safe workforce.
9. These objectives define EPSDD's commitment to planning and delivering a compact and efficient city that balances the needs of the environment, climate change, our heritage, our culture, and relationship with First Nations people.
10. While we deliver this program of objectives for our Canberra community and the ACT region, we have also ensured that this Strategic Plan explicitly states the commitment we make to our staff and the support we need to give them to achieve our vision, objectives and strategic indicators.

Financial Implications

11. Nil.

Consultation

Internal

12. Extensive consultation occurred across EPSDD.

Cross Directorate

13. The CMTEDD Wellbeing Team has been consulted with on the content in the plan, particularly the relationship between the objectives, indicators, and the wellbeing domains.

External

14. A copy of the plan will be provided to the Suburban Land Agency, the City Renewal Authority, the Commissioner for Sustainability and Environment and Office for Climate Action.

Work Health and Safety

15. The new Strategic Plan contains a strategic indicator that captures a key outcome for EPSDD which is directly related to work health safety and wellbeing. Strategic indicator 7.3 is *Safe workplaces promoting holistic wellbeing*. A strong strategic plan is critical in

ensuring that our workplaces create and support a sense of belonging and inclusion for all our people. A sense of belonging and including assists in promoting a safe work environment for all.

Benefits/Sensitivities

16. This Strategic Plan is the first for the Directorate to be informed by the wellbeing indicators and it is supported by a comprehensive foundation of strategic indicators that address the criteria for the performance and accountability framework.

Communications, media and engagement implications

17. The plan was launched internally within the directorate and no media engagement is anticipated.

Signatory Name: Craig Simmons Phone: 6207 6322
Action Officer: Nova Inkpen Phone: 6205 4786

Attachments

Attachment	Title
Attachment A	EPSDD Strategic Plan 2022-25
Attachment B	EPSDD Strategic Plan on a Page

To: Minister for Planning and Land Management Tracking No.: 22/16720

From: Office of the Director-General, Environment, Planning and Sustainable Development Directorate

Date of meeting: Thursday, 15 September 2022

Subject: Planning and Construction Industry Chief Executive Reference Group (PACICERG) meeting – 15 September 2022

Purpose of the meeting

This is an opportunity to engage with the planning and construction industry representative on matters that impact these industries.

Recommendations

That you:

1. **Note** the opening remarks for your presentation at PACICERG (see Attachment A).
2. **Note** the possible discussion topics for your meeting with PACICERG.

Noted / Please Discuss

Mick Gentleman MLA/...../.....

Minister's Office Feedback

Signatory Name: Laura Marcantonio (on authority of DG Ponton) Phone: x78263

Action Officer: Brodie Ferson (Secretariat) Phone: x54615

OFFICIAL

Purpose of the meeting:	To engage with industry representatives on a range of matters while attending the Planning and Construction Industry Chief Executive Reference Group (PACICERG) meeting of 15 September 2022.
Attendees:	<p>Chair</p> <ul style="list-style-type: none"> • Director-General, Environment, Planning and Sustainable Development Directorate (EPSDD) <p>Members</p> <ul style="list-style-type: none"> • Chief Executive Officer, Master Builders Association of the ACT • Executive Director, Housing Industry Association (ACT/NSW Region) • Executive Director, ACT Property Council • CEO, Canberra Business Chamber • CEO, Real Estate Institute of the ACT • President, ACT Chapter, Australian Institute of Architects • President, ACT Chapter, Australian Institute of Landscape Architects • President, ACT Chapter, Planning Institute Australia • President, ACT Division, Engineers Australia • President, ACT Division, Professionals Australia • ACT Executive Director, Consult Australia • Managing Director, Icon Water • Chief Executive Officer, National Capital Authority (Cwth) • Deputy Director-General, Planning and Sustainable Development, EPSDD • Deputy Director-General, Environment, Water and Emissions Reduction, EPSDD • Director-General, Transport Canberra and City Services Directorate • Deputy Director-General, Access Canberra, CMTEDD • Deputy Under Treasurer, CMTEDD • Chief Executive Officer, Suburban Land Agency • Chief Executive Officer, City Renewal Authority • Chief Projects Officer, Major Projects Canberra • Chief Engineer, Major Projects Canberra
Directorate representative in attendance:	Mr Ben Ponton, Director-General, EPSDD is Chair of the meeting. A range of cross government representatives will be in attendance (see above attendees).
Who will meet you (include mobile):	Not applicable. This meeting will be held via WebEx.
Day / date:	Thursday, 15 September 2022
Time:	9:30am-11:00pm (noting you may leave earlier)
Venue:	The meeting is taking place over Webex. A link is provided in the calendar invitation.
Background:	<p>You are regularly invited to attend PACICERG. PACICERG provides a regular liaison meeting between peak industry groups and the ACT Government at the most senior level. PACICERG is chaired by the Director-General, EPSDD. The main functions of PACICERG are:</p> <ol style="list-style-type: none"> a) To identify and discuss key strategic planning and construction issues requiring industry and government cooperation to resolve. b) To propose options for resolving identified issues.

OFFICIAL

	<p>You have been provided with a place on the agenda to make opening remarks as the Minister for Planning and Land Management.</p> <p>Opening remarks are provided at <u>Attachment A</u>, and briefly cover:</p> <ul style="list-style-type: none">• A Planning System Review and Reform Project Update• National Capital Design Review Panel nominations• Re-appointment of the ACT Government Architect <p>An agenda for the meeting is at <u>Attachment B</u>, minutes from the previous quarterly meeting (16 June) are at <u>Attachment C</u>.</p>
Discussion:	<p>This is a regular meeting with industry representatives. Industry will be provided with an opportunity to provide their updates.</p> <p>Minister Vassarotti, in her capacity as Minister for Sustainable Building and Construction will also be in attendance. The Directorate will provide an update on the National Construction Code 2022 and Engineer Registration.</p> <p>CMTEDD will provide an update on the Infrastructure Plan refresh.</p>
Media implications:	<p>No matter implications are anticipated. This is a regular industry consultative forum, with attendance by invitation.</p>

To:	Minister for Sustainable Building and Construction	Tracking No.: 22/77928
From:	Office of the Director-General, Environment, Planning and Sustainable Development Directorate	
Date of meeting:	Thursday, 15 September 2022	
Subject:	Planning and Construction Industry Chief Executive Reference Group (PACICERG) meeting - 15 September 2022	

Purpose of the meeting

This is an opportunity to engage with the planning and construction industry representatives on matters that impact these industries.

Recommendations

That you:

1. **Note** the opening remarks for your presentation at PACICERG (see [Attachment A](#)).
Noted / Please Discuss
2. **Note** the possible discussion topics for your meeting with PACICERG.
Noted / Please Discuss

Rebecca Vassarotti MLA/...../.....

Minister's Office Feedback

Signatory Name: Laura Marcantonio (on authority of DG Ponton) Phone: x78263

Action Officer: Brodie Ferson (Secretariat) Phone: x54615

OFFICIAL

<p>Purpose of the meeting:</p>	<p>To engage with industry representatives on a range of matters while attending the Planning and Construction Industry Chief Executive Reference Group (PACICERG) meeting of 15 September 2022.</p>
<p>Attendees:</p>	<p>Chair</p> <ul style="list-style-type: none"> • Director-General, Environment, Planning and Sustainable Development Directorate (EPSDD) <p>Members</p> <ul style="list-style-type: none"> • Chief Executive Officer, Master Builders Association of the ACT • Executive Director, Housing Industry Association (ACT/NSW Region) • Executive Director, ACT Property Council • CEO, Canberra Business Chamber • CEO, Real Estate Institute of the ACT • President, ACT Chapter, Australian Institute of Architects • President, ACT Chapter, Australian Institute of Landscape Architects • President, ACT Chapter, Planning Institute Australia • President, ACT Division, Engineers Australia • President, ACT Division, Professionals Australia • ACT Executive Director, Consult Australia • Managing Director, Icon Water • Chief Executive Officer, National Capital Authority (Cwth) • Deputy Director-General, Planning and Sustainable Development, EPSDD • Deputy Director-General, Environment, Water and Emissions Reduction, EPSDD • Director-General, Transport Canberra and City Services Directorate • Deputy Director-General, Access Canberra, CMTEDD • Deputy Under Treasurer, CMTEDD • Chief Executive Officer, Suburban Land Agency • Chief Executive Officer, City Renewal Authority • Chief Projects Officer, Major Projects Canberra • Chief Engineer, Major Projects Canberra
<p>Directorate representative in attendance:</p>	<p>Mr Ben Ponton, Director-General EPSDD, is Chair of the meeting, however a range of cross government representatives will be in attendance (see above attendees).</p>
<p>Who will meet you (include mobile):</p>	<p>Not applicable. This meeting will be held via WebEx.</p>
<p>Day / date:</p>	<p>Thursday, 15 September 2022</p>
<p>Time:</p>	<p>9:30am-11:00am (you have indicated you will attend the first half an hour)</p>
<p>Venue:</p>	<p>The meeting is taking place over Webex. A link is provided in the calendar invitation.</p>

OFFICIAL

Background:	<p>PACICERG provides a regular liaison meeting between peak industry groups and the ACT Government at the most senior level. PACICERG is chaired by the Director-General, EPSDD.</p> <p>The main functions of PACICERG are:</p> <ul style="list-style-type: none">a) To identify and discuss key strategic planning and construction issues requiring industry and government cooperation to resolve.b) To propose options for resolving identified issues. <p>You have been provided with a place on the agenda to make opening remarks in your capacity as the Minister for Sustainable Building and Construction.</p> <p>Opening remarks are provided at <u>Attachment A</u>, and briefly cover:</p> <ul style="list-style-type: none">• Closure of the Asbestos Response Taskforce• Updates to the National Construction Code 2022 <p>An agenda for the meeting is at <u>Attachment B</u>, minutes from the previous quarterly meeting (16 June) are at <u>Attachment C</u>.</p>
Discussion:	<p>This is a regular meeting with industry representatives. Industry will be provided with an opportunity to provide their updates.</p> <p>Minister Gentleman will also be in attendance. The Directorate will provide an update on the National Construction Code 2022 and Engineer Registration.</p> <p>CMTEDD will provide an update on the Infrastructure Plan refresh.</p>
Media implications:	<p>No media implications are anticipated. This is a regular industry consultative forum, with attendance by invitation.</p>

Portfolio: Chief Minister**KINGSTON ARTS PRECINCT****Talking points:**

- As announced on 5 November 2021, the Suburban Land Agency (the Agency) will continue the delivery of the Kingston Arts Precinct with a focus on place-led community and stakeholder engagement to support integration of heritage and arts, and the benefits these two unique functions can bring to Canberra.
- The ACT Government is the custodian of all heritage buildings within the heritage registered 'Kingston Powerhouse Historic Precinct', as well as the Former Bus Depot, all of which will be incorporated into the Kingston Arts Precinct. artsACT will retain future assets for the arts facilities, artist accommodation, public carpark and outdoor event space.
- The Kingston Arts Precinct will provide up-to-date purpose-built accommodation and gallery spaces for artsACT, Canberra Glassworks, CraftACT, Canberra Contemporary Art Space, M16, Megalo, PhotoAccess and an Aboriginal and Torres Strait Islander art space.
- The Agency has adopted a place-led approach to developing the Arts Precinct. Since February, a co-create journey with the community and arts organisations has been implemented to develop a Place Brief for the Arts Precinct. This has involved workshops, interviews, site visits, walkshops, pop up stall, a youth PasteUp artwork, employee surveys and a creative panel discussion. A community survey will be the final engagement activity with the community before finalising the Place Brief in late August.
- Specific engagement with Ngunnawal Traditional Owners is currently being undertaken with the assistance of Curiyo. The Agency is committed to undertaking a meaningful engagement with the Ngunnawal Traditional Owners and stakeholders and will be guided by them to ensure their knowledge captures the unique social, spiritual, and historical connection to place as part of the engagement and the development of the Kingston Arts Precinct.
- The Agency has released Expression of Interest documentation for project consultancies that will document project design, taking into account outcomes in the Kingston Arts Precinct Design Brief. Received Expression of Interest submissions assessment is complete. Following Delegate approval, successful candidates will be invited to participate in the Second Stage Request for Tender process planned for commence in late August 2022.
- Constuction completion is currently planned for late 2025.

Key information

- The Kingston Arts Precinct (KAP) is Stage 5 of the Kingston Foreshore Estate project being delivered by the Suburban Land Agency.

Cleared as complete and accurate: 12/08/2022
Cleared for public release by: Chief Executive Officer Ext: 57346
Contact Officer name: Chris Webb Ext: 76824
Lead Directorate: Suburban Land Agency

- On 1 July 2019, Geocon Group Pty Ltd was announced as the successful tenderer for the development of the KAP following a two-stage tender process beginning in October 2015.
- The agreement with Geocon included a two-year timeline for achieving all Development Application approvals (estate and built form) and an additional two-year timeline for construction of future Territory assets.
- As at July 2021 the anticipated progress by Geocon and achievement of Development Application approvals was out of reach, with the project significantly delayed. Although Geocon were given the opportunity to provide mitigation strategies to reduce the impact to delay, an acceptable solution was not forthcoming.
- While the Agency is nearing completion of dissolving the agreement signed with Geocon in 2019, it is now progressing engagement activities with the project Community Panel and stakeholders, as well as implementing its project delivery methodology.
- The current delay estimate is two years with completion of the Arts Precinct and Territory Assets anticipated in late 2025.

Background information

- In December 2019, ACT Heritage Council recommended an updated Conservation Management Plan (CMP) for the 'Kingston Powerhouse Historic Precinct'. ArtsACT are custodians of the Powerhouse and the 1948 Switch Room (i.e. Canberra Glassworks and the Chapel).
- With the Agency delivering the KAP project, a comprehensive review of the CMP was undertaken and further work has been commissioned.
- The Agency and artsACT met with Heritage ACT and the Heritage Council on 6 December 2021 and 4 February 2022 where status of the CMP, development options and place-led engagement was discussed. The Agency met the Council on 29 April 2022 and is now finalising the first draft of the revised CMP.

Portfolio: Chief Minister

Auditor-General Report on the Inquiry into the Acton Waterfront Project Procurement

Talking points:

- The Auditor General is conducting a Performance Audit of procurement and contracting activities for the Acton Waterfront project.
- The final audit report is not yet completed and the City Renewal Authority ('the Authority') has not yet been advised of the scheduled date for tabling in the Legislative Assembly.
- The Government appreciates the valuable role of the performance audit process in providing transparency to the ACT community, and in identifying key learnings and areas for improvements and looks forward to the report being issued in due course.

Background Information

- The Authority is progressing the multi-year Acton Waterfront project in close consultation with the community and key stakeholders so that this new city precinct reflects Canberrans' vision for their city, connecting the CBD to the lake and providing unrestricted public access to the lakefront.
- This means more open spaces, improved connections with the city centre, better access for water activities, and a celebration of the site's history and national significance. Importantly, all initiatives are grounded by care for the land, respect for the lake and the lakeshore landscape.
- With the assistance of Major Projects Canberra the Authority has overseen the construction of the new lake edge boardwalk in accordance with the National Capital Plan creating a new public access around West Basin that is nearly 700 metres long. A new beach at the eastern end of the new Boardwalk has also been completed to support aquatic recreational activities.
- Design work for the new lakefront park is well underway and is expected to be completed by late 2022 when an application for Works Approval will be submitted to the National Capital Authority.
- The Authority is openly engaging with the public on initial design concepts for the new park which be a high quality public open space that welcomes Canberrans and visitors.

Cleared as complete and accurate:	10/08/2022	
Cleared for public release by:	Chief Executive Officer	Ext:6205 1805
Contact Officer name:	Craig Gillman	Ext:6207 2478
Lead Directorate:	Environment, Planning and Sustainable Development	

Portfolio: Chief Minister

Odgers and Verity Lanes - Renewal Works

Talking points:

- The City Renewal Authority (the Authority), in coordination with Transport Canberra and City Services (TCCS), is preparing to take the next steps in the revitalisation of the heritage-listed Sydney and Melbourne Buildings.
- In response to aging infrastructure, TCCS will be undertaking urgent and essential drainage works to replace end of life stormwater pipes which serve many tenants throughout the Sydney and Melbourne Buildings.
- For cost and program efficiencies, the Authority will be providing a concurrent streetscape upgrade to both lanes to increase amenity and encourage greater day and night-time activation, providing more opportunities for businesses to trade in the lanes, host events, and for the community to enjoy over the coming decades.
- Stakeholder and community engagement undertaken in October-November 2021 received strong in-principle support for the draft laneway designs and activating the spaces for pedestrians and outdoor dining.

Closure of Church Neighbourhood Goods

- Church Neighbourhood Goods (Church) located in Odgers Lane has taken to the media to express their dissatisfaction with the project which requires removal of their outdoor dining structure to allow for the stormwater upgrades.
- Church has since decided to close their business in Odgers Lane. The Authority continues to work with the business and provide support through their Place Experience and Marketing Program.
- The Authority was saddened to hear of the closure of their business despite efforts to inform, engage and limit the impact of planned upgrades on the business as a result of the overall upgrades within Odgers Lane.
- On completion of the works, each laneway will see greater opportunity for multiple businesses to activate the renewed laneways including the installation of infrastructure to allow time-of-day and events closures of each lane.

Key Information

- The laneway upgrade works will improve both day and night-time activities and will involve activity such as resurfacing of the laneways, enhancement of pedestrian and vehicle accessibility and lighting upgrades.
- Construction is anticipated to commence in earnest in August. The Authority is actively communicating with laneway stakeholders to limit the impact of construction on businesses and customers.

Cleared as complete and accurate:	10/08/2022	
Cleared for public release by:	Chief Executive Officer	Ext:62051805
Contact Officer name:	Lucy Wilson	Ext:62052995
Lead Directorate:	Environment, Planning and Sustainable Development	

- In addition to the laneway upgrades, the Authority has prepared a Revitalisation Plan. The next stage in implementing the Revitalisation Plan will see restoration of the painted surfaces of the facades and colonnades.
- The Authority has completed shared waste enclosures to remove 50+ waste bins from the laneways and continues to manage their operation.
- The Authority has an active program of activation for the laneways including the Enlighten Festival and other smaller laneway events.

Background Information

- Since initial engagement with Church in October 2021 the Authority has discussed options with the owner to limit the impact of the work on the business, with a goal that Church continues to trade. Options considered include consideration of permit arrangements, alternate temporary locations and provision of first option to return after works completed.
- On 15 December 2021, Church advised the Authority of their intention to relocate their business.
- Following consultation with Church Neighbourhood Goods in early 2022, the City Renewal Authority committed to not commencing work until Church's outdoor dining permit expired on 31 July 2022.
- The Authority recommended that the permit not be renewed on 1 August 2022 and until after the completion of laneway upgrade works, which are expected to complete at the end of 2022.
- These drainage works and resurfacing of the public land outside 22 Odgers Lane will replace end of life pipes which serve many tenants throughout the Melbourne Building. This will require the removal of the temporary outdoor dining structure which can be reinstated at the completion of the works, as excavations will be required on the public land outside the business.
- Church has elected to leave the laneway citing the upgrades as the cause.
- The Authority and Church have been in contact in July 2022 following Church's media comments.

Portfolio: Planning and Land Management**Securing offset values along the Eastern Broadacre employment corridor****Talking points:**

- The Government is investing \$1.911 million to maintain the infrastructure and habitat quality of lands within the Majura and Jerrabomberra Valleys that have been identified as environmental offset sites under the Eastern Broadacre Strategic Assessment.
- As part of the initiative, staff critical to the delivery of weed and pest animal control, biomass management, infrastructure repair, and unexploded ordinance removal and remediation will be employed over a 2-year period.
- These staff and offset management actions will facilitate unimpeded approval of the Eastern Broadacre Strategic Assessment and release of developable land under the Indicative Land Release Program.

Key Information

- Under the 2021-22 to 2025-26 Indicative Land Release Program, 40,000 square metres of industrial land in the Eastern Broadacre employment corridor is planned for release in 2022-23 and a further 40,000 square metres in 2024-25.
- This critical industrial and commercial development will significantly impact Matters of National Environmental Significance, namely: Golden Sun Moth, Striped Legless Lizard, Button Wrinklewort, box gum woodland, and natural temperate grassland.
- This has triggered the Eastern Broadacre Strategic Assessment under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*, which requires the ACT Government to make public, legally binding commitments as part of the development approval.
- These commitments form part of the cost of development along the Eastern Broadacre employment corridor, an initiative that is estimated to generate approximately \$134 million (based on 165 hectares of saleable land) over the 20-year life of the strategic assessment and upwards of 60,000 jobs.

Background Information

- Funding was secured in the 2016-17 budget (Caring for our Environment – Improving Species and Habitat Protection) for AMTECH and Jerrabomberra East and 2018-19 budget (More jobs for our growing city – establishing environmental offsets) to protect native species and their habitats within the Eastern Broadacre Strategic Assessment zone. This initiative builds on and complements those programs.
- This initiative also complements and supports the 2019-20 budget initiative “Protecting the Grassland Earless Dragon” that is aiming to release captive Grassland Earless Dragons into areas where they have been lost in the Majura and Jerrabomberra Valleys.

Cleared as complete and accurate: 28/07/2022
Cleared for public release by: Executive Group Manager Ext: 78628
Contact Officer name: Chloe Sato Ext: 74858
Lead Directorate: Environment, Planning and Sustainable Development

Portfolio: Planning and Land Management

ACT Planning Reforms – Implementation

Talking points:

- The ACT Government is committed to improving our planning system to help shape Canberra's future as our city continues to grow.
- **Implementation of a new planning system** is a critical element of the ACT Government's commitment to simplifying the planning system, improving the balance between certainty and flexibility, and incorporating character, context and design as key elements of the system. Implementation of the new planning system is programmed for the second half of 2023.
- Funding in the 2022/23 financial year will be used to:
 -
 - finalise District Strategies for commencement with the new Planning Act in 2023. These strategies will provide direction at a district level on where, how and what growth might occur across the ACT and identify where more detailed project work is needed to deliver for this growth;
 - develop and implement the new Territory Plan for commencement with the Act;
 - design and deliver community and stakeholder engagement on the District Strategies and the new Territory Plan, to engage a wide range of stakeholders;
 - develop education, training and awareness materials to support the successful implementation and enforcement of the new planning system and to build the community confidence in the system;
 - develop design guides, process guidance, planning and certification practice notes and other materials that support the implementation of the outcomes-based planning system; and
 - design and develop digital infrastructure to support the new planning system, drive innovation and improve customer interface.
- Digital infrastructure improvements that are being worked on will improve accessibility to information, transparency and provide a user friendly platform. Improvements are intended to support:
 - an online and interactive Territory Plan which will assist all users of the planning system to navigate and understand the requirements of the development assessment process, and provides greater transparency in the assessment of development applications;
 - a new electronic development application and building approval processing system (replacing the existing eDevelopment system) to manage

Cleared as complete and accurate: 27/07/2022

Cleared for public release by: Deputy Director-General Ext:54522

Contact Officer name: Matthew Kamarul Ext: 79703

Lead Directorate: Environment, Planning and Sustainable Development

pre-application processes including environmental impact assessments, development application lodgement, leasing processes and building approval processes. This system will provide greater visibility and transparency between the Directorate, applicant, and the community; and

- upgrades to the website to make it more user friendly, along with making information more easily available online.
- Implementation of key elements of the reform package will enable the community, government agencies, planners, designers and developers, and a range of stakeholders to engage more effectively with the new planning system, supporting the development of a healthy built environment, innovation and that the ACT remains an attractive investment destination.

Key Information

- Implementating these reforms will deliver on a suite of commitments in the Parliamentary and Governing Agreement (PaGA) particularly in Appendix 1,C and also 1,A.3, and on the Chief Minister's update to the Statement of Ambition, CBR Switched On: ACT's Economic Development Priorities 2022-25.
- Public consultation on the draft Planning Bill commenced on 16 March 2022 and ran for a period of three months. Over 300 responses were received – these will inform proposed amendments going forward. Work is progressing on the district strategies and the development of the Territory Plan with community engagement to occur later in 2022.

Background Information

- Throughout 2021, the Environment, Planning and Sustainable Development Directorate (EPSDD) continued the review and reform phases of the ACT Planning System Review and Reform Project. A Project Update paper was released in December 2021, which summarised the technical work and consultation undertaken in 2021 and outlined key reform items to be implemented, these being:
 - new Planning Act;
 - new Territory Plan;
 - introduction of design guidance material including design guides, practice and notes;
 - introduction of District Strategies;
 - and
 - roll-out of an electronic development application and building approval processing system, online planning and design code (interactive Territory Plan) and website portal to enhance user experience, along with make information more easily available online.

Portfolio: Planning and Land Management

Kippax capital works for future land release

Talking points:

- ACT Government is delivering urban renewal of the Kippax Group Centre, to meet the changing needs of the community and growing West Belconnen population.
- Extensive community consultation from 2014 to 2019 informed the [master plan for the Kippax group centre](#), setting the vision to guide commercial and residential expansion of the centre and public realm upgrades over time.
- Funding in the 2022-23 financial year will deliver:
 - construction of playing fields and associated infrastructure on the corner of Moyes Crescent and Starke Street; and
 - detailed design of a skate facility and a community hub in consultation with the community.
- The community will be invited to have their say on the detailed design of the skate park and community hub in 2022-23. Targeted consultation will also be undertaken with sports groups who currently use the Holt District Playing Fields.
- Land release in the Kippax Group Centre in 2022-23 will provide for 80 new dwellings (including 12 affordable dwellings) and a mixed-use development on Block 71, Section 51 Holt. Once redeveloped, the site is expected to provide approximately 5,000 square metres of new commercial and retail space, providing additional jobs, services, housing and economic activity in this important area.

Key Information

Playing Fields

- Transport Canberra and City Services Directorate (TCCS) is delivering replacement playing fields on an under-utilised area of open space on the corner of Moyes Crescent and Starke Street adjoining the Holt District Playing Fields, as identified in the Master Plan.
- It is anticipated construction of the new playing fields and supporting infrastructure will commence in the last quarter of 2022 with the aim of being ready for the 2023 winter sports season (subject to procurement and construction processes).
- This builds on the recently completed \$1.85m Higgins Oval Upgrades that included new sports fields, irrigation, lighting, turf and a pavilion for local sports clubs and the community.

Community Hub

- Design of a new community hub will be developed in 2022-23 in consultation with the community by the Environment Planning and Sustainable Development Directorate (EPSDD).

Cleared as complete and accurate: 27/07/2022
Cleared for public release by: Executive Group Manager Ext:
Contact Officer name: Nyah Donaldson Ext:59216
Lead Directorate: Environment, Planning and Sustainable Development

- EPSDD has commenced site investigations for the community hub, proposed to be on vacant land near the Kippax Library as shown in the Master Plan.
- Community and stakeholder views, and detailed site investigations will guide the detailed design, with construction funding to be considered in future budget processes.

Skate Park

- TCCS will lead consultation and detailed design of the replacement skate facility. Budget for construction (and Development Application if required) would need to be considered in a future budget cycle.
- While the Master Plan shows an indicative location for the skate park to the south of the Site, further work will be undertaken to determine the most suitable location.
- The design will consider a range of age groups and abilities, safety, integration with surrounding developments, views of nearby residents and costs.

Background Information

- Block 71 Section 51 Holt is on the ACT Indicative Land Release Program for release in 2022-23 for 80 dwellings (including 12 affordable dwellings) and mixed-use development. Once redeveloped the site is expected to provide approximately 5,000 square metres of new commercial and retail space.
- Block 5, Section 53 Holt was sold by Suburban Land Agency on 30 June 2022, to also facilitate expansion of the group centre.
- Community consultation undertaken from 2014-2019 on the Master Plan and the 2020 Holt Precinct Map and Code provided for replacement facilities with the redevelopment of Section 51 Holt. Community supported the redevelopment of the Site should there be no disadvantage to the community through the loss of facilities.
- EPSDD has completed several site investigations for Section 51 and Section 88, that identified some contamination in groundwater and soils from volatile chlorinated hydrocarbons. EPSDD is working with land custodians TCCS and ACT Property Group and the Environment Protection Authority on the site investigation outcomes, with further assessments and management processes underway.
- A 2019 community facilities assessment undertaken by EPSDD showed a need for a community hub in the centre.

Portfolio: Planning and Land Management

PLANNING SYSTEM REVIEW AND REFORM PROJECT

Talking points:

- During 2022, the Environment, Planning and Sustainable Development Directorate (EPSDD) has been progressing work on reforms to the planning system and in particular through three key elements: a new Planning Bill, preparing draft District Strategies and a new draft Territory Plan.
- Each element will have public consultation to allow for the reformed planning system to consider and reflect community and industry views and to build trust and confidence in the reformed planning system.
- This is an exciting time for planning in the ACT as EPSDD continues this important work to build a planning system that responds to the need of Canberrans in a growing city including important elements such as the environment, mitigation against the effects of climate change and the appropriate recognition of our first nations peoples.

The Planning Bill

- A consultation draft of the Planning Bill, which sets the foundation for our new planning system, was developed in conversation with community and industry stakeholders, with targeted stakeholder engagement occurring throughout 2021 and into 2022. Public consultation on the draft Planning Bill commenced on 16 March 2022 and ran for a period of three months. Over 300 written responses were received on the Bill – these will inform proposed amendments and finalisation of the Bill.
- During public consultation (March to June 2022) there were 7 public information sessions and two sessions with the Environment and Planning Forum. The YourSay page also provided opportunities for the community to provide feedback on the draft Planning Bill in a number of different ways. Information sheets were also available on the EPSDD website.
- The public communication and engagement activities in 2022 on the Bill have been focused on capturing input from the community and industry more widely on the proposed policy positions within the legislation, and the benefits to the planning system that will be delivered through the provision of a new Act.

The Territory Plan and District Strategies

- EPSDD is continuing its work on a new Territory Plan and drafting District Strategies.
- The District Strategies will provide greater clarity for communities on proposed change, where it might occur, what that change might look like and what might be needed to support and deliver that change.

- The District Strategies take account of what we have heard from communities, that is important and valued. Some of these important attributes are city wide and the District Strategies also take account of the city wide context.

Community Engagement

- A new Territory Plan is being drafted to deliver a more outcomes-focused system. The intention of this is to provide greater clarity on what the intended and preferred outcomes are for development and how it relates to its surrounds and context. There will be some provisions that need to be met particularly for important aspects of developments, and there will be some provisions and aspects of developments where there might be more than one way to meet the desired outcome. This is where there will be some flexibility – in the ways to meet an outcome.
- The new Territory Plan is proposed to have a clearer structure and easier to use format for users. There will be greater guidance material provided to assist planners, designers, developers in delivering good urban outcomes.
- Community engagement on the draft District Strategies and the new Territory Plan will start later this year.
- A Technical Advisory Group made up of key industry and professional stakeholders, along with an Interdirectorate Project Coordination Group have been established to guide development of the district strategies and the Territory Plan.
- As the reform journey continues, engagement and consultation will continue to be an important part of the Project.

Key Information

- Throughout 2021 and into 2022, EPSDD continued the review and reform phases of the Project. EPSDD has been working to determine what changes are required to give effect to the reform goals and have focussed on the technical work of identifying and developing the changes required to deliver on the policy directions.
- This technical work has been undertaken within EPSDD, working with other parts of Government and seeking independent technical input on some matters.
- In identifying the key features and concepts for a reformed planning system and developing the new Planning Act, EPSDD has also undertaken engagement and tested early policy ideas with key stakeholders through workshops, forums, working groups and online.
- A Project Update paper was released in December 2021, which summarised the technical work and consultation undertaken in 2021 and provided an indication of the ongoing work for 2022.
- A further Policy Update paper was released on 16 March 2022 to coincide with the exposure draft of the Planning Bill and is available on the EPSDD website.

Cleared as complete and accurate: 20/05/2022
Cleared for public release by: Deputy Director-General Ext: 54522
Contact Officer name: Matthew Kamarul Ext: 79703
Lead Directorate: Environment, Planning and Sustainable Development

Consultation Background

- Communications and engagement on the ACT Planning System Review and Reform Project (PSRRP) have been ongoing since 2019 and involves a range of targeted stakeholder activities and broad public consultation.
- EPSDD has been working closely with a number of stakeholders, sharing policy ideas and capturing their feedback along the way. This work has helped inform our final policy positions and allowed us to balance community and industry needs through the processes within the draft Planning Act.

Draft Planning Bill

- From May – December 2021 EPSDD delivered a Stakeholder Working Series (SWS) which invited community and industry stakeholders to discuss key policy positions with the PSRRP project team.
- The stakeholder working series allowed for a deeper exploration of some elements proposed for the reformed planning system, with industry, community and interest group representatives discussing ideas and providing feedback for the project team to consider in resolving final policy positions and supporting processes.
- A legislation working group was established with legal and planning practitioners to discuss the drafting of provisions to give effect to the policy positions informed by discussions held in other forums. The group will continue to meet in 2022.
- The Environment and Planning Forum (EPF) has also been used to discuss early policy approaches to legislative changes proposed in drafting a new Planning Act. EPF is co-chaired by the Chief Planner and a community representative, with community council and industry association representatives in attendance.
- Through all our conversations we have heard of the continued desire for stakeholders to be involved in the reform of the planning system; to understand how all the elements fit together; and to know when future opportunities for engagement will occur.

District Strategies

- EPSDD has also been progressing work on district strategies, including working with a consultant team to develop the 9 district strategies.
- Several engagement activities have been held to seek community views on a range of matters relating to districts and what elements of each area are valued by residents (in 2021).
- In 2021 EPSDD heard from members of the YourSay Community Panel about the unique features of their local areas and what they liked and disliked about the buildings and streetscapes around them.
- This information was expanded on through a series of focus group workshops and an online activity delivered in June 2021 with community members representing each of Canberra's eight urban districts.

Cleared as complete and accurate: 20/05/2022
Cleared for public release by: Deputy Director-General Ext: 54522
Contact Officer name: Matthew Kamarul Ext: 79703
Lead Directorate: Environment, Planning and Sustainable Development

- A final engagement report for the district planning consultation held in June 2021 was published in December 2021 on the YourSay website.

Territory Plan

- EPSDD has been progressing technical work with support of several technical papers commissioned through consultants. These are available on the EPSDD website.
- EPSDD has been developing a structure for the Territory Plan that provides for a reduced and clearer package with supporting technical and design guides that will be called up in the Territory Plan proper.

Portfolio: Planning and Land Management

Draft Variations and New Territory Plan

Talking points:

- With the work on the Planning System Review and Reform Project (PSRRP) progressing, including the preparation of a new Territory Plan, there is a need to consider how current Territory Plan variations (TPVs) and existing requests for TPVs are progressed.
- Current TPVs that are almost complete will be finalised in the coming months.
- Draft variations that have been prepared are intended to start public consultation soon. It is intended that these TPVs will complete the statutory variation process prior to the new planning system taking effect.
- Other proposals that implement Government policy will be incorporated into the new Territory Plan prior to public consultation. The community will be able to comment on them in the context of the new Territory Plan.
- The new district strategies being developed will set future planning directions for each district.
- In some cases the district strategy could identify sites as appropriate to progress through the new Territory Plan.
- It is intended that requests for TPVs that are site specific and do not implement agreed Government policy will be progressed at a later stage.

Key Information

- Current TPVs that are complete or almost complete include:
 - V369 - Living Infrastructure, commencing 1 September 2022;
 - V375 - Manor House (Griffith), which finishes the disallowance period on 4 August 2022 and will commence shortly afterwards;
 - V357 - End of Trip Facilities, which I have approved and tabled in the Assembly; and
 - DV328 Oaks Estate, has been referred to the Standing Committee on Planning, Transport and City Services for consideration.
- Draft variations that have been prepared and are intended to start public consultation soon include:
 - DV380 – Deakin Office Park, responding to the recommendations of the Red Hill Integrated Plan;
 - DV383 – Lyneham (Kamberra site);
 - DV384 – Red Hill (Federal Golf Club site), responding to the recommendations of the Red Hill Integrated Plan; and

Cleared as complete and accurate: 22/07/2022
Cleared for public release by: Executive Group Manager Ext: 78543
Contact Officer name: Alix Kaucz Ext: 50864
Lead Directorate: Environment, Planning and Sustainable Development

- DV387 – Amendments to the Multi Unit Housing Development Code relating to standard blocks.
- Proposals that implement Government policy include:
 - Demonstration Housing projects in Lyneham, O'Connor and Forrest; and
 - Primary school site expansions in Garran and Fraser.
- There are approximately a dozen requests received by the planning and land authority for site specific changes to the Territory Plan (to rezone or to amend the provisions that apply to a site). These requests will be considered further after the introduction of the new Territory Plan and the district strategies.

Background Information

- The technical amendment associated with the living infrastructure provisions (to be introduced with V369) will commence on 1 September 2022, at the same time as V369.
- Three submissions were received on the technical amendment, though the majority of issues raised did not relate to the scope of the amendment.
- In response to comments made in submissions, as well as requests by industry members, a list is being prepared to detail the approval date of newer residential estates (i.e. over the past 5 years). This will assist certifiers and building designers to know what provisions apply to particular blocks.

Portfolio: Planning and Land Management

Tribunal decision: YWCA, Rutherford Crescent, Ainslie

Talking points:

- The Development Application for supportive housing units on Block 1 Section 87 Ainslie was lodged on 25 February 2022.
- The development comprises of construction of two new single-storey buildings comprising of nine residential units, carparking and new driveway verge crossing from Rutherford Crescent, landscaping and associated works; and for a variation of the Crown lease to amend the purpose clause to add supportive housing use limited to a maximum of nine dwellings.
- On 28 June 2022, I approved the development application.
- I considered the development application and concluded that the proposal will achieve the object of the Territory Plan and provide a substantial public benefit to the Canberra community by providing a much needed supportive housing option for vulnerable single women who may have experienced domestic and family violence and are on modest incomes.
- After due consideration of all matters addressed through the assessment process, I utilised my call-in powers under the *Planning and Development Act 2007* so that that the development could commence in a timely manner.
- I am satisfied that the affected community has been appropriately consulted and that the development application has undergone a rigorous assessment.
- In making this decision, I considered comments provided by all referral entities and the comments provided during public notification.

Key Information

- On 25 February 2022, a development application (DA202139743) was lodged for the development.
- This development application was publicly notified between 8 March 2022 and 29 March 2022 and received 257 representations. Approximately 190 representations were however in support of the proposed development.
- Key issues raised related to environmental concerns, impact on protected trees on and adjacent to the site, design concerns, amenity, traffic and parking and compliance and permissibility of the development.

Cleared as complete and accurate: 27/07/2022
Cleared for public release by: Executive Group Manager Ext: 76804
Contact Officer name: Richard Davies Ext: 74557
Lead Directorate: Environment, Planning and Sustainable Development

- The development was supported subject to conditions by all referral entities.
- This development application follows a previous development proposal to develop ten supportive housing units on the same site. The previous proposal was approved by the independent planning and land authority, only to be overturned by the ACT Civil and Administrative Tribunal following an appeal by three Ainslie residents. The proponent has since considered the Tribunals' decision and lodged a new development application comprising nine units.
- The Minister's decision cannot be reviewed by a third party in the ACT Civil and Administrative Tribunal.

Background Information

- On 14 April 2021 the planning and land authority (the Authority) conditionally approved a development application (DA202037848) proposing supportive housing consisting of 10 dwellings and associated infrastructure on Block 1 Section 87 Ainslie. The development was proposed by the YWCA to support women in need, and in particular victims of domestic violence.
- Three residents applied to the ACT Civil and Administrative Tribunal for review of the Authority's decision. The hearing was conducted over five days concluding on Friday 3 September 2021.
- On 6 September 2021 the Tribunal set aside the Authority's approval and substituted it with a decision not to approve the development application.
- The Tribunal provided its detailed reasons for its decision on 23 September 2021.
- The new DA (DA-202139743) was lodged with the Authority 25 February 2022, and subsequently approved by Minister Gentleman on 28 June 2022.

Portfolio/s: Environment
Planning and Land Management

PFAS IN THE ACT

Minister for Emergency Services may take the question if asked as it is a cross-portfolio matter

PFAS at the Forrest Fire Museum and Residence and Telopea High School

Talking points:

- In 2020, the ACT Government appointed environmental consultants, GHD, to assess current and former Fire and Rescue Station sites that may be impacted by PFAS. The Forrest Fire Museum and Residence at 14 Empire Circuit was included in this proactive testing program as the site was used as a fire station until 1984.
- The investigation at the Forrest site found that there is a low risk to visitors, workers and people undertaking maintenance at the Forrest Fire Museum and Residence from PFAS in the soil. The results suggest low volumes of firefighting foam were used across the site with no single source area identified.
- A sign at the museum advises visitors about possible contamination on the site.
- Given current investigations, the health risk to children, school students and others who use or access the playground is considered low.
- The school community was advised in mid-2021, about the investigations and plans for further testing through the school newsletter.
- Soil sampling at Forrest Fire Museum and identified adjacent sites are scheduled to commence in mid-August 2022.

Other current and former Fire and Rescue stations

Talking points:

- The ESA has undertaken testing for PFAS contamination at other current and former ACT Fire and Rescue stations.
- Preliminary testing identified contamination in the soil and/or groundwater at all eight sites that exceeds either or both human health and ecological levels.
- Temporary management measures such as fencing and signage have been put in place at these sites to protect staff and the community.
- Major Projects Canberra has engaged a qualified and experienced environmental consultant (GHD Pty Ltd) on behalf of JACS to facilitate further Human Health and Ecological risk assessments at the ESA and identified adjacent sites.
- These assessments are scheduled to be completed by 31 December 2022.
- Correspondence has been issued in July 2022 to affected adjacent land custodians advising of onsite soil testing.

Cleared as complete and accurate: 01/05/2022
Cleared for public release by: Deputy Director-General Ext: 75001
Contact Officer name: Emma Gillies Ext: 78350
Lead Directorate: Environment, Planning and Sustainable Development

- Although the EPA have not issued any formal directions at this stage, JACS are proactively facilitating further assessments in advance of possible future EPA orders and to provide assurance to ACT Fire and Rescue and affected stakeholders.
- GHD are engaging with Ainslie Football Club, regarding their proposed development plans. Additional testing is being considered to capture their proposed development requirements.
- Remediation works, for the playing field at St. Thomas Aquinas School, have been completed, and delivered a high-quality outcome for the school community. The project team is working with all stakeholders to finalise the regulatory requirements (EPA) for these works.

Emergency Services Agency (ESA) — worker’s compensation claim

Talking points:

- ESA can confirm that the Government insurer, EML, have reviewed a workers compensation claim relating to a claim by an ACT firefighter for a cancer related illness.
- In that case, the insurer has accepted that the disease in question was substantially contributed to by their work and assessed the claim under presumptive legislation in the Safety and Rehabilitation Compensation Act.
- In coming to that decision, the insurer took into account:
 - the firefighter’s length of service; and
 - the accepted view that firefighting duties involve exposure to a range of harmful chemicals and conditions which increase the risk of several types of cancer and that these risks increase with the length of service.
- ESA will not be commenting on the case due to medical confidentiality.

Emergency Services Agency—Vehicles:

Talking points:

- ESA has tested all frontline ACT Fire & Rescue fire trucks for PFAS contamination levels. The tests have returned a negative result on all vehicles and have classified the vehicles to drinking water standards.
- The Firefighters Union has been consulted and agree this is a good outcome for firefighters.

Background Information

- Per- and poly-fluoroalkyl substances (PFAS) are manufactured chemicals used in products that resist heat, oil, stains and water. PFAS was a commonly used substance in firefighting foam in NSW and the ACT. This foam is understood to have been used for training purposes at ACTFR sites.

Portfolio/s: Planning and Land Management

MOLONGLO GROUP CENTRE

Talking points:

- Land in the Molonglo Group Centre is on the *ACT's 2022-23 to 2026-27 Indicative Land Release Program* for the release of first sites in 2023-24.
- The suburb of Molonglo (which includes the Group Centre) will become the active hub of Molonglo Valley and will provide for the growing population of Canberra's newest district.
- With commercial, retail, residential and community facilities, Molonglo will provide future employment opportunities and create places for residents of the Molonglo Valley to live and work.
- The group centre will also become Canberra's first all-electric commercial centre, delivering on the ACT Government's commitment to remove mandatory gas connections to new suburbs as part of its Climate Change Strategy.
- The 2023-24 release dates for land in the Molonglo Group Centre has allowed time for the ACT Government to refine, settle and conclude planning work and to coordinate with other infrastructure projects.
- There are a number of large infrastructure projects underway and planned for the Molonglo Valley that directly impact the Molonglo Group Centre and surrounds, including the final design and alignment of John Gorton Drive (stage 3C) and the East-West arterial road.
- In December 2021, EPSDD released the Draft Concept Plan for the Molonglo Group Centre and Surrounds. That Draft Concept Plan also addressed comments from the National Capital Design Review Panel and incorporated current Government Policies.
- EPSDD engaged with the Molonglo Valley Community Forum (MVCF) on the Draft Concept Plan in late 2021 and early 2022, including a presentation to the group on 19 January 2022. The MVCF provided positive feedback about the directions set in the Draft Concept Plan.
- The Concept Plan is the basis for the next step to incorporate provisions into the Territory Plan.
- Technical Amendment TA2022-01 - Introduction of, and changes to, the Commercial Zones Development Code (TA2022-01) was released for public consultation on 4th of April 2022 and closed on 6 May 2022.
- EPSDD is finalising a review of comments received on TA2022-01 and preparing a consultation report, and final Molonglo Group Centre and Surrounds Concept Plan

Cleared as complete and accurate: 22/07/2022
Cleared for public release by: Executive Branch Manager Ext:58592
Contact Officer name: Dan Santosuosso Ext:77212
Lead Directorate: Environment, Planning and Sustainable Development

and rezoning of land within the future urban area of Molonglo. It is anticipated these will be finalised later this year.

Key Information

- Land in the Molonglo Group Centre is on the Indicative Land Release Program (ILRP) for release of first sites in 2023-2024. This represents a delay from the earlier ILRP dates to allow for refinement of the planning work, further community engagement and consideration of the infrastructure projects underway and proposed.
- A Draft Concept Plan for Molonglo Group Centre and Surrounds was presented to Cabinet and tabled in the Assembly in November and December 2021 respectively. The Draft Concept Plan was then publicly released in December 2021.
- EPSDD has consulted with the Molonglo Valley Community Forum (MVCF) on the draft Concept Plan in late 2021 and early 2022, including a presentation to the group on 19 January 2022.
- Engagement on the draft Concept Plan provided input into the statutory process and the Technical Amendment TA2022-01 - Introduction of Molonglo Group Centre and Surrounds Concept Plan and rezoning of land within the future urban area of Molonglo and changes to the Commercial Zones Development Code was released for public consultation on 4th of April 2022 and closed on 6 May 2022.
- While the ILRP indicates the release timing, the release method and community engagement on the land release is determined by the Suburban Land Agency (SLA). The 2023-24 timing also allows the SLA to undertake their processes to achieve land release.

Background Information

- Planning for the Molonglo Group Centre has been ongoing over several years as the necessary assessments and investigations have been undertaken. The Molonglo Valley community, as expressed through the MVCF, would like to see the group centre developed to provide services and community facilities in Molonglo as soon as possible.
- The Draft Concept Plan provides a planning and design framework to facilitate development and implementation of the vision for the Molonglo Group Centre and surrounds.
- The plan will, together with other relevant codes of the Territory Plan, guide the planning, design and assessment of estate development plans and inform the allocation of final zones on a parcel of land.
- A working Draft Concept Plan for the Molonglo Group Centre was developed in 2014. The 2014 version did not proceed as it required further work to consider infrastructure and shifts in government policy. Since 2014 the Government has

Cleared as complete and accurate:	22/07/2022	
Cleared for public release by:	Executive Branch Manager	Ext:58592
Contact Officer name:	Dan Santosuosso	Ext:77212
Lead Directorate:	Environment, Planning and Sustainable Development	

adopted new policies that affect the Molonglo Valley, as well as elsewhere, which includes (but is not limited to) the ACT Planning Strategy 2018, the Molonglo River Reserve Management Plan 2018, and policy initiatives that promotes transport and movement, climate change initiatives and living infrastructure.

- The 2014 Draft Concept Plan has been used as a basis for the 2021 Draft Concept Plan.

Portfolio: Planning and Land Management

McKellar Shops

Talking points:

- A proposal to redevelop the McKellar shops (Block 1, Section 51 McKellar) was lodged with the planning and land authority on 28 October 2021.
- The proposal comprises design and siting of a commercial building, a mixed use residential and commercial building, carparking and associated carport structure, internal driveway and verge crossing associated landscaping, verge works, site and off-site works.
- On 14 April 2022, I directed the planning and land authority to refer the application to me under section 158 of the *Planning and Development Act 2007* (the act).
- The retention of appropriate commercial and retail space at local centres across the Territory is an important element of the Territory's planning policy, as reflected in the 2018 Planning Strategy and the Territory Plan.
- The Planning Strategy also acknowledges that the role of our centres is changing and many local centres are 'transitioning to activity centres that provide lifestyle services, niche shopping and social connection, such as informal community meeting spaces' (page 32).
- The continued provision of commercial/retail space in local centres is an important issue to the Canberra community and this is reflected in several of the comments received during the public notification period for the Development Application (DA).

Key Information

- Following direction to the planning authority to refer the application to you, you wrote to the applicant on 14 June 2022 requesting further information to inform your assessment and determination.
- On 28 June 2022, the applicant responded to your request for further information providing additional information about the proposal which will be considered as part of your assessment.

Background Information

- The subject site is Block 1 Section 51 McKellar (McKellar shops)
- The development application (DA-202139349) comprised the for design and siting of a commercial building, a mixed use residential and commercial building, carparking and associated carport structure, internal driveway and verge crossing associated landscaping, verge works, site and off-site works.
- The development application was publicly notified from 5 November 2021 to 26 November 2021, and twelve representations were received.

Cleared as complete and accurate: 27/07/2022
Cleared for public release by: Executive Group Manager Ext: 76804
Contact Officer name: George Cilliers Ext: 76904
Lead Directorate: Environment, Planning and Sustainable Development

- On 6 April 2022, an amendment to the DA was lodged with the planning and land authority following a further information request sent by the authority.
- Under the statutory process for Minister call-in decisions (see s 159(2) of the Act), you may decide to consider the application if, in your opinion:
 - a. The application raises a major policy issue,
 - b. The application seeks approval for a development that may have a substantial effect on the achievement or development of the object of the territory plan as set out in the statement of strategic directions and objectives for each zone to which the application relates, or
 - c. the approval or refusal of the application would provide a substantial public benefit.
- You must also consider whether there has been sufficient community consultation in relation to the proposal to help you form your opinion on the matters above (see s 158A of the Act).
- The consequence of you being the decision-maker on a development application is that the application is not subject to merits review either by the applicant or by a third party (i.e. a person who made a representation on the DA).

Portfolio: Planning and Land Management

Light Rail Corridor Planning

Talking points:

- The extension of Light Rail Stage 2 from the City through to Woden was a commitment made by the ACT Government prior to the 2016 election. The planning approval process required to construct Light Rail through the Parliamentary Triangle has resulted in the project being divided into two stages, Light Rail Stage 2A (Stage 2A) and Light Rail Stage 2B (Stage 2B).
- Stage 2A will run from the current Alinga Street terminus to Commonwealth Park for 1.7km. This will provide three new stops, and better connections from the western side of the City, including the Australian National University (ANU), to Lake Burley Griffin.
- Stage 2B will run for 9km from Commonwealth Park to Woden Town Centre, along Commonwealth Avenue, State Circle, Adelaide Avenue, Yamba Drive and Callum Street, with nine new stops currently proposed.
- Major Projects Canberra is managing the project and are working closely with all areas of Government, particularly the Environment, Planning and Sustainable Development Directorate (EPSDD) and Transport Canberra and City Services (TCCS), to ensure the project runs efficiently and connects in with land use and transport planning.
- The second stage of Light Rail will bring significant improvements to how people use and move about our city, with an estimated 10,000 people using the route every day. The project will reduce greenhouse gas emissions and will significantly improve access between Woden, the City and Gungahlin. Events such as Floriade and the Multicultural Festival will be easier to access without driving.
- EPSDD is currently examining longer term planning outcomes that will make the most of the opportunities created by the expansion of Light rail. This is using initial investigations on land capability undertaken with a consultant (Mecone) and considering this in planning along the corridor. This work is also being considered as part of the District Strategies work that EPSDD is leading.
- The EPSDD/Mecone study is available on the EPSDD website and explored the city shaping capacity of the light rail and examined land in the corridor and the potential for urban development. The work considered the opportunity for residential and employment development as well as the potential population and employment projections associated with that.
 - The project study area was broken into 5 precincts: West Deakin, Curtin Horse Paddocks, Philip/Woden Town Centre, Mawson, and remainder of the corridor.
 - The study considered the current context and potential changes and opportunities and constraints.

Cleared as complete and accurate: 22/07/2022

Cleared for public release by: Executive Group Manager Ext:

Contact Officer name: Chris Gell Ext: 72642

Lead Directorate: Environment, Planning and Sustainable Development

- The study presents proposals where change could occur and scenarios for that potential change.
- This study is an important part of our investigations and is one input to the ongoing planning in the light rail corridor – it is not an endorsed position.
- Some of the sites and potential opportunities and changes being considered further from this work and in District Strategies work include:
 - Improving connections between a new light rail stop on Adelaide Avenue and the surrounding suburbs, including Deakin shops and Yarralumla;
 - Providing a clear connection between the Deakin West employment area, including the John James Hospital and a new light rail stop;
 - Determining an appropriate development outcome for a portion of the existing Curtin Horse paddocks site;
 - Improving pedestrian connections from Curtin Group centre, Deakin High School and Hughes to a new light rail stop;
 - Providing a better northern entry into the Woden Town centre with an improved road layout, landscaping, and improvements to Yarralumla Creek;
 - Providing a light rail stop close to Phillip Oval to realise the potential for larger scale sporting events;
 - Providing clear and safe connections to the Canberra Hospital from a light rail stop adjacent to the proposed Woden CIT building;
 - Considering the opportunities for development along the light rail route south of Hindmarsh Drive are appropriate and allow for additional community facilities, as well as enhancing the Phillip Service Trades area for appropriate uses; and
 - Considering the effect of a possible extension of light rail to Mawson, which could support re-invigoration of the centre and provide a connection to the Mawson sports fields.

Key Information

- Planning work on the opportunities and requirements of Stages 2A and 2B of light rail is currently being undertaken to support the District Strategies component of the Planning System Review and Reform Project.
- This work is high level and will set principles for directions for parts of this corridor that will be the basis of more detailed studies and/or development proposals.

Background Information

- The ACT Planning Strategy 2018 sets five key strategic directions for the future Canberra, including:
 - Compact and Efficient City;

Cleared as complete and accurate:	22/07/2022	
Cleared for public release by:	Executive Group Manager	Ext:
Contact Officer name:	Chris Gell	Ext: 72642
Lead Directorate:	Environment, Planning and Sustainable Development	

- Diverse Canberra;
 - Sustainable and Resilient Territory;
 - Liveable Canberra; and
 - Accessible Canberra.
- The planning being undertaken for the Stage two Light rail corridor is consistent with all these strategic directions.
 - The Mecone/EPSSD study – Canberra Light Rail Stage 2B – Urban Infill Capability Assessment (Dec 2021) can be found at:
https://www.environment.act.gov.au/_data/assets/pdf_file/0012/1994475/22_26528-Document-01.pdf

Portfolio: Planning and Land Management

WESTERN EDGE INVESTIGATIONS

Talking points:

- The ACT Planning Strategy 2018 identified a strategic direction to investigate land to the west of Canberra’s metropolitan area – that is, the western edge investigation area.
- The western edge investigation area is approximately 9,800 hectares in area and includes land generally bordered by the Murrumbidgee River and the existing urban areas of Belconnen, Molonglo Valley, Weston Creek and Kambah. The investigation area includes Mt Stromlo.
- We already know that the western edge investigation area contains significant environmental values and as such, only parts of the investigation area may be suitable for development.
- Over the past two years, the ACT Government has completed a range of preliminary background investigations, including environmental and bushfire risk investigations, that are necessary to provide an informed understanding of the area. More detailed environmental investigations are required, and are planned to be undertaken. The risk of bushfire will also need to be carefully and thoroughly considered as the investigations progress.
- The western edge investigation area is declared bushfire prone. This reinforces the need for thorough and careful consideration of the degree of risk and, if development is ultimately considered an option in the area, what bushfire mitigation measures would be needed to reduce the risk to community. New houses in parts of our new suburbs, such as Denman Prospect, are already required to be built to higher construction standards to lessen the risk. This would be expected in the western edge investigation area if development is recommended.
- A number of the preliminary investigation reports are available on the EPSDD website – these include the following and noting the Cultural Heritage Assessment is not provided due to the sensitivity of material in that report:
 - Contamination Assessment
 - Preliminary Geotechnical and Hydrogeological Assessment
 - Preliminary Ecological Review and Assessment
 - Character Values and Visual Assessment
 - Bushfire Risk Assessment
 - Air Quality Assessment
 - Assessment of Engineering Infrastructure Opportunities and Constraints
- A number of these assessments indicated further investigation on matters is required and these further studies are part of next stages of investigation.

Cleared as complete and accurate: 20/07/2022
Cleared for public release by: Executive Group Manager Ext: 78543
Contact Officer name: Steven Gianakis Ext: 71741
Lead Directorate: Environment, Planning and Sustainable Development

- In April 2022, a consultant (working with EPSDD) commenced work on a Land Use Capability and Suitability Assessment, which is expected to be completed later this year.
- In July 2022, an Ecological Habitat Survey and Aboriginal Cultural Values Assessment were released for tender.
- Depending on the outcomes of the land use capability and suitability assessment work and associated studies, the Environment, Planning and Sustainable Development Directorate (EPSDD) will move into consideration of preliminary strategic land uses in 2023, with ongoing environmental and aquatic surveys expected to be needed.
- Substantial work is still required before options and recommendations regarding proposed land uses and future statutory environmental and planning processes can be fully considered. This level of data and analysis is needed before being able to provide further detail to the community.
- This work is critical and requires investment and effort over many years. If urban development is proposed in the western edge investigation area it may be at least 10 years away and will be subject to the outcomes of future detailed studies and investigations; Government decisions; community engagement; budget funding; and Commonwealth and ACT statutory planning and environmental approvals.
- The nature of the preliminary investigations is to provide baseline information on the environmental values and identify potential risks. These studies do not pre-empt urban development to the exclusion of other potential uses and are being undertaken to allow for known constraints and opportunities to be considered.

Key Information:

- The western edge investigation area does not extend west of the Murrumbidgee River, towards the ACT border.
- The preliminary investigations and due diligence in the area are tenure blind – they are undertaken without being constrained to the nature or status of leaseholds in the western edge investigation area, so as to provide a comprehensive view of the potential urban capability of the area as a whole.
- The western edge investigation area is home to a substantial array of flora and fauna, in some cases requiring study and assessment over multiple years to understand habitat use over lifecycles and connection and movement through the habitat.

Background Information:

- The ACT Planning Strategy (2018) contained the following strategic directions relating to the Western Edge:

STRATEGIC DIRECTION 1.2

Cleared as complete and accurate:	20/07/2022	
Cleared for public release by:	Executive Group Manager	Ext: 78543
Contact Officer name:	Steven Gianakis	Ext: 71741
Lead Directorate:	Environment, Planning and Sustainable Development	

- Investigate the potential for new residential areas to the west of the city to meet future housing need.

STRATEGIC DIRECTION 3.5

- Protect biodiversity and enhance habitat connectivity to improve landscape resilience.

Western Edge Investigation information

Available on the EPSDD website at: <https://www.planning.act.gov.au/planning-our-city/planning-studies/western-edge-investigation>

Portfolio: Planning and Land Management

EASTERN BROADACRE AND THE MAJURA VALLEY

Talking points:

- The ACT Planning Strategy 2018 identified the Eastern Broadacre area for investigations into establishing new industrial and employment opportunities. Eastern Broadacre is in close proximity to national freight routes and extends from Hume in the south to the Federal Highway in the north and includes land around Fyshwick and Canberra Airport.
- Eastern Broadacre also includes a part of the Majura Valley, in the vicinity of Majura Road and Majura Parkway. Some of this land, closest to Canberra Airport, contains expired leases with continuing occupancy rights. The reason these leases have expired and have not been able to be renewed by the ACT Government, is that part of each block is National Land administered by the Department of Defence (i.e. the split blocks).
- EPSDD and the Department of Defence are working together to resolve the complex land tenure arrangements in this area. Negotiations with Defence are active and ongoing. We are very aware of the impact this has on the current occupants and lessees of these blocks and want to pursue this work to provide greater certainty for them and about future planning for the area.
- Parts of the Majura Valley could also have an ongoing role in agriculture, environmental conservation, rural tourism, and recreation.
- The Eastern Broadacre areas contains critically endangered flora and fauna, such as natural temperate grassland, striped legless lizard and the grassland earless dragon.
- On this basis, the ACT Government has entered into an agreement with the Commonwealth Government to undertake a strategic assessment under the *Environment Protection and Biodiversity Conservation Act 1999*. Public notification on the draft strategic assessment documents is expected to commence later this year, after being on hold due to COVID.

Key Information:

- The Eastern Broadacre strategic assessment will assess the potential impacts on environmental values from potential development in parts of the area and recommend an environmental offsets, avoidance, and conservation strategy. This will include the establishment of new nature reserves.

Background Information:

- The Department of Defence has indicated its willingness for degazettal of split blocks National Land in the Majura Valley subject to certain terms that are currently being considered.

Cleared as complete and accurate: 18/07/2022
Cleared for public release by: Executive Group Manager Ext: 78543
Contact Officer name: Steven Gianakis Ext: 71741
Lead Directorate: Environment, Planning and Sustainable Development

Portfolio: Planning and Land Management

LAND AND PROPERTY TRENDS

Talking points:

- Canberra's property market has started softening with property price growth rates easing across the market, mainly as a result of interest rate hikes, surging inflation and low consumer sentiment.
- The expiry of both ACT Government and Commonwealth fiscal support for housing, tightening credit conditions and affordability challenges has also contributed towards this slowdown.
- However, as part of the ACT Government's tax reform program, stamp duty has been abolished for off-the-plan apartment and townhouse for owner-occupier purchases up to \$600,000. Effective from 1 April 2022, the purchase price threshold increased from \$500,000.
- Monitoring land and property trends in the Canberra's housing market is an important part of informing the ACT Government's Indicative Land Release Program.
- Monitoring these trends is the function of the ACT Land and Property Reports. The Reports are prepared on a six-monthly basis and provide the community and industry with a valuable snapshot of land supply and release across Canberra, from what's in the pipeline for development to the number and price of houses and units sold.
- The latest edition of the report is available on the Environment, Planning and Sustainable Development Directorate website. This edition of the report covers activity during the **July to December 2021** period. The next edition of the report, covering activity during **January to June 2022** is expected to be released by November 2022.

Key Information:

- The trend of residential building approvals decreased by 2.1 per cent in May 2022, but was 36.3 per cent higher than the number in May 2021.
- There has been record land sales in the past years as buyers took advantage of the stimulus on offer. These sales will translate into approvals. While the COVID-19 restrictions had some impact on construction activity, builders continued to have their projects approved to be ready for construction as restrictions eased.
- The total value of construction work done decreased by 14.4 per cent in the March quarter 2022 and was 10.4 per cent lower than its level in the March quarter 2021.
- The number of dwelling unit commencements decreased by 9.3 per cent to 1408 commencements in the March quarter 2022 and was 21.4 per cent lower than its level a year ago.

Cleared as complete and accurate:	19/07/2022	
Cleared for public release by:	Executive Group Manager	Ext: 77387
Contact Officer name:	Dinesh Kumar	Ext: 70236
Lead Directorate:	Environment, Planning and Sustainable Development	

Multi-unit development activity

- Development activity across Canberra for new units, townhouses and apartments remains steady with an estimated 14,476 units in the planning pipeline across 106 development sites as at the March quarter 2022.
- An estimated 7055 units across 68 sites are currently under construction across Canberra. The majority of activity in terms of the number of units and the number of development sites in the pipeline is in the Inner North of Canberra, followed by Molonglo, Woden and Gungahlin.
- An estimated 370 unit completions on three development sites were recorded in the March quarter 2022. The lockdown from 12 August to 15 October 2021 appears to have had some impact on multi-unit completions.

Prices and auction clearance rate

- In April 2022 the *median transaction house* price decreased by 1.6 per cent to \$1,033,000, while the *median transaction unit* price decreased by 0.8 per cent to \$600,000. Both the median house and unit prices were 24.5 per cent and 13.2 per cent higher than its level a year ago, respectively.¹
- In April 2022 the *average transaction house* price was \$1,187,767 (decrease of 1.3%) while the *average transaction unit price* was \$657,576 (decrease of 1.4%)².
- Data from *CoreLogic* shows that median house prices rose by 0.3 per cent to \$1,065,317 in June 2022 while the median unit prices also rose by 0.3 per cent to \$629,531. Both the median house and unit prices were 15.8 per cent and 18.3 per cent higher than its level a year ago, respectively.
- Domain data on *auction clearance* showed auction clearance rates has been declining since end of May 2022 and now stands at 57 per cent for the week ending 16 July 2022. In comparison, auction clearance rates declined to 39 per cent² through March and early-April 2020 as a result of the COVID-19 related restrictions that were in place in the ACT at that time. However, as a show of the strength of the Canberra property market, the lowest auction clearance rate recorded during Canberra's lockdown period from August 2021 was 79 per cent in the week ending 4 September 2021, which is higher than the current rate. This indicates the slowing housing market in the ACT.

Housing finance and first home buyers

- The number of *Housing finance for owner occupation* increased in May 2022 by 31.4 per cent to 1110 commitments and was 2.5 per cent higher than the same period last year. The value of housing finance commitments for owner occupation increased by 2.1 per cent to \$549 million in May 2022 and was 2.1 per cent higher than its level in May 2021.³

¹ Access Canberra Property settlements data.

² Domain auction clearance rate for the week ending 4 April 2020.

³ ABS Lending Indicators Publication, May 2022.

- The number of investor finance commitments increased by 4.6 per cent to 500 commitments in May 2022. The number of commitments from investors was 18.5 per cent higher than its level a year ago.⁴
- There were 334 *owner occupier first home buyer* housing finance commitments in May 2022 and a further 20 *investor first home buyer* commitment.⁴

Portfolio: Planning and Land Management

GUNGAHLIN COMMUNITY FACILITIES

Talking points:

- The ACT Government has previously indicated its commitment to new community facilities in Gungahlin town centre. The 2021-22 budget follows through on this commitment by allocating \$300,000 to complete project feasibility and develop the business case for future funding consideration. \$150,000 was allocated in 2021-22 and a further \$150,000 is allocated this financial year, 2022-23.
- Foundations for the Gungahlin Community Facilities project have been established through a district-wide community and recreational facilities assessment, which was released through YourSay in April 2022.
- The Assessment was also informed by a YourSay survey on Gungahlin community facilities, open from June to July 2021. The survey asked the community what facilities they would like to see more of now and into the future and this feedback has fed into the broader needs assessment.
- The survey results showed a strong interest from those that participated in more indoor and outdoor sports facilities, open space and community gardens, and general community facilities such as multi-purpose halls and community rooms. A listening report was developed based on the YourSay survey and was released on 18 October 2021.
- In addition to town centre facilities, the survey identified strong community interest in the future land uses for Casey blocks 12 and 13 section 132. EPSDD is exploring options for the Casey blocks in the context of community facility needs across the District.
- EPSDD is undertaking key work across August and September, including:
 - a. Working with the community to finalise the Gungahlin community facilities functional requirements brief;
 - b. Working with the community to identify a preferred site for the town centre community facility; and
 - c. Developing a community facility concept design as the basis for preparing a business case for construction funding.

Key Information:

- The 2021-22 Budget has provided funding to undertake a feasibility and design study, to determine the most effective long-term solution to deliver a community facilities in Gungahlin town centre. The feasibility design process will invite community input and participation from the outset.

Cleared as complete and accurate:	19/05/2022	
Cleared for public release by:	Executive Group Manager	Ext: 77387
Contact Officer name:	Rod Baxter	Ext: 50477
Lead Directorate:	Environment, Planning and Sustainable Development	

- The community facilities feasibility is funded across 2021-22 /22-23 and the process and milestones planned over the next 12 months are:
 - Stage 1
 - a. Procure and establish a project consultant team to facilitate the Community Collaborative Engagement and Feasibility Study.
 - b. Create a Community Reference Panel as key stakeholders in the process.
 - c. Determine peak users, community programs and activities that will potentially utilise the GCC to inform proposed uses and requirements.
 - Stage 2
 - d. Explore and identify a preferred site.
 - e. Explore facility concept design options.
 - f. Finalise a preferred design concept and costings and develop a business case for construction funding.
- At this stage the project is only in Stage 1 and there is currently no preferred site or design for the GCC. Noting the outcome of this work is a concept design (not a detailed design).

Background Information:

- Much of Gungahlin's community infrastructure was constructed 10-15 years ago, when the district's population was less than 40,000. The population in Gungahlin is now approaching 75,000. While capacity for growth was included in the early provision of facilities, as communities evolve and change, so to do the needs for community facilities.
- Construction funding is not appropriated for the Gungahlin community centre. The outcome of the feasibility process will be a construction business case that will be considered in future budgets.
- Labor commitments 15.2 and 18.3 in Appendix 3 of the *Parliamentary Agreement for the 10th Legislative Assembly* seek to *construct a large new multicultural events venue at EPIC for cultural performances and be available for hire for large private functions, such as weddings*. EPSDD will co-ordinate the scope of the community centre with Venues Canberra to optimise the outcomes from the two projects.
- The release of the consultant tender to undertake the feasibility study and community engagement for the centre of the coming twelve months was dependent on the release of the Gungahlin District, Community and Recreational Facility Assessment, which has now been released.

Cleared as complete and accurate: 19/05/2022
Cleared for public release by: Executive Group Manager Ext: 77387
Contact Officer name: Rod Baxter Ext: 50477
Lead Directorate: Environment, Planning and Sustainable Development

Portfolio/s: Planning and Land Management**EAST LAKE URBAN RENEWAL****Talking points:**

- The ACT Government is progressing the planning for East Lake, in collaboration with key stakeholders and the community by:
 - working with key stakeholders on a Place Plan to establish the character and elements that will make East Lake a unique and valued place. The Place Plan will also identify a vision and design principles to guide future changes;
 - preparing updated economic, environmental, heritage, sustainability and transport technical assessments; and
 - facilitating statutory planning changes to shape the future of this precinct.
- Ngunnawal representatives, lessees, businesses, residents, workers and the wider community will have the opportunity to be involved in shaping these outcomes.
- The first stage of community engagement commenced on 18 July 2022 for the East Lake Place Plan, closing 31 August 2022. Contributions by community will inform the preparation of a place plan, which will guide future planning changes and shape urban renewal in East Lake.
- Engagement will involve events, workshops, on-site ‘walkshops’, door to door engagement, and online activities via the ACT Government’s YourSay website. All events are designed to be covid-safe and will be monitored in regard to current health advice that may impact the consultation program.
- In March 2022, the Environment, Planning and Sustainable Development Directorate (EPSDD) engaged SGS Economics and Planning to prepare a Community Needs and Demographic Assessment for East Lake and Canberra’s Inner South. This work will inform future planning for East Lake.
- In April 2022, EPSDD engaged an experienced multidisciplinary consultant team to deliver the Place Plan, updated technical assessments, and a planning report. This work is anticipated to be finalised by end of 2022/23 financial year.
- Site investigation work is also progressing on land areas within East Lake to meet the ACT Indicative Land Release Program (ILRP) target of 650 residential dwellings in 2025-26.
- Many Causeway residents have a strong sense of connection to the area, in some cases going back generations. When a decision is made about what the future development of East Lake looks like, dedicated tenant relocation officers will work with current public housing tenants to find suitable replacement properties, including for those who wish to stay in the area.

Cleared as complete and accurate: 20/07/2022
Cleared for public release by: Executive Branch Manager Ext: x58592
Contact Officer name: Ben Riches Ext: x71836
Lead Directorate: Environment, Planning and Sustainable Development

Key Information:

- East Lake is identified in the *ACT Planning Strategy 2018* for urban intensification.
- The 2021-22 ACT Budget provided \$2.1m for finalising the East Lake site investigations and planning. This builds on the previous site investigations and Development Approvals delivered under the 2019-20 Budget initiative (Scoping for East Lake urban renewal \$608,000).
- This initiative contributes to the wellbeing domains of Housing and Home, Environment and Climate, and Access and Connectivity; as well as a range of planning, housing, transport, living infrastructure, climate change action and sustainability policy objectives.
- EPSDD is keeping residents informed prior to any site investigation or community consultation activities. An update letter was sent to residents in February 2022 and July 2022.
- EPSDD met with the Kingston Barton Residents Group and the Inner South Community Council (ISCCC) in March 2022 and made a presentation to the ISCCC in July 2022 about the upcoming community engagement for the Place Plan.
- The East Lake urban renewal project is being coordinated with other key projects being delivered by ACT Government in 2022, including the ACT Planning System Review and Reform Project and Kingston Arts Precinct .
- Planning for East Lake will consider future interstate passenger rail requirements for Canberra Railway Station and opportunities for improving connections with ACT's transport network (coordinated with Australian Government and NSW Government infrastructure planning and programs), and integration with surrounding uses.

Background Information:

- The East Lake area is approximately 100 hectares covering parts of Kingston, Fyshwick and Griffith. It has been part of Canberra's planning since it was first identified as a site for residential intensification in the Spatial Plan (2004).
- The ACT Government has continued to identify East Lake in our planning policies since 2004, however the timing for finalising plans, infrastructure delivery and commencing land development has remained subject to government urban renewal, housing, land release and budget priorities.
- Undertaking planning and land development in significant urban renewal infill locations such as Kingston Foreshore or East Lake, requires a range of significant planning, engineering, environmental and infrastructure issues be addressed.
- The scale and complexity of existing conditions in East Lake presents additional challenges to manage major overhead electrical infrastructure relocation works, remediation of contaminated land from past industrial and landfill uses, protecting and conserving the ecological values of Jerrabomberra Wetlands and the interstate railway.

Cleared as complete and accurate: 20/07/2022
Cleared for public release by: Executive Branch Manager Ext: x58592
Contact Officer name: Ben Riches Ext: x71836
Lead Directorate: Environment, Planning and Sustainable Development

Portfolio: Housing and Suburban Development**GUNGAHLIN DEVELOPMENT UPDATE****Talking points:**

- The draft Indicative Land Release Program (ILRP) 2022-23 identifies releases in Jacka 2 (400 dwellings), and the Gungahlin Town Centre (GTC) (300 dwellings, commercial and community sites).

Jacka 2 – Land Release

- A revised Jacka 2 - Stage 1 Development Approval was received by the Agency in June 2022, with the Agency progressing construction activities and the release of dwellings sites in accordance with the ILRP.
- In line with the Territory Plan Amendment in June 2020 to remove the mandatory provision of a gas service to each new block in subdivisions, the Agency has progressed planning and design in Jacka 2 without the provision of a gas reticulation network.
- In striving towards a zero-emission suburb for Jacka, the Agency has completed a market sounding for the proposal to implement a Community-Scale Battery Project in Jacka. This is one of the initiatives identified in the Agency's Sustainability Strategy.

Gungahlin Town Centre – Land Release (Place making)

- The Agency has committed to further consultation with the Gungahlin Community Council and wider Gungahlin Community about how future sites in the GTC are brought to market.
- The Agency along with EPSDD are collaborating to establish a community panel to work with the Agency for engagement activities in the GTC. The Agency is looking for 100 people from all walks of life and cultural backgrounds with diverse views and experiences to join the Panel. The Panel will provide opportunities for the community to share their views about the future vision for the GTC by participating in activities like focus groups, workshops, surveys, and community panel meetings.
- Expressions of interest were sought from the community during June 2022 to join the Panel. Recruitment for the Panel was managed independently from Government by consultant firm Communication Link. 584 expressions of interest were received, of which 431 people were eligible to be considered for the Panel. Not eligible registrations consisted of people who completed more than one EOI or did not complete the questionnaire. Shortlisting of the Panel continues.
- The pending placemaking engagement will help inform the Agency about what is important and what inspires and attracts people to visit, live, and work in Gungahlin and help the Agency to create place-specific ambitions and objectives for the area.
- The Agency has met several times with members of the Gungahlin Community Council regarding concerns around the development outcomes in the Town Centre, with a request currently in with the Community Council to present at their August 2022 meeting.

Key Information

- The Agency is currently undertaking several projects in Gungahlin outlined below:

Cleared as complete and accurate:	22/07/2022	
Cleared for public release by:	Chief Executive Officer	Ext: 57346
Contact Officer name:	Andrew Griffith	Ext: 78724
Lead Directorate:	Suburban Land Agency	

Estate	Planning	Civil Works (major)	Landscape Works (major)	Community Development (Mingle)	Land Sales (ILRP)
Moncrieff 2,000 dwellings(dw)	Complete	Complete	Complete	Complete	Complete
Throsby 1,101 dw	Complete	Complete	Complete	Ongoing – concludes end of 2022 calendar year.	Complete
Gungahlin Town Centre	Complete / Revising place making opportunities	Complete	Pending – design commencing late 2022 CY	N/A	2022-23
Taylor 2,892dw	Complete	Complete	Complete	Ongoing	Complete
Jacka 2 (682dw)	Stage 1 DA approved June 2022	Commencing Q3 2022-23	Commencing Q3 2022-23	Commencing Q3 2022-23	2022-23
Kenny	Pending (awaiting EPSDD to complete works)	Pending	Pending	Pending	2024-25

Background Information

Moncrieff Group Centre and Taylor Local Centre

- These sites were released via a two staged tender (Expression of Interest(EOI)/Request For Tender (RFT)) in June 2021. Community engagement was undertaken in June and July 2021 and this has informed the preparation of the second stage RFT to be released in Q1 2022-23.

Jacka 2

- The Development Application for Jacka Stage 2 – Stage 1 has been assessed with Environment, Planning and Sustainable Development Directorate (EPSDD) issuing a Notice of Decision on 20 October 2021 to approve the development.
- In November 2021, the Agency was advised that an appeal against the approval has been lodged in the ACT Civil and Administrative Tribunal (ACAT). Following identification of a procedural error by EPSDD in determining the Development Application, with the agreement of all parties, on 22 March 2022 the Tribunal set aside the Decision under review and remit it back to EPSDD for reconsideration.
- A new Notice of Decision was issued in June 2022 and is subject to a review rights period and possible further ACAT proceedings.

Kenny

- The Agency is constrained on how much planning works can be undertaken as EPSDD is yet to complete hydrology and ecological studies to inform a Technical Amendment for a Concept Plan. Current timing from EPSDD indicates that the Concept Plan will be out for public consultation later in 2022.

Portfolio: Housing & Suburban Development

MOLONGLO DEVELOPMENT UPDATE (INCLUDING WHITLAM)

Talking points:

- The draft Indicative Land Release Program (ILRP) 2022-23 identifies releases in Whitlam (434 dwellings, and school site) and Coombs (community facility site)
- The Molonglo Valley is a major development front with an expected district population of around 60,000 residents when completed in approximately 25 years.
- Whitlam is the first suburb of Molonglo 3. Whitlam comprises approximately 2,300 single and medium-density dwellings, a school (to open in 2025), and a local commercial centre. 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.
- A community facility site in Coombs is for release in 2022-23, this will be the final community facility site in Coombs.

Key Information:

- The Agency is currently undertaking several projects in Molonglo outlined below

Estate	Planning	Civil Works (Major)	Landscape Works (Major)	Community Development (Mingle)	Land Sales (ILPR)
Wright	Complete	Complete	Nearing Completion	Complete	Complete
Coombs	Complete	Complete	Nearing Completion	complete	Complete
Denman Prospect	Underway (awaiting EPSDD to complete works)	N/A	N/A	N/A	Complete
Molonglo Commercial Centre	Pending (awaiting EPSDD to complete works)	Pending	Pending	N/A	2023-24
Whitlam	Underway	Underway	Underway	Underway	Underway
Molonglo 3 Suburb 2	Pending (awaiting EPSDD to complete works)	Pending	Pending	Pending	2025-26

Estate	Planning	Civil Works (Major)	Landscape Works (Major)	Community Development (Mingle)	Land Sales (ILPR)
North Weston	Commencing 2022-23	Pending	Pending	Pending	2025-26
Coombs Peninsula	Pending (awaiting advice from EPSDD)	Pending	Pending	Pending	Pending
Deep Creek	Underway	Pending	Pending	N/A	N/A
132Kv Electrical Relocation	Complete	Underway	Underway	N/A	N/A
Molonglo Valley Intercept Sewer	Underway	Underway	Underway	N/A	N/A

Molonglo Commercial Centre

- 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.
- 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 3,500 dwellings.
- The Centre will also be the Territory's first gas-free commercial and retail precinct in accordance with the current Parliamentary Agreement.

Coombs Peninsula

- 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 3 Suburb 2

- 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.
- EPSDD timeline to handover the project to the Agency is mid 2022-23.

River Corridor Interface

Cleared as complete and accurate: 22/07/2022
 Cleared for public release by: Chief Executive Officer Ext: 75346
 Contact Officer name: Simon Tennent Ext: 54096
 Lead Directorate: Suburban Land Agency

- In developing the suburbs of Coombs, Wright and Whitlam, 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 EPSDD, and Parks and Conservation, to minimise development impacts on the Molonglo River Reserve.

Wright and Coombs Village Precinct

- 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. Stage 1 is complete with Stage 2 scheduled for release in Q1 2022-23. Tenderers in Stage 2 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.

Whitlam Local Centre

- Whitlam Local Centre undertook extensive community engagement that informed design controls for the release. The site was released via a two-staged tender, with Stage 1 undertaken in June 2022. Stage 2 is scheduled for release in Q2 2022-23.

Background Information:

- As of April 2022, the population in the suburbs of Wright, Coombs, Denman Prospect and Whitlam is estimated to be around 10,000 residents. The population of Molonglo is expected to grow to around 30,000 over the next ten years as residents continue to move into the existing suburbs of Wright, Coombs, Denman Prospect, Whitlam and in the future suburbs in Molonglo 3

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. On completion, the new community will become home to up to 30,000 residents and will deliver 11,500 new dwellings across four suburbs in the ACT and NSW.
- The joint venture participants are 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 per cent for Riverview.
- The total area of land covered by the development proposal is over 1,600 hectares. Around 800 hectares are protected within the open space network, including approximately 600 hectares for the river corridor/conservation area.
- Ginninderry will provide a diverse range of housing typologies and lot sizes to suit a wide range of budgets, buyers, and lifestyles.

Key Information:

Construction

- **Strathnairn** – Complete – Stage 1 (356 blocks) and Stage 2 (814 blocks)
- **Macnamara** – Yet to Commence – Preferred civil contractor has been identified.

Recent initiatives of the project include:

- More than 1,000 residents have now moved into Strathnairn (400 completed dwellings).
- The Ginninderry Charity Housing project is progressing well and the dwelling will go to auction October 2022.
- Stormwater harvesting and irrigation project will be progressing to Government for decision in the second half of 2022.

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.
- The GJV released 126 single residential blocks on 19 February 2022. All have been sold.
- A Multi Unit site with 18 dwellings has been identified for the Women in Housing initiative.
- A final GJV land release has been completed as follows:

Cleared as complete and accurate: 22/07/2022
Cleared for public release by: Executive Group Manager Ext: 75533
Contact Officer name: Gareth Burdon Ext: 51494
Lead Directorate: Suburban Land Agency

- Builders Ballot – 10 May 2022; 31 dwellings
 - Public Ballot – 25 & 26 June 2022; 51 dwellings
 - Public auction – 19 May 2022 (marketing commenced and release achieved, actual auction was early July 2022); 35 dwellings
- Total number of releases for 2021-22FY is 208.

Background Information:

- Key Dates
 - West Belconnen Joint Venture Agreement was signed on 17 May 2016.
 - 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.
- 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;
 - a training and employment initiative, called SPARK, 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.
- 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.

Portfolio: Housing and Suburban Development

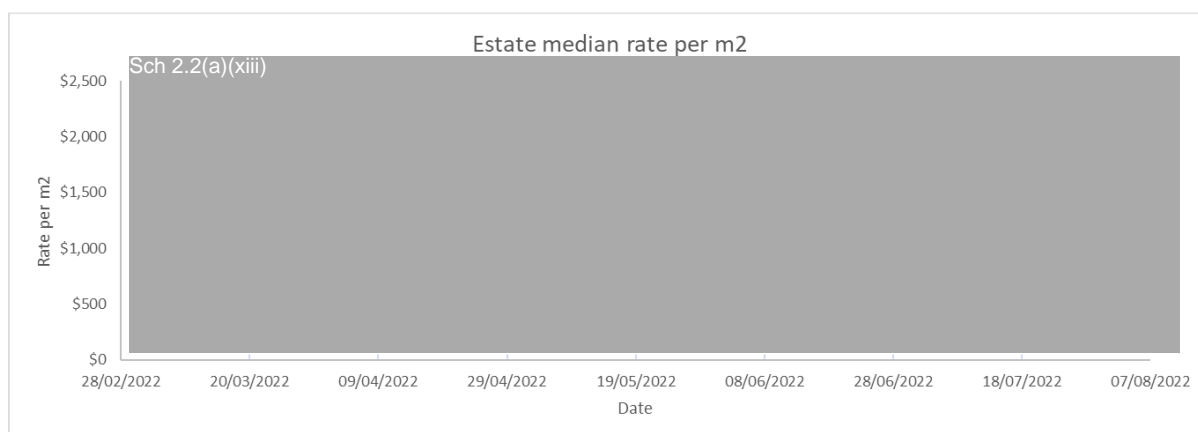
LAND PRICING – INDUSTRY COMPARISON

Talking points:

- The Suburban Land Agency (the Agency) does not have any single residential blocks available for purchase Over the Counter (OTC), including in Ginninderry. However, 28 blocks are available in Whitlam and Taylor and a further 74 in Macnamara through put and call arrangements with partner builders.
- There is a single block available OTC in Denman Prospect and four blocks in South Jerrabomberra. There are no blocks available OTC in the NSW estates of the Googong Township and Jumping Creek (Queanbeyan). Further out, Yarrah (Yass River) has six blocks available and 'Blakelys Run' (Goulburn) has nine blocks available OTC.
- Whitlam continues to represent a competitively priced offering in comparison to other like estates.

Key Information:

- The results from the most recent Whitlam Ballot in March 2022 show the Agency is pricing land at a very competitive price point and well below its most like for like competitor in Denman Prospect. Please see summary below.



Estate	Date	No. of Blocks	Median Price	Median Size	Median RPSM	Min Price	Max Price	Min Size	Max Size	Min RPSM	Max RPSM
Whitlam	Ballot March 2022	101	Sch 2.2(a)(xiii)	449m2	Sch 2.2(a)(xiii)			319m2	627m2	Sch 2.2(a)(xiii)	
Ginninderry	Ballot June 2022	51		525m2				420m2	693m2		
Ginninderry	Auction July 2022	35		600m2				450m2	1,083m2		
Denman Prospect	EOI May 2022	31		432m2				250m2	815m2		
Googong	Limited Release July 2022	30		450m2				337m2	1,067m2		
Jumping Creek	Auction June 2022	7		614m2				600m2	761m2		

Cleared as complete and accurate: 22/07/2022
 Cleared for public release by: Chief Executive Officer
 Contact Officer name: Kathy Torcasio
 Lead Directorate: Suburban Land Agency

Ext: 75346
 Ext: 59547

[Return to Index](#)

Whitlam

- All of the 101 blocks of land that were available by ballot sold at the Block Selection Sessions that took place between 7 March 2022 and 10 March 2022.

Estate	Date	No. of Blocks	Median Price	Median Size	Median RPSM	Min Price	Max Price	Min Size	Max Size	Min RPSM	Max RPSM
Whitlam	Ballot March 2022	101		449m ²				319m ²	627m ²		

Ginninderry

- All of the 51 blocks of land that were available by ballot sold at the Block Selection Sessions that took place on 27 June 2022. The 51 blocks were priced from [REDACTED] and ranged in size from 420m² to 693m².
- A total of 35 blocks were auctioned over five days in July 2022 – 2, 5, 7, 9, 12 and 14 July. All blocks sold at auction.

Estate	Date	No. of Blocks	Median Price	Median Size	Median RPSM	Min Price	Max Price	Min Size	Max Size	Min RPSM	Max RPSM
Ginninderry	Ballot June 2022	51		525m ²				420m ²	693m ²		
Ginninderry	Auction July 2022	35		600m ²				450m ²	1,083m ²		

Summary of Private Estate blocks

Denman Prospect

- Denman Prospect has a single block available OTC for \$1,399,000 (\$1,885/m²). This block was previously released as part of the "River Run" EOI release in May 2022. A release is scheduled for September 2022, with an expected settlement date of 2024.
- Denman Prospect advertised the "River Run" land release via an EOI, which concluded in 16 May 2022. The exchange of contracts will occur on 24 and 25 May 2022, and these blocks are expected to be settled in late 2024.
- Previously, Denman Prospect marketed an April release named 'River Run' exclusively for builders and developers. This release had five packaged lots, all of which are terraces. The terrace blocks varied in size from 131m² to 388m². The expression of interest closed on 13 April 2022. These blocks are expected to settle in late 2024.

Estate	Date	No. of Blocks	Median Price	Median Size	Median RPSM	Min Price	Max Price	Min Size	Max Size	Min RPSM	Max RPSM
Denman Prospect	EOI May 2022	31		432m ²				250m ²	815m ²		

South Jerrabomberra

- The most recent auction of vacant blocks of land, were of thirteen sites at South Jerrabomberra. This auction was held on Thursday 12 May 2022. These thirteen blocks ranged in site area from 600m² to 660m².
- None of these sites sold at the auction and were all passed in, . The four remaining are now listed as Freehold blocks in Estate 1 for sale by negotiation directly with Village Building Co, with settlement for stage 1E anticipated in June 2022 and stage 1D by September/October 2022.

Cleared as complete and accurate: 22/07/2022
 Cleared for public release by: Chief Executive Officer Ext: 75346
 Contact Officer name: Kathy Torcasio Ext: 59547
 Lead Directorate: Suburban Land Agency

[Return to Index](#)

Googong

- Currently, Googong has no land available but are noting they will have future releases, there is no date set for future releases.
- On 1 July 2022, Googong released 30 blocks as a limited release (subscribers only) via registration. Anticipated settlement is between November 2023 and May 2024.
- In March 2022, Googong marketed two medium density sites via tender. Block sizes are 2,231m² and 7,423m². Tenders closed 13 April 2022, no more information has been provided since then. These blocks are expected to be settled May 2023.

Estate	Date	No. of Blocks	Median Price	Median Size	Median RPSM	Min Price	Max Price	Min Size	Max Size	Min RPSM	Max RPSM
Googong	Limited Release July 2022	30		450m ²				337m ²	1,067m ²		

Jumping Creek

- Jumping Creek marketed “Kingsview, Lot 1217” a large single residential block (2,425m²) for sale via expression of interest (EOI). EOI closed 27 April 2022. The Block sold in May 2022 for \$2,400,000.
- On 15 June 2022, seven lots from their most recent land release were offered for sale through online auction on the Auction Now website. These lots were adjacent to the central park and ranged from 600m²-761m².

Estate	Date	No. of Blocks	Median Price	Median Size	Median RPSM	Min Price	Max Price	Min Size	Max Size	Min RPSM	Max RPSM
Jumping Creek	Auction June 2022	7		614m ²				600m ²	761m ²		

Hamilton Rise (Yass Valley)

- Stage 1 is sold out; there is currently no information on future releases.

Yarrah (Yass River)

- Six blocks are presently offered OTC with settlement anticipated between August and November 2023.

Blakelys Run (Goulburn)

- Nine blocks are available OTC with blocks varying in size from 701m² to 842m².

Portfolio: Housing and Suburban Development

AFFORDABLE, PUBLIC AND COMMUNITY HOUSING DELIVERY

Talking points:

- The Suburban Land Agency released land to meet the 2021-22 housing targets identified in the published Indicative Land Release Program and Notifiable Instrument (NI2021-776). As at 30 June 2022, the Suburban Land Agency released land for:

NI 2021-776	Target	Released to 30 June 2022
Affordable Housing	122	196
Public Housing	155	88
Community Housing	30	34

- Land for 102 dwellings in Gungahlin, Holt and Jacka was not released in the 2021-22 financial year due to broader planning issues.
- Any site with a target applied from 2021-22 or previous financial years, which has not been released, will continue to have the target applied in the future.

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 identified for Affordable Housing are also offered through the Ginninderry Joint Venture project under the Flexi-Living Series for eligible buyers.
- 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 2021-22 targets included multi-unit and englobo sites in Whitlam, Holt and Denman Prospect with requirements for 159 affordable, 34 community and 80 public housing dwellings. Re-releases in Lawson Stage 2 and Belconnen also occurred however have previously been counted in prior financial years.
- Releases also included Ginninderry's Flexi Living product, with 8 public housing and 37 affordable housing dwellings sold.

Background Information:

Cleared as complete and accurate: 22/07/2022
 Cleared for public release by: Chief Executive Officer Ext: 75346
 Contact Officer name: Teagan Valeri Ext: 72855
 Lead Directorate: Suburban Land Agency

- The Agency sets prices for the sale of sites based on independent market valuations. Affordable housing requirements are currently being applied to multi-unit sites.
- Since December 2019, more than 6,000 people have registered their interest in the Affordable Home Purchase Scheme.
- In 2021-22, more than 220 eligible affordable home buyers exchanged on homes through the Affordable Home Purchase Scheme.
- The Agency is currently investigating options for a shared equity scheme, which could potentially provide another affordable housing pathway.

Portfolio: Housing and Suburban Development

Woden Town Centre Land Release - Block 1 Section 7, Phillip

Talking points:

- The Woden Town Centre is undergoing extensive urban renewal with several key ACT Government projects in progress, including the Woden CIT, Callam Street Bus Interchange, and the future Light Rail.
- The renewal reflects the Woden Town Centre Master Plan completed in 2015 and subsequently imbedded in the Territory Plan through Phillip Precinct Map and Code.
- The Indicative Land Release Program identifies Block 1 Section 7 Phillip for redevelopment as a mixed-use precinct for release in the 2022-23 Financial Year.
- Place led community engagement is to begin in August 2022 for a period of five to six months that will deliver a Place Design Brief for the site that outlines community's connections and aspirations for the site, including expected urban design qualities.
- The Agency has met with the Woden Valley Community Council (WVCC) on a regular basis since February 2022. On 8 June 2022 the Agency presented the previously successful Belconnen Town Centre Place Design Brief as an example to identify the process, methodology, and scope for the Phillip Place Design Brief.
- SLA will also utilise current Woden Renewal YourSay engagement page to inform and coordinate activities with other Government Agencies delivering projects in Woden.
- Following on from the community engagement, the site will be released via a design-based Request for Tender (RFT), anticipated in Q3 of the 2022-23 Financial Year.

Key Information

- The sale of the site is identified in the Indicative Land Release Program (ILRP) for release in the 2022-23 Financial Year for 200 dwellings, and 14,000m² of Commercial Land Area.
- The site is currently used as a public carpark and the future development will be required to retain the same quantity of publicly available parking spaces.
- Part of the site is currently used by Transport Canberra and City Services (TCCS) as a temporary bus layover until the Callum Street upgrade is completed in 2025.

Background Information

- The Request for Tender will seek design and development proposals in response to the Place Design Brief.
- The Phillip Precinct Map and Code (2018) identifies new public open space along the length of Matilda Street for a width of 20m as part of the redevelopment of the site. The look and feel of this open space will be determined by the community through the Place Design Brief and will be a Development Obligation required to be undertaken by the successful tenderer and returned to the Territory.

Cleared as complete and accurate: 22/07/2022
Cleared for public release by: Chief Executive Officer Ext:
Contact Officer name: Drew Jamieson Ext: 73938
Lead Directorate: Environment, Planning and Sustainable Development

Portfolio: Housing and Suburban Development

SUBURBAN LAND AGENCY DELIVERY OF THE INDICATIVE LAND RELEASE PROGRAM

Talking points:

- Final results for the 2021-22 year are being finalised and will be made available in August.
- For the four years 2017-18 to 2020-21 the Indicative Land Release Program (ILRP) identified land releases totalling 14,663 dwellings. The Government, through its land agencies, delivered 14,503 dwellings – a variance of just 160 dwellings, or 1.0 per cent.
- It is important to acknowledge that the ILRP is ‘indicative’ by definition. It is the Government’s forecast of expected land releases in a financial year, and therefore refinement and adjustment of those release numbers may occur during the year.
- Annual land releases are complex processes. They can be impacted by a range of issues, including planning and environmental process outcomes, due diligence processes, community engagement and consultation processes, legal issues, and commercial/market influences.
- The ILRP is not the cause of house price increases. In fact, the annual ILRP represents less than 2 per cent of the ACT's total established housing.

Key Information:

- In the hearing of the House of Representatives inquiry into *‘Housing affordability and supply in Australia’* on 15 November 2021, a senior representative of the Reserve Bank of Australia, Dr Luci Ellis, advised:
 - "With lower interest rates, people could service a bigger mortgage with the same repayment. Some of this extra buying capacity financed an increase in the quality of the housing stock. But, because most of the housing stock was already in place, the main effect was to bid up housing prices; this was captured in land prices."
 - "...additions to the housing stock have run ahead of population growth for a number of years."
 - "There are no examples, internationally, of large falls in nominal housing prices that have occurred, other than through significant reduction in capacity to pay, such as a recession and high unemployment," and
 - "There's no example in Australia, or internationally, where supply expansion on its own [has] generated house pricing declines of a similar order of magnitude to the kinds of cycles in house prices that we've seen in recent years."
- CoreLogic data shows that house price increases over the last 18 months have been broad based, with every state and territory experiencing strong price growth, though there are now clear signs that growth rates are diverging across capital cities
 - The ACT has not been immune to this national housing trend.

Cleared as complete and accurate: 22/07/2022

Cleared for public release by: Chief Executive Officer

Ext: 57346

Contact Officer name: Rob Thorman

Ext: 53062

Lead Directorate:

Suburban Land Agency

[Return to Index](#)

- It has been widely reported that record low interest rates, improved economic conditions through much of 2020-21, pent up demand following the 2018-19 credit ‘tightening’, and easing of restrictions following the first COVID-19 phase in 2020, coupled with stimulus initiatives, has led to a nationally strong housing market.
 - Record-low interest rates (coupled with ready availability of credit) allowed people to borrow more. The official cash rate was at 0.1 percent since November 2020 though this period of historically low rates is believed to have come to an end. The Reserve Bank of Australia has increased the cash rate for three consecutive months commencing in May 2022, with the first increase being 25 basis points followed by two increases of 50 basis points. The cash rate now sits at 1.35% with further increases expected.
 - Also fuelling the housing market has been record household savings due to people working from home and re-focussing their priorities during the pandemic. It peaked at a 60-year high in the June 2020 quarter and has remained elevated as of the December 2021 quarter.
- The delivery of the annual land release program is a challenging and complex process. There are many elements that are not in the direct control of land delivery agencies, which can impact the timing and/or quantum of those land releases.
- The Suburban Land Agency (Agency) works within these constraints and challenges to deliver its annual land release program. Sometimes this may mean that the specific releases are delayed, or the yield from the release is adjusted. The Agency will do its best to bring forward other releases or identify opportunities to refine the mix of land offerings to offset those impacts.
- The private sector also releases land to the market, which is not part of the ILRP, and which the Government has little influence over, regarding timing or quantity.
- Unlike private sector land developers, the Government has taken the approach over the last four years of maintaining land supply despite the impacts of economic cycles and the COVID-19 pandemic.
 - When the private sector was reducing its inventories, and limiting new releases, the Agency continued to release new blocks to the market even if they did not sell at the time.
 - As a result, a significant inventory of land was available Over the Counter from the Agency at the beginning of 2020-21, which was taken up by customers as the pandemic conditions eased and market confidence returned.

Portfolio: Housing and Suburban Development

HOT TOPIC – RECENT SALES RESULTS

Talking points:

- In Q4 of 2021-22, the Suburban Land Agency (SLA) sold four commercial development sites for a combined total of almost Sch 2.2(a)(xiii).
- Together, these land sales delivered an additional 664 dwellings to the Canberra residential property market, in addition to 16,300m² of mixed-use land area and 2,751m² of commercial land area.
- A number of local media outlets, including the Canberra Times and RiotACT, reported on the marketing campaign launches and auction results for each of these land sales. The SLA is not aware of any other notable media coverage relating to these sales.

Key Information

- A breakdown of the SLA's commercial sales results for Q4 2021-22 is provided below (all results listed below are inclusive of GST):
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
- All four sites were sold through public online auctions, using the Realtair platform. Each of the sites sold above their reserve prices, achieving strong financial results for the Territory.

Background Information

- On 23 May 2022, the SLA launched its sales campaign for the re-release of Turner Section 57 Block 4, marketed as 'Turner Place'. This site allows for up to 477 multi-unit dwellings, as well as 16,300m² of mixed-use site area, catering for a range of ancillary commercial uses. The site was sold on 28 June 2022.
- On 31 May 2022, the SLA launched its sales campaign for the release of Holt Section 53 Block 5, marketed as 'Holt Central'. The site will support residential development of up to 30 dwellings, in addition to 2,751m² of commercial site area supporting a range of mandatory ground-floor commercial uses. The site was sold on 30 June 2022.
- On 2 June 2022, the SLA held a builders ballot for the partner Whitlam Display Village builders. A total of 33 single residential blocks were selected by builders.
- On 2 June 2022, the SLA launched its sales campaign for the release of two multi-unit development sites in the second stage of Lawson, Section 50 Block 1 and Section 51 Block 1. Together, these sites will support residential development of up to 57 and

Cleared as complete and accurate: 20/07/2022
Cleared for public release by: Choose an item. Ext:
Contact Officer name: Jason Netting Ext: 59547
Lead Directorate: Environment, Planning and Sustainable Development

[Return to Index](#)

157 dwellings respectively, in addition to ancillary commercial uses. The sites were sold on 27 June 2022.

Cleared as complete and accurate: 20/07/2022
Cleared for public release by: Choose an item.
Contact Officer name: Jason Netting
Lead Directorate: Environment, Planning and Sustainable Development

Ext:
Ext: 59547

[Return to Index](#)

Portfolio: Housing and Suburban Development

2022-23 ILRP Housing Targets

Talking points:

- Housing targets for public, community and affordable housing have been agreed for Government residential land releases across the Territory for 2022-23. Housing targets for 2022-23 were released as part of the Indicative Land Release Program (ILRP).
- These housing targets contribute to the provision of an equitable, diverse and sustainable supply of housing for the ACT community.
- For 2022-23, a housing target of 314 dedicated public, community, and affordable dwellings has been determined. This target is made up of:
 - 76 public housing dwellings;
 - 30 community housing dwellings; and
 - 208 affordable housing dwellings.
- The 2022-23 housing targets take into consideration sector need, delivery capacity, amenity, proximity to schools, transport and employment centres, public open space, and existing concentrations of affordable, community, and public housing in each suburb.
- The housing targets and locations are:

Suburb	Block	Section	Affordable housing dwellings	Public housing dwellings	Community housing dwellings	Total target numbers	Total residential dwellings from ILRP	% Target
Whitlam			29	31	0	60	434	14%
Gungahlin			35	0	10	45	300	15%
Holt	5	53	5	0	0	5	30	17%
Belconnen	4	185, 21, 22, 23	85	0	10	95	625	15%
Phillip	1	7	20	0	10	30	200	15%
Macnamara			15	25	0	40	250	16%
Jacka#			19	20	0	39	400	10%
Turner*	Part Block 2	57	0	0	0	0	270	0%
Watson*		76	0	0	0	0	200	0%
City*	Part Block 20	63	0	0	0	0	500	0%

Cleared as complete and accurate:
Cleared for public release by:
Contact Officer name:
Lead Directorate:

20/07/2022
Executive Branch Manager
Amy Kingham
Environment, Planning and Sustainable Development

Ext: 54877
Ext: 53

[Return to Index](#)

2022-23 TOTAL			208	76	30	314	3,209	
---------------	--	--	-----	----	----	-----	-------	--

Key Information

- Under section 65 of the *City Renewal Authority and Suburban Land Agency Act 2017* relevant Ministers are required to set affordable, community, and public housing targets for residential development in an urban renewal precinct, within an urban renewal area other than in an urban renewal precinct, and in new suburbs.
- Under the ACT Housing Strategy (2018), the government has committed to at least 15 percent of residential land releases in the ILRP being dedicated to affordable, community, and public housing.

Background Information

- The housing targets were developed by a cross-Directorate Reference Group, with representatives from the Environment, Planning and Sustainable Development Directorate; Community Services Directorate; Chief Minister, Treasury and Economic Development Directorate; Suburban Land Agency and City Renewal Authority.
- The 2022-23 target satisfies the required 15 percent of eligible residential sites planned for release in 2022-23, noting residential land to be released in Turner, Watson and City has been excluded from the target calculation as these suburbs already have an allocation of public, community, and affordable dwellings or have been identified for other housing projects. For the land release in Jacka, housing targets have been applied to 200 of the 400 dwellings scheduled for release, as the remaining 200 dwellings were rolled over from 2021-22 and already have housing targets applied

Portfolio: Housing and Suburban Development

HOUSING AFFORDABILITY

Talking points:

- Housing affordability is a problem that is not unique to Canberra, there is evidence of this issue across cities and regional areas around the country.
- A wide range of factors has resulted in rising property prices. These include, but are not limited to, Commonwealth tax policy, historically low interest rates, financial deregulation, investor sentiment, and increasing house sizes. The two key policies driving house price increases are the Commonwealth Government's position on capital gains tax (CGT) and negative gearing. The Federal Government's House of Representatives Standing Committee on Tax and Revenue released its report on Housing Affordability and Supply in Australia on 18 March 2022. The report acknowledged that there is no one answer to make housing more affordable.
- Improving housing affordability for all Canberrans has been an objective of the ACT Government for many years. As part of *10th Legislative Assembly Parliamentary and Governing Agreement* and as outlined in the ACT Housing Strategy, the Government has committed to improving social housing and increasing the supply of affordable housing.
- The ACT Government is making every effort to maintain a sustainable and affordable supply of residential land for new homes and home buyers.
- Increasing the supply of land available for new homes and increasing the total housing stock has been one of the effective ways to address housing supply and affordability for home buyers and renters.
- As part of the ACT Government's continued tax reform program of phasing out of stamp duty, and replacing with more efficient land based taxes, stamp duty has been abolished for off-the-plan apartment and townhouse owner-occupier purchases up to \$600,000, effective 1 April 2022.
- As part of the Indicative Land Release Program, the ACT Government delivers 15 percent of the annual residential program for public, community, and affordable homes to support the housing needs of low to moderate income Canberrans (referred to as the housing targets).
- The 2022-23 housing targets comprises land releases for 208 homes dedicated for affordable home purchase to eligible low-income households, 30 new community housing dwellings and 76 new public housing dwellings – providing a total of 314 dwelling releases.
- The ACT Government is committed to improving housing availability, diversity, and choice, and will deliver a pilot Build-to-Rent project as one mechanism to deliver affordable rental properties.

Cleared as complete and accurate: 19/07/2022
Cleared for public release by: Executive Group Manager Ext: 77387
Contact Officer name: Dinesh Kumar Ext: 70236
Lead Directorate: Environment, Planning and Sustainable Development

Key Information***Housing affordability***

- The ACT does well on many measures of housing affordability and continues to experience comparatively low levels of housing stress (generally defined as paying more than 30 percent of household income on rent or mortgage costs).
- This is due to Canberra's low unemployment and comparatively high income, though the overall prosperity of the ACT can conceal disadvantage at the individual level. The ACT's full-time adult average weekly ordinary time earnings was \$1,979, compared with the national average of \$1,748 in November 2021.¹
- The ACT's 170,000 households are divided into income quintiles and EPSDD analysis, updated in March 2022, shows that for an average household in the ACT (earning an average gross household income of \$144,939),² affordable rents start at \$836 per week and an affordable mortgage enables the purchase of a home at \$901,000.
 - This is above the median rent of \$690 a week for a 3-bedroom house and \$550 a week for 2-bedroom unit in Canberra in the June quarter 2022, but below the median dwelling price of \$937,268 recorded in June 2022.³
- At these levels there are homes available on the private market, suggesting that Government focus might be usefully focused on supporting households with incomes below \$100,000.

Housing Affordability remained stable in the March quarter 2022⁴:

- The ACT's *Home Loan Affordability Indicator* was unchanged in the March quarter 2022. The ACT remains the third most affordable jurisdiction in Australia, behind the Northern Territory and Western Australia.
- The ACT was the third most affordable jurisdiction to buy a home with 27.8 percent of family income required to meet home loan repayments.
- The affordability was unchanged due to a 1.1 percent increase in median weekly family income which fully offset the 1.0 per cent increase in average monthly loan repayment.

Rental affordability declined in the March quarter 2022⁵:

- Rental affordability declined further in the March quarter 2022. The ACT remains the fourth most affordable jurisdiction to rent a home, with 22.5 percent of family income required to meet rent payments.

¹ Source: ABS Full-Time Adult Average Weekly Ordinary Time Earnings publication, November 2021.

² Calculations are based on mean gross household income per week from the *ABS Income and Wealth Survey 2018-19*. The 2019-20 and 2020-21 weekly mean disposable income has been calculated by inflating the 2018-19 ABS data with financial year Wage Price Index (WPI). While income has not increased much, the prevailing record low mortgage interest rates have increased people's borrowing capacity.

³ Median rent is based on Domain data, June Quarter 2022 and median house price is from CoreLogic, June 2022. Note the median dwelling price includes prices for all dwellings (both houses and units).

⁴ Source: Real Estate Institute of Australia (REIA) Housing Affordability Report, March Quarter 2022.

⁵ Source: Real Estate Institute of Australia (REIA) Housing Affordability Report, March Quarter 2022 and REIA Market Facts Report, March Quarter 2022.

Cleared as complete and accurate: 19/07/2022
Cleared for public release by: Executive Group Manager Ext: 77387
Contact Officer name: Dinesh Kumar Ext: 70236
Lead Directorate: Environment, Planning and Sustainable Development

- The median weekly rent for a 3-bedroom house in Canberra was \$630, the highest weekly rent of all capital cities. The median weekly rent for a 2-bedroom unit was \$560, also the highest of all capital cities in the March quarter 2022.
- The high rent is due to Canberra recording a low rental vacancy rate of 0.5 percent in the March quarter 2022, the second lowest vacancy rate of all capital cities behind Adelaide (0.4 percent).

Domain Rental data:

- Domain data released on 13 July 2022 shows that Canberra's median rent in the June quarter 2022 for both houses and units were the highest of all capital cities at \$690 a week and \$550 a week, respectively.⁶
- Domain data also shows that rental vacancy rate remained low in Canberra, despite increasing by 0.1 percentage points to 0.8 percent in June 2022 and was 0.1 percentage points higher than its rate in June 2021.⁷

Median house price decreased in April 2022⁸:

- The ACT was the only jurisdiction to record stable house prices during the pandemic. This is attributable to Canberra's having better job security with employment in the public sector and higher median income compared to other jurisdictions. However, house prices have started to slow following recent interest rate hikes, surging inflation and low consumer confidence.
- In April 2022 the *median transaction house prices* decreased by 1.6 percent to \$1,033,000, while the *median transaction unit price* decreased by 0.8 percent to \$600,000.
- There was a 19.7 percent decrease in turnover of houses (468 sales) in April 2022. There were 562 sales recorded for units, a decrease of 27.7 percent in April 2022.
- Data from *CoreLogic* shows that median house prices rose slightly by 0.3 per cent to \$1,065,317 in June 2022 while the median unit prices also rose by 0.3 per cent to \$629,531. Both the median house and unit prices were 15.8 per cent and 18.3 per cent higher than its level a year ago, respectively.

First Home-buyer activity:

- There were 334 *owner occupier first home buyer* housing finance commitments and a further 20 *investor first home buyer commitments* in May 2022⁹, an 8.8 percent increase and a 35.5 per cent decrease, respectively, compared to the same period last year.

⁶ <https://www.domain.com.au/research/rental-report/>.

⁷ [Vacancy rates: June 2022 \(domain.com.au\)](#).

⁸ Source: Access Canberra Property settlements data, April 2022.

⁹ Source: ABS Lending Indicators, May 2022.

Cleared as complete and accurate: 19/07/2022
Cleared for public release by: Executive Group Manager Ext: 77387
Contact Officer name: Dinesh Kumar Ext: 70236
Lead Directorate: Environment, Planning and Sustainable Development

Background Information:

- On 8 January 2022, the Chair of the federal inquiry into housing affordability and supply in Australia, Mr Jason Falinski MP, was interviewed by the Sydney Morning Herald (SMH). Mr Falinski commented that **planning restrictions and developer levies** imposed by the state and local governments has emerged as a major factor in the current rise in prices for new homes.
- The ACT does not levy developer contributions. The **National Housing Finance and Investment Corporation (NHFIC) Report**¹⁰ referred to in the SMH article, does not include the ACT in its analysis. The NHFIC Report notes that *“the ACT does not levy developer contributions. Instead, the state funds infrastructure by charging 75 per cent of the market price for new property rights granted through rezoning. Developers can also be asked to provide infrastructure as a condition of the initial release of land under a Crown Lease, with the cost of that infrastructure offset against the amount paid to government for the lease”*.
- The NHFIC Report on *State of the Nation’s Housing, 2021-22* released on 25 February 2022 confirms the need for a national plan for renters, first home buyers and owner occupiers as Australians build new households in the wake of the COVID-19 pandemic. Overall, housing supply is expected to fall by around one third in just four years according to the Report. By 2032 Australia is expected to be 163,400 dwellings short of the expected demand.

Major Housing measures in 2022-23 Federal Budget

The 2022-23 Federal Budget included the following extension and new housing related measures:

- **Family Home Guarantee** - Extension of the Family Home Guarantee from 1 July 2022 to 30 June 2025. The Family Home Guarantee Scheme is specifically targeted at single parent families seeking to buy their first home or re-enter the housing market with a 2% deposit.
- **Home Guarantee Scheme** – Expansion of the Home Guarantee Scheme places to 35,000 per year commencing 1 July 2022, for first home buyers to purchase a new or existing home with a 5% deposit.
- A New **Regional Home Guarantee Scheme** of 10,000 places per year for both first and non-first home buyers and permanent residents to purchase or build a new home in regional Australia. The scheme will commence 1 October 2022 and conclude in 2025.
- The Government will also provide an additional \$2 billion of funding to the NHFIC Affordable Bond Aggregator, which guarantees loans for community housing providers to develop affordable housing.

¹⁰ Developer Contributions: How Should We Pay for New Local Infrastructure, August 2021.

Cleared as complete and accurate:	19/07/2022	
Cleared for public release by:	Executive Group Manager	Ext: 77387
Contact Officer name:	Dinesh Kumar	Ext: 70236
Lead Directorate:	Environment, Planning and Sustainable Development	

Portfolio: Housing and Suburban Development**ACT HOUSING STRATEGY****Talking points:**

- The ACT Housing Strategy (the strategy) was launched in October 2018 and establishes an overarching policy framework to guide decisions about policy, planning, and delivery of housing across the ACT over its ten-year lifespan.
- The strategy is structured around five goals with linked objectives and 74 priority actions. It is supported by a complementary Implementation Plan, which identifies timeframes for the delivery of actions and allocates delivery responsibility within government.
- While the strategy aims to improve access to safe, secure, and affordable housing for all Canberrans, it includes a particular focus on low to moderate income households and those most vulnerable to homelessness.
- Through the strategy, the ACT Government has introduced a range of reforms, programs, and funding initiatives, which span the full housing continuum. This comprises initiatives that provide affordable home purchase and affordable rental opportunities, strengthen social housing assistance, respond to homelessness, and increase equity in the housing market.
- The ACT Government reports annually on progress against the Implementation Plan. The first ACT Housing Strategy Report Card was released in November 2019. The report card showed strong progress in the strategy's first year of implementation, with 15 of 16 targeted actions identified for delivery in 2018-19 either progressed or completed. A further 39 actions identified for delivery as part of ongoing or annual commitments were either underway or completed.
- The ACT Housing Strategy Year 2 Report Card was released in February 2021. The report card showed steady progress against the strategy's 67 short-term, medium-term and ongoing actions with 14 completed, four in development, 33 progressing, and 16 continuing. There are now 14 completed actions; five were completed in 2018-19 and nine were completed in 2019-20. The strategy also includes seven annual actions, of which four were completed and three progressed since the release of the first report card.
- The ACT Housing Strategy Year 3 Report Card was released on 9 November 2021. The report card shows good progress across all goals and actions throughout the strategy's third year of implementation, with 21 actions complete, one in development, 32 progressing and 13 continuing. The strategy also includes seven annual actions, all of which were completed since the release of the Year 2 Report Card.

Key Information:

- The continued implementation of the strategy aligns with a range of commitments in the Parliamentary and Governing Agreement for the 10th Legislative Assembly.

Cleared as complete and accurate: 20/07/2022
Cleared for public release by: Executive Branch Manager Ext: 54877
Contact Officer name: Amy Kingham Ext: 53398
Lead Directorate: Environment, Planning and Sustainable Development

[Return to Index](#)

- The strategy is structured around the following five goals (which span the full housing assistance continuum):
 - providing an equitable, diverse and sustainable supply of housing for the ACT community;
 - reducing homelessness;
 - strengthening social housing assistance;
 - improving affordable rental options; and
 - increasing affordable home ownership.
- The strategy mandates a target of at least 15 percent of residential land in the Indicative Land Release Program (ILRP) to be released for affordable, community, and public housing.

Background Information:

- The strategy replaces the previous Affordable Housing Action Plan, which was in place from 2007 to 2018.
- The strategy has a deliberate focus on strengthening existing supports for low income households in income quintile one (Q1), earning up to \$55,000 per annum, and providing greater support for households in income quintile two (Q2), earning up to \$100,000 per annum. As a cohort, Q2 households are at greatest risk of housing stress, especially when reliant on the private rental market.

Update on key actions underway

Innovation Fund

- The second round of funding was announced on 21 November 2019, after an expression of interest process, with six successful applicants across four priority areas of innovation:
 - Summer Foundation Ltd to boost the supply of specialist disability accommodation (\$35,000);
 - Rights and Inclusion Australia to assist people with disability and families of people with disabilities identify suitable housing options in the ACT (\$90,000);
 - YWCA for YHomes, to deliver supportive housing for older women in Canberra (\$125,000);
 - CatholicCare Canberra and Goulburn to investigate the use of church land for the development of an affordable housing model and projects in the ACT (\$50,000);
 - Build.rent Pty Ltd to support its affordable rental housing model (\$125,000); and
 - Community Connections Incorporated (Homeshare ACT) to develop a home share model (\$220,000).
- The projects in round two of the Innovation Fund concluded in September 2021.

2022-23 Housing Targets

- Targets for public, community, and affordable, housing have been agreed for government land releases across the Territory for 2022-23. A target of 314 dwellings has been determined, consisting of 76 public housing dwellings, 30 community housing dwellings, and 208 affordable housing dwellings.

Affordable Community Housing Land Tax Exemption

- The land tax exemption for home owners who rent their properties at an affordable rate (defined as 75 percent or less of market rent) to eligible households, via a registered Community Housing Provider (CHP), came into effect in July 2019 under a pilot program.
- The program includes a cap of 250 properties that can access an exemption under the scheme, and there is no time limit.
- Of the three CHPs eligible to participate (CHC, the YWCA and Havelock Housing), two have done so, to date. Eligibility requires either registration as a licensed real estate agent, or exemption from this requirement under the Agents Act 2003.
- To date, CHC and the YWCA have been active participants. Havelock Housing has also expressed interest in participating but has not yet done so.
- CHC's participation in the scheme occurs through its real estate and property management arm, HomeGround Real Estate. The YWCA participates through its charitable property management service, Rentwell.
- As at July 2022, there are 112 properties participating in the scheme. 64 of these are managed by the YWCA and 48 are managed by CHC.

Community Housing Sector Engagement

- The following mechanisms are available to community housing providers (CHPs) to facilitate access to land for social and affordable housing:
 - Housing targets – allocation of 15 percent of the ILRP each year to community, public, and affordable, housing.
 - Community housing tenders – for example, sites in Scullin, Giralang, and other suburbs, in 2020.
 - Purchase of land from the Suburban Land Agency – for example, over the counter, auctions, and ballots.
 - Affordable Home Purchase Scheme – if the database of eligible applicants is exhausted, dwellings are then offered to CHPs at the affordable price thresholds.
 - Direct sale – CHPs can apply to the government for a direct sale of land at full market value. This involves submitting a business case and meeting legislated criteria.
 - Private sector – CHPs can purchase land and dwellings from the private sector.
- In addition to establishing a pipeline of land to grow the supply of community housing, the

Cleared as complete and accurate: 20/07/2022
Cleared for public release by: Executive Branch Manager Ext: 54877
Contact Officer name: Amy Kingham Ext: 53398
Lead Directorate: Environment, Planning and Sustainable Development

ACT Housing Strategy also includes a range of initiatives, policies and programs to support CHPs. These include:

- Development of community housing on underutilised community facility land.
- Affordable community housing land tax exemption scheme.
- Development of an Aboriginal and Torres Strait Island CHP.
- Establishment of the affordable rental real estate management model (run by Community Housing Canberra).
- Expansion of the land rent scheme to CHPs.
- Pilot a shared equity scheme in partnership with a CHP.
- Lease variation charge remission.
- A pilot Build-to-Rent project in Turner which is proposed to include 15 per cent affordable rental units.
- Review of valuations policy to ensure that any restrictions such as the provision of community housing is factored into land valuation.
- Affordable Housing Innovation Fund projects.

Portfolio: Housing and Suburban Development

BUILD-TO-RENT INITIATIVE

Talking points:

- The ACT Government is committed to Build-to-Rent as part of the housing options in the Territory and will release Block 3 Section 57 in Turner in 2022-23 as a site to pilot Build-to-Rent with an affordable rental component.
- By bringing Build-to-Rent to Canberra, the ACT Government is looking to:
 - increase the number of private rental properties in the ACT, particularly for the more affordable end of the rental market
 - grow the number of affordable rental options available at less than market rent, predominantly targeted at households in the second income quintile (as defined by the ACT Housing Strategy)
 - increase choice and housing diversity for renters, with homes that are specifically designed to meet renters' needs
 - offer opportunities for long-term tenure arrangements, tenants can establish themselves as part of a community and personalise their homes

Key Information

- 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.
- In November 2021, the Suburban Land Agency ran a market sounding process to understand appetite and interest in bringing Build-to-Rent to Canberra. More than twenty written submissions were received during the market sounding process, and a Listening Report outlining what we heard is available on the Agency's website.
- Block 3 Section 57 in Turner was considered a favourable site for Build-to-Rent during the market sounding, due to its size and proximity to the light rail and CBD.
- The ACT Budget included funding to release a site in Turner for a pilot Build-to-Rent project with affordable rental and to explore further land release opportunities to support Build-to-Rent projects in the ACT.
- Following the release of the Turner site in 2022-23, the Government will continue to explore the suitability of the release of additional sites to support more Build-to-Rent development in the ACT.
- The Government is also developing a process to invite and consider market and community housing proposals for Government assistance where the provider already has a site to deliver a Build-to-Rent development with an affordable rental component.

Cleared as complete and accurate: 22/07/2022

Cleared for public release by: Chief Executive Officer

Contact Officer name: Antonia Harmer

Lead Directorate:

Suburban Land Agency

Ext: 75346

Ext: 70249

[Return to Index](#)

- This initiative builds on recent Government actions in this area including the land tax exemption provided to landlords who rent their properties through a community housing provider at less than 75 per cent of market rent.

Background Information

- Build-to-Rent is identified in the ACT Housing Strategy as a mechanism which could be available to improve rental supply and affordability and to provide more housing alternatives with long-term security for tenants.
- The pilot Build-to-Rent project could contribute around 40 affordable rental dwellings to the 10th Parliamentary and Governing Agreement commitment for delivery of 600 additional affordable rental houses by 2025-26, subject to release and construction timeframes.
- 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 has assisted 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: Planning and Land Management

FIVE YEAR INDICATIVE LAND RELEASE PROGRAM – 2022-23 TO 2026-27

Talking points:

- The ACT Government’s Indicative Land Release Program (program) is a vital tool in implementing the desired growth and settlement patterns of our city and balancing the supply of land to meet the needs of our growing and changing city. Long standing principles guide the purpose, objective, and development of the ACT Government’s Indicative Land Release Program – these principles include to:
 - deliver housing diversity and affordable housing choice;
 - support the development of a sustainable and resilient city in the landscape by promoting the efficient use of land and being responsive to change;
 - contribute to the strategic planning for Canberra by building a compact and efficient city and supporting sustainable growth targeting 70% of new housing within the existing urban footprint;
 - balance a sustainable supply of land with forecast demand to maintain an inventory of land in the planning, development, and building pipeline;
 - support a sustainable and competitive land development and construction industry to create jobs for Canberrans and attract investment into Canberra; and
 - achieve satisfactory returns to the ACT Budget.
- The program is reviewed each year and may change year-to-year as the Government’s priorities adjust to better respond to the circumstances impacting the Canberra community.
- The ACT Government published a 5-year program for the years 2022-23 to 2026-27, alongside the 2022-23 ACT Budget.
- The residential land release program for the next five years targets the release of land for 16,417 homes to cater for demand for new housing.
 - In 2022-23, land is programmed for release to support 3,918 new homes.
- After a period of strong demand, Canberra’s housing market has started to soften, mainly as a result of recent interest rate hikes, surging inflation and low consumer confidence.
- While the ACT Planning Strategy 2018 aims to deliver 70% of new housing within Canberra’s existing urban footprint, it is recognised that maintaining a supply of homes in a variety of greenfield locations and price points contributes to making Canberra an attractive place to live. As a result, the land release program continues to set ambitious targets for delivery of detached dwellings.

Cleared as complete and accurate: 19/07/2022
Cleared for public release by: Deputy Director-General Ext:79495
Contact Officer name: Dinesh Kumar Ext:70236
Lead Directorate: Environment, Planning and Sustainable Development

[Return to Index](#)

- More broadly over the next five years, the land release program will also comprise:
 - 53,127m² of Mixed-use land;
 - 137,437m² of Commercial land;
 - 80,000m² of Industrial land; and
 - 294,379m² of community and non-urban land which will see the development of new schools and more local community facilities to our suburbs.

ILRP - 2022-23 Housing Targets

- The ACT Government is committed to improving housing availability, diversity, and choice, to a growing population in Canberra.
- The ACT Government has set a target of delivering 15% of the annual residential program for public, community, and affordable, homes to provide for the housing needs of all Canberrans.
- The 2022-23 housing target is comprised of:
 - 208 homes dedicated for affordable home purchase to eligible low-income households;
 - 30 new community housing dwellings; and
 - 76 new public housing dwellings.
- This total of 314 dwelling releases, represents 15.4% of the 2039 *eligible* residential releases in the program.
- For the purposes of calculating the target, some sites are excluded from the residential release total – such as where the site was previously released and already had a target applied; where the site was identified for another housing project; or where there were prior land releases in the suburb that already had targets applied.

ILRP - Build to Rent

- Through the program, the ACT Government will release residential development sites to build affordable rental properties under a build-to-rent model. This is an initiative of the ACT Government Housing Strategy.
- The build-to-rent housing model is aimed at improving the supply of private rental accommodation and increase the supply of secure long term affordable rental housing, with a focus on second income quintile households.
- The ACT Government has released a Build-to-Rent Prospectus along with the 2022-23 Budget setting out the opportunities for Build-to-Rent investment in Canberra.
- Block 3 Section 57 Turner has been identified for first build-to-rent pilot with the ACT Government continuing to work to identify additional land release opportunities to support future build-to-rent developments.

Cleared as complete and accurate: 19/07/2022
Cleared for public release by: Deputy Director-General Ext:79495
Contact Officer name: Dinesh Kumar Ext:70236
Lead Directorate: Environment, Planning and Sustainable Development

ILRP - Showcase Sustainable Building Innovation

- The ACT Government is committed to building a sustainable and resilient Canberra and is committed to actions to showcase building innovation.
- Through the program, the ACT Government will release development sites suitable to showcase sustainable building innovation, integrating living infrastructure, and sustainable building design, to make Canberra a resilient city with the landscape.

Key Information:

- The table below is a breakdown of the residential, mixed-use, commercial, industrial, and community and non-urban land release programs by year and dwelling type:

Table 1: 2022-23 to 2026-27 ILRP

	Single dwellings	Multi-unit dwellings	Total Residential dwellings	Mixed-use land (m ²)	Commercial land (m ²)	Industrial land (m ²)	Community land (m ²)
2022-23	799	3,119	3,918	35,945	88,237	0	120,995
2023-24	674	1,645	2,319	14,982	34,000	40,000	100,000
2024-25	550	1,570	2,120	2,200	15,200	40,000	0
2025-26	1,260	2,200	3,460	0	0	0	53,384
2026-27	1,460	3,140	4,600	0	0	0	20,000
Total	4,743	11,674	16,417	53,127	137,437	80,000	294,379

2022-23 Program

- The 2022-23 residential land release target is 3,918. An indicative dwelling mix for the 2022-23 residential program is shown in Table 2 below.

Table 2: 2022-23 Residential Program - Indicative dwelling mix

Total residential dwelling releases for 2022-23	3,918
Number (and %) of single dwelling blocks	799 (20%)
Number (and %) of multi-unit dwellings - apartments	3,119 (80%)
Number (and %) of dwellings in new suburban areas (greenfield)	1,084 (28%)
Number (and %) of dwellings in existing suburbs (infill)	2,834 (72%)

Portfolio: Water, Energy and Emissions Reduction

Zero Emissions Vehicle Strategy

Talking points:

- On 20 July 2022, the Government released the ACT's Zero Emissions Vehicles Strategy (the Strategy).
- The Strategy sets out a range of actions that will make owning a zero emissions vehicle a more affordable and accessible option for all Canberrans in the years to come.
- To help speed up the transition to zero emissions vehicles, the Strategy sets a zero emission vehicle sales target of 80 per cent -90 per cent by 2030 and actions to increase zero emissions vehicle uptake.
- The Strategy will support people to purchase zero emissions vehicles by accessing subsidies and no-interest loans, as well as continuing to expand our ambitious public charging infrastructure plan and new subsidies for private charging infrastructure.
- The electrification of our transport systems is crucial to helping us become a net zero emissions city by 2045. Transport currently makes up about 60 per cent of ACT emissions, with private vehicle use accounting for about 70 per cent of transport emissions.
- To reduce emissions and take action on climate change, it is important that all Canberrans have greater opportunity to choose sustainable transport options for every journey.
- The Strategy includes a policy intention to phase-out new light internal combustion engine vehicles from 2035.
 - As the world looks to decarbonise their economies, we have seen other countries, jurisdictions and vehicle manufacturers make similar commitments to support sustainable transport options and phase out the purchase of new petrol and diesel vehicles.
 - Signalling our intention in advance gives the ACT community time to prepare for the transition.

Key Information

- In July 2022 there are 2,069 zero emissions vehicles in the ACT. Total registrations are growing with 887 vehicles added to the fleet in the year since July 2021, but global supply constraints mean that growth is at a slower rate than has been seen in the recent past.
- The ACT Zero Emissions Vehicles Strategy sets a new and ambitious sales target of 80-90 per cent by 2030 and is supported by a suite of actions, which broadly include:
 - Expanding the ACT public charge network with 180 electric vehicle chargers by 2025

Cleared as complete and accurate: 22/07/2022

Cleared for public release by: Executive Group Manager Ext: 620 77533

Contact Officer name: Michael Sipols Ext: 620 54282

Lead Directorate: Environment, Planning and Sustainable Development

- commitments to explore the phase-out of new internal combustion engine vehicles by 2035
 - prohibition of new internal combustion engine vehicles onboarding into taxi and ride-share fleets by 2030
 - \$2,000 incentives for installation of electric vehicle charging infrastructure for apartment buildings
 - continued financial incentives for zero emissions vehicle purchase such as stamp duty waivers, 2 years free registration for new and used zero emissions vehicles, as well as zero interest loans of up to \$15,000
 - incentives to encourage the uptake of electric bikes, motorbikes and trikes
 - changes to the Territory Plan to make new builds electric vehicle ready and streamlining EV charging application processes for public land
 - continued national advocacy and engagement to expand the national electric vehicle charge network and improve vehicle emissions standards
 - continued action to ensure that 100 per cent of all newly leased Government vehicles are zero emissions vehicles where fit for purpose and explore opportunities to replace ACT Government heavy fleet vehicles with zero emissions vehicles
- The NRMA has invested in public electric vehicle charging infrastructure in regions surrounding the ACT such as Batemans Bay and Bega. Braidwood is one of the next planned sites. Evie Networks, Jolt and Ampol have also announced east coast charging network expansion that will provide links to the ACT as part of an integrated east coast.
 - The ACT Government is leading by example with one of the largest passenger zero emissions vehicle fleets in Australia. The Strategy continues the commitment to 100% of new passenger leases where a fit for purpose are zero emissions vehicles.
 - The ACT Government passenger fleet of 576 vehicles includes 209 zero emissions vehicles, totalling 36 per cent of the fleet. Of these, there are 92 battery electric vehicles (BEVs) totalling 16 per cent of the fleet; 97 plug-in hybrid vehicles (PHEVs) totalling 17 per cent of the fleet; and 20 Hyundai Nexso fuel cell electric vehicles (FCEVs) totalling 3 per cent of the fleet.

Background Information

- On 22 April 2021, the ACT Auditor General's performance report on ACT Government's vehicle emissions reduction activities was tabled in the Legislative Assembly. The Government accepted all recommendations and implementation is underway.

In December 2021 Government published its ZEV Public Charging Outlook, which provides the charging industry with information about future demand for public ZEV

chargers in the ACT. The Outlook will also inform the location of the 180 new public chargers.

Cleared as complete and accurate:	22/07/2022	
Cleared for public release by:	Executive Group Manager	Ext: 620 77533
Contact Officer name:	Michael Sipols	Ext: 620 54282
Lead Directorate:	Environment, Planning and Sustainable Development	

Portfolio: Water, Energy and Emissions Reduction

Gas Transition Next Steps

Talking points:

- Fossil fuel gas currently accounts for around 20 per cent of the ACT's greenhouse gas emissions.
- The ACT Government is committed to phasing out fossil fuel gas to help achieve our target of net zero emissions by 2045.
- In the *ACT Climate Change Strategy 2019-25*, the Government committed to develop a plan for achieving zero emissions from gas use by 2045, including setting timelines with appropriate transition periods for phasing out new and existing gas connections.
- The *Parliamentary and Governing Agreement* reaffirmed and extended these commitments to legislate to prevent new gas network connections in greenfield estates and urban infill sites.
- The ACT Government is developing an Integrated Energy Plan to set the foundations for a steady and manageable transition away from fossil fuel gas. This will establish our pathway to zero emissions from fossil fuel gas by 2045 at the latest.
- A carefully considered plan with input from the community will ensure we make it a fair transition for everyone and that we support our low income and vulnerable households and business to make this change.
- A Policy paper will be released and in the coming months there will also be consultation on options for a regulation to prevent new gas connections for some new developments. This will help avoid new developments being locked in to using gas in the future.
- While gas will continue to play an important role in the ACT energy mix for at least the next decade, it is important that consumers are not locking themselves into higher gas prices by purchasing new gas appliances today that could last for more than 15 years.
- Analysis published by the ACT Government in 2020 identified that efficient household appliances powered by renewable electricity were the most cost effective choice for most Canberra households. The community are encouraged to replace end of life gas appliances with electric alternatives.
- The Government continues to invest in technical, economic and consumer insights research and analysis to inform the development of its gas transition pathway.
- The ACT community should be proud that we are leading the nation on climate action. As we have seen across Australia, people want and expect government at all levels to take proactive action.

Key Information

- The Parliamentary and Governing Agreement for the 10th Legislative Assembly includes a number of measures to reduce emissions from natural gas, including:
 - Legislating to prevent new natural gas network connections to future greenfield residential developments in 2020-21 (Measure A1.vii)
 - Advancing all-electric developments with a view to no new natural gas network connections from 2023 (Measure A1.viii)
 - Ensuring all new ACT Government buildings and facilities are fossil-fuel-gas free. (Measure A1.x)
- In 2018, the ACT Government agreed to a request from the Ginninderry estate developers in West Belconnen to remove the requirement to install natural gas in support of plans for a range of low-carbon electricity measures for the development.
- A draft variation to the Territory Plan to implement this measure took interim effect from 17 January 2020 and was finalised on 28 August 2020.
- The Suburban Land Agency is delivering all-electric suburbs at new sites in accordance with its published Sustainability Strategy.
- The report *Household Energy Choice in the ACT* was prepared by ACIL Allen for the Environment Planning and Sustainable Development Directorate (EPSDD) and found that modern efficient electric appliances powered by renewable electricity presented a more cost effective choice for most Canberra households, particularly when paired with rooftop solar.

Portfolio: Water, Energy and Emissions Reduction

Electrification of Government gas assets

Talking points:

- The ACT Government is leading by example by transitioning away from fossil-fuel-gas in all its own assets by 2040.
- The ACT has some of the world's most ambitious emissions reduction goals, supported by its 100 per cent renewable electricity supply. The ACT Government will demonstrate the viability of a zero emissions city, with a program to electrify all its own fossil-fuel-gas assets.
- The 2022-23 ACT Budget provides \$1.4 million for design of a program to systematically replace fossil fuel gas in all Government operated buildings, including our schools, medical centres and office buildings.
- While this program is under development in 2022-23, \$2 million from the Zero Emissions Government Fund will enable Government agencies to replace some failed gas assets with electric versions.

Key Information

- This measure helps achieve Government's emissions target for its own operations of:
 - 33 per cent below 2020 levels by 2025; and
 - Zero emissions by 2040.
- This measure will not single-handedly ensure that these target are met. Additional emissions reductions from the Government transport fleet are also required.
- The whole of Government program plan will be developed to replace aging natural gas assets at end of life with an electric equivalent.

Background Information

- This proposal will allow Government to achieve Parliamentary and Governing Agreement (PaGA) commitment Appendix A(1)(ix) , *'Ensure all new ACT Government buildings and facilities are fossil-fuel gas free. All retrofitting in Government buildings and facilities will have a goal of net-zero emissions post retrofit.'*
- The 2022-23 ACT Budget also includes funding of \$6.9 million over the forward estimates to replace end-of-life gas assets at 255 Canberra Avenue and conduct thermal upgrades to the building.
- The Environment, Planning and Sustainable Development Directorate and ACT Property Group will work together to deliver on the PaGA commitment to *'Ensure all new ACT Government buildings and facilities are fossil-fuel-gas free, including new leases. All retrofitting in Government buildings and facilities will have a goal of net-zero emissions post retrofit.'*

Cleared as complete and accurate: 21/07/2022
Cleared for public release by: Executive Group Manager Ext: 62079780
Contact Officer name: Ros Malouf Ext: 620 75335
Lead Directorate: Environment, Planning and Sustainable Development

- ACT Property Group have developed guidelines to ensure that PAGA commitment can be implemented by Directorates. EPSDD will use its network of contacts across Government to promote these guidelines and support Directorates transition off gas.

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.
- Implementing Minimum Energy Efficiency Standards for Rental Properties was identified as a key priority in the *ACT Climate Change Strategy (2019-2025)* and was reaffirmed in the *2020 Parliamentary and Governing Agreement*.
- To support delivery of this action, a Regulatory Impact Statement (RIS) was undertaken which examined minimum standard options along with consideration of issues such as safety and potential consequences for rental prices and availability.
- The three main options considered were:
 - a minimum ceiling insulation standard; or
 - a minimum energy efficient heating standard; or
 - a ‘performance’ based standard, such as a minimum star rating, which gives rental providers a choice of upgrades to make.
- The preferred option in the RIS was for a ceiling insulation standard requiring rental homes with less than R2 insulation 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.
- The Regulation for a minimum standard for ceiling insulation is planned to come into effect before the end of the year and will have a phase-in period of several years. The requirement for rental properties to meet the standard is being staggered over this time to spread industry demand and allow rental providers adequate time to make the required changes.
- The Regulation seeks to target only the worst performing properties and it is estimated that over 60 per cent of rental properties are already compliant with the proposed standard. There will also be a range of exemptions where installation of insulation is not reasonably feasible.

Cleared as complete and accurate: 22/07/2022

Cleared for public release by:	Executive Group Manager	Ext: 620 77533
Contact Officer name:	Perry Wiles	Ext:620 76742
Lead Directorate:	Environment, Planning and Sustainable Development	

- Two rounds of community and key stakeholder engagement were undertaken:
 - The first round in April and May 2021 garnered views on the three different options being examined through a survey of renters and rental providers on the ACT YourSay website and workshops with key stakeholders, including industry organisations, rental provider groups and community advocates.
 - The second round of consultation was undertaken in November and December 2021 and focussed on the proposed standard and its implementation. This included a second survey and an invitation to make written submissions on the YourSay website, as well as a second round of consultation with key stakeholders.
 - These views have been considered and informed the detailed design of the regulation to enact the standard and associated measures.
 - “Listening Reports,” summarising the feedback received through the two consultation periods, are available on the ACT YourSay website.
- A communication campaign to explain the new regulation, including rental provider obligations under the regulation, will run in the lead up to its commencement and then through the phase-in period.
- Safety has been a key consideration in the design of the regulation and the safety measures have been included as part of the regulation, including:
 - Ceiling insulation installation will be required to be undertaken by trained installers certified through the Energy Efficiency Council’s (EEC) insulation installer certification program. An electrical safety inspection by a licenced electrician will be required prior to the installation of ceiling insulation and a certificate of electrical safety lodged with Access Canberra.
- The Government is aware that the introduction of the regulation will have financial impacts on rental providers and will be providing assistance in meeting these costs, as outlined below:
 - Support for rental providers will be available through the Sustainable Household Scheme (SHS) and the Home Energy Support Program (HESP).
 - Private rental providers who meet the eligibility criteria under the SHS will be able to access zero interest loans for insulation upgrades.
 - Under the HESP a full rebate for the cost of insulation upgrades will be provided to not-for-profit community housing providers and partial rebates of up to \$2,500 per dwelling for rental providers registered under the Community Land Tax Exemption Scheme
- Support will also be provided to renters through other measures to complement the regulation such as draughtproofing and home energy assessments available under the HESP and the Low-Income Home Energy Efficiency Program.

Cleared as complete and accurate: 22/07/2022

Cleared for public release by:	Executive Group Manager	Ext: 620 77533
Contact Officer name:	Perry Wiles	Ext: 620 76742
Lead Directorate:	Environment, Planning and Sustainable Development	

Key information:

- The 2016 Census identified that there were approximately 45,000 residential rental properties in the ACT. The RIS estimated that around 18,000 of these will need to have insulation installed or upgraded.
- 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 the standard.
- Permanent and temporary exemptions have been included in the regulation, for example the standard will not apply to lower floor units in apartment blocks, and dwellings where installation of insulation is physically unfeasible.
- The impact analysis in the RIS shows that a ceiling insulation 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.

Cleared as complete and accurate: 22/07/2022

Cleared for public release by: Executive Group Manager Ext: 620 77533
Contact Officer name: Perry Wiles Ext:620 76742
Lead Directorate: Environment, Planning and Sustainable Development

Portfolio: Water, Energy and Emissions Reduction

WATER QUALITY (BLUE GREEN ALGAE)

Talking points:

- The water quality of the ACT's lakes, ponds and waterways is vital to supporting the environmental, biodiversity, amenity and recreation values of these locations.
- Water quality is dependent on the condition of the catchments and levels of nutrient or other chemical pollution in those catchments.
- The government's work to improve the health of the ACT's urban waterways and lakes is ongoing and must occur as a partnership with the community, business and landowners both inside and outside of the ACT.
- In February 2021, the ACT Government announced an additional \$1.5 million to plan Stage 2 of ACT Healthy Waterways. Planning activities are underway and expected to be completed by March 2022.
- A further \$5 million was committed by the ACT Government in October 2021 to the Expanding Healthy Waterways initiative. This comprised \$1.6 million in capital works and \$3.4 million in expenses.
- The Healthy Waterways Program and review of water governance arrangements are key parts of its strategy.
- The quality of drinking water is managed by Icon Water to Australian standards.

Key Information:

Lake and Waterways Closures

- As of 11 July 2022, all sites are open for swimming (primary contact recreation). This includes sites at Lake Ginninderra, Lake Tuggeranong, Murrumbidgee River, Paddy's River and Lake Burley Griffin.
- Lake and river closure information can change rapidly. For up-to-date information on all waterways we have an online reporting tool:
https://www.cityservices.act.gov.au/news/water_quality_in_our_lakes_and_ponds
 - The Environmental Protection Authority monitors lake water quality for blue-green algae.
- For information on Lake Burley Griffin, visit [The Swim Guide](#), press Go to Map and zoom in to the lake. Also see the [NCA website](#) for this waterway.
- Blue-green algae outbreaks occur due to a combination of high temperatures, high nutrient levels and calm weather conditions. These conditions commonly occur in a number of lakes across the ACT; in particular, in Lake Tuggeranong during the warmer months.

- Blue-green algae blooms are naturally occurring, but urban run-off contributes excessive nutrients to the lake which increases the frequency and duration of algal blooms.
- Bacteria (Enterococci) levels are known to become elevated after rainfall due to run-off from stormwater pipes, grazing land and upstream water bodies. The ACT Health Protection Service conducts water testing for bacteria (Enterococci).

ACT Water Governance:

- The ACT Government committed through the Parliamentary Agreement to consider the best administrative arrangements to manage new water programs and provide a holistic and coordinated approach to water programs and policy.
- The Environment, Planning and Sustainable Development Directorate has conducted a review of current governance arrangements for water management in the ACT. The review provides the foundation for improvements to support the ACT Government's water and catchment management agenda.

Stormwater management:

- The ACT has over 6,000 km of stormwater pipes, as well as other stormwater infrastructure. Stormwater operations and maintenance have an important role in restricting flooding of public roads and private properties, protecting these and other assets from water damage. However, this can come at a cost of poorer water quality in receiving waters, which is the reason for stormwater improvement programs like Healthy Waterways.
- The Transport Canberra and City Services Directorate operates and maintains the stormwater network to assist in minimising the risk of blue-green algae blooms through activities such as cleaning gross pollutant traps, desilting sediment basins, unblocking and monitoring the stormwater network, and litter pickup around waterways.

Portfolio: Water, Energy and Emissions Reduction**HEALTHY WATERWAYS (BASIN PROJECT)****Talking points:**

- Four bioretention swales have been built to replace existing grass swales draining the Kambah Playing Fields, which have been detected leaking nutrients into stormwater. Three are being provisionally handed over to Transport, Canberra and City Services (TCCS), while a fourth awaits the clearing of a blocked drain downstream before it can be provisionally handed over. Final handover of civil, soft landscaping and water quality plant elements will occur following 6, 12 and 24 month defect liability/establishment periods, respectively.
- There have been delays in deploying the floating wetland in Yerrabi Pond due to supply chain issues and approvals. This is now expected to be deployed in September, subject to successful approvals.
- A Planning Phase report was delivered to EPSDD in April that includes designs, feasibility assessments and costings for 11 new water quality assets. Assets with innovative designs were selected to expand the 'water sensitive urban design' options available to decision-makers to tackle water quality problems in the ACT. The report also includes a Design Approach Report for 6 asset designs that are not covered or are only partially covered by the current Municipal Infrastructure Standards for stormwater works (MIS08). It therefore serves as a draft for a revised MIS08, which will expand the asset options available for use by urban water quality managers.
- The program of up to 11 new water quality assets is progressing through design acceptance (TCCS) and development approval (EPSDD), using funding from the \$14 million budget injection in April 2022. Assets that performed best (removed the most pollutant), among those explored within 5 subcatchments were;
 - A subsurface wetland in Belconnen Oval.
 - The naturalisation of three creeks/drains in Calwell, Richardson and Isabella Plains.
 - Three facilities to intercept, clean and re-use stormwater in Kambah (2) and Waniassa.
 - Two bioretention swales in Holt and Kambah. The Holt swale accesses stormwater in a new way using a solar pump. The Kambah swale is associated with a larger raingarden that is also being constructed.
 - Four small, 'pocket' raingardens are being placed in green space within Fadden.
 - Thirty-eight drain outlets, linking small drains to adjacent green space, to help renaturalise our urban catchments.
- The small size of some of these assets is to explore options that allow us to 'retrofit' assets within existing suburbs.
- The Leaf Collective social channels and website are being maintained to keep them current and active in advance of another summer campaign targeting household

Cleared as complete and accurate: 26/07/2022

Cleared for public release by: Executive Group Manager

Ext: 620 7862859027

Contact Officer name:

Ralph Ogden

Ext: 72207

Lead Directorate:

Environment, Planning and
Sustainable Development

management of leaf fall and grass clippings in yards and in bordering suburban streets. Griffith University is being procured to run the next Leaf Collective campaign, which marks the start of a rollout of the public education program across Canberra. This summer's campaign will be limited to two post codes — one in Tuggeranong and one in Gungahlin above Yerrabi pond — with rollout in a third postcode in the Sullivan's Creek catchment if funding allows. An evaluation report for last summer's Leaf Collective campaign found it doubled levels of awareness of messaging compared to the previous pilot. The Leaf Collective messaging resulted in 45 per cent of respondents changing their behaviors, compared with 25 per cent of respondents who had not received the messaging.

- A project restoring the rural/conservation catchment of the Naas/Gudgenby River has commenced. Procurements are underway to draft a catchment plan for the area and to undertake riparian restoration activities.
- Recruitment is underway for four additional staff to join the ACT Healthy Waterways team.
- The funding announced in April 2022 is also —
 - Enabling the Government to work internally and to engage externally with public and private landowners to reduce fertiliser use in catchments.
 - Extending the research in the Lake Tuggeranong catchment to track down the sources of water pollution so these can be addressed via infrastructure and programs like The Leaf Collective.
 - Helping the Government develop new modelling and reporting tools to better manage water quality.

Background:

- ACT Healthy Waterways aims to reduce sediment and nutrient pollution of ACT lakes and waterways, and the problems that the pollution causes like algal blooms.
 - 'Stage 1' of ACT Healthy Waterways, begun in 2014 as a \$94 million joint initiative of the Australian and ACT Governments. It was completed in June 2021. Stage 1:
 - Designed and built 19 large water quality assets—raingardens, ponds, wetlands and channel restorations—according to 'water sensitive urban design' (WSUD) principles.
 - Carried out a major riparian restoration.
 - Conducted a public education/behavioral change program, known as *H2OK: Keeping our Waterways Healthy*.
 - Performed research into pollution, blue-green algal blooms and control methods.

Portfolio: Water, Energy and Emissions Reduction

COMMUNITY ZERO EMISSIONS GRANTS PROGRAM

Talking points:

- The Government has committed \$600,000 over 4-years in the 2021-22 Budget to continue the Community Zero Emissions Grants Program.
- This funding will continue to support community-led projects that help the ACT reach its target of net zero emissions by 2045 and increase our community's resilience to the impacts of climate change.
- Round five of the program (first round of the new funding) opened on 1 February 2022 with \$150,000 of grant funding available. Applications closed on 25 March 2022.
- Grant applications up to \$50,000 available per single application and \$75,000 for joint applications.
- The program priority areas for round five were reducing greenhouse gas emissions from transport and natural gas use as well as supporting the community to prepare for and adapt to the impacts of climate change, including more extreme heat waves, bushfires, droughts and storms.
- Round five provided a total of \$155,800 in funding to support six successful applications.
- In 2017/18, the Government supported four rounds of grants totalling \$573,000. These projects were delivered over four years and provided a unique opportunity to deliver the emissions reduction message through a diverse range of grants including the Australian Dance Party performance videos and Canberra Environment Centres 'Recyclery' bike repair centre.

Key Information:

Previous funding under the Community Zero Emissions Grants Program

- The Government's 2021-22 Budget commitment builds on previous funding of \$550,000 over 4-years (2017-18 to 2020-21).
- This funding delivered projects and activities that aimed to:
 - develop and implement innovative solutions and generate new knowledge and information to support a community transition to net zero emissions by 2045;
 - assist the community to reduce greenhouse gas emissions in the ACT; and

Cleared as complete and accurate: 22/07/2022
Cleared for public release by: Executive Group Manager Ext: 620 79780
Contact Officer name: Ros Malouf Ext: 620 75335
Lead Directorate: Environment, Planning and Sustainable Development

- drive greater community awareness of and engagement in the transition to net zero emissions.
- Four rounds were delivered through the Government’s previous funding commitment, with a total of 23 funded applications.
 - Under each round, a maximum of \$25,000 (excluding GST) was available to eligible individual applicants and up to \$50,000 (excluding GST) for joint applications.

Background Information:

- In round one, 19 grant applications were received and assessed, with six applicants successful, sharing \$117,910 in grant funding.
- In round two, 16 grant applications were received and assessed; with seven applicants successful, sharing \$167,528 in grant funding.
- In round three, 20 grant applications were received and assessed; with seven applicants successful, sharing \$160,117 in grant funding.
- In round four, 16 grant applications were received and assessed; with five applicants successful, sharing \$127,424 in funding.

Portfolio: Water, Energy and Emissions Reduction**PUBLIC ELECTRIC VEHICLE CHARGING STATIONS****Talking points:**

- The electrification of transport systems is necessary to become a net zero emissions city by 2045. Transport is currently over 60 per cent of ACT emissions, with private vehicle use accounting for about 70 per cent of transport emissions. To reduce emissions and take action on climate change, it is important that all Canberrans have greater opportunity to choose sustainable transport options for every journey.
- In the 2020-21 ACT Budget, Government supported our commitment to reduce transport emissions with \$1.3 million of funding for the installation of at least 50 publicly accessible charging stations. Through a competitive process, this funding has been able to support more charging stations than expected.
- In August 2022 the ACT Government will announce the successful tenders for the roll-out of more than 70 public electric vehicle chargers across the ACT. This will substantially increase access to public charging for ACT residents and visitors, leading to reduced levels of range anxiety among ACT residents by the medium term.
- The charger infrastructure is anticipated to be available to Canberrans from late 2022 to 2023.

Key Information

- Range anxiety and charger availability is a barrier to purchasing an EV.
- New charging infrastructure in visible and convenient locations will address range anxiety concerns.
- The NRMA has invested in public EV charging infrastructure in regions surrounding the ACT such as Batemans Bay and Bega. Braidwood is one of the next planned sites. Evie Networks, Jolt and Ampol have also announced east coast charging network expansion that will provide links to the ACT as part of an integrated east coast.
- In December 2021, Government published the Electric Vehicle (EV) Public Charging Outlook which provides the charging industry with information about the ACT's demand for public charging now and to 2030. The outlook informed locations of the new charging stations, based on expected ZEV charging demand. This outlook also included engagement with business and Evoenergy on ACT electricity network impacts.
- The ACT's Zero Emissions Vehicle Strategy, which was launched in July 2022, will support the further expansion of public charging to meet the community's future needs as zero emissions vehicle adoption accelerates. This will expand the public charging network further to 180 chargers by 2025.

Cleared as complete and accurate: 22/07/2022
Cleared for public release by: Executive Group Manager Ext: 620 79780
Contact Officer name: Daniel Harding Ext: 620 77533
Lead Directorate: Environment, Planning and Sustainable Development

Background Information

- On 9 June 2021, ActewAGL announced that it would be installing 20 public chargers in the ACT by 2027 in partnership with Evie networks. These are separate and additional to the chargers supported by the ACT Government.
- In July 2022, the ACT has approximately 42 charging points that are accessible to the public, across 21 sites. A further 6 charging sites exist but these chargers are not accessible to the general public.
- The 2020 Parliamentary and Governing Agreement commits to build at least 50 electric vehicle recharging stations across Canberra and the region.

Portfolio: Water, Energy and Emissions Reduction

ELECTRICITY AND GAS PRICES

Talking points:

- The Independent Competition and Regulatory Commission's (ICRC) regulated retail electricity price decision for 2022-23 was a 1.25 per cent decrease in ActewAGL Retail's regulated retail electricity tariffs.
- This translates to an annual electricity bill decrease of \$23 for an average ACT residential household (\$0.44 per week). The annual impact for an average small business customer is \$88 (\$1.69 per week).
- A significant component of the price decrease is a reduction in the cost of the Territory's large-scale feed-in tariff scheme, which more than offset an increase in wholesale electricity costs.
- Wholesale electricity prices affect the costs of the Territory's large-scale feed-in tariff scheme, due to our 'contract for difference' arrangements. When wholesale prices increase the costs of the scheme reduce, and when wholesale prices decrease the cost of the scheme rises.
- The cost of the ACT Government's scheme, including the large-scale feed in tariff, have decreased by 20 per cent which contributed a 4.04 percentage point reduction to the price decrease.
- The ACT Government's approach to renewable electricity allows ACT consumers to benefit from electricity prices comparable with the rest of Australia, while making a real difference to greenhouse gas emissions.
- The price decision only applies to ActewAGL's regulated tariffs. Prices for other offers from ActewAGL and other electricity retailers are unregulated in the ACT. However, the regulated price on ActewAGL's standing offer effectively constrains the level of price increases to small customers across all retailers due to market competition, as consumers will move to cheaper offers.
- The ACT Government has supported the establishment of an Energy Consumer Advocacy Network, through the Energised Consumers Project, to ensure consumer impacts are considered in decisions such as the ICRC retail electricity price decision.

Gas prices

- ActewAGL increased gas prices in the ACT by around 5.5% from 1 July 2022.
 - This means typical ACT residential household using 30 GJ per year will see an increase of approximately \$73 per year (\$1.40 per week).

Key Information

- Unlike retail electricity prices, retail gas prices are not regulated in the ACT.
- Recent gas price increases have been driven by rising wholesale gas costs due to increased exports from the east coast of Australia, a lack of competition between

Cleared as complete and accurate: 22/07/2022
Cleared for public release by: Executive Group Manager Ext: 620 79780
Contact Officer name: Simon French Ext: 53729
Lead Directorate: Environment, Planning and Sustainable Development

suppliers and pipeline operators, and international market factors like the conflict in eastern Europe.

- The Energy National Cabinet Reform Committee has initiated reforms to ensure efficient prices for customers.

Background Information

- ACT energy consumers can receive free advice through the Sustainable Home Advice line. Call 1300 141 777 or email SustainableHomeAdviceProgram@act.gov.au.
- A range of rebates are also available for households and businesses to save on energy bills. Information is available at <https://www.climatechoices.act.gov.au>.
- Analysis by the Australian Energy Market Commission indicates households can save hundreds of dollars through switching to different pricing plans. So, shopping around for retailers and asking retailers for better deals is important.
- For those in particular need, a government Utilities Concession is available for \$750 per year.
- In 2021-22, the ACT Government provided Utilities Hardship funding for \$100 vouchers to eligible customers with participating retailers. This program has been extended to 2022-23.
- The ACT Government has also funded an energy literacy program to fund community groups to help citizens better navigate the complex web of energy pricing.

Portfolio: Water, Energy and Emissions Reduction**Community Club Upgrades****Talking points:**

- The Parliamentary and Governing Agreement (PaGA) includes a commitment to a five year, \$5 million Building Energy Efficiency Upgrade Fund, to be accessible to community clubs.
- The Community Clubs Program supports eligible ACT clubs to undertake energy efficiency upgrades, building envelope improvements and install rooftop solar and energy storage systems to reduce their energy use and bills. It will also support clubs with their transition from gas.
- Rebates of up to \$75,000 per eligible club are available for approved upgrades and installations. Clubs with a combined energy spend of under \$400,000 per annum will be required to invest \$1 for every \$1 of Government support, and clubs over with an energy spend above that will be required to invest \$3 for every \$1 of Government support.
- Clubs are given the opportunity to provide their plan to become an extreme weather refuge site as part of the program.
- Registrations for the program opened Friday 29 October 2021. As at 19 July 2022, 19 clubs have registered for the program, 18 clubs have received energy assessments and four clubs have been approved to begin their upgrades/installations.
- Continued consultation will ensure the program is fit for purpose, meets the needs of the community clubs and meets the Government's expectation of PaGA action.

Key Information

- This program was developed by the Environment, Planning and Sustainable Development Directorate in cooperation with the Justice and Community Safety (JACS) Directorate.
- This program is PaGA measure E.9.
- PaGA measure E.10 also includes commitment to financial payments for venues designated as official extreme weather and smoke refuges. This element is being developed by JACS.

Background Information

This program builds on the experience of the Actsmart Business Energy and Water program which currently provides energy efficient upgrades, solar advice and rebates to small businesses. It also complements the Energy Efficiency Improvement Scheme which requires electricity retailers to achieve energy savings in small-to-medium businesses and households.

Cleared as complete and accurate:	22/07/2022	
Cleared for public release by:	Executive Group Manager	Ext:620 79780
Contact Officer name:	Ros Malouf	Ext:620 75335
Lead Directorate:	Environment, Planning and Sustainable Development	

Portfolio: Water, Energy and Emissions Reduction**ENERGY EFFICIENCY IMPROVEMENT SCHEME**

Note: Figures provided in this QTB report on data from 2020/21. Data for the 2021/22 period is currently undergoing compliance verification

Talking points:

- In 2020-21, the Energy Efficiency Improvement Scheme (EEIS) delivered energy and bill savings for close to 2,700 ACT households that received energy efficiency upgrades under the Scheme.
- The EEIS requires electricity retailers to make energy savings in households and small-to-medium businesses. Electricity retailers achieve this by either undertaking eligible activities that deliver energy efficient appliance upgrades (e.g. installation of efficient heating, insulation, lighting etc.), or by making a financial contribution to the scheme.
- The financial contributions from retailers help fund the administration of the scheme as well as other ACT Government initiatives to reduce energy use, increase energy efficiency and save money.
- An Energy Savings Target (EST) is set for each compliance year. Retailers must meet this target, which is a percentage of their total electricity sales in the ACT. The target for the 2022 compliance period is 12.5%, and will increase to 14.6 per cent for 2023.
 - This increase reflects ongoing adjustments as a result of the transition of the Scheme from a greenhouse gas emissions to an energy savings metric since the ACT achieved its 100 per cent renewable electricity commitment.
 - The increase in the Energy Savings Target maintains the intended ambition of the Scheme and keeps the pass through cost to consumers below \$4/mega-watt hour (MWh).
- The Priority Household Target (PHT) is set at 40 per cent for the 2022 compliance period and will be maintained for 2023. Activities delivered under the EEIS, in conjunction with complementary programs, will help expand opportunities for low-income priority households in the Territory to take up energy efficient technologies and reduce their energy use and costs.

Key Information

- From the Scheme's commencement in 2013 up to 30 June 2021:
 - Around 78,500 households and businesses have benefited from the Scheme.
 - Around 20,400 priority households, including rental properties, have experienced lifetime bill savings of over \$100 million.
 - Around 4,300 small and medium-sized businesses have received commercial LED lighting upgrades worth over \$200 million in lifetime energy bill savings. Average lifetime energy bill savings for businesses is approximately \$50,000. This equates to just under \$100 per week in bill savings.

Cleared as complete and accurate: 22/07/2022

Cleared for public release by: Executive Group Manager Ext: 620 79780

Contact Officer name: Ros Malouf Ext: 620 75335

Lead Directorate: Environment, Planning and Sustainable Development

- More than 40% of ACT households have participated in the Scheme.
- The EEIS adds approximately 40c per week to ACT household electricity bills (for an average household that uses 6,370kWh¹) in pass-through costs (*note: pass-through costs are calculated on standing offer contracts*).

Background Information

- The EEIS was established under the *Energy Efficiency (Cost of Living) Improvement Act 2012*. The scheme aims to encourage the efficient use of energy; reduce greenhouse gas emissions associated with energy use; reduce energy costs; and assist priority households to reduce energy use and associated costs.
- The EEIS is legislated to 2030 and is a key mechanism for delivering on the *ACT Climate Change Strategy 2019-2025*.

¹ Representative household consumption as defined by the AER's annual retailer markets report 2020-21 Jurisdictional snapshot. Anticipated cost of schemes as provided by ICRC Retail Electricity Price Recalibration 2021-22: standing offer prices for the supply of electricity to small customers. Report 11 of 2021, June 2021.

Cleared as complete and accurate: 22/07/2022

Cleared for public release by: Executive Group Manager Ext: 620 79780

Contact Officer name: Ros Malouf Ext: 620 75335

Lead Directorate: Environment, Planning and Sustainable Development

Portfolio: Environment

MULTIPLE THREATENED SPECIES ON LAWSON GRASSLANDS

Talking points:

- Lawson North contains habitat for threatened species such as the Golden Sun Moth, Striped Legless Lizard, Perunga Grasshopper and Key's Matchstick Grasshopper. Scarlet Robins, White-winged Trillers and Gang-Gang Cockatoos nest and forage in the mature trees present.
- The site is known to have conservation values including Natural Temperate Grassland and Box Gum Woodland threatened ecological communities.
- There is also a known population of Ginninderra Peppercress (an endangered plant under the *Nature Conservation Act 2014* and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)) occurring adjacent to the proposed development area.
- ACT Government Conservation Officers undertook a site visit on 30 June 2020 to discuss the proposed development in Lawson with Defence housing Australia (DHA).
- Future development within parts of Lawson North will be subject to environmental approval by the Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) under the EPBC Act and planning approval by the National Capital Authority (NCA).

Key Information

- The project timeline on the website (www.dha.gov.au/development/residential/lawson-act) states that planning applications will be sent to DCCEEW and the NCA in January 2022, however these have not been recorded on the DCCEEW EPBC Public Referrals database.
- The land is likely to remain National Land as the website states that applications will be lodged with DCCEEW and the NCA.
- The referral to DCCEEW will be sent to EPSDD for comment, however, a bilateral agreement would not be available as it is National Land. As such, the NCA is the decision maker on all aspects of the proposed development. The ACT Government has no specific approval role.
- The Development Control Plan for the site requires that a concept plan be prepared and approved. A range of matters are required to be addressed in the concept plan including traffic, vehicle access, road network, access to Lawson south and active travel. The concept plan will be subject to public notification and consultation. This will include consultation with the ACT Government.
- Following approval of the concept plan by the NCA, a works approval (development) application will be lodged with the NCA for assessment and determination. Further public notification will occur at this stage.

Cleared as complete and accurate: 26/07/2022
Cleared for public release by: Executive Group Manager Ext: 78628
Contact Officer name: Eliza Larson Ext: 77009
Lead Directorate: Environment, Planning and Sustainable Development

Background Information

- Lawson North is declared National Land and is administered by the NCA on behalf of the Commonwealth Government.
- The proposal is for DHA to cater for an approximately 416 dwelling estate, north of the existing Lawson estate.

Portfolio: Heritage

Swinger Hill Cluster Housing – Heritage Guidelines

Talking points:

- The ‘Swinger Hill Cluster Housing’ (the Precinct) is registered on the ACT Heritage Register, and its significant features are protected by the *Heritage Act 2004* (Heritage Act).
- Heritage guidelines have been made by the ACT Heritage Council (the Council), to set out conservation requirements and to guide works within the Precinct.
- Where works contravene heritage guidelines, and diminish heritage values, the Council may require rectification works be undertaken.
- Due to *Information Privacy Act 2014* provisions, no comment can be publicly made on potential heritage offences within the Precinct and Council advice on those matters.

Background

- In November 2021, ACT Heritage received several complaints about the demolition of fixed infrastructure wall within the complex.
- This infrastructure has since been reconstruction and no further action is required.

ACT Heritage Work Pressures

Talking points:

- There has been a significant and sustained increase in demand for ACT Heritage Council (the Council) advice and approvals in recent years.
- Council advice increased 122 per cent between 2014 and 2021, as a result of growing demand for advice on urban infill projects, greenfield development, and residential works.
- Industry and the community are experiencing ongoing project delays as a result of extended Council advice timeframes.
- The Government is implementing a range of measures to address this additional workload.

Key Information

- The Council has a key role in development and planning in the ACT as:
 - It is the statutory authority and decision maker for a range of Heritage Act applications, including Conservation Management Plans, Statement of Heritage Effects and Excavation Permits.
 - It is a mandatory referral entity for other decision makers where works relate to heritage, such as the ACT planning and land authority and the Conservator of Flora and Fauna.
 - Its endorsement is required to undertake exempt development at heritage places, including at residential heritage blocks.
- Requests for Council advice have increased steadily since 2014:

	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
Total Council advice	436	517	601	621	663	904	970	741
Pending advice								263 (1004)

- Increased demand has impacted the ability of the Council to provide advice on development applications. Only 64 per cent of advice issued within the statutory referral period, well below the 90 per cent target.
- Private owners are disproportionately impacted by advice delays, as most private submissions do not have statutory timeframes. Many owners are now waiting over 60

Cleared as complete and accurate: 26/07/2022
 Cleared for public release by: Executive Group Manager Ext: 78628
 Contact Officer name: Edwina Jans Ext: 59237
 Lead Directorate: Environment, Planning and Sustainable Development

working days (three months) for advice, and some are waiting 80 to 120 working days (four to six months) for advice.

- While response timeframes are impacted, measures have been adopted to minimise risk to heritage. For example:
 - Advice is prioritised where there are public safety risks, or where heritage buildings and places may be damaged by delayed advice.
 - Advice is prioritised on development applications that propose works that may damage or diminish heritage values.

Background Information

- ACT Heritage within EPSDD provide administrative and operational support to the Council, and also undertakes some Council functions under delegation.
- The ACT Heritage Approvals and Advice team support delivery of Council advice. The team consists of four permanent FTE (one SOGC Manager and three ASO6 Conservation Officers), which have been supported by a number of temporary contracts.
 - One additional permanent ASO6 position was created in 2022, and is currently being advertised.
 - Three additional temporary positions will support the team in the 2022-23 financial year, being two SOGC and one ASO6 positions.
- ACT Heritage has implemented a range of actions to improve its efficiency and expedite heritage advice, including expansion of Council delegates and internal process changes. These improvements resulted in a 36 per cent increase in heritage advice in the 2019-20 year alone, without additional staff resources.
- Current staffing levels are unable to meet the increasing demand for heritage advice and approvals in a timely manner; and additional permanent positions within the team are required.

Portfolio: Heritage

DOMA Group development at Mount Ainslie

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.

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.
 - 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):

Cleared as complete and accurate: 26/07/2022
Cleared for public release by: Executive Group Manager Ext: 78628
Contact Officer name: Daisy Chaston Ext: 77379
Lead Directorate: Environment, Planning and Sustainable Development

- 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 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.
- Environment, Planning and Sustainable Development Directorate is considering whether the area could be incorporated into the reserve estate. The area in question contains several ecological values which should be maintained and protected,

Cleared as complete and accurate: 26/07/2022
Cleared for public release by: Executive Group Manager Ext: 78628
Contact Officer name: Daisy Chaston Ext: 77379
Lead Directorate: Environment, Planning and Sustainable Development

including remnant patches of Natural Temperate Grasslands, a small area of Box Gum Woodland, and habitat for multiple threatened species.

- There are also notable challenges associated with the potential management of this area as nature reserve, particularly as the site is not completely contiguous with Mt Ainslie Nature Reserve, is small in size, and is surrounded by urban development. Inclusion into Canberra Nature Park would afford the area additional protection measures, so these benefits and challenges will be carefully considered in the coming months.
- If it is determined that the area should be incorporated into the reserve estate, a Territory Plan Variation would be required.

Portfolio: Heritage

COUNCIL MEMBERSHIP

Talking points:

- On 22 February 2021, I notified the appointment of a new Chairperson, Deputy Chairperson and five members of the ACT Heritage Council for a three-year term commencing 2 March 2021.
- The Council membership is follows:
 - Dr Ken Heffernan – Chairperson (expert in the discipline of archaeology);
 - Mrs Alison Archer – Deputy Chair (representative of the community);
 - Dr Laura Dawes – Member (expert in the discipline of history, other than Aboriginal);
 - Prof Roz Hansen, AM – Member (expert in the discipline of town planning);
 - Dr Doug Hassall – Member (expert in the disciplines of history, other than Aboriginal, and town planning);
 - Prof Nick Brown – Member (expert in the discipline of urban design);
 - Ms Sarah Jane Brazil – Member (expert in the discipline of architecture);
 - Dr Caroline Hughes – Member (representative of the Aboriginal community); and
 - Ms Gay Williamson – Member (representative of the property ownership, management and development sector).
- On 10 May 2022, Dr Laura Dawes, Deputy Chairperson wrote to me resigning as Deputy Chairperson but expressing her interest to remain on the Council as a member.
 - Following an expression of interest process from existing Council members, I have appointed Mrs Alison Archer as Deputy Chair, effective 20 July 2022.
 - All appointments are made in line with the Governance Principles Appointments, Boards and Committees in the ACT.

Key Information:

- The Council is an independent, statutory body established under the *Heritage Act 2004*. The Council's role includes, among other functions, identification and assessment of nominations to the ACT Heritage Register, providing advice on appropriate conservation of cultural, natural and Aboriginal heritage places and objects in the ACT and encouraging public interest in, and awareness of the ACT's heritage. The positions of Chairperson and Deputy Chairperson have a key role in Council's decision-making and delegation functions and in appearing as expert witness in ACT Civil and Administrative Tribunal cases relating to the Council's decisions on heritage matters. Additionally, the positions act as the spokesperson for the Council in media, public forums, and stakeholder meetings.

Background Information:

- In addition to two permanent ex-officio members - the Chief Planning Executive and the Conservator of Flora and Fauna - a maximum of nine members are appointed to the Council by the Minister.
- Expressions of interest for membership were invited on 17 July 2020 from persons in the ACT Region with experience in the following areas of expertise; Aboriginal culture; Aboriginal history; archaeology; architecture; engineering; history; landscape architecture; nature conservation; object conservation; town planning; or urban design.
- Two membership positions are due to expire in June 2023 and the appointment process is due to commence shortly:
 - Professor Roslynne Hansen AM (Expert in Town Planning); and
 - Dr Douglas Hassall (Expert in history, other than Aboriginal history, and town planning).
- Appointment to Council is for a three year period.

Portfolio: Sustainable Building and Construction

Mr Fluffy Legacy - Place of Reflection

Talking points:

- Actioning recommendation 5.1 of the Mr Fluffy [Legacy Project Report](#), Government has agreed to establish a forest shelter at the National Arboretum, for a one off cost of \$165,000, as a Place of Reflection to acknowledge the impact of 'Mr Fluffy' loose fill asbestos insulation in the ACT.
- A place of reflection is seen as part of the healing process for thousands of Canberrans across the ACT, who owned, lived or worked in a Mr Fluffy home, or whose streets and neighbourhoods were forever changed by this dangerous substance.
- The recommendation to establish a forest shelter at the National Arboretum was made to Government in 2021 by the Mr Fluffy Community and Expert Reference Group, an advisory body to the now closed Asbestos Response Taskforce.
- The Loose Fill Asbestos Coordination team will undertake community engagement to seek community input into the educational themes to be shared through the site.

Key Information

- In 2019, Mr Fluffy Community and Expert Reference Group (CERG) undertook a consultation process, including with former and current Mr Fluffy homeowners, on opportunities to acknowledge the significant impact of 'Mr Fluffy' loose fill asbestos insulation in the ACT.
- The Government response in May 2020 agreed, in principle, to consider the establishment of a place of reflection, if it is assessed that a public place could be developed sensitively and consistent with the following principles:
 - there is a general consensus among the impacted community of homeowners and residents that an identified place of reflection would be sympathetic to their collective experience;
 - the impacted community of homeowners and residents are engaged and there is agreement regarding practical matters including a site location and design; and
 - the public site will support broad community use as well as an understanding and appreciation of the impact loose fill asbestos insulation has had on the community.
- In alignment with the initial recommendation of the [Legacy Project Report](#) the forest shelter at the National Arboretum has been recommended by CERG as it:
 - is a central Canberra location which was revitalised and arose following the 2003 Canberra Bushfires, offering calming, natural and picturesque views across our city;

Cleared as complete and accurate: 25/07/2022
Cleared for public release by: Choose an item. Ext:
Contact Officer name: Rebecca Butchart Ext: 75804
Lead Directorate: Environment, Planning and Sustainable Development

- is a site that mitigates equity and access issues that might arise with selecting other sites in specific suburbs;
 - incorporates a garden feature unique to Canberrans; and
 - provides both reflective and educational opportunities for not only the Canberra community, but also interstate and international visitors to the site.
- In accordance with Governments response to recommendation 5.1 of the [Legacy Project Report](#) final community engagement is now required to confirm there is community input into the educational themes to be shared through the site.
 - Community engagement via the YourSay platform is anticipated to commence September 2022 for a six week period.

Background Information

- The cost of the forest shelter is offset from capital savings identified in the Loose Fill Asbestos Eradication Scheme in 2021-22.
- The ACT Government Response to the [Legacy Project Report](#) was tabled in the Assembly May 2020. CERG has continued to progress Legacy Project work with Government since the Response to the Legacy Project Report was tabled.

Portfolio: Sustainable Building and Construction

Property Developer Regulation

Talking points:

- The ACT Government remains committed to introducing greater accountability measures 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 greater accountability measures 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 for improving the accountability of developers and providing consumers with greater information about developments and the developers behind them.
- Further development of the scheme will involve engagement with stakeholders in industry and the community. Through a range of forums the ACT Government has already received feedback about this issue and suggestions for matters to be addressed.

Key information:

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 and address the actual issue.
- EPSDD has identified a range of possible options 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.
- Stakeholder engagement will be required to inform the development of any regulatory scheme or alternative options. EPSDD will undertake targeted stakeholder engagement over the coming months before broader community engagement is undertaken. This engagement will inform any proposed regulatory changes that if required are planned to be progressed in 2023 subject to other priorities.

Background Information:

- The Parliamentary and Governing Agreement for the 10th Assembly includes a policy commitment to set up an Australia-first licensing scheme for property developers, including the creation of a “fit and proper person” test and rigorously enforced penalty scheme.
- EPSDD is considering a number of options for delivering the intent of this comment and is exploring the most appropriate mechanism for improving the accountability of developers for their developments.
- Policy considerations by EPSDD to date have included –
 - an appropriate definition of property developer,
 - interactions between the different parties involved in projects,
 - how to treat instances where the developer and builder are one and the same, and
 - 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.
- 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 licence developers; however, it does allow for oversight and sanctions to be issued to the developer.
- QLD is undertaking a review into how to hold developers more accountable and EPSDD is engaging with them and NSW to inform its assessment of this matter and development of potential options.

Portfolio: Sustainable Building and Construction

Master Builders Fidelity Fund

Talking points:

- In June, I announced that the ACT Government was commencing a review of the regulatory settings around approved fidelity fund schemes so that they remain contemporary and fit for purpose. The ACT Government is committed to the fidelity fund scheme continuing to operate to protect consumers in a viable manner in the long term.
- This review will respond to a number of recommendations from the Inquiry into Building Quality in the ACT.
- The review will include consideration of:
 - Current application and approval processes for fidelity fund schemes.
 - Insurance settings, for example, a potential increase in the minimum prescribed insurance amount.
 - Scope of matters covered. For example, if required, clarifying in legislation the treatment of claims for common areas by owners' corporations and/or methods for determining the amount the owners' corporation is entitled to.
 - Settings in other jurisdictions and reviews underway in Tasmania and Queensland.
 - Currency of a number of instruments that approved fidelity fund schemes, for example, the current prudential standards.
- The review will be led by EPSDD with expert advice obtained as required. Industry and community engagement is anticipated.
- The outcome of the review will be recommendations back to Government on any improvements required to the scheme that will support its efficient, transparent and continued operation.
- The review is expected to be completed by mid-2023.

Key information:

- The Fund is a discretionary fund operating under a Trust Deed. The Fund is, and operates as, a wholly private sector commercial business, competing with the insurance industry. It is not a government business enterprise or agency. As such, any requirement to provide commercially sensitive audited accounts would place the Fund at a commercial disadvantage relative to its competitors.
- The Fund is not an insurance scheme and as such is not subject to the Insurance Act 1973 (Cth) and the Insurance Contracts Act 1984 (Cth) so the Building Act establishes appropriate prudential standards to govern the operation of fidelity fund schemes approved under that Act. The Trustees of the Master Builders Fidelity Fund provide audited reports in accordance with the prudential standards.

Cleared as complete and accurate: 19/07/2022
Cleared for public release by: Executive Branch Manager Ext: 54877
Contact Officer name: Alison Kemp Ext: 75891
Lead Directorate: Environment, Planning and Sustainable Development

- Fidelity Funds are not government bodies and are required to provide financial information and reports to a range of public officials under the *Building Act 2004* (the Building Act).

Background information:

Inquiry into building quality in the ACT

- The 9th Legislative Assembly's Economic and Tourism Standing Committee conducted an Inquiry into Building Quality in the ACT.
- In the response to the Inquiry into Building Quality in the ACT the Government has committed to undertake work in relation to the Master Builders Fidelity Fund (the Fund).
- This includes reviewing provisions in the Building Act that relate to both fidelity funds and residential building insurance products. The work will consider potential changes to the overall insurance and fidelity fund system that could be made while keeping the system viable in the long term.
- The Government response to the Inquiry's recommendations noted the extensive work already completed under the ACT's reform program and the further work that the government has already committed to.
- The Government did not agree in full with all of the Committee's recommendations, the response does outline how the intention of the recommendations can still be met by alternative means.
- One of the recommendations (number 15) that was "not agreed" asked the ACT Government to - "provide the Assembly with audited accounts and an annual report on the performance of Fidelity Funds established under the Building Act 2004."
- The detailed reasons for not agreeing to the recommendation is outlined in the response.
- The Government did agree or agreed in principle to a further 3 recommendations relating to the MB Fidelity Fund as follows:
 - Recommendation 16 – Agreed – if not already in place, appropriate prudential standards are set for fidelity funds under Part 6 of the Building Act 2004 (and section 103, in particular) and further, that once set, such prudential standards are maintained and enforced.
 - Recommendation 17 – Agreed – review the fidelity fund and report the findings of that review to the Assembly.
 - Recommendation 18 – Agreed in principle – The Committee recommends that, as part of its review of the fidelity fund, the ACT Government consider expanding the scope to allow Owners' Corporation Executive Committees to make claims for common areas.

Statutory warranty

- The Building Act provides a statutory warranty for building work on a residential building that requires a building approval and has a cost of \$12,000 or more. This does not include structures you can't live in such as swimming pools, driveways and fences.

Cleared as complete and accurate: 19/07/2022
Cleared for public release by: Executive Branch Manager Ext: 54877
Contact Officer name: Alison Kemp Ext: 75891
Lead Directorate: Environment, Planning and Sustainable Development

- Every contract for the sale of a residential building covered by the warranty, and every contract to carry out residential building work to which the builder is a party (excluding owner–builder licence holders) is taken to contain a warranty.
- The statutory warranty operates for:
 - six years after the completion day for the work for residential building work in relation to a structural element of a building, which includes components of external walls (including weatherproofing), and
 - two years after the completion day for the work for residential building work in relation to a non-structural element of a building

Residential building insurance

- Building work on residential apartment buildings and houses three storeys and below, excluding any storey used exclusively for carparking, must also be covered by complying residential building insurance.
- This is sometimes referred to as warranty insurance or builder’s warranty insurance, but it includes coverage for more than the statutory warranty, including subsidence and other matters.
- A complying policy is either:
 - a certificate issued by an approved insurer stating that the insurer has insured the work under a residential building insurance policy, or
 - a fidelity certificate for the work issued by the trustees of an approved scheme (currently the MB Fidelity Fund)
- The minimum total coverage required for an insurance policy or fidelity certificate to be compliant with the Building Act - is at least the amount prescribed by regulation (currently \$85,000), or the cost of the work, whichever is less.

Portfolio: Sustainable Building and Construction

ENERGY EFFICIENCY

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 update of the National Construction Code (NCC) are being considered this year, including a possible increase in the level of thermal comfort and a whole-of-house-energy use budget. These changes were included in the second tranche of the NCC 2022 public comment draft which was released and made available for community feedback until 17 October 2021, along with a Regulatory Impact Statement.
- Building Ministers received an update on the work of the Australian Building Codes Board (ABCB) in preparing improved residential energy efficiency provisions for NCC 2022 at the Building Ministers' Meeting on 28 March 2022. The ABCB advised Ministers that analysis is nearing completion and there are opportunities to improve residential energy efficiency with a net benefit to households in most parts of the country.
- The ABCB is currently finalising the Regulatory Impact Statement for improved residential energy efficiency provisions for NCC 2022 for the consideration of Ministers at the next Building Ministers' Meeting.
- The ACT Government is working with the ABCB and other jurisdictions on an appropriate implementation plan for the new national energy efficiency standards. Timely implementation of these important new requirements needs to be balanced with the significant number of code changes associated with NCC 2022 and existing difficulties being experienced by the building industry due to bushfire recovery, flood recovery, supply chain problems, and global events such as the Ukraine conflict and the COVID-19 pandemic.
- The Parliamentary and Governing Agreement (PaGA) 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.
- The PaGA also includes a commitment 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.

Cleared as complete and accurate: 19/07/2022
Cleared for public release by: Executive Branch Manager Ext:54877
Contact Officer name: Alison Kemp Ext:75891
Lead Directorate: Environment, Planning and Sustainable Development

- To support delivery of this action, a Regulatory Impact Statement was undertaken which considered minimum standard options along with consideration of issues such as safety and potential consequences for rental prices and availability. 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.
- 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.
- Recognising that a minimum energy performance requirement may potentially impose costs on rental providers, the PaGA also commits to a \$50 million program to improve energy efficiency of housing for vulnerable households and support the introduction of the minimum energy efficiency standard for rental homes.

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.

Portfolio: Sustainable Building and Construction

ACT Government – Response to Asbestos – Asbestos Response Taskforce

Talking points:

- As at 22 July 2022, 1007 of the known 1029 residential properties identified as affected by loose fill asbestos insulation have been demolished and removed 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.
- With the majority of known affected properties remediated, the Asbestos Response Taskforce (Taskforce) closed on 30 June 2022. A smaller coordination team has been established following the Taskforce closure and will be responsible for delivering the remaining work in the management of the properties within the ACT that remain affected by loose fill asbestos insulation.
- The Loose Fill Asbestos Coordination team (Coordination team) will continue to work to address the residual risks associated with the presence of loose fill asbestos in the community by:
 - administering the ongoing work of the Scheme;
 - administering the ongoing 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 Coordination team remains focused on supporting homeowners of the remaining known 22 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

Cleared as complete and accurate: 22/07/2022
Cleared for public release by: Executive Group Manager Ext: 77387
Contact Officer name: Stacey Morton Ext: 75470
Lead Directorate: Environment, Planning and Sustainable Development

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 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 Coordination team 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 02 6205 4700 or by email at loosefillasbestos@act.gov.au.

Loose-Fill 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 and Federal Governments committed \$16 million (\$8 million each) to establish a [Loose Fill Asbestos Disease Support Scheme](#) (Support Scheme) to provide financial support to people who contract, or have contracted, an asbestos related disease after living in a property affected by loose fill asbestos insulation in the ACT.
- The Support Scheme commenced on 25 March 2022, and is administered by Workplace Safety and Industrial Relations (WSIR) within the Chief Minister Treasury and Economic Development Directorate of the ACT Government.
- The Support Scheme provides financial support payments for people who have:
 - contracted an asbestos disease after living, permanently, in a loose fill asbestos insulation (Mr Fluffy) affected property in the ACT; and
 - had no substantial occupational exposure to asbestos that would allow a workers compensation claim to be made.
- Under the Support Scheme, eligible applicants and their families are provided with support payments to cover the costs of out-of-pocket medical and related expenses and loss of earning capacity.
- A lump sum payment and support for dependants of eligible participants who have died is also available.
- The Support Scheme is simple and streamlined to ensure that participants receive timely and comprehensive financial support to access to the services they need.

Cleared as complete and accurate: 22/07/2022
Cleared for public release by: Executive Group Manager Ext: 77387
Contact Officer name: Stacey Morton Ext: 75470
Lead Directorate: Environment, Planning and Sustainable Development

- Applications made to the Support Scheme will be managed by Employers Mutual Limited (EML), the ACT Government's workers' compensation claims provider. EML will be responsible for case management and assessing applications for Scheme participants.
- The Support Scheme has no fixed end date, recognising that asbestos related diseases have a long latency period of about 25 to 30 years from exposure. The Support Scheme is retrospective and available for applicants diagnosed from 1 January 2014.
- Interested parties can register for Support Scheme updates by sending an email to Workplace Safety and Industrial Relations at wsir@act.gov.au.
- The Coordination team 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 22 July 2022, a total of 1007 out of 1029 residential properties identified as affected by loose fill asbestos insulation have been demolished:
 - 976 by the Taskforce through the Scheme
 - 12 through assisted private demolition
 - 18 self-funded demolitions
 - 1 surrendered to the Territory following demolition.
- There are 23 residential properties remaining on the Affected Residential Premises Register:
 - 6 are owned by the Territory:
 - 1¹ has been demolished and is in the process of being remediated and deregistered; and
 - 5 have demolition planning underway.
 - 17 remain privately owned:
 - 1 is approved for Transition Assistance, with a contract exchange pending; and
 - 16 have elected to not participate in the Scheme. Of these:
 - 1 has been approved for waste disposal fee relief to privately demolish the property; and
 - a further 2 properties are currently subject to Occupancy Prohibition, following private sale.

Cleared as complete and accurate:	22/07/2022	
Cleared for public release by:	Executive Group Manager	Ext: 77387
Contact Officer name:	Stacey Morton	Ext: 75470
Lead Directorate:	Environment, Planning and Sustainable Development	

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.