



Environment, Planning and Sustainable Development Directorate

To: Minister for Climate Change, Environment, Energy and Water

Tracking No.: 24/122840

Date: 24/02/2025

From: Executive Group Manager, Environment Heritage and Parks

Subject: Agriculture and Food in the ACT - Key Findings Report

Critical Date: 07/03/2025

Critical Reason: In the normal course of business

- DDG, Environment, Water and Emissions Reduction 28 / 2 / 2025

Recommendations

That you:

- 1. Note the information contained in this brief about the finalised Agriculture and Food in the ACT report (Report) (Attachment A) – an action of the Canberra Region Local Food Strategy (Attachment B).

Noted / Please Discuss

- 2. Agree to publish the public version of the Report (Attachment C).

Agreed / Not Agreed / Please Discuss

Suzanne Orr MLA 13/03/25

Minister's Feedback

I think its best if this goes to cabinet or a sub committee as it covers areas in other portfolios which would need to be considered as part of any future actions arising.

Background

1. The Canberra Region Local Food Strategy 2024-2029 (Strategy) (Attachment B) was launched by the ACT Government in June 2024.
2. The Strategy establishes a vision for agriculture in the ACT and local region. The Strategy seeks to increase local food production and consumption, increase equitable access to local healthy food, enhance social and economic outcomes through our local food system, and support sustainable urban and rural farming.
3. In accordance with the election commitment of the Government to 'continue work on implementation of the Strategy and support local farmers', an *Agriculture and Food in the ACT* study has recently been completed.
4. This study was funded by the Environment, Planning and Sustainable Development Directorate (EPSDD) to improve understanding of the current state of agriculture and food production in the Territory and explore opportunities and barriers for increasing production.

Issues

5. Natural Capital Economics were commissioned to conduct the study. This study involved desktop research, interviews with agriculture organisations, workshops with Ngunnawal representatives and surveys with ACT rural landholders and consumers.
6. Key findings of the study include:
 - a. Local agricultural production is valued by ACT producers and consumers, with 80.1% of consumer survey respondents stating that they buy local food to support the community.
 - b. The ACT's ability to achieve significant increases in food production within the Territory is thought to be limited given barriers such as climate, soil and land availability.
 - c. Weed management is a top priority for rural landholders now and into the future, with the top short-term goal (1-2 years) being better/continued weed management (37%).
 - d. Support from ACT extension officers with invasive plants or pests was identified as the top opportunity to help reach land management goals by 70.9% of rural landholder survey respondents.
 - e. About half of the consumer survey respondents stated that they produce some of their own food. Top motivators were for wellbeing benefits of gardening (52%), desire for tastier food (49.7%) and saving money (45.2%). Top barriers included unsuitable or not enough space (48.4%), and not enough time (47.1%).
7. The Report (Attachment A) from the study contained information unsuitable for public release, such as maps that identified agricultural production at a lease level and therefore are subject to privacy considerations.
8. As such, EPSDD decided to create a 'key findings' report based on the NCE report. The Strategy and Transformation Office (STO) in Chief Minister, Treasury and Economic Development assisted in the development of the key findings report.

9. Your approval is sought to publish the key findings report (Attachment C) on the EPSDD website for public access.

Next Steps

10. Key findings of the study will inform future actions under the Strategy. Implementation actions will also be determined through collaboration with the Strategy's Community Reference Group (CRG) and future budget processes.
11. The study will support future work of EPSDD to implement the Strategy. This includes a Local Food Chain Infrastructure Study (commencing procurement), a project considering barriers and opportunities to support farmers adapt to drought, as well as the delivery of education and training opportunities.

Financial Implications

12. There are no financial implications associated with this report.
13. Any opportunities to promote local food production and consumption mentioned in the report have been framed as potential opportunities.

Consultation

Internal

14. EPSDD Communications support the release of the public version of the Report (Attachment C).

Cross Directorate

15. Procurement officers from Canberra Health Services and Justice and Community Safety Directorate provided data on local food procurement opportunities for government agencies such as healthcare and corrections facilities.

External

16. An ACT food consumer survey was conducted as part of the study to better understand consumer preferences and values. This survey ran from 5-22 April 2024 and received 630 responses from a representative group of the ACT population.
17. Approximately 20 Ngunnawal representatives attended a workshop on 22 June 2024 to discuss current agricultural enterprises/activities within the Ngunnawal community and to consider pathways for achieving aspirations in the future. As the Ngunnawal community has ownership of these findings, workshop outcomes are not captured in this report.
18. Out of 160 ACT rural landholders, 55 participated in a survey to provide insight on the existing uses of rural land including current agricultural production activities. Of the 55 participants who responded, 83% used the land for agricultural production. The survey ran from May to July 2024 and the ACT Rural Landholders Association (RLA) endorsed the survey to increase response rates from their members.
19. Interviews were conducted with 10 organisations to better understand the agriculture and food supply chain in the ACT and local region. These organisations included farmers, industry representatives, wholesale market operators and key retailers. The information gathered from these interviews was anonymised and collated so that it could not be attributed back to any specific organisation.

20. NCE presented the study’s initial findings to the RLA on 16 October 2024 at their monthly meeting and to the key stakeholders in an online session on 2 October 2024. Both sessions received positive feedback about the project and initial findings.

Work Health and Safety

21. Nil identified.

Benefits/Sensitivities

22. Stakeholders that attended the initial findings presentation were informed that the report would be published by the end of 2024.
23. Due to a diversion of resources, there were delays in finalising the report. Once published, links to the report will be circulated to those that attended the presentations. Positive media opportunities as discussed below may also address this.

Communications, media and engagement implications

24. Your agreement is sought for EPSDD to explore with your office positive media opportunities associated with the proposed release of the report.
25. A [media release](#) was issued in February 2024 under the previous government to announce the contract with NCE. A similar announcement can be made if required to announce the release of key findings.
26. Subject to your agreement, the public report will be published on the EPSDD website.

Signatory Name: Bren Burkevics Phone: 6207 8628

Action Officer: Lindsey File Phone: 6207 4560

Attachments

Attachment	Title
Attachment A	Agriculture and Food in the ACT (internal use only)
Attachment B	Canberra Region Local Food Strategy
Attachment C	Agriculture and Food in the ACT - Key Findings Report (public facing)



Environment, Planning and Sustainable Development Directorate

To: Minister for Planning and Sustainable Development

Tracking No.: 24/129193

Date: 10/12/2024

From: Executive Branch Manager - Building, Design and Projects, Planning and Urban Policy

Subject: Property Developer Licensing – Implementation update

Critical Date: Normal course of business

Critical Reason: Normal course of business

- DDG, Planning and Sustainable Development 12/12/24
- EGM, Planning and Urban Policy 10/12/24

Recommendation

That you:

1. **Note** the information contained in this brief on the implementation of the Property Developers Licensing and Regulation Project.

Noted / Please Discuss

Chris Steel MLA/...../.....

Minister's Office Feedback

Empty box for Minister's Office Feedback

Background

1. The *Property Developers Act 2024* (the Act) was passed by the ACT Legislative Assembly on 27 June 2024.
2. The ACT is now the first jurisdiction to establish both a framework for a licensing scheme for individuals and entities that engage in residential development activity, and a regulatory scheme to bring developers into the regulatory chain of accountability for building work they are involved in.
3. The Act has a staggered commencement with some provisions taking effect from 11 July 2024 (Attachment A) while others are still awaiting commencement.
4. This brief provides an update on the policy work, subordinate legislation, and instruments being prepared by the Environment, Planning and Sustainable Development Directorate (EPSDD) to support the implementation of the Property Developer Licensing and Regulation Project (the project).
 - a. This work actions part of Labor election commitment LAB044-a: Monitor the implementation of property developer licensing and registration scheme for engineers.
5. Access Canberra will be responsible for operationalising the Scheme as the regulator, with EPSDD retaining policy oversight. EPSDD is working closely with Access Canberra in progressing this work.

Issues

Licensing Scheme Commencement

6. The Act's provisions can be commenced on a day fixed by you by written notice. Note that Part 1 section (2) of the Act includes default commencement provisions if a commencement notice is not issued.
 - a. Licensing Provisions: the licence provisions of the Act automatically commence, if they have not commenced earlier, 3 years from the Act's notification day. The "licence requirement provisions" specifically relate to Part 2 section (7), section 60 (1) (b) and (6), and the following provisions in schedule 2 (i) amendments 2.2 to 2.5; amendment 2.7; and parts 2.2 to 2.6.
 - b. Remaining provisions: the remaining provisions of the Act automatically commence, if they have not commenced earlier, 2 years from the Act's notification day.
7. EPSDD and Access Canberra are working together on the implementation tasks to support the commencement and administration of the licensing scheme.

8. Exact timing for the commencement of the licensing provisions is subject to further conversations with Access Canberra and will also be informed by industry feedback. However, it is envisaged that applications will open in a staged manner around 1 July 2025, and that the licensing requirement would commence within 3 to 6 months for specified licence categories.
9. This will allow time for information and support to be provided to the sector, and for prospective licensees to prepare for and make their applications. A decision on the commencement date and transition period (if applicable) will be the subject of a future brief to you. It will consider the development of the IT platform and associated systems and processes for the licensing system, industry preparedness, and the current state of the sector.
10. It is important to note that this is a novel licensing scheme for the ACT and there will be a period of transition and familiarisation required for both industry and the ACT Government, especially in relation to the use of an independent ratings agency to support the licensing application process.

Key Implementation Items

11. EPSDD is working closely with Access Canberra and external stakeholders, where relevant, to ensure that the regulatory framework for implementation is fit for purpose. Further details on the following key implementation items can be found at Attachment B, including:
 - a. *Property Developers Regulation 2024*;
 - b. *Civil Law (Sale of Residential Property) Amendment Regulation 2024*;
 - c. *Building Act Amendment Regulation 2024*;
 - d. *Magistrates Court (Property Developers Infringement Notices) Regulation 2024*;
 - e. Approval of rating entities (notifiable instrument);
 - f. Fee determination (disallowable instrument);
 - g. Code of practice (disallowable instrument); and
 - h. Competency requirements for property developers (disallowable instrument).

External Stakeholder Engagement and Guidance Material

12. EPSDD will build on the extensive sector engagement to date and continue to work closely with key stakeholders to develop and finalise these key implementation items. This will include engagement on the process of obtaining a rating and the licensing process.

13. A suite of public explanatory materials for the Act and upcoming regulation is being prepared for publishing on the Planning website. Access Canberra will publish separate public facing material that will provide information for prospective and current licensees on the licensing process.
14. Access Canberra is also engaging with individuals from the property development sector to participate in user testing of the licensing platform to identify and resolve issues with the platform prior to commencement.

Ongoing work with Access Canberra

15. EPSDD is continuing to work with Access Canberra on implementation of the project, to make sure there is a shared understanding of each Directorate's responsibilities and progress.
16. Access Canberra is currently recruiting roles to a project team. Following this recruitment, EPSDD and Access Canberra will establish a formal project team to progress the implementation of the Scheme. The project team will work together to develop the licensing application process, internal policies, forms, an appropriate IT system and other systems and processes required to administer the Act.
17. As part of this, EPSDD will work with Access Canberra to ensure there are processes for accessing and storing reports from ratings agencies and other entities (such as the registrar for community housing) when these are provided by applicants as part of the licencing process or as requested by the registrar at other times.

Strata Defects Survey

18. EPSDD is also undertaking scoping work to explore a Strata Defects Survey for the ACT. The aim of the survey is to gain a better understanding of building defects in multi-unit developments. It is envisaged that such a survey could be sent to strata managers on a regular cycle (for example, every two years) to track building defects in the ACT. The survey would provide an important baseline and support ongoing evaluation of the property developer regulatory framework.
19. A similar survey exists in NSW and is undertaken jointly by the Office of the Building Commissioner and the Strata Communities Association of NSW, a peak body that represents strata managers. EPSDD has commenced engagement with NSW, and the Strata Communities Association of the ACT, to assist with developing a project scope for this work.
 - a. You will be briefed separately on this project as the scope is developed, and we will seek your agreement to commence the survey.

Financial Implications

20. Funding for the implementation of the licensing and regulation scheme has been provided in the 2024-25 ACT Budget.
21. Access Canberra is progressing a budget bid for the 2024-25 mid-year review to seek funding for the development of the ICT solution to support property developer licensing. This bid was considered by the Expenditure Review Committee of Cabinet on 9 December 2024.

Consultation

Internal

22. Not required.

Cross Directorate

23. EPSDD will continue to work closely with Access Canberra as the policy framework is finalised and as they take responsibility for the operation of the scheme.

External

24. EPSDD will continue to engage with key stakeholders in the implementation phase as noted in this brief and the attachments.

Work Health and Safety

25. Not applicable.

Benefits/Sensitivities

26. Engagement with the property development sector and related professions, including the Law Society and certifiers, is ongoing. EPSDD is adopting an open and transparent approach to engagement sessions to bring stakeholders on the journey and allow for stakeholder input to be meaningfully considered.
27. While there is still industry opposition to aspects of the scheme, EPSDD is committed to working with stakeholders to reduce the administrative burden of complying with the scheme and finding avenues to support the user/applicant experience. This will be a continuing theme as implementation work progresses.

Communications, media and engagement implications

28. Further communications and media opportunities will be identified as implementation work progresses and a commencement date is decided.

Signatory Name: James Bennett Phone: 54877

Action Officer: Eddy Bourke Phone: 74722

Attachments

Attachment	Title
Attach A	Property Developers Act 2024 – Commenced provisions
Attach B	Property Developers Act 2024 – Key implementation items

ATTACHMENT A

Property Developers Act 2024 - commenced provisions

- a. Part 1 – Preliminary
- b. Part 2, s 8 – Meaning of associated entity and key person;
- c. Part 5 – Rectification orders, stop work orders and undertakings
 - i. Other than s 60 (1) (b) and (6), which will require a person to hold a licence if they are required to under another provision of the Act;
 - ii. Other than s 60 *relevant provision*, which refers to the consequential amendments the Act makes to the *Planning Act 2023*, the *Building Act 2004*, and the *Civil Law (Sale of Residential Property) Act 2003*, each of which provide that a licence is required at certain points of residential development activity.
- d. Part 6 – Enforcement;
- e. Part 9 – Information sharing;
- f. Part 10 – Notification and review of decisions;
- g. Part 11 – Miscellaneous;
- h. Part 12 – Transitional;
- i. Schedule 1 – Reviewable decisions; and
- j. Dictionary.

Notes

1. Under Part 5 of the Act, a property developer or builder can now be issued a rectification order, stop work order, or an undertaking by the registrar for any building work or building where development approval was granted from 11 July 2024. These powers are not contingent on the property developer holding a license under this Act.
2. The licensing provisions of the Act have not commenced. Commencement will occur via a written notice signed by the Minister.

Attachment B

Property Developers Act 2024 (the Act) - Key Implementation Items

Subordinate Legislation

Property Developers Regulation 2025

1. Following agreement from the previous Cabinet, a draft version of the *Property Developers Regulation 2025* has been circulated to external stakeholders and discussed at two stakeholder engagement sessions in August 2024. Feedback from these sessions has informed minor changes to the Regulations.
2. EPSDD has been working with Access Canberra to determine what additional regulations would support their management of the scheme.
3. The Regulation provides for the following:
 - a. Licensing of Property Developers – this section provides that the registrar may vary the licensing processes and requirements for community housing providers (CHPs) by acknowledging existing registration under the National Regulatory System for Community Housing (NRSCH) and licence conditions placed on a CHP by the Registrar for Community Housing. It also stipulates that CHPs must maintain their registration as community housing providers. This is to avoid duplication of regulatory requirements under the Act and the NRSCH.
 - b. Action against licensees and directors – this section lists the person/s that are excluded from the definition of *property developer*, and thus where action cannot be brought against those parties under the Act. These are:
 - a. consultants (such as development consultants, architects, or engineers);
 - b. subcontractors engaged by the principal builder (e.g. electricians and other construction professionals);
 - c. financiers and liquidators;
 - d. building surveyors (certifiers); and
 - e. and owner-builders.
 - f. This section also excludes directors of CHPs from personal liability provisions in Part 5 of the Act.
 - c. Regulated residential building and residential building work – this section provides that certain types of buildings and building work are excluded from the Act entirely. These are buildings for a retirement village where the building work is undertaken by an approved aged care provider that is also a public

benevolent institution. This is to avoid duplication of regulatory requirements under the Act and aged care legislation.

4. Drafting instructions to Parliamentary Counsels Office based on the additional regulations identified by Access Canberra was progressed on 21 February 2025. These regulations will:
 - a. Provide that the registrar may require licence applicants and those applying for a licence renewal to provide certain information in their applications. The Act requires that this information must be included in the register of licenced property developers that the registrar must publish. The inclusion of this regulation will ensure that the registrar has access to the information they are required to publish.
 - b. Assist the registrar to make a determination of the suitability of an applicant for a licence or licence renewal to hold a property developers licence, by requiring them to provide details of:
 - i. Current and former associated entities of the licenced entity;
 - ii. The names and director identification numbers of current and former directors for the licensee and associated entities of the licensee;
 - iii. Details of past residential development activities undertaken by the licensee and their associated entities; and
 - iv. Provide that the registrar may request criminal history checks for an applicant and the key persons within an entity.

5. EPSDD has commenced drafting an Explanatory Statement (ES; including Human rights Compatibility), and a Regulatory Impact Statement (RIS).
6. The Property Developers Regulation 2025 will be finalised following stakeholder consultation in February and March. A final copy of the regulations, ES, and RIS for your consideration is expected to be progressed by 28 April 2025.

Civil Law (Sale of Residential Property) Amendment Regulation 2025

7. PCO has finalised this regulation to the *Civil Law (Sale of Residential Property) Act 2003*. It excludes on-sellers of off-the-plan dwellings from the requirement to hold a property developer licence, as they were unintentionally caught by the scheme.
8. EPSDD has commenced drafting an ES (including Human rights Compatibility), and a RIS.
9. The Civil Law (Sale of Residential Property) Amendment Regulation, the ES, and the RIS and will be progressed by 28 April 2025.

Building Act Amendment Regulation 2025

10. The *Property Developers Act 2024* amends the *Building Act 2004* to require building surveyors (certifiers) to approve a building manual for the ongoing management of the building before a regulated residential building receives a certificate of occupancy. EPSDD will conduct policy work and stakeholder engagement to inform the content of a regulation that will specify the requirements of building manuals. Final timing of this work will depend on the scope and complexity of stakeholder and consultant feedback.

Magistrates Court (Property Developers Infringement Notices) Regulation 2024

11. EPSDD has commenced scoping a *Magistrates Court (Property Developers Infringement Notices) Regulation 2024* with an ES (including Human rights Compatibility) to support commencement of the Act. EPSDD will consult with Justice and Community Safety (JACS) and Access Canberra in determining infringements and amounts. This will be progressed as resourcing allows.

Instruments

Property Developers Code of Practice

12. Section 117 of the Act provides that the Minister may approve a code of practice for a relevant property developer such as licensees and any other person prescribed by regulation undertaking residential development activities. An approved code of practice is a disallowable instrument. A relevant property developer must comply with an approved code of practice and offences apply for non-compliance. A Code of Practice has been drafted and currently includes the following elements:
- a. Considerations on community and sustainability – taking into account the future cost of living impacts through environmental sustainability and the energy transition;
 - b. Disclosure and benefits – including where those involved in the property development provide financial or other benefit to other people or entities, such as strata managers;
 - c. Influence, coercion and bias – stated standards of behaviour to not unjustly, or unethically influence, coerce, or bias the actions of others involved in a property development project;
 - d. Requirement to notify the regulator on breach of the Code; and
 - e. Requirement to manage conflicts of interest.
13. The Code of Practice will be progressed by the end of May 2025.

Competency Requirements

14. Section 118 of the Act allows the Minister to determine qualifications, experience, continuing professional development or other competencies that a person must have to be a licensee. A determination is a disallowable instrument. A licensee must comply with a competency requirement. EPSDD is continuing to explore suitable requirements.

Fee Determination

15. Section 121 provides that the Minister may determine fees for the Act. A determination is a disallowable instrument.
16. EPSDD is currently developing a proposed fee structure and will consult internally, with Access Canberra, and with stakeholders in March and April of this year. A final fee proposal and disallowable instrument will be progressed by the end of May 2025.

Approval of Rating Entities

17. Section 24 of the Act provides that the registrar may request property developers to obtain a rating from an approved rating entity as part of their licence application, licence renewal, or in other circumstances, such as if the licensed entity's circumstances change. The purpose of the rating is to assess the operational and financial capacity of the applicant or licensee to undertake residential development. The registrar may use a rating report to inform decisions, such as granting a licence or placing a condition on a licence.
18. Part 3 of the Act, which has yet to commence, provides for the Director-General (DG) of EPSDD to approve an entity to prepare rating reports on property developers. A separate briefing package is being prepared for you which includes a written notice for you to commence those provisions within Part 3. This will be progressed by March 2025.
19. EPSDD will undertake an expression of interest (EOI) process to seek applications for rating entities to be approved to provide a reporting report as part of the Scheme. This process will include set criteria that must be met and standard conditions of approval for rating entities to abide by should they become approved. Following this process, EPSDD will prepare a schedule of approved rating entities for publishing on the Planning website.
20. Equifax Australasia Credit Ratings Pty Ltd (Equifax) is the only rating agency that currently offers a construction sector specific rating tool, however all ratings agencies that hold an Australian Financial Services Licence are eligible to apply to be an approved rating agency under the Act. EPSDD will be contacting the five ratings agencies that hold an Australian financial services licence that authorises them to provide rating reports, to engage them in the process.



Environment, Planning and Sustainable Development Directorate

To: Minister for Climate Change, Environment, Energy and Water

Tracking No.: 25/0005401

Date: 19/03/2025

From: Executive Group Manager, Climate Change, Energy and Water

Subject: Outcomes of the 2024 Independent review of ACT Government action on climate change

Critical Date: 28/03/2025

Critical Reason: To agree next steps for action by EPSDD.

- DDG, Environment, Water and Emissions Reduction 20/03/25

Recommendations

That you:

1. Note the 2024 Independent review of ACT Government action on climate change by Rooftop Social at Attachment A; and

Noted / Please Discuss

2. Agree to the next steps proposed by the Environment, Planning and Sustainable Development Directorate (EPSDD), including progressing a government response to the review recommendations for Cabinet consideration and, subject to Budget outcomes, developing a new Climate Change Strategy.

Agreed / Not Agreed / Please Discuss

Suzanne Orr MLA

06/04/25

Minister's Office Feedback

Background

1. The [Climate Change and Greenhouse Gas Reduction Act 2010](#) (the Act), requires you as Minister to, at least once every five years, ask an independent entity to assess and report to you about government policies, programs and practices to address climate change in the ACT, including actions taken to mitigate and adapt to climate change (Part 3, 15A).
2. In mid-2024, Rooftop Social and the Institute for Sustainable Futures (ISF) at the University of Technology Sydney were engaged to review ACT Government action on climate change (the Review) to fulfil this requirement.
3. The purpose of the Review was to evaluate and report on the appropriateness and effectiveness of the ACT Government's vision, strategies, policy, program and budget settings, and existing evaluation processes on climate action over the previous five years.
4. Project governance included ACT Government members across different directorates:
 - A Steering Committee which provided Senior Executive strategic direction and oversight into the project scope, process and outcomes.
 - A technical working group which provided subject matter expertise, technical advice, input and regular feedback for the project.
5. This Review was not a detailed audit or evaluation of individual climate-related policies and programs in the ACT. The review investigated the appropriateness of overarching frameworks and was only able to draw conclusions about the appropriateness and effectiveness of climate actions in the ACT where relevant evaluation findings are available. This review was designed to be cognisant of, and build upon, previous evaluations of legislation, programs and policies, and not duplicate these efforts. The scope of the review was influenced by the funding available.
6. EPSDD accepted the final report for the Review from the consultants in February 2025. It is provided at [Attachment A](#).

Issues

7. The review found the ACT has strong foundations to deliver net zero emissions and strengthen climate resilience but identified areas for further work. A summary of the Review findings is at [Attachment B](#). There are two key themes in the recommendations:
 - a. create a new version of the ACT Climate Change Strategy with some key focus areas; and
 - b. facilitate further coordination and partnerships to allow the sharing of expertise and involvement from the broader ACT community to achieve our climate action goals.
8. Considerations recommended for the next version of the ACT Climate Change Strategy include:
 - a. updating the ACT's climate vision, targets and goals informed by climate science;

- b. consolidating all relevant targets and goals related to climate action into a single document or location;
 - c. integrating financial considerations such as valuing emissions reductions into government climate-related decisions;
 - d. incorporating annual climate-related financial disclosure statements; and
 - e. establishing the next climate change strategy as a legislative requirement, through an amendment to the Act.
9. The Review also recommends facilitating coordination, building partnerships, sharing expertise and greater involvement from the broader ACT community by:
- a. strengthening climate action-related Monitoring, Evaluation, Reporting and Improvement (MERI) practices across all Directorates, embedding learning and improvement practices into ACT climate actions, not just monitoring and reporting;
 - b. establishing an ACT Climate Ecosystem as an open network of climate experts, to leverage the depth of climate expertise across the ACT;
 - c. establishing a Climate Community Partnership Framework to help formalise and resource collaboration between the ACT Government and community groups, and
 - d. identifying and prioritising opportunities for social and wellbeing strategies to align with climate actions to deliver co-benefits.

Next Steps

10. Work has begun with relevant stakeholders across ACT government to develop positions on the Review recommendations. A Cabinet package is proposed for mid-2025 to include the findings of this review; a Government response; and a proposed approach for the next climate change strategy for the ACT. The scope for the next strategy is subject to the outcomes of the forthcoming 2025-26 Budget bid *Climate Change Action and Energy statutory functions*, and the Cabinet submission on ACT emissions projections towards net zero emissions by 2045 (25/131).
11. Early consideration of the next climate change strategy is underway. Attachment C provides a potential concept and approach for your consideration. The approach proposes a high-level mitigation and adaptation framework which establishes guiding strategic principles, brings together existing plans and strategies, identifies gaps and next steps for Government policy and action.
12. The Review notes that more work is required around climate adaptation. This is proposed as a focus of the next climate strategy:
- a. Due to slow progress in reducing global carbon emissions, the ACT needs to prepare for the potential for a 2 to 4°C warmer world in coming decades. The

Territory will experience more frequent and intense extreme weather events, including heat waves, fires, extreme storms and changes in rainfall patterns, including extended periods of drought.

- b. Although the ACT has had some adaptation plans and accompanying actions (e.g. the Living Infrastructure Plan, the Disaster Resilience Strategy), they are not comprehensive or well-integrated due to their singular focus on particular sectors or aspects of climate adaptation.

13. Should appropriate budget funding be received, development of a new climate change strategy could proceed along the following timeline:

- a. establishment of governance, scope and approach (Q2 2025),
- b. public consultation (Q3-4 2025),
- c. cross government discussions and finalisation of draft strategy (by Q1-2026),
- d. ERC and Cabinet consideration of strategy and associated business cases (by Q2 2026), and
- e. announcement, communications and commence implementation (by Q3 2026).

Financial Implications

14. Funding requested as part of the *Climate Change Action and Energy statutory functions* 2025-26 business case will be essential for the development of a new climate change strategy.

Consultation

Internal

15. The following teams participated in workshops and meetings as a part of the review: Climate Change, Energy and Water, including Policy and Program representation, Environment and Heritage, and Planning.

Cross Directorate

16. The following teams participated in workshops and meetings as a part of the review: previous Office for Climate Action; Chief Minister, Treasury and Economic Development Directorate, Transport Canberra and City Services (including NoWaste), ACT Health, Canberra Health Services, Justice and Community Services, and Community Services Directorate.

External

17. The following participated in the external stakeholder interviews with the consultants: the ACT Climate Change Council; ACT Council of Social Services, ACT Business Chamber and ACT Environment Groups (See-Change, Canberra Environment Centre and Conservation Council ACT Region)

Work Health and Safety

18. Nil.

Benefits/Sensitivities

- 19. The Review has provided an independent assessment of opportunities the Government can undertake to continuously improve and adapt the ACT to prepare for the impacts of climate change and deliver net zero emissions by 2045.
- 20. The Review identifies areas requiring further action which may be perceived as a deficiency in the current government response to climate change.

Communications, media and engagement implications

- 21. It is anticipated the Report and the government response will be published together after Cabinet approval later this year. A communications plan and associated communications material will be prepared to support the publication.
- 22. A strategic communications and engagement strategy will be prepared to support community consultation for the development of the next ACT climate change strategy. Design of the engagement strategy will also consider stakeholder feedback from the Integrated Energy Plan consultation where we have engaged significant with key stakeholders and focus areas. The communications and engagement strategy will be included in the next Cabinet package with the proposed approach for the next climate change strategy.

Signatory Name: Fiona Wright Phone: 02 6207 9780
 Action Officer: Anith Abraham Phone: 02 6207 5263

Attachments

Attachment	Title
Attachment A	Final report - Independent review of ACT Government action on climate change
Attachment B	Recommendations from 2024 Independent review of ACT Government action on climate change
Attachment C	Early concept: climate change strategy



Independent review of ACT Government action on climate change

Final report

December 2024

Prepared for Environment, Planning and Sustainable Development Directorate (EPSDD)

Prepared by Vanessa Hood¹, Gordon Noble², Hollie Cheung², Duncan Rintoul, Fiona Berry,² Alison Atherton²

¹Rooftop Social ²University of Technology Sydney, Institute for Sustainable Futures

Our reference: RS406

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Cover image: 'Sunrise over Black Mountain', April 2020, www.ephotozine.com/photo/sunrise-over-black-mountain--canberra-59378544

Executive summary

In mid-2024, Rooftop Social and the Institute for Sustainable Futures (ISF) at the University of Technology Sydney were engaged to review the ACT Government's action on climate change. This review was mandated by the ACT Government as part of the 2022 amendment to the *Climate Change and Greenhouse Gas Reduction Act 2020*. This amendment resulted in a new requirement for assessment by an independent entity (Part 3, 15A): "The Minister must, at least once every 5 years, ask an independent entity to assess, and report to the Minister about, government policies, programs and practices to address climate change in the ACT, including actions taken to mitigate and adapt to climate change."

The purpose of this review is to deliver insights and identify priorities for future ACT Government action, with a dual focus on actions designed to mitigate climate change by achieving emission reduction targets, as well as actions designed to support adaptation to the impacts of climate change.

The review's methodology was approved by the Environment, Planning and Sustainable Development Directorate (EPSDD), and considers Key Evaluation Questions from three perspectives:

- Document cataloguing: We reviewed a total of 53 ACT climate change documents. These represent a sample of all climate-related documents in the ACT and were supplied by EPSDD in consultation with other directorates and stakeholders.
- Stakeholder engagement: We conducted semi-structured interviews with groups of internal ACT Government stakeholders and external community groups in the ACT. Two synthesis workshops were also run with internal ACT Government staff in Canberra during September. The aim of the workshops was to test some of the early review findings and to address some questions that arose during the initial stage.
- Insights: We used the C40 Cities Climate Transition Framework (C40 Framework) as a foundational framework for the review. A key area of focus was to consider the implication of recent climate-related developments, particularly the introduction of climate-related financial disclosure obligations.

This review is not a detailed audit or evaluation of individual climate-related policies and programs in the ACT. Rather, the review investigates the appropriateness of overarching frameworks and is only able to draw conclusions about the appropriateness and effectiveness of climate actions in the ACT where relevant evaluation findings are available. This review was designed to be cognisant of and build upon previous evaluations of legislation, programs and policies, and not duplicate these efforts.

Key findings and insights

The ACT has strong foundations to deliver net zero emissions and strengthen climate resilience. The review found that the **strong community support for climate action** across a majority of the ACT is a major asset for the Territory.

Climate change is, itself, subject to constant change. Physical climate risks are already impacting the environment and societies, and transition risks are evolving as the complexity of decarbonising economies is better understood. The research findings recommend the ACT Government ensure **adaptive structures** (such as goals, targets and risk assessments) are in place **to support transformation to net zero emissions and climate resilience**.

It is imperative for the ACT to have **a climate vision that explicitly commits to achievement of net zero emissions and strengthened climate resilience**, consistent with climate science and the Paris Agreement 1.5°C ambition. The ACT's climate vision should clearly communicate all goals and targets in a single statement. We recommend that the ACT **bring forward its net zero emissions target from 2045 to 2040**, recognising that IPCC's most recent assessment finds that global GHG emissions in 2030 implied by

nationally determined contributions (NDCs) make it likely that warming will exceed 1.5°C during the 21st century and make it harder to limit warming below 2°C. **It is recommended that ACT establish more adaptation targets and goals** which were found to be somewhat lacking.

Currently, strategic plans in the ACT are numerous and, at times, fragmented. The review utilises C40's guidance that a Climate Action Plan is a document, or series of documents, in which a city sets out its roadmap for reducing greenhouse gas emissions and strengthening climate resilience across the community.¹ It is recommended that the **ACT develop a consolidated Climate Action Plan** along these lines, which brings together work across Directorates and includes short-, medium and long-term targets.

A Climate Action Plan would essentially be the ACT's Climate Change Strategy. It would consolidate all climate-related actions across the ACT. It need not include all work in detail, but it should be the key that links climate-related documents and key targets and goals across the ACT Government.

As part of planning and management of climate-related risks and opportunities, the review recommends that the ACT should release **annual climate-related financial disclosure statements**. Aligning to new Federal legislation disclosures should include Scope 1, 2 and 3 emissions reporting and scenario analysis of at least two scenarios: a 1.5°C increase in global temperature by 2050 (low warming scenario) and a scenario that 'well exceeds' 2°C by 2050 (high warming scenario)².

The process of producing climate-related financial disclosures will enable the ACT to consider evolving transition risks and opportunities. An example of the benefit of such understanding is energy markets, in which the growth of battery storage supports the capacity to match renewable energy supply against demand. It is recommended that the ACT's renewable electricity targets be reviewed to **support 24/7 matching of renewable electricity with energy demand**.

Our review of ACT Government documents revealed **strong evidence of governance processes**. Feedback from stakeholders was that the Parliamentary and Governing Agreement (PAGA) created by the 10th Legislative Assembly (previous government) was the primary driver of Directorates' climate action. Under current decision-making frameworks, however, the ACT Government does not have an effective means of prioritising economically efficient investment in emissions reduction initiatives. To support economically efficient investment decisions that have a climate-related component, the Climate Action Plan should establish processes to **integrate financial considerations into government climate-related decisions**, through internalising externalities such as the value of emission reductions.

It is recommended that the ACT Climate Action Plan should be a legislative requirement, through an amendment to the Climate Change and Greenhouse Gas Reduction Act 2010. This will help ensure that sustained climate action and resilience planning are embedded in government priorities.

Stakeholders who engaged in the review process were keen to sustain and improve **mechanisms for the ACT Government to keep abreast of climate-related developments and capture gaps and opportunities**

¹ C40 Knowledge (2024) *Climate Action Planning Guide: Why all cities need a Paris Agreement-compatible climate action plan*. https://www.c40knowledgehub.org/s/guide-navigation?language=en_US&guideRecordId=a3t1Q0000007EWOAY&guideArticleRecordId=a3s1Q000001iahcQAA

² This mirrors the climate scenarios suggested in the AASB's Climate-related financial disclosures S2 (i.e. a low-warming 1.5°C above pre-industrial levels scenario and a high-warming 2.5°C above pre-industrial levels scenario). Similar to IFRS S2, the AASB S2 mandates two climate scenarios (a low-warming and high-warming scenario) but does not prescribe specific temperature outcomes for scenario analysis. The low-warming scenario should align with an increase in global average temperature limited to the increase in the *Climate Change Act 2022* (i.e. 1.5°C above pre-industrial levels). The high-warming scenario should align with the global average temperature well exceeding the increase in the *Climate Change Act 2022*, the AASB S2 suggests an increase of 2.5°C would be considered appropriate.

that it could pursue. The ACT Government is fortunate to have local access to an impressive depth of climate expertise, including at ANU and the University of Canberra. It is recommended that the ACT Government encourage and facilitate the development of a **climate ecosystem: an open network of ACT climate experts that would support learning linked to Monitoring, Evaluation, Reporting and Improvement (MERI) frameworks**, providing a way for climate-related developments to be considered and debated across the ACT collaboratively.

Research shows effective partnerships in climate action typically involve voluntary and collaborative relationships where there is an equitable sharing of risks, responsibilities, resources, benefits and actions.³ External stakeholders consulted during the review did not often see themselves as being 'partners' with the ACT Government around climate change action. It is recommended that the ACT Government establish a **Climate Community Partnership Framework** and financially resource community groups to participate in climate consultations, manage partnerships and implement MERI practices. Resourcing of community groups strengthens their ability to support vulnerable communities, especially during and after extreme weather events.

External factors impacting the ACT are likely to keep changing and evolving over time. The establishment of a Climate Action Plan, climate ecosystem and Climate Community Partnership Framework would provide the ACT with a mechanisms to keep abreast of climate-related developments. Community groups could work with Canberra based universities to convene a climate ecosystem as part of a Climate Community Partnership Framework.

A key consideration for the ACT Government is **whether delivering social and wellbeing strategies for ACT residents comes at the expense of taking climate action**. There are examples, including in housing, where climate action can deliver social benefits *alongside* environmental benefits. It is recommended that the ACT continue to identify and prioritise opportunities where social and wellbeing strategies and climate actions can deliver co-benefits. This will require collaboration and cohesion between the ACT's Wellbeing Framework and the proposed Climate Action Plan.

Currently, **Monitoring, Evaluation, Reporting and Improvement (MERI) practices relating to climate action vary within and between Directorates**. The responsibility of enhancing MERI practices best lies with a centralised government area that spans all Directorates. In the ACT, this would logically be the Chief Minister, Treasury and Economic Development Directorate (CMTEDD). It is recommended that current structures be strengthened and new efforts made to foster learning, and also that a needs analysis be conducted to understand the barriers to more consistent application of best practice MERI. Behaviour change theory can be used to inform the design of effective programs for building evaluation capacity.

³ United Nations Department of Economic and Social Affairs (2015) *Partnership for Sustainable Development Goals: A legacy review towards realizing the 2030 agenda*.
<https://sustainabledevelopment.un.org/content/documents/2257Partnerships%20for%20SDGs%20-%20a%20review%20web.pdf>

Summary of recommendations

Create an ACT Climate Action Plan as a regularly updated, expanded version of the current Climate Change Strategy (Key Evaluation Question 1,2,3)

- 1.1 An ACT Climate Action Plan should be established with an updated vision, targets and goals, clearly articulating that the ACT's vision is to achieve net zero emissions and strengthen climate resilience consistent with climate science and the Paris Agreement 1.5°C ambition.
- 1.2 Informed by climate science, the ACT Climate Action Plan should combine all relevant targets and goals across different legislation, strategy and action plans into a single climate action document.
- 1.3 The ACT Climate Action Plan should place particular emphasis on medium-term targets and adaptation resilience targets, which are identified as gaps in the current Strategy.
- 1.4 The ACT Climate Action Plan should bring forward the ACT's net zero emissions target from 2045 to 2040 at the latest. A more aggressive emissions reduction pathway is consistent with the IPCC assessment that current Nationally Determined Contributions (NDC) commitments risk increasing temperatures beyond 2.0°C.
- 1.5 Review the ACT's renewable electricity practices and targets to recognise evolving opportunities for '24/7' renewable energy power including the development of associated standards.
- 1.6 The ACT Climate Action Plan should incorporate annual climate-related financial disclosure statements that would include scenario analysis, transition planning and an assessment of both physical and transition risks based on common metrics aligned to international best practice.
- 1.7 To support economically efficient investment decisions that have a climate-related component, a Climate Action Plan should establish frameworks to internalise externalities, such as a frameworks that value emission reductions.
- 1.8 The ACT Climate Action Plan should be established as a legislative requirement, through an amendment to the Climate Change and Greenhouse Gas Reduction Act 2010.

Create structures to facilitate coordination, the building of partnerships, the sharing of expertise and involvement from the broader ACT community (Key Evaluation Question 4,5,6,7)

- 2.1 The ACT Government should leverage the depth of climate expertise across the ACT, including at ANU and University of Canberra, establishing an ACT Climate Ecosystem as an open network of climate experts based on MERI frameworks. This would provide a mechanism to allow climate-related developments to be considered and debated across the ACT.
- 2.2 The ACT should establish a Climate Community Partnership Framework as a mechanism to structure collaboration between the ACT Government and community groups. Financial resourcing of community groups should be part of this framework, to support their participation in consultations, management partnerships and implementation of MERI practices.
- 2.3 The responsibility for embedding and strengthening MERI practices should sit with an area of ACT Government that has capacity to influence practice across all Directorates.
- 2.4 The design of effective MERI strategies, integrated into the Climate Action Plan, should draw on behaviour change theory.
- 2.5 The ACT Government should identify and prioritise opportunities for social and wellbeing strategies to align with climate actions to deliver co-benefits. This will require collaboration and cohesion between the ACT's Wellbeing Framework and the Climate Action Plan.

1 Introduction

1.1 Policy context – national and international

The Intergovernmental Panel on Climate Change (IPCC) has found that human activities, principally through emissions of greenhouse gases, have caused global warming, with global surface temperature reaching 1.1°C above 1850-1900 levels in 2011-2020.⁴ The IPCC notes that crossing the 1.5°C threshold risks unleashing more severe climate change impacts, including more frequent and severe natural disasters and extreme weather.

To mitigate against the impacts of climate change, on 12 December 2015, 196 countries at the UN Climate Change Conference (COP21) established a legally binding international treaty known as the Paris Agreement. COP28, held in Dubai in 2023, was the first 'global stocktake' of the implementation of the Paris Agreement. The outcome was an acknowledgement that progress has been too slow across all areas of climate action, with a call on governments globally to accelerate the transition.

According to the IPCC's most recent summary of the state of knowledge of climate (the Sixth Assessment Report (AR6)), limiting warming to around 1.5°C requires global greenhouse gas emissions to peak before 2025 at the latest and decline 43% by 2030. Even if this is achieved, global GHG emissions in 2030 implied by nationally determined contributions (NDCs) announced by October 2021 make it likely that warming will exceed 1.5°C during the 21st century and make it harder to limit warming below 2°C.⁵

At a national level, Australia's climate has warmed by an average of 1.5°C since 1910 and sea surface temperatures have increased by an average of 1.08°C since 1900.⁶ Extreme weather and natural disasters are increasing in frequency and intensity due to climate change. Natural disasters currently cost the Australian economy \$38 billion per year and this cost will rise to at least \$73 billion per year by 2060.⁷

Decarbonisation is one of the key focus areas of global climate action. Australia has legislated a national target of 43% reduction in greenhouse gas emission by 2030 (against a 2005 baseline) and net zero emissions by 2050.⁸ All Australian state and territory governments have also committed to net zero emissions by 2050 or earlier.

Adaptation is another focus area, involving adjustments in ecological, social and economic systems in response to actual or expected climate impacts and their effects. At an international level, the United Arab Emirates Framework for Global Climate Resilience⁹ (agreed in 2023) includes a range of thematic and dimensional targets for climate adaptation and resilience.

⁴ IPCC (2023). *Headline Statements*. <https://www.ipcc.ch/report/ar6/syr/resources/spm-headline-statements/#:~:text=Human%20activities%2C%20principally%20through%20emissions,%E2%80%931900%20in%202011%E2%80%932020>.

⁵ Ibid.

⁶ Bureau of Meteorology (2024). *State of the Climate 2024*. <http://www.bom.gov.au/state-of-the-climate/>

⁷ Deloitte Access Economics (2021). *Special report: Update to the economic costs of natural disasters in Australia*. https://australianbusinessroundtable.com.au/assets/documents/Special%20report:%20Update%20to%20the%20economic%20costs%20of%20natural%20disasters%20in%20Australia/Special%20report%20_Update%20to%20the%20economic%20costs%20of%20natural%20disasters%20in%20Australia.pdf

⁸ Department of Climate Change, Energy, the Environment and Water (2024). *Net Zero*.

<https://www.dcceew.gov.au/climate-change/emissions-reduction/net-zero>

⁹ United Nations Foundation (2023). *UAE Framework for Global Climate Resilience*. <https://unfoundation.org/what-we-do/issues/climate-and-energy/uae-framework-for-global-climate-resilience/>

Priorities here include:

- a) Reducing climate-induced water scarcity and enhancing climate resilience to water-related hazards
- b) Attaining climate-resilient food and agricultural production and supply and distribution of food
- c) Attaining resilience against climate change related health impacts, promoting climate-resilient health services, and significantly reducing climate-related morbidity and mortality
- d) Reducing climate impacts on ecosystems and biodiversity
- e) Increasing the resilience of infrastructure.

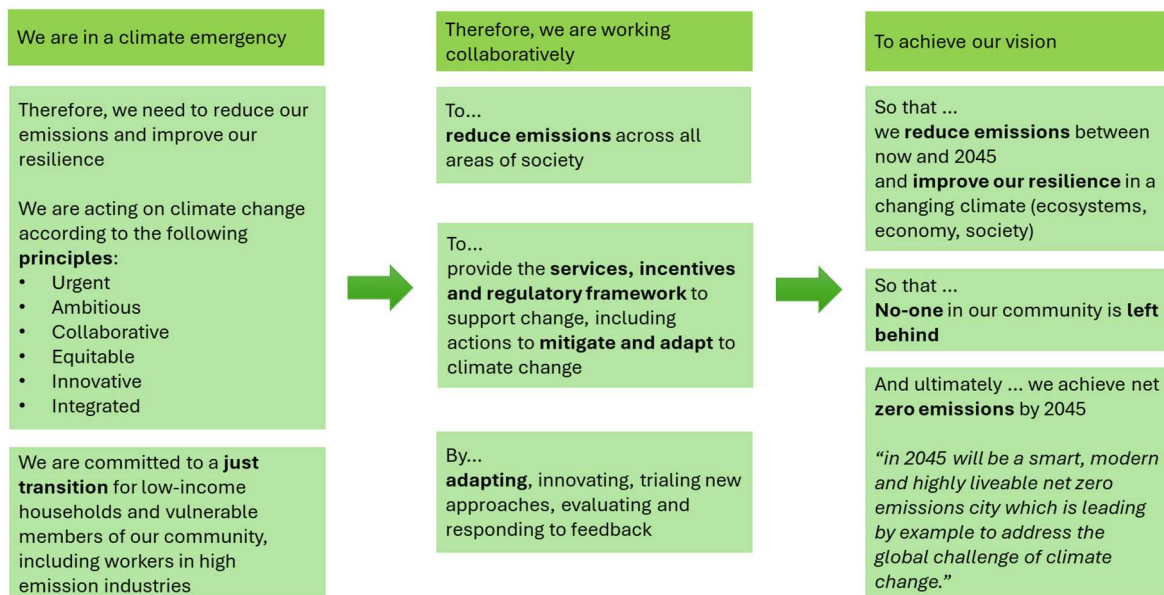
Aligned with international climate treaties, there are a range of initiatives and frameworks in place to help nations and governments develop local strategies, policies and programs for mitigation and adaptation.

1.2 Policy context in the ACT

The ACT has set targets around reducing greenhouse gas emissions and preparing for the impacts of climate change. The ACT is committed to achieving net zero emissions by 2045 (based on 1990 levels), with progressive reductions between now and 2045 (50-60% by 2025, 65-75% by 2030 and 90-95% by 2040).¹⁰ The targets are legislated under the Climate Change and Greenhouse Gas Reduction Act 2010 (reviewed in 2021).

The draft logic model (Figure 1) sets out the ACT Government’s Approach to Climate Action.

Figure 1: ACT Government’s Climate Change approach



Derived from the ACT Climate Change Strategy 2019-25 Summary¹¹

¹⁰ ACT Government (2021). ACT Climate Change Strategy. <https://www.climatechoices.act.gov.au/policy-programs/act-climate-change-strategy>

¹¹ ACT Government (2019). ACT Climate Change Strategy 2019-23 Summary. https://www.climatechoices.act.gov.au/__data/assets/pdf_file/0004/1414642/ACT-Climate-Change-Strategy-2019-2025-Summary.pdf

This model was developed by the review team, in consultation with the project manager from the Environment, Planning and Sustainable Development Directorate (EPSDD).

A logic model explains how an intervention (in this case the ACT Government's climate change work) is supposed to bring about its intended outcomes (i.e. what is to be evaluated). The ACT Government recognises the climate emergency and is acting to mitigate and adapt to climate change. The government is working collaboratively to provide services, incentives and the regulatory framework needed to support the transition. The aim is to achieve net zero emissions by 2045, to improve resilience in a changing climate and for no-one to be left behind (including low-income households and vulnerable community members).

2 Review methodology

Rooftop Social and the Institute for Sustainable Futures (ISF) at the University of Technology Sydney were engaged to undertake a review of the ACT Government’s action on climate change, with a focus on actions taken 2019-24. This review is mandated by the ACT Government.

The purpose of this review is to deliver insights and identify priorities for future ACT Government action, with a dual focus on actions designed to mitigate climate change by achieving emission reduction targets, as well as actions designed to support adaptation to the impacts of climate change.

The review also provides recommendations about how to strengthen monitoring, evaluation, reporting and improvement (MERI) efforts in the future.

Feedback on the review methodology was sought from the Steering Committee, Technical Working Group that was established with the specific role to oversight this review, and the project team within EPSDD that was tasked with managing the review process. The Key Evaluation Questions for the review (KEOs) were finalised in consultation with the EPSDD project team and are set out in Table 1.

The [Australian Centre for Evaluation](#) guidelines were used to define key terms in the evaluation questions. Due to resource constraints, one question from the original RFQ for this review was agreed to be out of scope and was removed. (The question was: A meta-analysis that synthesises all existing evaluation, monitoring, review and research reports applicable to climate action in the ACT over the previous five years).

Table 1: Key Evaluation Questions and explanation

Key Evaluation Questions	Explanation
<p>1. Vision</p> <p>Does the ACT Government have an appropriate vision and direction setting on climate change that considers the broader climate action agenda?</p>	<p>By appropriate we mean:</p> <ul style="list-style-type: none"> How well does the vision and direction align with the broader climate change action agenda (e.g. what is happening in cities that are part of C40)?
<p>2. Strategic plans</p> <p>Are the existing strategic plans deemed appropriate and effective to meet the government vision on climate change?</p>	<p>By appropriate we mean:</p> <ul style="list-style-type: none"> How well aligned are the strategic plans to the vision? How well designed are the strategic plans/how likely are the strategic plans to make the intended difference? <p>By effective we mean:</p> <ul style="list-style-type: none"> To what extent are the strategic plans delivering the intended outcomes? (Limitation – this review is not an audit)
<p>3. Process and decision making, including how investment decisions are made</p> <p>Are climate change impacts considered and embedded into key government decisions, work and processes? If not, how and where can they be embedded?</p>	<p>The goal is to understand how climate change impacts are considered when government makes decisions and provide ideas about what can be improved. Key words:</p> <ul style="list-style-type: none"> Climate change impacts – adaptation and mitigation Work – e.g. projects, programs, initiatives Processes – e.g. business case development templates

Key Evaluation Questions	Explanation
<p>4. Recognition of challenges</p> <p>The findings from the latest emissions projections modelling suggests that there may be challenges for the ACT to meet interim and net zero targets under the existing policy settings.</p> <p>What are the strategic gaps and opportunities to help achieve our interim and net zero targets, and climate resilience objectives?</p>	<p>We are not commenting on the emissions projections modelling. We are also not doing a literature review of what happens outside the ACT.</p> <p>We are using insights from the review to identify gaps and opportunities. To a limited extent, we are drawing upon what is happening elsewhere (e.g. in cities that are part of C40).</p>
<p>5. Partnerships</p> <p>To achieve net zero targets, the ACT Government can't do it alone. Partnerships with business, community service organisations and responsibility sharing between individuals, community and government is essential.</p> <p>Does the ACT Government have the right partnership and engagement/ communication settings?</p>	<p>The goal is to understand the processes, policies and frameworks in place around partnerships, engagement and communications. We are using insights from the review to provide ideas about what can be improved. We are not doing an audit of partnerships.</p>
<p>6. External factors</p> <p>a) What are the key external factors that create opportunities, risks or uncertainties for ACT Government actions? For example, how might Commonwealth or other jurisdictions' strategies and progress impact the ACT's ability to deliver emissions reductions?</p> <p>Social and wellbeing strategies</p> <p>b) How does the impact of social and wellbeing strategies and progress impact the ACT's ability to deliver emissions reductions (e.g. housing, cost of living, food insecurity)?</p>	<p>This question is about what helps/hinders the ACT deliver emission reductions. It has two parts – (1) external factors (2) internal factors.</p> <p>a) What are the key external factors – from NSW, Commonwealth, private sector and overseas (to a lesser extent)?</p> <p>b) How is the ACT wellbeing framework implemented?</p> <p>How does the ACT prioritise what it funds?</p> <p>How are tensions / trade-offs between wellbeing and emissions reductions handled? What is working well, what can be improved?</p>
<p>7. MERI</p> <p>Are monitoring, evaluation, reporting and improvement processes in place and appropriate?</p> <p>What are the risks, gaps and opportunities in evaluation and reporting?</p>	<p>MERI processes should enable staff to evaluate their work and use evidence for continuous improvement, accountability and decision making.</p> <p>By appropriate we mean:</p> <ul style="list-style-type: none"> • How well designed are the MERI processes? • To what extent do they support people to evaluate their work? <p>The goal is to understand what MERI processes are in place and use insights from the review to provide ideas about what can be improved. We are not doing an audit of MERI.</p>

2.1 Document cataloguing

A total of 53 ACT climate change documents were reviewed. The documents represent a sample of all climate-related documents in the ACT and have been supplied by the EPSDD in consultation with other directorates and stakeholders. The documents were published between 2016 and 2024 and range in form, from strategies and frameworks to evaluations and reviews. For the full list of documents please see Appendix C.

An initial scan of key documents was conducted to obtain an overall understanding of the climate change actions undertaken by the ACT Government and the available evidence about their progress. Following this initial scan, there was a clear need to develop and apply consistent assessment criteria for the KEQs.

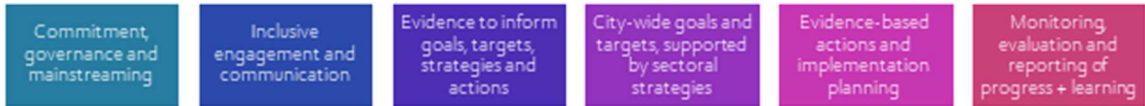
After a review of evidence-based frameworks relevant to the ACT, the C40's Cities Climate Transition Framework (C40 Framework) was chosen as a foundation for the review: both a set of criteria to catalogue the contents of the supplied documentation and as a scaffold for framing discussion questions in the stakeholder interviews (for more detail see Box 1). Appendix A outlines the KEQs, corresponding C40 criteria and the detailed cataloguing criteria.

The use of this Framework is intended to be a proxy of best practice climate actions. It is not intended to be an indicator that the ACT should itself endorse this framework. Appendix B sets out the detailed cataloguing criteria applied to an example document (the ACT Climate Change Strategy 2019-25). In the initial phase of categorisation, criteria were iterated slightly to ensure they were fit for purpose for the ACT. Once finalised, all criteria were applied to the documents consistently.

Box 1: C40 and the Cities Climate Transition Framework

The C40 consists of over 90 member cities that are 'committed to using an inclusive, science-based and collaborative approach to cut their fair share of emissions in half by 2030, help the world limit global heating to 1.5°C, and build healthy, equitable and resilient communities'.¹² C40 was originally established as C20 by then-Mayor of London, Ken Livingston in 2005.¹³ Today, C40 member cities include Melbourne, Sydney, London, Paris, Singapore, Auckland and New York City.

The Cities Climate Transition Framework consists of 16 criteria (listed in Appendix A), organised into six themes:¹⁴



The origins of the Framework date back to 2018, when C40 developed a Climate Action Planning Framework¹⁵ to support cities with developing and aligning their climate action plans with the ambition and objectives of the Paris Agreement. The recent update and re-brand of the Framework (in 2023) was sparked by with the call at COP27 by the UN Secretary General for Non-State Actors to demonstrate integrity, transparency and accountability on their net zero climate commitments.¹⁶ The update was developed in consultation with representatives from a diverse group of C40 cities and now integrates the UN Secretary General's High Level Expert Group on the Net-Zero Emissions Commitments of Non-State Entities (HLEG) recommendations.

¹² C40 Cities (2024) *About C40*. <https://www.c40.org/about-c40/#:~:text=Mayors%20of%20C40%20cities%20are,healthy%2C%20equitable%20and%20resilient%20communities>.

¹³ C40 Cities (2015) *Celebrating 10 years of results*. <https://www.c40.org/news/celebrating-10-years-of-results/>

¹⁴ C40 Knowledge (2023) *Cities Climate Transition Framework*. https://www.c40knowledgehub.org/s/article/Cities-Climate-Transition-Framework?language=en_US

¹⁵ C40 Knowledge (2020) *Climate Action Planning Framework*. https://www.c40knowledgehub.org/s/article/Climate-Action-Planning-Framework?language=en_US

¹⁶ United Nations Climate Change (2023). *UN Climate Change Unveils Plan to Showcase Leadership and Enhance Accountability*. <https://unfccc.int/news/un-climate-change-unveils-plan-to-showcase-leadership-and-enhance-accountability>

2.2 Stakeholder consultation

We facilitated **semi-structured interviews** with the following groups of internal ACT Government stakeholders and external community stakeholders. Internal stakeholder groups engaged in the review were:

- Transport Canberra City Services (TCCS)
- Office for Climate Action
- Treasury
- Climate Change Policy, including Emissions Reduction Team, EPSDD
- Communications and Engagement, EPSDD
- Government, Schools and Community team, EPSDD
- Business and Economic Development Team, EPSDD
- Community Services Directorate

The following external stakeholder groups were also engaged:

- ACT Climate Change Council
- ACT Council of Social Services (ACTOSS)
- ACT Business Chamber
- ACT Environment Groups (See-change, Canberra Environment Centre and Conservation Council ACT Region)¹⁷

The interviews were organised by EPSDD and were generally one hour in duration, using Microsoft Teams. In most cases, the Microsoft Teams transcription function was used for notetaking purposes. The review team from Rooftop Social and UTS-ISF were present at each interview, together with a representative from EPSDD.

We also facilitated **two half day synthesis workshops** with internal ACT Government staff in person, in Canberra in September. The aim was to test some of the early review findings and to address some questions that arose during the initial stage.

¹⁷ EPSDD representative was present for all the interview with the ACT Environment Groups. However, for all other interviews with external stakeholders, EPSDD left meeting after the introductions.

3 Review Findings

3.1 Does the ACT Government have an appropriate vision and direction setting on climate change that considers the broader climate action agenda?

An appropriate vision is one that commits to achieve net zero emissions and strengthen climate resilience consistent with climate science and the Paris Agreement 1.5°C ambition. The ACT's climate vision should clearly communicate all goals and targets in a single statement. The ACT should bring forward its net zero emissions target from 2045 to 2040 at the latest, establish new adaptation targets and align renewable electricity targets with the need for 24/7 matching of renewable electricity with energy demand.

Reognising that...	Recommendations
<ul style="list-style-type: none"> An appropriate <i>vision statement</i> should consist of a statement on both achieving net zero emissions and strengthening climate resilience consistent with the Paris Agreement 1.5°C ambition. An appropriate <i>direction setting statement</i> in the form of a Climate Action Plan should include short-, medium- and long-term goals or targets informed by evidence based on climate science. There are relatively fewer medium-term goals compared to short- and long-term targets. The ACT's climate vision is contained in the Climate Change Strategy 2019-2025. Legislated targets are contained in the Climate Change and Greenhouse Gas Reduction Act 2010. Other strategy documents contain targets and goals. The ACT's climate targets primarily focus on mitigation. There are relatively fewer medium term targets and fewer adaptation targets. ACT Government staff do not always use the vision from the Climate Change Strategy to guide their work, but use visions from other strategic documents instead. The identification of the need for firming capacity in energy markets, with resulting calls for '24/7' renewable electricity Power Purchase Agreements which track the percentage of load matched with renewable electricity within the same hour. 	<p>Recommendation 1.1 An ACT Climate Action Plan should be established with an updated vision, targets and goals, clearly articulating that the ACT's vision is to achieve net zero emissions and strengthen climate resilience consistent with climate science and the Paris Agreement 1.5°C ambition.</p> <p>Recommendation 1.2 Informed by climate science, the ACT Climate Action Plan should combine all relevant targets and goals across different legislation, strategy and action plans into a single climate action document.</p> <p>Recommendation 1.3 The ACT Climate Action Plan should place particular emphasis on medium-term targets and adaptation resilience targets, which are identified as gaps in the current Strategy.</p> <p>Recommendation 1.4 The ACT Climate Action Plan should bring forward the ACT's net zero emissions target from 2045 to 2040 at the latest. A more aggressive emissions reduction pathway is consistent with the IPCC assessment that current Nationally Determined Contributions (NDC) commitments risk increasing temperatures beyond 2.0°C.</p> <p>Recommendation 1.5 Review the ACT's renewable electricity practices and targets to recognise evolving opportunities for '24/7' renewable energy power including the development of associated standards.</p>

Document cataloguing

To examine whether the ACT has an appropriate vision and direction setting on climate change that considers the broader climate action agenda, three criteria were applied to the document sample:

1. Whether the document provided evidence of a vision and commitment to act on climate change (included in four in ten documents).

2. Whether a document contained short, medium, and/or long-term targets and what these were. Seven in ten documents contained a short-, medium- or long-term target, though short- and long-term targets were far more frequently cited than medium-term targets.
3. Whether the document included adaptation and mitigation actions tied to targets. Mitigation actions tied to targets were cited almost four times more than adaptation targets tied to targets. While not a specific criterion, the sample of documents also revealed key direction setting documents for mitigation and adaptation. More detail on the cataloguing can be found below.

Unless otherwise specified, document numbers (e.g. n=5) relate to the whole document sample (i.e. five out of 53 documents reviewed). Likewise, reference to percentages of documents (e.g. 60% of documents) refers to the sample of 53 documents reviewed.

An appropriate vision

Results from cataloguing documents in respect to an 'appropriate vision' reveals:

- There is no vision explicitly linked to limiting warming to 1.5°C. While five documents (out of 53) reference the Paris Agreement, only one document, the *Climate Change Strategy 2019-2025*, references 1.5°C in its opening "Need for Action" section.
- 40% of the document sample (n=21) contained a vision linked to climate change. The majority of these documents (34%, n=18) are "strategic documents", such as strategies, overarching plans, agreements, statements and frameworks, and the *Climate change and Greenhouse Gas Reduction Act 2010*, where a vision is most critical. For these 18 strategic documents, thirteen contain visions linked to climate change and three contain visions but these are not linked to climate change (*Active Travel Plan 2024-30*, *Age Friendly City Plan 2020-2024*, *ACT Disability Strategy 2024-2033*). See more detail on strategic documents in Section 3.2.
- 60% of documents (n=32) had no evidence of a vision linked to climate change action nor did they refer to a vision in an existing document. While it is not necessary for each document to devise a standalone vision, it should refer back to a relevant existing vision. Most of the documents were reviews, evaluations, audits and progress reports (n=25), and instead referred to policy objectives or the Object of the Act. However, this does illustrate that evaluative documents are not reviewing progress towards an overarching vision, including whether the original vision is still relevant.

The most comprehensive vision was outlined in the *ACT Climate Change Strategy 2019-2025*:

"By 2045 the ACT will be a leading net zero emissions territory that demonstrates that a healthier, smarter future is possible.

Canberra in 2045 will be a compact and efficient city of 600,000 people providing a diverse range of housing choices and businesses. Lively precincts will be linked by flexible and efficient transport systems and the city will be home to leading low emissions businesses and research hubs. The city's tree-lined streets, surrounding nature reserves and healthy landscapes will continue to make it a beautiful and enjoyable place to live. The ACT will produce net zero greenhouse gas emissions, helping to address the global challenge of climate change.

The ACT will be powered by 100% renewable electricity and will continue to lead in finding innovative solutions for energy demand management and energy security. This will support a strong and diverse zero emissions economy, establishing the ACT as a zero-emissions investment hub. Homes and commercial buildings will be climate wise; that is, they will be efficient and capable of being comfortable in all seasons and will generate zero emissions having

transitioned off natural gas. The city will be serviced by an integrated transport network that encourages cycling and walking, provides user-friendly zero emissions public transport and supports a zero-emissions vehicle fleet. The impacts of a changing climate on people, infrastructure and services will be well-managed and urban heat impacts will be reduced by an established network of street trees, waterways and parks supported by healthy soils. Productive farmlands, forests and biodiverse nature reserves will be sustainable and resilient to the changing climate.

By 2025 the ACT will have reduced emissions by 50–60% from 1990 levels and implemented several measures that lay the foundations for an efficient transition to net zero emissions by 2045. These initial steps will also contribute to transforming the ACT into a net zero emissions economy.” (ACT Climate Change Strategy 2019-25, p.15)

The vision contained in the *ACT Climate Change Strategy 2019-25* contains commitments to both net zero emissions and climate resilience. This vision has been written from the perspective of an imagined, ideal state. The language in this statement would benefit from clearer statements linking commitments, goals and targets to the Paris Agreement's 1.5°C ambition based on evidence aligned to climate science.

This vision also highlights ACT as a “leading net zero territory”, and 34% of documents (n=18) in total note the ACT as a “leader” or “leading” on climate action. For example, “the ACT has become a national leader on action to address climate change” (*Canberra Region Local Food Strategy 2024-2029*), “the ACT Government has legislated a nation-leading target of achieving net zero greenhouse gas (GHG emissions by 2045 at the latest” (*The Integrated Energy Plan: Our pathway to electrification*)

Appropriate direction setting

At the highest level the key direction-setting documents include the *Climate Change and Greenhouse Gas Reduction Act 2010* for mitigation and adaptation and the *Climate Change Strategy 2019-2025* which incorporates both mitigation and adaptation strategies. More detail on strategic documents can be found in Section 3.2.

The 2019 *Climate Change Adaptation Strategy Completion Report* notes that adaptation work will continue through the *Climate Change Strategy 2019-2025* and the *Living Infrastructure Plan*. Adaptation targets and goals (as discussed below) and adaptation strategies (see Section 3.2) are dwarfed by mitigation targets, goals and strategies in the document review. Importantly, the last substantive risk assessment for the ACT was undertaken in 2017 (the *Territory Wide Risk Assessment 2017*) and is being updated in 2024-25.

There is no universally agreed set of timeframes for short, medium and long-term targets as defined by C40 or UNHLEG. For the purposes of this report, a target is a measurable outcome within a certain timeframe (e.g. 100% renewable electricity by 2020). The following time frames have been used for targets: short term (2020-2029), medium term (2030-2039), long term (2040 onwards).

The documents revealed that the ACT has numerous climate targets and, in some cases, communicates the mechanisms by which these are set, reviewed and how the Government is held accountable for meeting them. Overall, more than 70% of documents reviewed (n=38) contain either a short-term, medium-term or long-term target. As outlined in Table 2, long-term targets are included most frequently (n=32), followed by short-term targets (n=30) and medium-term targets (n=11).

Table 2: Short-, medium- and long-term climate-related targets contained in the document categorisation

Area	Short term targets (n=30)	Medium term targets (n=11)	Long term targets (n=32)
Emissions reduction (Territory, baseline is 1990)	Reduce emissions 40% by 2020 Reduce emissions 50-60% by 2025	Reduce emissions 65-75% by 2030	Reduce emissions 90-95% by 2040 Net zero by 2045 / Phase out fossil gas by 2045 at the latest
Emissions reduction (Government)	Reduce emissions from government operations by over 33% by 2025 (from 2020)		Net zero ACT Government health sector by 2040 Zero emissions from government operations by 2040
Transport (Territory)		ACT to use only ZEV public transport, garbage trucks, taxi and rideshare vehicles by mid 2030s 80-90% ZEV sales by 2030 100% ZEV sales by 2035 No new ICE registrations 2035	Transport Canberra and public transport zero emissions by 2040 Convert existing depots to net zero emissions by 2040
Transport (Government)	Transition of government fleet vehicles, 50% by 2019-20, 100% by 2020-21 Ensure all newly leased ACT passenger fleet vehicles will be ZEVs from 2020-21 (where fit for purpose) Build at least 50 EV recharging stations across Canberra and the region, holding a reverse auction for construction in 2021-22		
Electricity	100% renewable electricity in 2020 and maintain this		

Area	Short term targets (n=30)	Medium term targets (n=11)	Long term targets (n=32)
	Mandatory Renewable Energy Target legislated an additional 9,500 GWh of renewable energy by 2020		
Buildings	Minimum energy efficiency standards regulation for rental properties come into force by 2022-23 Legislated deadline for ceiling insulation in rentals Nov 2026		
Adaptation	54,000 trees by 2024 for tree cover		30% of Canberra's urban environment to be permeable surfaces and canopy cover by 2045

Note: Targets have been taken from the 53 documents in the sample only, and do not represent all of the climate-related targets in the ACT.

Reference to targets includes those set through legislation that are required to be reported on through the Minister’s Annual Report (e.g. emissions reduction targets); or targets set in a strategy that are audited by the ACT Audit Office (e.g. zero emissions vehicle targets); or targets that are softer commitments without explicit accountability measures (e.g. “an additional 40–45% of car journeys would need to shift to active travel and public transport by 2045 to achieve net zero emissions”).

Targets span emissions reduction and transport (for the Territory as a whole and for the ACT Government), renewable electricity, buildings and adaptation. Compared to mitigation targets, there are far less adaptation and climate resilience targets. This is then reflected in mitigation and adaptation strategies directly linked to targets. For example, 17% (n=9) documents contain adaptation strategies directly linked to targets, while 64% (n=34) contain mitigation strategies directly linked to targets.

Stakeholder perceptions

Some internal stakeholders suggested that the current vision and direction setting in the ACT Climate Change Strategy needs to reflect:

- The need for adaptation to be on equal footing with mitigation, due to the changes in the climate that have happened in recent years
- The challenges coordinating climate actions, with one example being the development of the Integrated Energy Plan.
- The challenge for Directorates whose core responsibilities outside of energy working on energy-related issues.
- The need to go beyond carbon reduction and address broader aspects of climate action (e.g. go beyond net zero emissions)

- The need to include reference to current understanding and priorities like a just transition and health impacts of climate change on humans
- The opportunity to make vision and direction setting shorter, clearer and less complex, to make it easier to communicate and more memorable
- The need to make vision and direction setting useful to guide everyday work – currently it is very high level and staff often use other visions to guide their work (e.g. from their Directorate or the ACT Government Integrated Energy Plan).

Some internal stakeholders identified that embedding climate risk into whole of Government work was a current gap. Others told us that they use risk assessments at a project level (e.g. when designing logic models). Some people also mentioned that developing medium-term targets are useful when tracking progress of programs or policies but can increase the risk of not meeting targets within a parliamentary cycle.

Insights

The ACT would benefit from a Climate Action Plan

The C40 can be considered best practice in terms of strategic plans that are appropriate and effective to meet a city's vision on climate change. The C40 provide guidance on expectations for an appropriate climate strategy. According to C40 a Climate Action Plan (CAP), which is defined as a document, or series of documents, in which a city sets out its roadmap for reducing GHG emissions and strengthening climate resilience across the community.¹⁸ C40 state that a Paris Agreement-compatible CAP will:

- Enable the city to act quickly on the most prominent local sources of GHG emissions by developing a pathway to deliver an emissions-neutral city by 2050 at the latest and set an ambitious interim target and/or carbon budget.
- Demonstrate how the city will adapt and improve its resilience to the climate hazards that may impact the city now and in future climate change scenarios.
- Detail the wider social, environmental and economic benefits expected from implementing the plan, prioritising inclusive and equitable climate actions that benefit all citizens.
- Outline the governance, powers and partners the city needs to engage to accelerate the delivery of its mitigation targets and resilience goals.

An appropriate vision should be aligned with 1.5°C and include both mitigation and adaptation strategies

An example of a best practice climate change vision statement relevant to the ACT is the C40 Cities Climate Transition Framework vision. C40 is a global network of around 100 mayors of the world's leading cities that are united in action to confront the climate crisis. C40 originally established a Cities Climate Transition Framework in 2017, recently updating the framework to integrate the United Nations Secretary General's High Level Expert Group on the Net-Zero Emissions Commitments of Non-State Entities (HLEG) recommendations.¹⁹ C40 states the framework was established to

¹⁸ C40 Knowledge (2024) *Climate Action Planning Guide: Why all cities need a Paris Agreement-compatible climate action plan*. https://www.c40knowledgehub.org/s/guide-navigation?language=en_US&guideRecordId=a3t1Q0000007IEWQAY&guideArticleRecordId=a3s1Q000001iahcOAA

¹⁹ United Nations (2022). *Integrity Matters: Net Zero Commitments by Businesses, Financial Institutions, Cities and Regions*. https://www.un.org/sites/un2.un.org/files/high-level_expert_group_n7b.pdf

“support cities in driving short term action and long-term strategic vision for transition to net zero emissions, inclusivity, and climate resilience”.²⁰ In respect to vision, the C4o Cities Climate Transition Framework states:

“Public commitment by city leadership to take urgent and equitable action and use available powers and influence to achieve net zero emissions and strengthen climate resilience consistent with the highest ambition of the Paris Agreement (1.5°C).

Setting a positive vision to deliver climate action in line with the objectives of the Paris Agreement is important to build buy-in and support across government branches, business and civil society, for ambitious climate action in the short and long term and to successfully deliver transformational change”.²¹

An appropriate vision should include a statement on both achieving net zero emissions and strengthening climate resilience consistent with the Paris Agreement 1.5°C ambition.

The ACT's current vision, which is encapsulated in the *ACT Climate Change Strategy 2019-2025*, should be updated to make clear that the ACT's vision is to achieve net zero emissions and strengthen climate resilience consistent with the Paris Agreement 1.5°C ambition.

Set short-, medium- and long-term targets and goals for mitigation and adaptation

The C4o Cities Climate Transition Framework can be considered best practice in terms of statements on direction setting. In respect to direction setting, Principle 8 of the C4o Cities Climate Transition Framework states:

“Short-, medium- and longer-term city-wide adaptation goals and targets to build resilience and reduce vulnerability, informed by the evidence base and latest climate science”²²

The framework provides guidance around both adaptation and mitigation targets, stating that:

Adaptation Targets are defined as “short-, medium- and longer-term city-wide adaptation goals and targets to build resilience and reduce vulnerability, informed by the evidence base and latest climate science.”²³

A city-wide adaptation vision supported by goals and targets set the adaptation trajectory, building and strengthening the city's overall resilience to the impacts of climate change. Detailed adaptation goals and targets that break down the city's adaptation ambitions by hazard, sector or city system can guide the development of focused adaptation actions to reduce vulnerability to the impacts of climate change in specific areas, assets or populations.

Mitigation Targets are defined as “short-, medium- and longer-term city-wide net zero emission reduction targets, informed by the evidence base and latest climate science.”²⁴

²⁰ C4o Knowledge (2020). *Climate Action Planning Framework*. https://www.c4oknowledgehub.org/s/article/Climate-Action-Planning-Framework?language=en_US

²¹ Ibid.

²² Ibid.

²³ Ibid.

²⁴ Ibid.

Targets and goals are used interchangeably in C40's *Cities Climate Transition Framework* and there is no clear definition by C40 of the difference between a target and a goal. C40's website however, notes that "measurable and actionable climate targets specify the scale and pace at which cities will take action."²⁵ Goals are more overarching and may not be measurable or linked to a date. This document review has only recorded targets on the basis that there are many statements in ACT strategies that can be interpreted as goals.

Using C40 guidance as best practice, should the ACT prepare an updated Climate Change Strategy beyond 2025, careful consideration should be given to updating existing targets and goals or creating new targets and goals. As demonstrated in the document cataloguing and stakeholder perceptions, there is a need to include more medium-term targets and more targets addressing adaptation and resilience.

The ACT should aim for net zero by 2040

To limit warming to 1.5°C with no or limited overshoot, the IPCC states global net anthropogenic CO₂ emissions need to decline about 43% by 2030 (from 2010 levels) and reach net zero around 2050.²⁶ Nationally Determined Contributions (NDCs) are the mechanism for nations to fulfil Paris Agreement commitments. NDCs should reflect the highest possible ambition for a country which should be progressively updated. Australia's current NDC is to achieve a national target of 43% reduction in greenhouse gas emissions by 2030 (against a 2005 baseline) and net zero emissions by 2050. NDCs are updated every five years, with renewed targets due in 2025.

Through the *Climate Change and Greenhouse Reduction Act 2010* the ACT Government has legislated a target to reduce greenhouse gas emissions in the ACT to achieve zero net emissions by 30 June 2045.

IPCC's most recent assessment finds that global GHG emissions in 2030 implied by nationally determined contributions (NDCs) announced by October 2021 make it likely that warming will exceed 1.5°C during the 21st century and make it harder to limit warming below 2°C. Delayed transition will increase climate change impact. The IPCC find that every increment of global warming will intensify multiple and concurrent hazards (high confidence). A recent study found there is a 50% chance of limiting warming to 1.5°C with the remaining carbon budget being 250 giga tonnes of CO₂ as of January 2023. This is equal to around six years of current CO₂ emissions, and even less for a higher chance of limiting warming to 1.5°C.²⁷

A key consideration for the ACT is if there is a likelihood that 1.5°C may not be achieved should this still be a target. The reality is that if globally 1.5°C is not achieved by 2050 there will still be a need to claw back any overshoot to limit climate impacts. As a wealthy, developed nation with huge renewable energy resources and one of the highest per capita emissions rates in the world, Australia has the capacity to rapidly reduce emissions and reach net zero earlier to allow developing countries more time to decarbonise. Science-based calculations of Australia's share of the global carbon

²⁵ C40 Knowledge (n.d.). *Setting Climate Targets*.

https://www.c40knowledgehub.org/s/topic/0TO1Q000000UAEsWAO/setting-climate-targets?language=en_US

²⁶ IPCC (2022). *The evidence is clear: the time for action is now. We can halve emissions by 2030*.

<https://www.ipcc.ch/2022/04/04/ipcc-ar6-wgiii-pressrelease/>

²⁷ Lamboll, R. D., Nicholls, Z. R., Smith, C. J., Kikstra, J. S., Byers, E., & Rogelj, J. (2023). Assessing the size and uncertainty of remaining carbon budgets. *Nature Climate Change*, 13(12), 1360-1367.

budget find that Australia should aim to reduce emissions 75% by 2030 (from 2005 levels) and reach net zero by 2035.^{28,29,30} The Paris Agreement states that a nation's NDC may be adjusted with a view to enhancing its level of ambition.

An appropriate direction setting for the ACT should reflect Australia's national NDC ambition, at a minimum. A more ambitious emissions reduction pathway than Australia's existing NDC is considered appropriate for the ACT in accordance with the Paris Agreement. Noting that Victoria's recent net zero target also aims for net zero by 2045 (see Table 3). The ACT Climate Change Council provides advice to the Minister for Water, Energy and Emissions Reductions on reducing greenhouse gas emissions and adaptation (see more detail on the Climate Change Council in Section 3.3). The Council's review of the ACT's greenhouse gas emissions target in 2023 recommended updating the net zero goal to 2040. With indicative interim targets of 53% emissions reduction by 2025 from 1990 levels, 70% by 2030, 85% by 2035.³¹

Table 3: National, State and Territory emission reduction targets

Jurisdiction	2025	2030	2035	2040	2045	2050
TAS		Net zero				
ACT (proposed ACT Climate Change Council)*	53%	70%	85%	100%		
ACT (current)*	50-60%	65-75%		90-95%	Net zero	
VIC	28-33%	45-50%	75-80%		Net zero	
National (proposed Climate Change Authority)			65-75%			Net zero
National (current)		43%				Net zero
NSW		50%	70%			Net zero
SA		60%++				Net zero
QLD			75%			Net zero
WA						Net zero
NT						Net zero

*1990 levels. All other targets use a baseline of 2005 unless otherwise stated.

++ Climate Change and Greenhouse Emissions Reduction Act – Draft Amendment Bill introduced to the South Australian Parliament on 29 August 2024

²⁸ A 67% change of limiting warming to 1.5°C means reaching net zero emissions globally by 2027, while a 67% change of limiting warming to 1.7°C means reaching net zero emissions globally by 2043. Net zero by 2035 represents a point in this range (2027-2038) that balances the maximum rate of emissions reductions that may be possible for Australia, with the need to limit warming as much as possible with the highest probability of success.

²⁹ Climate Council (2021). *Aim High, Go Fast: Why Emissions Need to Plummet this Decade*.

<https://www.climatecouncil.org.au/wp-content/uploads/2021/04/aim-high-go-fast-why-emissions-must-plummet-climate-council-report.pdf>

³⁰ Climate Council (2023). *Mission Zero: How Today's Climate Choices will Reshape Australia*.

https://www.climatecouncil.org.au/wp-content/uploads/2023/09/Mission-Zero_Updated-190923_IL_2.pdf

³¹ ACT Climate Change Council (2023) *ACT Climate Change Council submission on ACTs Emissions Reduction Target Review*.

https://www.climatechoices.act.gov.au/__data/assets/pdf_file/0005/2434064/act-climate-change-council-submission-acts-emissions-reduction-target-review-20230918.pdf

The ACT should review renewable electricity practices and targets

The ACT has a target to achieve "100% of electricity coming from renewable sources." The ACT has achieved 100% purchasing of renewable electricity through power purchase agreements (PPAs) that match the supply of total energy against demand. However, this does not mean the ACT itself is not reliant on fossil fuels for its electricity needs. There is recognition of an increasing mismatch between system-level renewable energy generation and demand, leading to renewables integration challenges. Recent research identifies the opportunity for '24/7' renewable energy PPAs which track the percentage of load matched with renewable energy within the same hour, that would also incentivise development of clean firming or demand flexibility and thereby contribute to improved system-level integration of renewable generation.³²

The matching of energy demand with renewable energy generated within the same hour and the same electricity grid or balancing area, which has been termed 24/7 carbon free energy (CFE), has been championed by the United Nations '24/7 Carbon-free Energy Compact.' Currently there is no global standard for CFE.

As new renewable technologies such as battery storage mature the structure of renewable energy investment is changing. An example is the rapid deployment of big batteries that provide firming capacity. The ACT's Big Canberra Battery project is an example of new investments. The Big Canberra Battery project will deliver an ecosystem of batteries across the ACT to ensure that stability of the electricity grid with the installation of a large-scale battery energy storage system in Williamsdale and installation of behind-the-meter batteries at nine government sites.

It can be expected that new programs to demonstrate the integrity of matching renewable energy demand with supply will emerge. There is a need to develop new standards that will provide integrity around claims of 24/7 carbon free energy. The ACT is well positioned to support the development of new standards.

It is recommended that the ACT's renewable electricity practices and targets be reviewed, recognising evolving opportunities for '24/7' renewable energy power purchase agreements which track the percentage of load matched with renewable energy within the same hour, including the need to develop associated standards.

³² Race for 2030 (2024). *24/7 TRUZERO (Tracking Renewables Utilisation for Zero Emission Reporting and Operation)*
<https://racefor2030.com.au/project/24-7-renewables-solutions-for-matching-tracking-and-enhancing-corporate-renewables-purchasing/>

3.2 Are the existing strategic plans deemed appropriate and effective to meet the government vision on climate change?

An appropriate climate strategy is a document, or series of documents, in which a government sets out its roadmap for reducing GHG emissions and strengthening climate resilience across the community. Current strategic plans are numerous and fragmented. To address this, we recommend the ACT create a single Climate Action Plan which brings together work across Directorates and includes short-, medium and long-term targets. A Climate Action Plan should include an update climate risk assessment for the whole of the ACT that includes analysis of physical and transition risks and opportunities against at least two climate scenarios, a 1.5°C increase in global temperature by 2050 (low warming scenario) and a scenario that 'well exceeds' 2°C by 2050 (high warming scenario).

Recognising that...	Recommendations
<ul style="list-style-type: none"> An appropriate climate strategy is a document, or series of documents, in which a Government sets out its roadmap for reducing GHG emissions and strengthening climate resilience across the community. There are a multitude of important strategic plans, however stakeholders generally agreed there is a need for a single climate plan that integrates various strategies, provides clear direction, breaks down silos and provides regular updates. There is clear evidence of planning, with seven in ten documents outlining clear actions to meet climate targets. However, just 26 % (n=14) documents explicitly allocated funds for actions to meet climate targets. Previous climate risk assessment have focused on physical risks. Reflecting new climate-related financial disclosure frameworks, climate risks assessments should consider physical and transition risks against multiple climate scenarios. 	<p>Recommendation 1.2 Informed by climate science, the ACT Climate Action Plan should combine all relevant targets and goals across different legislation, strategy and action plans into a single climate action document.</p> <p>Recommendation 1.3 The ACT Climate Action Plan should place particular emphasis on medium-term targets and adaptation resilience targets, which are identified as gaps in the current Strategy.</p> <p>Recommendation 1.6 The ACT Climate Action Plan should incorporate annual climate-related financial disclosure statements that would include scenario analysis, transition planning and an assessment of both physical and transition risks based on common metrics aligned to international best practice.</p>

Building on the definitions of appropriate vision and appropriate direction setting in Section 3.1, the focus of this question is on how appropriate and effective strategic plans are.

By *appropriate* we mean how well aligned a strategic plan is to the vision. By *effective* we mean to what extent are the strategic plans delivering the intended outcomes.

A key limitation is that the Review is not an audit of programs. The focus is therefore on whether there is visibility of outcomes, through for instance the articulation of a pathway and reporting.

Document cataloguing

The ACT has several different strategic plans. The cataloguing exercise sought to identify those strategies that are relevant to guiding climate action.

To examine whether the existing strategic plans are appropriate and effective to meet the government vision on climate change, four criteria were applied to the document sample.

1. The document has evidence of actions to end the use of fossil fuels (included in almost six in ten documents).

2. Which documents contained mitigation and adaptation strategies. Mitigation strategies were included in 85% of documents, while adaptation strategies were included in 55%.
3. The document focuses on a particular sector or sectors (ranging from stationary energy, transport, waste, industrial, land and adaptation). Stationary energy was the most dominant sector in the document sample
4. The document provides evidence of planning and/or resource allocation to meet targets. Seven in ten documents contained evidence of planning tied to targets, while less than three in ten documents committed funding tied to targets. The document "type" was also noted, with eighteen documents identified as "strategic".

More detail on the cataloguing can be found below.

Strategic documents

There are eighteen documents that can be considered strategic plans, as detailed in Table 4. Other documents in the sample included: analysis (n=1), assessments (n=2), audits (n=2), evaluations (n=7), frameworks (n=2), reviews (n=14), reports (n=9).

Table 4: Strategic documents included in cataloguing exercise

No.	Document title
1	Climate Change and Greenhouse Gas Reduction Act 2010
2	ACT Wellbeing Framework
3	Parliamentary and Governing Agreement
4	ACT Climate Change Strategy 2019-25
5	ACT's Zero Emissions Vehicles Strategy 2022-30
6	Zero-emission transition Plan for Transport Canberra
7	Building Canberra's Circular Economy: ACT Circular Economy Strategy and Action Plan 2023-2030
8	Active Travel Plan 2024-30
9	Canberra: A statement of ambition
10	CBR Switched On – ACT's Economic Development Priorities 2022-25
11	Whole of Government Adaptation Framework
12	Canberra's Living Infrastructure Plan: Cooling the City
15	ACT Housing Strategy October 2018
16	Age Friendly City Plan 2020-2024
17	ACT Disability Strategy 2024-2033
18	Canberra Region Local Food Strategy 2024-2029
19	Integrated Energy Plan
51	Sustainability Strategy 2021-2025 (Suburban Land Agency)

Decarbonisation – Most documents (58%, n=31) reviewed provide evidence of action(s) to end the use of fossil fuels. The assessment classification was based on documents that explicitly mentioned "phase out" or "transition away from" fossil fuels. The thirty-one documents noted no new gas connections, phase out of fossil gas and expanding zero emissions vehicles. A further five documents noted the 100% renewable electricity target, although no explicit reference to a phase out or 'transition away from' was included.

Adaptation and mitigation strategies – 85% of documents (n=45) included mitigation strategies, while only 55% (n=29) have adaptation strategies.

Sector coverage – The dominance of mitigation strategies is similarly reflected in the sectoral coverage: with stationary energy included most (n=47) and transport (n=23), noting that while there are adaptation elements to both sectors, most documents referred to mitigation actions. Land (n=23), adaptation (n=19), waste (n=16) and industrial (6) were other sectors addressed. In terms of subsectors buildings and energy efficiency was the most common for stationary energy, while road transport was the most common mode for transport overall, and nature the most common within the land sector.

Planning - The categorisation process also examined whether documents contained evidence of planning and/or resource allocation to meet climate-related targets. 70% of documents (n=37) contained evidence of planning to meet climate targets. This included overarching strategic documents with clear priorities or goals tied to actions, reviews of ongoing policies to determine improvements, or reviews of completed policies with recommendations – all documents included a climate target. For the remaining sixteen documents, some had evidence of planning but were not tied to targets or were tied to targets that were not climate-related.

In comparison, just fourteen documents explicitly allocate funds to actions which meet climate-related targets. To fulfil this criterion, documents needed to specify a dollar amount for a policy or action, rather than abstract commitments. For example, \$5.2 million committed to a pilot electric vehicle program in the *Integrated Energy Plan*. Some of the documents without clear resource allocation were funded through electricity consumers (n=3), had modelled costs for a policy (n=2), or had funds committed but were not tied to climate-related targets (n=3).

Stakeholder perceptions

ACT Government stakeholders generally agreed there is a need for a single climate action plan that brings all the strategies together, but also expressed some concerns. The plan needs to be deliberate, and there must be a genuine willingness to implement it effectively. It needs to be well-coordinated, regularly updated, and focused on actionable outcomes. Good governance processes need to be in place and the plan needs to be adaptable. It should not be overly complex or resource intensive.

Internal stakeholders expressed a desire to move away from excessive planning and instead work together more effectively with a strategic and collective focus.

Feedback from stakeholders indicated that a Climate Action plan could:

- integrate and coordinate various strategies, ensuring they align and support each other
- provide a clear direction and framework, helping to articulate what the transition aims to achieve
- break down silos and encourage collaboration and understanding across different areas
- be regularly updated to stay current and relevant
- communicate how strategies come together.

However, some stakeholders cautioned that it might be:

- large, complex and resource-intensive to develop and maintain
- unfeasible given different strategies have varying timelines, making it challenging to maintain a single, overarching plan
- just another document that takes effort which should be directed, instead, on action

- better to have plans at Directorate level for 'business as usual' guidance.

Insights

Recent developments around climate disclosure and climate scenario analysis can be adopted

In 2017, The Central Banks and Supervisors Network for Greening the Financial System (NGFS)³³, a group of Central Banks and Supervisors was formed. Their goals were to help strengthen the global response required to meet the goals of the Paris Agreement; to enhance the role of a financial system to manage climate risks and to mobilise capital for green and low-carbon investments in the broader context of environmentally sustainable development.

NGFS designed a set of hypothetical climate scenarios which aim to provide a common and up-to-date reference point for understanding how climate change (physical risk) and climate policy and technology trends (transition risk) could evolve in different futures:

- "Orderly" scenarios assume climate policies are introduced early and become gradually more stringent. Both physical and transition risks are relatively subdued.
- "Disorderly" scenarios explore higher transition risk due to policies being delayed or divergent across countries and sectors. Carbon prices are typically higher for a given temperature outcome.
- "Hot house world" scenarios assume that some climate policies are implemented in some jurisdictions, but global efforts are insufficient to halt significant global warming. Critical temperature thresholds are exceeded, leading to severe physical risks and irreversible impacts like sea-level rise.
- "Too little, too late" scenarios reflect delays and international divergences in climate policy ambition that imply elevated transition risks in some countries and high physical risks in all countries due to the overall ineffectiveness of the transition.

NGFS scenarios align to new global standards established by the IFRS Foundation, a not-for-profit, public interest organisation that issues globally accepted accounting and sustainability disclosure standards. IFRS Foundation established the International Sustainability Standards Board (ISSB) in November 2021 at COP26 with the support of the G20,³⁴ issuing two new global sustainability standards, IFRS S1 General Requirements for Disclosure of Sustainability-related Financial Information and IFRS S2 Climate-related Disclosures in June 2023.³⁵

The concept of climate scenarios that encompass both an assessment of both physical and transition risks has now been embedded into Australia's regulatory frameworks. The Treasury Laws Amendment (Financial Market Infrastructure and Other Measures) Act 2024 requires Australian businesses to disclose information about their exposure to material climate-related financial risks and opportunities, including their climate-related plans, greenhouse gas emissions and governance processes, in accordance with the relevant sustainability standards made by the Australian Accounting Standards Board.

The Act, which has a tiered start date with the largest entities reporting from 1 January 2025, requires businesses to conduct and disclose climate scenarios analysis that includes at least two climate

³³ <https://www.ngfs.net/en>

³⁴ International Financial Reporting Standards Foundation (2024) *About the International Sustainability Standards Board*. <https://www.ifrs.org/groups/international-sustainability-standards-board/>

³⁵ International Financial Reporting Standards (2024). *ISSB issues inaugural global sustainability disclosure standards*. <https://www.ifrs.org/news-and-events/news/2023/06/issb-issues-ifrs-s1-ifrs-s2/>

scenarios; a 1.5°C increase in global temperature by 2050 (1.5 degree scenario) and a scenario that 'well exceeds' 2°C by 2050 (high warming scenario). The key purpose of conducting climate scenario analysis is to enable an assessment of the resilience of their business models and strategies to a range of plausible climate-related pathways and to determine the impact of climate-related risk drivers on their overall risk profile.³⁶

Transition plans provide explanations of both how an organisation will meet its net-zero commitments and the key dependencies that underpin the implementation of its decarbonisation strategy".³⁷ In conjunction with the passage of the Treasury Laws Amendment (Financial Market Infrastructure and Other Measures) Act 2024, in September 2024 the Australian Accounting Standards Board (AASB) released Australian Sustainability Reporting Standard – Climate-related Disclosures (AASB S2). AASB S2 requires that an entity shall disclose any climate-related transition plan the entity has, including information about key assumptions used in developing its transition plan, and dependencies on which the entity's transition plan relies.³⁸

The ACT Government's last Territory-wide climate risk assessment was conducted in 2017 (*Territory Wide Risk Assessment 2017: A strategic level analysis of the natural hazards and other emergency risks facing the ACT*).

We recommend the ACT conduct an updated climate risk assessment that includes both an assessment of physical and transition risks based on at least two climate scenarios, a 1.5°C increase in global temperature by 2050 (low warming) and a scenario that 'well exceeds' 2°C by 2050 (high warming scenario).

A consolidated Climate Action Plan can provide a single source of truth for the ACT's climate actions.

Section 3.1 identified the challenge that ACT's climate strategies are contained in several different documents. While it is legitimate to have a series of strategic plans that cover different climate actions, we suggest the ACT would benefit from having a single Climate Action Plan that integrated all the individual strategies.

The C4o recommends that CAP reporting should be integrated into the city's wider reporting systems.³⁹ In the case of the ACT this may be the annual reporting of Directorates. There are a number of ways in which a CAP can be kept up to date including the establishment of climate portals that enable regular updating of information. An example is Buenos Aires' CAP, BA Cambio Climático,⁴⁰ which is an open portal that hosts visual representations of progress against goals and

³⁶ Basel Committee on Banking Supervision (2024) *The role of climate scenario analysis in strengthening management and supervision of climate-related financial risks*. <https://www.bis.org/bcbcs/publ/d572.pdf>

³⁷ United Nations Environment Programme (2023) *A Tool for Developing Credible Transition Plans*. https://www.unepfi.org/wordpress/wp-content/uploads/2023/12/NZAOA_A-Tool-for-Developing-Credible-Transition-Plans.pdf

³⁸ Australian Sustainability Reporting Standard (2024). *Climate-related Disclosures*. https://standards.aasb.gov.au/sites/default/files/2024-10/AASBS2_09-24.pdf

³⁹ C4o Knowledge (2024) *Climate Action Planning Guide: How to set up monitoring, evaluation and reporting for your city's climate action plan*. https://www.c4oknowledgehub.org/s/guide-navigation?language=en_US&guideRecordId=a3t1Q0000007IEWQAY&guideArticleRecordId=a3s1Q000001iaiaQAA

⁴⁰ Buenos Aires (n.d.) *BA Cambio Climático* <https://buenosaires.gob.ar/agenciaambiental/cambioclimatico/ba-cambio-climatico>

targets. One suggestion made by C40 is that templates can be used to streamline reporting across CAP actions over time.⁴³

As part of revising the current Climate Change Strategy 2019-2025, to create an expanded Climate Action Plan, the ACT has an opportunity to integrate all existing strategies that reference climate actions into a single document. The ACT should create a single Climate Action Plan which brings together the work across numerous Directorates. Such a statement should include short-, medium- and long-term goals or targets for both mitigation and adaptation actions informed by evidence based on climate science. A key focus of a Climate Action Plan should be outlining of governance responsibilities.

Benefits of a Climate Action Plan include:

- Ensuring everyone is working with consistent information, making it easier to understand and communicate progress
- Allowing (if it was detailed and delineated by sector or business) staff to find relevant actions and plans specific to their work
- Ensuring gaps due to siloes are avoided, especially where there are hazards that cross directorates, relevant agencies and organisations
- Enabling (if it had transparent mechanisms and performance targets) the ability to track progress effectively. The existing Ministers Report could be leveraged here to avoid duplication
- Connecting climate risk assessments to actions in a structured way

The concept of developing a Climate Action Plan is about the transition, and climate resilience, of a particular region. Whilst an ACT Climate Action Plan would include a focus on the delivery of ACT Government services, and include elements that are of direct relevance to ACT Directorates such as reporting of Scope 1, 2, 3 emissions, by including a focus on examination of climate scenarios against physical and transition risk the plan would drive actions to reduce emissions and build climate resilience for the whole of the ACT.

⁴³ C40 Knowledge (2024) *Climate Action Planning Guide: How to set up monitoring, evaluation and reporting for your city's climate action plan*. https://www.c40knowledgehub.org/s/guide-navigation?language=en_US&guideRecordId=a3t1Q0000007IEWQAY&guideArticleRecordId=a3s1Q000001iaiaQAA

3.3 Are climate change impacts considered and embedded into key government decisions, work and processes? If not, how and where can they be embedded?

Cataloguing of documents revealed strong evidence of governance processes. Feedback from stakeholders was that the PAGA was the primary driver of actions of Directorates. Under current decision-making frameworks, the Government lacks a means of prioritising economically efficient investment in emissions reduction initiatives. An ACT Climate Action Plan should be a legislative requirement through an amendment to the Climate Change and Greenhouse Gas Reduction Act 2010. To support climate-related decision making that is economically efficient, a Climate Action Plan should establish processes to integrate financial considerations into government climate-related decisions.

Recognising that...	Recommendations
<ul style="list-style-type: none"> • There are a handful of key climate governance documents that are continually referred to in other documents (e.g. the Climate Change Strategy 2019-2025). Most documents have been signed-off by government directors, indicating strong governance processes around the approval of documents. More than 60% of documents contained evidence as the basis for action. • The Climate Change Council is a legislated independent body to advise the Minister for Climate Change, Environment, Energy and Water on reducing greenhouse gas emissions and adapting to climate change. A consistent theme in discussions with stakeholders was that the PAGA drove the actions of Directorates. • The C40's Cities Climate Transition Framework can be considered best practice in terms of guidance on climate governance. The C40 recognise that political leadership is important to establish a city vision, mobilise action, develop partnerships with stakeholders, unlock resources, raise public awareness and ensure a Climate Action Plan is delivered. To secure full, long-term implementation, political leadership needs to be sustained beyond short-term electoral cycles. • Under current decision-making frameworks, the Government lacks means of prioritising economically efficient investment in emissions reduction initiatives. 	<p>Recommendation 1.7 To support economically efficient investment decisions that have a climate-related component, a Climate Action Plan should establish frameworks to internalise externalities, such as a frameworks that value emission reductions.</p> <p>Recommendation 1.8 The ACT Climate Action Plan should be established as a legislative requirement, through an amendment to the Climate Change and Greenhouse Gas Reduction Act 2010.</p>

This question considers whether climate change impacts are embedded into key government decisions, work and processes. To understand whether climate change is considered when government makes decisions, we are looking for evidence of formal and informal rules, structures, processes and systems that define and influence action on climate change.

Document cataloguing

To examine if climate change impacts are considered and embedded into key government decisions, work and processes, two criteria and additional content analysis were applied to the document sample.

1. The document provides evidence of a governance process (i.e. was it reviewed and approved by an ACT Government department?). 74% of documents were signed off by an ACT Government department.
2. The document provides evidence that forms the basis of action (included in 83% of documents).

Two further pieces of content analysis were conducted

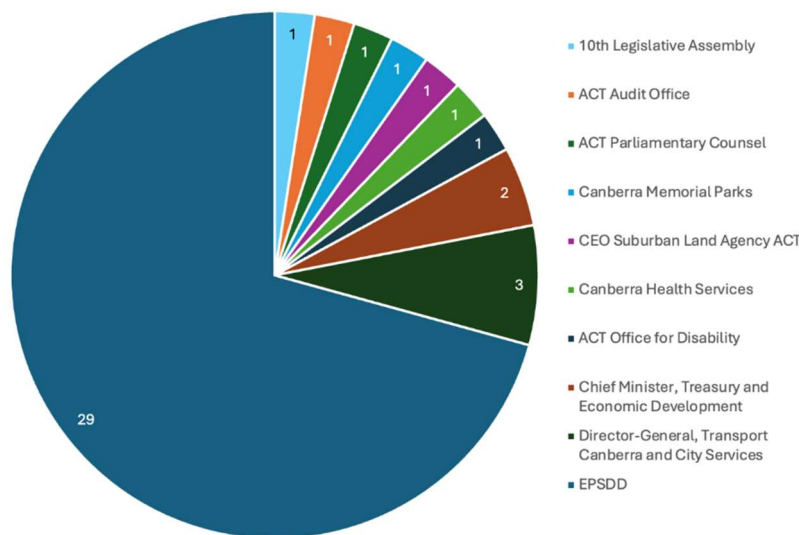
1. How often different climate governance bodies were cited in the document sample
2. How often key climate governance documents were cross cited in the document sample.

More detail on the cataloguing can be found below.

Governance

Most documents reviewed were signed off by a Government Directorate (74%, n=39). The documents reviewed were signed by various Government Directorates or bodies as outlined in Figure 2.

Figure 2: Departmental sign off for documents used in the cataloguing exercise



Of the 55% of documents (n=29) signed off by the EPSDD, most were conducted by an independent consultancy (n=20). For documents without a departmental signoff (n=12), some had a foreword by a Chief Minister or Minister (n=4). The clear evidence that documents have been reviewed by Director Generals with forewords by either the Chief Minister or a Minister is an indication that the ACT has strong governance processes around the approval of documents. Accountability measures that formed the basis for action included reports and reviews required by the PAGA of the 10th Assembly, the *Climate Change and Greenhouse Gas Reduction Act 2010*, *Energy Efficiency (Cost of Living) Improvement Act 2012*, *Feed-in (Large-Scale Renewable Energy Generation) Act 2011* and *Feed-in (Renewable Energy Premium) Act 2008*.

Governance bodies

The Climate Change Council was established through the *ACT Climate Change and Greenhouse Gas Reduction Act 2010*. Their main function is to advise the Minister on matters relating to reducing greenhouse gas emissions and addressing, and adapting to, climate change. For each financial year, the Council must prepare a report documenting the Council’s activities during the financial year, including any advice given to the Minister. The Minister must consider any relevant advice and is

required to present the Council's annual report to the Legislative Assembly and respond to any advice given by the Council. The Climate Change Council is referred to in seven documents.

The Office for Climate Action is not a legislated body like the ACT Climate Change Council, however it was highlighted in stakeholder consultations as playing a key role in governance. The Office for Climate Action was referred to in three documents, the *2022-23 Minister's Annual Report*, the *EEIS Review 2024* and a report on *Establishing Reporting from Regulatory Data sets for Gas Transition and Electrification program*. As of November 2024, following the election of a new government, the Office for Climate Action is no longer active. This highlights the need to embed climate in more enduring governance and decision-making structures (e.g. legislation).

Evidence as the basis for action

An indicator of how climate is embedded in key Government decisions, work and processes is whether key documents include (climate-related) evidence that forms the basis of action. For the purposes of this report "evidence" includes scientific evidence, assessment of existing conditions including baseline emissions, regular greenhouse gas inventories, a long-term emissions trajectory, accountability measures and climate risks. More than 60% (n=33) of documents contained evidence as the basis for action. This included: greenhouse gas inventories, carbon budgets, emissions projections, emissions abatement for policies, modelling of emissions and cost savings, climate impacts and projected impacts, natural disasters, temperature extremes etc.

83% of documents (n=44) provide evidence of economic data. To fulfil this criterion, documents needed to consider the business-case for climate action and/or consider the costs of adaptation or business-as-usual. This included: cost benefit analysis, cost savings for government from an initiative, business cases, cost and feasibility studies, cost of congestion (highlighting the benefit of active travel) and the value of the ACT's public urban forest etc.

The *Climate Change Strategy 2019-2025* is a standout in sharing climate-related evidence, setting out a clear case for action, articulating carbon budgets and climate impacts the ACT is now facing and will face in the future. The Territory's increased focus on climate over time is clearly demonstrated through the two statements of ambition: *Canberra: A Statement of Ambition (2016)* and *CBR Switched On – ACT's Economic Development Priorities 2022-25 (2022)*. Climate change sits on the periphery of the 2016 statement, not mentioned until page 22, sitting under "Direction of travel 2, opening and diversifying the local economy", one of four directions of travel. In comparison, the 2022 statement centres climate as one of its three missions, "Mission 2 Towards a net zero city and beyond" and comprehensively outlines the importance of climate action and elaborates on mitigation and adaptation actions.

There are a handful of key climate governing documents

From the consultations and document review conducted, a few key documents were highlighted as being particularly influential in driving action and strategy. This includes: the *Climate Change Strategy 2019-2025*, *The Wellbeing Framework*, the *PAGA*, the *Minister's Annual Report*, *The Living Infrastructure plan*, and various pieces of legislation:

- The *Climate Change Strategy 2019-2025* was mentioned in 29 documents (including the strategy itself).
- The *Minister's Annual Report* was mentioned in five documents. It is required under the *Climate Change and Greenhouse Gas Reduction Act 2010*, which requires progress towards the Zero

Emissions Government targets to be publicly reported each year. This document also reports on progress against the actions laid out in the *Climate Change Strategy 2019-2025*.

- The *Wellbeing Framework* was mentioned in thirteen documents. The influence of this document appears quite minimal in the documents reviewed, with just a few incorporating the Framework substantively or measuring against its indicators.
- *The Living Infrastructure Plan* was mentioned in thirteen documents. Although the document is limited in scope, and the ACT notes it does not serve as a whole adaptation strategy.
- The PAGA was mentioned in eight documents. Participants in the consultations noted the key role of the PAGA. While the PAGA is influential, it is the least referenced compared to other overarching documents.
- A few pieces of legislation were mentioned numerous times in the document review, with evaluations, reviews and reports undertaken as required by their respective Acts. This included: the *Climate Change and Greenhouse Gas Reduction Act 2010* (n=12), *Energy Efficiency (Cost of Living) Improvement Act 2012* (n=9), *Feed-in (Large-Scale Renewable Energy Generation) Act 2011* (n=6) and *Feed-in (Renewable Energy Premium) Act 2008* (n=2).

It should be noted that, under the newly elected government in November 2024, the PAGA and the Office for Climate Action no longer exist.

Stakeholder perceptions

Climate-related decision making across government

A consistent theme in discussions with stakeholders was the importance of the PAGA in driving the actions of Directorates. The PAGA was seen as a guiding light, but not legislation. Rather “a factual mechanism that drives action”.

There are many strategies across different Directorates, which makes it challenging to understand climate-related decision making across Government. One way of overcoming this issue could be to develop a Climate Action Plan as a single source of truth. There was general support for this idea amongst internal stakeholders, particularly if it was live and delineated by sector. However, some people noted that creating and maintaining such a source could be complex and resource-intensive, requiring careful design and coordination.

From the viewpoint of internal stakeholders, there are efforts to integrate climate considerations into decision making, however implementation is inconsistent and varies across different parts of government. For example:

- The ACT Wellbeing Framework includes a domain related to climate change and environment. Cabinet packages are required to use this Framework. However, it does not apply to all projects and is not always used as intended.
- Sometimes decisions can be political, and there are trade-offs between different priorities (e.g. spending on hospitals versus climate), rather than using a whole of ACT approach.

Integrating financial considerations into decisions

A key challenge stakeholders identified was integrating financial considerations into government climate-related decisions. With the potential for a limitless number of climate-related projects that the ACT could invest in, stakeholders identified the need to be able to define the most cost-effective way to deliver net zero targets.

Efforts were being made to develop tools and resources to give an accurate assessment of carbon abatement, which could be included in assessment processes to enable a comparison of projects. An example cited was the development of a Emissions Abatement Assessment Framework.

Insights

To understand whether climate change is considered when Government makes decisions, we are looking for examples of formal and informal rules, structures, processes and systems that define and influence action on climate change. Considering whether climate change impacts are considered and embedded into key government decisions, work and processes requires identifying best practice.

The C40's *Cities Climate Transition Framework* can be considered best practice in terms of guidance on climate governance.

C40 defines climate governance as the "formal and informal rules, structures, processes and systems that define and influence action on climate change". According to C40, a "good climate governance system is integral to the effective implementation of a city's climate action plan (CAP) and to ensuring that the plan is embedded in all city activities and decision-making processes. It is critical that the climate action planning process consider and assess existing governance structures and strengthen those structures to create a supportive environment for implementation".⁴²

While there is no 'right' way to define roles, responsibilities and relationships, according to the C40, experience of cities suggests the need for a clear allocation of roles and responsibilities, defined structures and mechanisms for effective cross-agency coordination and investment in human resources for CAP development and implementation. C40 recognises that sustained political leadership is essential to CAP development and implementation. According to C40 during CAP development, "political leadership is important to establish a city vision, mobilise action, develop partnerships with stakeholders, unlock resources, raise public awareness and ensure the CAP is delivered. To secure full, long-term implementation, political leadership needs to be sustained beyond short-term electoral cycles. To help build and sustain political leadership, cities can focus on the wider benefits of the CAP for political priorities, build cross-party political leadership and develop coalitions of influential non-state actors".⁴³

From stakeholder consultations the PAGA was seen as the key document that drove actions. The PAGA aligns with the C40's identification of the importance of political leadership. While the PAGA supported climate-related decisions during its operation, as the C40 identifies, this needs to be sustained beyond short-term electoral cycles. In this regard **legislative requirements, rather than political agreements, are a mechanism that better sustains actions beyond short-term electoral cycles.** The legislative requirement for a strategy is already present in parts of the ACT Government, under the Planning Act 2023 and the Nature Conservation Act 2014. **The proposed ACT Climate Action Plan should be a legislative requirement through an amendment to the Climate Change and Greenhouse Gas Reduction Act 2010.**

⁴² C40 Knowledge (2024) *Climate Action Planning Guide: How to strengthen climate governance for an effective climate action plan*. https://www.c40knowledgehub.org/s/guide-navigation?language=en_US&guideRecordId=a3t1Q0000007IEWQAY&guideArticleRecordId=a3s1Q000001iahrQAA
⁴³ Ibid.

A key challenge is to integrate financial consideration into climate-related decisions. Under current decision-making frameworks, the Government lacks a means of prioritising economically efficient investment in emissions reduction initiatives.

The ACT Climate Change Strategy action 5.11 committed to “invest an interim price of \$20 per tonne of emissions from government operations into measures to meet the Zero Emissions Government target from 2020-21 and arrange for an independent body to develop a social cost of carbon (SCC) for application from 2025.” The objective of the \$20/tonne SCC price (collected and distributed by a SCC Fund) was to incentivise the ACT Government to consider the impacts of emissions attributed to its investment decisions. The SCC Fund primarily supported ACT Government agencies to replace gas heating with electric systems. In May 2024 Cabinet agreed to the cessation of the SCC Fund.

Development of the Emissions Abatement Assessment Framework was commissioned in April 2023 to support a clear, consistent, and whole of government approach to assessing climate related expenditure. One aspect of the Framework is a tool which produces key financial, economic and program metrics required to incorporate emissions impacts in cost-benefit analyses.

It is understood that the ACT Government has also commissioned development of work on valuing emission reductions. Mechanisms to value emission reductions can be delivered by using the ACT’s emissions reduction targets and the marginal abatement cost of abatement technologies with the highest impact on ACT’s emissions profile. Valuing emission reductions allow the emission impacts associated with policies and projects to be monetised and used to inform decision making. This can include incorporating values as inputs into an Emissions Abatement Assessment Framework.

To support climate-related decision making that is economically efficient, a Climate Action Plan should establish processes to integrate financial considerations into government climate-related decisions. This would include establishing common metrics aligned to international best practice. **Any framework to internalise externalities**, such as a framework that value emission reductions, should also be incorporated into the Climate Action Plan.

3.4 The findings from the latest emissions projections modelling suggests that there may be challenges for the ACT to meet interim and net zero targets under the existing policy settings. What are the strategic gaps and opportunities to help achieve our interim and net zero targets, and climate resilience objectives?

Stakeholders engaged in the review process acknowledged that there are gaps and opportunities for the ACT Government in terms of achieving climate change objectives. The scope of this review does not allow the identification of individual gaps and opportunities. The review focuses on identifying the systems and processes that will support the ACT to identify future gaps and opportunities. Whilst the ACT has strong governance processes around climate including the ACT Climate Change Council, there is a need for mechanisms that support identification of risks and opportunities in a rapidly changing environment. By leveraging the depth of climate expertise across the ACT, the ACT Government can encourage and facilitate the development of a climate ecosystem based on MERI (Monitoring, Evaluation, Reporting and Improvement) frameworks that provides a mechanism to allow climate-related developments to be considered and debated across the ACT.

Recognising that....	Recommendations
<ul style="list-style-type: none"> Stakeholders engaged in the review process acknowledged that there are gaps and opportunities for the ACT Government in terms of achieving climate change objectives. The C40 Cities Climate Transition Framework acknowledges the importance of a system for Monitoring, Evaluation, Reporting and Improvement (MERI) to report progress against a climate action plan, recognising the diverse range of actors and influences that affect the delivery of urban climate action. An appropriate response to an evolving environment is one that enables the ACT Government to keep abreast of climate-related developments and capture gaps and opportunities that the ACT could pursue. MERI frameworks are an appropriate mechanism to identify gaps and opportunities that enables transparent communication of progress and challenges to delivering on net zero emissions and climate resilience objectives. 	<p>Recommendation 2.1 The ACT Government should leverage the depth of climate expertise across the ACT, including at ANU and University of Canberra, establishing an ACT Climate Ecosystem as an open network of climate experts based on MERI frameworks. This would provide a mechanism to allow climate-related developments to be considered and debated across the ACT.</p>

Document cataloguing

To examine strategic gaps and opportunities to help achieve the ACT’s interim and net zero targets and climate resilience objectives, one criterion and additional content analysis were applied to the document sample.

1. The document references external factors (included in just under 70% of documents).
2. The frequency of strategic “gaps” and “opportunities” in the document sample. Opportunities were cited almost two and a half times more, compared to gaps. More detail on the cataloguing can be found below.

A handful of documents were focused on examining strategic gaps and or opportunities including: the *Map and Gap Analysis of Support Provided to vulnerable Households to Reduce Carbon Emissions and Energy Hardship* and the three program reviews of the Actsmart program for businesses; households;

and government, schools and communities. The *Map and Gap Analysis* was a highly targeted exercise for a specific program: the Home Energy Efficiency Program for Low Income Households' (HEE Program) which was funded through revenue from the Energy Efficiency Improvement Scheme. The analysis was conducted by EPSDD staff in the context of the HEE Program's current contract expiring with no extension option. The analysis identified the most effective ways the HEE program could help improve energy efficiency and reduce energy hardship for vulnerable households from 2022/23. The Actsmart program reviews took a broader approach, involving stakeholder mapping of programs and policy relationships; and research on behaviour change strategies, strategic intelligence, sustainability, circular economy, energy and events. This research was used as the basis of detailed identification of gaps and recommendations to address this.

Further, one-third of documents (n=19) refer to strategic 'gap' or 'gaps' of one kind or another. This includes data gaps, skills and training gaps, knowledge gaps (including gaps in technical understanding), gaps in eligibility for programs and service gaps, gaps in the *Climate Change and Greenhouse Gas Reduction Act*, specific social inequalities (e.g. closing the gap for First Nations communities and the gender pay gap) and broader gap analysis such as the Actsmart documents outlined above. Note that this analysis only examined documents which referred to 'gap' or 'gaps' in a strategic sense. Consideration of strategic gaps is also reflected in how the ACT Government considers external factors; where almost 70% of documents referred to external factors outside of the ACT (see more detail in Section 6).

In comparison to strategic gaps, reference to 'opportunity' or 'opportunities' is far more extensive and frequent, mentioned in 87% of documents (n=46). Ten of these documents have thirty or more references to 'opportunity' or 'opportunities', including: *The ACT Housing Strategy, Canberra Region Local Food Strategy 2024-2029, Carbon Neutral Government Framework Review, ACT Climate Change Strategy 2019-2025, Establishing Reporting from Regulatory Data Sets for Gas Transition and Electrification Program, Climate Change Adaptation Strategy Completion report, Energy Efficiency Improvement Scheme Review 2024, Canberra Health Services Zero Emissions Pathway Advisory, ACT Circular Economy Strategy* and *Canberra A Statement of Ambition*.

Overall, the document cataloguing demonstrates that the ACT consistently seeks to consider gaps and opportunities.

Stakeholder perceptions

There are no formal mechanisms to keep abreast of climate-related developments and capture gaps and opportunities that the ACT could pursue, which is an area of improvement.

However, stakeholders engaged in the review process acknowledged several **gaps and opportunities** for the ACT Government in terms of achieving climate change objectives

Internal stakeholders spoke about opportunities to:

- Improve decision making
 - align all decisions across government with net-zero goals
 - consider economic efficiency
 - allow flexibility so that priorities can shift, including stopping previous work
- Develop a formal adaptation framework for all Directorates to work under
- Develop a central climate action plan and associated report, including:
 - clear and ambitious targets for mitigation and adaptation
 - secured funding allocation
 - integration of learning with annual updates, to reduce the level of reporting

- Improve knowledge of climate change
 - internally – collaborate more with international experts and with staff across Directorates
 - externally – communicate climate change as a human health emergency
- Leverage climate-related financial disclosures to improve public transparency and drive climate action.

External stakeholders spoke about opportunities for the ACT Government to:

- Set more ambitious targets, particularly around adaptation and a just transition
- Work more collaboratively as partners, including when policies and programs are designed (e.g. community groups could be involved in the design of the new Climate Change Strategy). Engagement approaches should be tailored to meet the needs of community members (e.g. consider using place-based approaches, using plain English, reimbursing costs for participation including time and transport costs).
- Share knowledge and learn from each other more
- Adequately resource community organisations, so they can provide adequate support (e.g. immediate help during emergencies)
- Scale up programs aimed at supporting vulnerable communities as the need is larger than the current reach
- Improve the grant process (e.g. allow staff salaries, reduce reporting requirements)
- Amend membership of the Climate Change Council to include a representative from the community sector.

Insights

Considering the strategic gaps and opportunities for the ACT to achieve its climate objectives, requires an understanding of whether there are mechanisms in place to identify gaps and opportunities as well as mechanisms to keep up to date and learn in a rapidly changing environment.

Climate risks and opportunities are not static but evolve. From an adaptation perspective extreme weather events are having severe impacts on urban populations and are often not standalone events, with the impacts felt for months and even years later. A recent example are the floods in Spain's Valencia which demonstrate the devastating impacts of heavy rainfall on the local population as well as the built environment and infrastructure.⁴⁴ From a mitigation perspective we are seeing the development of innovations that present new opportunities to decarbonise economies. We can expect that there will be constant evolution of the risks and opportunities for both adaptation and mitigation over coming years. We have therefore approached this question from the perspective of the systems and processes that facilitate the ACT to be aware, and act on changes.

Of specific relevance to identifying strategic gaps and opportunities is Principle 15 of the C40 Cities Climate Transition Framework, which recommends:

"A system for monitoring, evaluation, reporting and learning (MERL) which includes a set of indicators to assess action implementation and progress at output, outcome and impact level.

⁴⁴ Reuters (2024). *Spaniards brace for fresh storms two weeks after deadly Valencia flood.*
<https://www.reuters.com/world/europe/spaniards-brace-fresh-storms-two-weeks-after-deadly-valencia-floods-2024-11-13/>

...An effective MERL system reports real progress against the city's climate action plan, with a view to continuous improvement, accountability and transparency, acknowledging the diverse range of actors and influences that affect the delivery of urban climate action.

Understanding progress, successes and challenges in the delivery of a city's climate actions will help to enable the city to capitalise on the successes of its implementation and make informed decisions on actions that need adjustment, support, extra finance, collaboration etc. The MERL system also enables transparent communication of progress and challenges to becoming a net zero emissions and climate resilient city, building awareness and engagement on climate change in the city communities."⁴⁵

From our stakeholder engagement it is evident that the ACT is in the fortunate position that it has a depth of climate expertise outside of the ACT Government. This includes Federal Government departments and agencies with climate responsibilities, community groups and the ANU and University of Canberra that both have specialism around climate. There is an opportunity for the ACT to leverage the expertise of its citizens to support identifying and acting on gaps and opportunities. This can be achieved by facilitating the development of a climate ecosystem that would provide a mechanism to leverage the informal networks that already exist across the ACT.

The establishment of a climate ecosystem would not need to be resource intensive if approached from the perspective of a partnership. Section 3.5 proposed a Climate Community Partnership as a mechanism by which this could be formally structured. An ACT Climate Ecosystem could for instance be jointly convened by ANU and University of Canberra, utilising the resources of these institutions to convene regular forums to consider developments that may impact on the ACT's Climate Action Plan. A key purpose of the ecosystem would be to support ACT Government employees to stay abreast of climate changes. Co-benefits of facilitating an ecosystem would be to build the ACT's reputation as a place of climate expertise. This can support climate-related businesses to make the decision to base themselves in Canberra where a deep pool of climate expertise supports future business growth.

We recommend the ACT encourage and facilitate the development of an ACT Climate Ecosystem, which would be an open network of ACT climate experts to support learning linked to MERI frameworks, providing a mechanism to allow climate-related developments to be considered and debated across the ACT. The ACT should establish formal structures to encourage discussion and learning which could include forums and communities of practice. It is important to note that the facilitation of a climate ecosystem is not proposed as an alternative to existing climate governance arrangements including the ACT Climate Change Council. A climate ecosystem could be facilitated through a Climate Community Partnership framework proposed in 3.5. For instance, with support from the ACT Government, a climate ecosystem could be facilitated by community groups working with Canberra based universities. A climate ecosystem could facilitate forums and discussions that could feed into the formal climate governance mechanisms. We would also highlight the opportunity that facilitating a climate ecosystem also supports the establishment of climate businesses in the ACT. The development of ACT's reputation for climate expertise can be an important factor in the decisions on where climate-focused businesses locate. Opportunities include servicing climate intelligence needs across Asia Pacific.

⁴⁵ The differences between MERI and MERL are mostly semantic, where I is Improvement and L is Learning; the terms are effectively interchangeable. We have referred to MERI systems throughout this report except in direct quotes from external sources.

3.5 To achieve net zero targets, the ACT Government can't do it alone. Partnerships with business, community service organisations and responsibility sharing between individuals, community and government is essential. Does the ACT Government have the right partnership and engagement / communication settings?

Effective partnerships are voluntary and collaborative relationships with sharing of risks and responsibilities, resources, benefits and actions. External stakeholders involved in the review did not see themselves as partners with the ACT Government around climate change action. The ACT Government should establish a Climate Community Partnership Framework and should increase financial resourcing of community groups to participate in consultations, manage partnerships and implement MERI practices.

Recognising that...	Recommendations
<ul style="list-style-type: none"> • Effective partnerships are voluntary and collaborative relationships with sharing of risks and responsibilities, resources and benefits and actions. • External stakeholders involved in the review did not see themselves as partners with the ACT Government around climate change action. • The ACT Government has a role to encourage and promote climate-related public-private and civil society partnerships. • Just over half (57%) of documents involved stakeholder engagement in the formation of the document itself. While consultation is vital, community groups also reflected on the burden this places on already under-resourced organisations. Just over half (53%) of documents referred to First Nations communities, though the level of collaboration and inclusion differed significantly. 	<p>Recommendation 2.2 The ACT should establish a Climate Community Partnership Framework as a mechanism to structure collaboration between the ACT Government and community groups. Financial resourcing of community groups should be part of this framework, to support their participation in consultations, management partnerships and implementation of MERI practices.</p>

Document cataloguing

To examine if the ACT has the right partnerships and engagement/ communication settings two criteria were applied to the document sample.

1. The document provides evidence of a stakeholder engagement process and related sub-criteria on which group(s) were engaged and what the engagement process was. Almost 60% of the documents involved stakeholder engagement for the document itself.
2. The document links to First Nations communities (included in 53% of documents).

More detail on the cataloguing can be found below.

Stakeholder engagement

Most documents (57%, n=30) involved stakeholder engagement for the formation of the document itself. Types of stakeholders included: the broader public; politicians; ACT Government staff (both program and policy staff); initiative or program participants, service providers; and business, industry, or subject matter experts.

For types of engagement, workshops (with staff, public or experts) (n=11), interviews (n=11), surveys (n=10) and public consultation (n=7) were most common, while forums, roundtables, community

drop-in sessions, focus groups, meetings, community panels, calls, advisory panels and co-design with a reference group were also used. The Climate Change Strategy 2019-2025 had the greatest engagement reaching more than 65,000 people by social media and engagement events. The ACT Disability Strategy 2024-2033 was arguably the most consultative, as it was co-designed with the Disability Reference Group alongside other engagement activities including workshops, a student voice competition, written submissions and at the ACT Disability Expo. For the strategy, people with a disability facilitated thirty-one events and two were facilitated by family carers.

First Nations communities

53% of documents (n=28) reference First Nations communities. However, the degree of partnership and inclusion differs substantively between documents. Some documents mention Indigenous leadership or that there was a demographic question for First Nations peoples in a survey. Others are far more considered, with the inclusion of at least two First Nations members of the Climate Change Council, inclusion of Indigenous involvement and participation in a policy as a metric, sections on traditional knowledge and the use of native foods or collaborating with Aboriginal and Torres Strait Islander people for resilient communities.

Stakeholder perceptions

The external stakeholders involved in the review did not see themselves as partners with the ACT Government around climate change action (this included ACT environmental groups, the ACT Business Chamber and ACTOSS). From their viewpoint, they were contractors and engaged in transactional relationship.

Areas for improvement from external stakeholders in terms of partnerships and communication included:

- Providing compensation to community organisations for time involved in consultation processes
- Including the community sector in designing new policies and strategies (e.g. the new Climate Change Strategy)
- Allowing staffing to be included in grants received by external stakeholders from government
- Improving co-ordination across government, particularly when consulting with external organisations (e.g. different parts of government should not consult on the same topic with, similar organisations, within a short period of time).
- More communication with the ACT community about the impacts of climate change
- Improving scenario planning to ensure it reflects the predicted reality of life in the ACT when the climate has changed

The internal communications team work closely with policy and program areas to determine key messages about climate change action. In some instances, market research is used to inform key messages. There are also several mechanisms for seeking feedback about relevant issues (e.g. Your Say, consumer energy consortium forum, environment and planning forum).

Arrangements are put in place with other providers on a project-by-project basis. For example, CHOICE was engaged to develop a tool for people to use when making decisions about electrifying

their homes.⁴⁶ The tool allows community members to access information that usually sits behind a pay wall.

Internal government staff recognise an opportunity to increase collaboration with First Nations people in the ACT and members of culturally and linguistically diverse communities.

Insights

Considering whether the ACT Government has the right partnership, engagement and communication settings requires understanding the processes, policies and frameworks that are in place.

The word partnership can have specific meaning depending on the context. We are using a definition of partnership agreed to by the UN General Assembly:⁴⁷

"Partnerships are voluntary and collaborative relationships between various parties, both public and non-public, in which all participants agree to work together to achieve a common purpose or undertake a specific task and as mutually agreed, to share risks and responsibilities, resources and benefits."

Target 17.H of the Sustainable Development Goals, Encourage Effective Partnerships, states, "encourage and promote effective public, public-private and civil society partnerships, building on the experience and resourcing strategies of partnerships".⁴⁸

Our interpretation is that effective climate action partnerships require sharing of risks and responsibilities, resources and benefits and actions to encourage and promote. The ACT Government has a role to encourage and promote public-private and civil society partnerships. Establishing a partnership framework is one mechanism through which climate-related community partnerships can be established.

Examples of partnership frameworks for both formal and informal partnerships include:

- The Western Australian Government launched a Communities' Partnership Framework in May 2021 that provides guidelines for establishing and sustaining partnerships with external stakeholders.⁴⁹ The framework outlines a four stage Partnership Lifecycle (Stage 1 Scope, build and plan, Stage 2 Manage and maintain, Stage 3: Review and revise, Stage 4: Sustain, adapt or adjourn).
- The Australian Government established the Family-School Partnerships Framework that was endorsed by Australia's Education Ministers in 2008.⁵⁰

⁴⁶ ACT Government (2024). *Make your next choice electric*. <https://energy.act.gov.au/plan/>

⁴⁷ United Nations Department of Economic and Social Affairs (2015) *Partnership for Sustainable Development Goals: A legacy review towards realizing the 2030 agenda*.

<https://sustainabledevelopment.un.org/content/documents/2257Partnerships%20for%20SDGs%20-%20a%20review%20web.pdf>

⁴⁸ United Nations The Global Goals. *Partnerships for the Goals*. <https://www.globalgoals.org/goals/17-partnerships-for-the-goals/>

⁴⁹ Government of Western Australia Department of Communities (2021) *Communities' Partnership Framework*. <https://www.wa.gov.au/system/files/2021-05/Communities-Partnership-Framework.pdf>

⁵⁰ Australian Government Department of Education (2020) *Family-School Partnerships Framework*. <https://www.education.gov.au/supporting-family-school-community-partnerships-learning/family-school-partnerships/family-school-partnerships-framework>

- The NSW Government established a NSW Community Housing Partnership Framework that sets out objectives and principles to guide transactions with registered community housing providers for the delivery of social and affordable housing infrastructure and services.⁵¹
- Grampians Health established a Consumer Partnership Framework to support consumer engagement across the organisation.⁵²

The current arrangements between the ACT Government and community groups are contractual. Stakeholder engagement revealed a clear and consistent message that ACT's community groups feel that current arrangements place an administration burden that is difficult to manage with existing resources. The contractual nature of agreements means that the efforts that community groups make to respond to submissions and requests come at their own expense. The current arrangements cannot be considered a partnership in the UN definition of the word. The current arrangements are not collaborative relationships and there is no agreement to share risks and responsibilities, resources and benefits.

The benefit of establishing a partnership framework that explicitly focuses on climate change is to provide a mechanism to shift from the current contractual arrangements to genuine partnership. A partnership framework would be a guiding document that would support community groups to negotiate individual partnerships with the ACT Government. The agreements would support the financial sustainability of community groups. The benefit of having vibrant, financially sustainable climate community groups would include supporting the ACT to manage extreme weather events.

It is recommended that the ACT Government establish a Community Climate Partnership Framework. This Framework should explicitly recognize the financial constraints facing not-for-profit community groups. Mechanisms to financially support community groups should be considered.

As outlined in 3.4 a Community Climate Partnership Framework could work in conjunction with a climate ecosystem. For instance, with support from the ACT a Community Climate Partnership Framework could provide a mechanism to support a climate ecosystem through community groups working with Canberra based universities.

⁵¹ NSW Community Housing Industry Council (2022). *NSW Community Housing Partnership Framework*. <https://dcj.nsw.gov.au/documents/community-inclusion/advisory-councils/chic/community-housing-partnership-framework-august-2022.pdf>

⁵² Grampians Health Ballarat (2023) *Consumer Partnership Framework*. <https://www.bhs.org.au/for-patients-families-friends/consumer-partnership-program/consumer-partnership-framework>

3.6 What are the key external factors that create opportunities, risks or uncertainties for ACT Government actions? For example, how might Commonwealth or other jurisdictions' strategies and progress impact the ACT's ability to deliver emissions reductions? How does the impact of social and wellbeing strategies and progress impact the ACT's ability to deliver emissions reductions (e.g. housing, cost of living, food insecurity)?

The scope of this review does not allow the identification of individual external factors that create opportunities, risks or uncertainties for the ACT. External factors impacting the ACT are likely to constantly change and evolve overtime. The establishment of a Climate Action Plan and ACT Climate Ecosystem through a Climate Community Partnership Framework would provide the ACT with a structural mechanism to keep abreast of climate-related developments. A key consideration is whether delivering social and wellbeing strategies for ACT residents comes at the expense of delivering climate action. It cannot be said that a trade-off between action on wellbeing and climate action exists in all cases. The ACT should seek to identify and prioritise opportunities where social and wellbeing strategies and climate actions can deliver co-benefits. This can be achieved through greater intersection between the ACT's Wellbeing Framework and the proposed Climate Action Plan.

Recognising that...	Recommendations
<ul style="list-style-type: none"> Climate change is subject to both physical and transition risks that are subject to constant change. Given the multitude of external factors and the dynamic nature of climate change and climate action, the challenge is to establish systems and processes to keep abreast of the external factors and to consider them in climate change action, including strategy reviews. A key consideration is whether delivering social and wellbeing strategies for ACT residents comes at the expense of delivering climate action. It cannot be said that a trade-off between action on wellbeing and climate action exists in all cases. 	<p>Recommendation 2.5 The ACT Government should identify and prioritise opportunities for social and wellbeing strategies to align with climate actions to deliver co-benefits. This will require collaboration and cohesion between the ACT's Wellbeing Framework and the Climate Action Plan.</p>

Document cataloguing

To examine key external factors that create opportunities, risks or uncertainties for the ACT Government, one criterion was examined. Almost 70% of documents refer to external factors outside of the Territory that impact on ACT Government actions. To examine the impact of social and wellbeing strategies on the ACT's ability to deliver emissions reduction, one criterion and additional text analysis was applied to the document sample. Regarding explicit references, the Wellbeing framework was mentioned in thirteen documents. At a broader level, most documents reflected the environment and climate domain. More detail on the cataloguing can be found below.

External factors

Almost 70% (n=36) documents refer to external factors outside the ACT impacting on ACT Government actions. To qualify documents needed to go beyond listing international partnerships or different policies in other jurisdictions but needed to explicitly state how this impacted ACT policy. The external factors in the documents reviewed fell into six broad categories: Federal policy, cross-jurisdictional collaboration and alignment, funding sources, international and national best practice, global and Australia-wide influences, and other national regulatory bodies. See a more detailed breakdown in Table 5.

Table 5: External factors noted in document cataloguing exercise

Area	Description
Federal policy	Alignment with Federal policies, advocacy on national policy platforms, Federal requirements on states/territories (e.g. Territory wide risk assessment), uncertainty over differing responsibility (i.e. labelling electric vehicles), ACT participation in national committees and working groups, impact of policies on ACTs work (e.g. updated Land use, land-use change, and forestry (LULUCF) calculation method carried across to ACT, Safeguard Mechanism, Capacity Investment Scheme etc.).
Other national regulatory bodies	Clean Energy Regulator inspections, recommendations by the Australian Energy Market Commission surrounding smart meters, CSIRO developed guide utilised by EPSDD.
Cross-jurisdictional collaboration and alignment	Particularly with the NSW government (waste management, circular economy, EV charging infrastructure, emergency management and arrangements, resource management (e.g. Murray Darling River)), cross-jurisdictional data sharing, collaboration on car registration
Funding sources	Federal and foreign investment, funding from government bodies (e.g. ARENA), Federal funding (advocacy for Federal funding, cuts meaning ACT needs to cover the shortfall, funding that enables projects, the Disaster Ready Fund etc).
International and national best practice	As far as practicable ensure consistency with international and national best practice (offsets, targets for GHG emissions, measuring GHG emissions), consideration of national and international work and the gaps to fill.
Global and Australia-wide influences	Such as COVID-19, dependence on international and national supply chains and the impacts of extreme weather on these suppliers, consideration of various industries' status in Australia/globally and technology maturity (e.g. biogas, biomass etc., net zero procurement for building and construction methods), zero emissions vehicle market, demand and development.

Wellbeing Framework and a just transition

The term 'wellbeing' is referred to in 57% of documents (n=30), while the *Wellbeing Framework* was mentioned in just thirteen documents, nine of which are strategic documents. An example is the *ACT Disability Strategy 2024-2033* which states, "the Strategy and accompanying action plans will focus on achieving outcomes against each wellbeing domain."

Other documents such as the *Canberra Region Local Food Strategy 2024-2029*, *Active Travel Plan 2024-2030* note the related wellbeing domains for the respective strategies. The PAGA agreed to establish seven Standing Committees, aligned with the wellbeing indicators. Two documents include the wellbeing framework/specific indicators and domains as an assessment against broader ACT goals,

while another considers climate-related risks on wellbeing domains and identifies the indicators which face the most risks.

Aside from the three strategies which directly link to wellbeing domains, other documents' domains have been inferred from their content. In order of most to least occurring for each of the domains: Environment and climate (n=49), Governance and institutions (n=37), Housing and home (n=29), Living standards (n=27), Economy (n=26), Access and connectivity (n=24), Health (n=20), Education and lifelong learning (n=19), Safety (n=13), Social connection (n=9), Identity and belonging (n=4), and Time (n=3).

The *Climate Change Strategy 2019-2025* also aims "for a just transition to net zero emissions that supports the most vulnerable in our community", noting in particular a just transition for workers and support for vulnerable households as two specific goals.

Stakeholder perceptions

External factors

Notwithstanding climate governance structures including the ACT Climate Change Council and, some stakeholders felt that keeping abreast of external factors is up to individuals' own drive and enthusiasm. This was more apparent in areas where climate was not the central responsibility and where climate activities need to align with other operational priorities. Staff reported that keep abreast of climate risks and opportunities by:

- Engaging with working groups and government agencies with other jurisdictions, but this can increase workload
- Assessing policies from other areas for their impact on the ACT (e.g. Commonwealth policies)
- Developing program logic models and considering risks / external factors as a part of this process

Wellbeing

Internal stakeholders commented that Well-being Impact Assessments (WIA) (using the ACT Wellbeing Framework) are required in some instances, particularly for budget business cases / cabinet packages. Stakeholders also commented that the WIA is often not considered at the beginning of the proposal development stage but can be treated as a last minute 'tick the box' exercise.

They spoke generally about trading off investments when decisions are made at Expenditure Review Committee level (e.g. should we spend on hospitals or climate related activities).

External community organisations spoke about the need to invest in supporting vulnerable communities manage the impacts of climate change, including wellbeing at times of climate related extreme events.

Considering the key external factors that create opportunities, risks or uncertainties for ACT Government actions requires understanding the processes, policies and frameworks that are in place to systematically identify risks and opportunities.

Insights

Climate change is subject to both physical and transition risks. Given the multitude of external factors and the dynamic nature of climate change and climate action, the challenge is to establish systems and processes to keep abreast of the external factors and to consider them in climate change action, including strategy reviews.

As identified in Section 3.2, mechanisms such as the Network for Greening the Financial System have been established to support the consideration of climate scenarios that aim to provide a common and up-to-date reference point for understanding how climate change (physical risk) and climate policy and technology trends (transition risk) could evolve in different futures. We have recommended (Section 3.2) that the ACT establish a Climate Action Plan which should be regularly updated. The establishment of a Climate Action Plan would provide the ACT with a structural mechanism to keep abreast of climate action developments.

Whilst there are formal climate governance mechanisms including the ACT Climate Change Council, and participation in various climate working groups, there are limited mechanisms for ACT Government employees to learn about external climate developments. There is currently a reliance on motivated staff to maintain connections and knowledge. In this regard the ACT is fortunate that it has access to a climate community with deep climate expertise. The ACT Government can strengthen the depth of its climate expertise through partnerships with not-for-profit community groups who need to be financially compensated. See 3.5 for further discussion.

State Government Developments

Whilst this report does not seek to identify all the external factors that are of relevance to the ACT, climate action initiatives of other state/territory governments are worthy of note. State Governments are constantly evolving their practices and investing in initiatives, some of which may provide opportunities for the ACT to leverage.

NSW

The NSW Government is requiring NSW Government reporting entities to make comprehensive climate-related financial disclosures aligned with the Australian Accounting Standards Board (AASB)'s Australian Sustainability Reporting Standard (ASRS) – AASB S2 Climate-related Disclosures.

Reporting entities in year 1 include Department of Climate Change, Energy, the Environment and Water; Department of Communities and Justice; Department of Creative Industries, Tourism, Hospitality and Sport; Department of Customer Service; Department of Education; Department of Planning, Housing and Infrastructure; Department of Primary Industries and Regional Development; Environment Protection Authority; Essential Energy; Forestry Corporation of New South Wales; Ministry of Health; New South Wales Land and Housing Corporation; New South Wales Treasury Corporation; NSW Police Force; Sydney Trains; Sydney Water Corporation; Transport for NSW; University of New South Wales and University of Sydney.⁵³

NSW's strategy of requiring Government departments and agencies to produce climate-related financial disclosures will provide a structural mechanisms to stay up to date with developments.

Victoria

The Victorian Government has prepared Adaptation Action Plans (AAPs) across seven systems to ensure Victoria's climate resilience, now and in the future.⁵⁴ An example is the Education and Training Adaptation Action Plan with key actions:

⁵³ NSW Treasury (2024) *Climate-related Financial Disclosures*. <https://www.treasury.nsw.gov.au/climate-related-financial-disclosures>

⁵⁴ Victoria State Government Energy, Environment and Climate Action (2022) *Adaptation Action Plans*. <https://www.climatechange.vic.gov.au/building-victorias-climate-resilience/our-commitment-to-adapt-to-climate-change/adaptation-action-plans-a-major-step-forward-for-climate-resilience-in-victoria>

- Improving educators' and learners' ability to understand climate risk and embed adaptation in their everyday decisions.
- Identifying climate risks to the school asset portfolio and integrating adaptation into Victorian School Building Authority policies.
- Investigating how the early childhood education sector can be supported to build the climate resilience of early learning and kindergarten infrastructure and operations.
- Preparing a plan to address thermal comfort-related climate change impacts in Victorian Government schools.
- Making assets more resilient by incorporating locally tailored training and resources (such as flood overlays, temperature and rainfall projections) into land use planning, site selection for education services, and capital works.
- Working with adult, community and further education providers to identify climate change-related learning barriers and build adaptation knowledge and skills.⁵⁵

The Victorian Government's adaptation plans provide a case study for the ACT in developing its own enhanced adaptation targets.

Queensland

The Queensland Government has developed two mapping tools to help industry sectors and government plan for the heat impacts caused by climate change. The mapping tool shows the urban parts of 27 local government areas in Queensland. The Government's Urban Heat Map provides projections for local urban temperatures and the thermal comfort for the people that live there. The map projects what urban heat is expected to be in 2030, 2050, 2070 and 2090.⁵⁶

The Queensland Government's mapping tools illustrate how practical data sets can be developed that support adaptation targets.

South Australia

The South Australian Government introduced the Climate Change and Greenhouse Emissions Reduction Act – Draft Amendment Bill to the South Australian Parliament on 29 August 2024. The Bill proposes preparation of a state-wide emissions reduction plan and a state-wide climate risk assessment to identify climate related risks and opportunities and inform adaptation planning.⁵⁷

South Australia's evolving approach to climate risk assessments to inform adaptation planning may provide insights for ACT's own investigation of adaptation targets.

Western Australia

⁵⁵ Victoria State Government Energy, Environment and Climate Action (2022) *Education and Training Adaptation Action Plan - a snapshot*. <https://www.climatechange.vic.gov.au/building-victorias-climate-resilience/our-commitment-to-adapt-to-climate-change/education-and-training-adaptation-action-plan>

⁵⁶ Queensland Government Department of Energy and Climate (2024) *Mapping heat impacts*. <https://www.energyandclimate.qld.gov.au/climate/climate-analytics-reporting/mapping-heat-impacts>

⁵⁷ Government of South Australia Department for Environment and Water (2024) *Climate Change and Greenhouse Emissions Reduction Act - Draft Amendment Bill*. <https://www.environment.sa.gov.au/topics/climate-change/climate-change-legislation>

Western Australia's Climate Science Initiative produces high resolution climate projections to help Western Australians adapt to our changing climate.⁵⁸ Western Australia's Climate Adaptation Strategy sets out 37 comprehensive actions to support and accelerate climate adaptation across the state, including modelling urban heat island effects and support climate adaptation research on Western Australia's biodiversity.⁵⁹ Western Australia's approach to supporting climate science has the capacity to deliver insights around biodiversity initiatives that can be linked into adaptation targets.

Reflecting stakeholder feedback that adaptation targets need to be prioritized in light of the reality that climate impacts are already being experienced, and acknowledging that the ACT's adaptation actions are embedded in the *ACT Nature Conservation Strategy* and *Canberra's Living Infrastructure Plan: Cooling the City*, there is an opportunity to consider the way in which other jurisdictions are establishing their own adaptation targets that reflect their unique circumstances. The Department of Climate Change, Energy, the Environment and Water (DCCEEW) argue that successful climate adaptation should:

- be place-based, community-led and values-driven – tailored to the affected areas and communities
- involve everyone – governments, households, businesses and community organisations all have a role
- be underpinned by science and analysis – to make decisions, prioritise adaptation actions, and choose the best response.⁶⁰

Whilst the example of state government climate initiatives represents only a small portion of recent external developments it illustrates that climate actions are not static but continue to evolve. An example of an external factor that is receiving prominence as a result of increased understanding of its importance to decarbonization is embodied carbon which is the emissions that come from building materials, transport, construction, repairs, and renovations. Embodied carbon from building activity contributed 10% of national carbon emissions in 2023, with upfront carbon contributing 7%.⁶¹ The ACT has taken a leadership position proposing updates to the National Construction Code to bring every state and territory under the same system to start measuring carbon emissions in construction of commercial buildings.⁶² Ministers have agreed to include a voluntary pathway for commercial buildings to calculate and report on embodied carbon in the 2025 National Construction Code, with the Australian Building Codes Board tasked to investigate how to incorporate a future minimum standard in the NCC 2028.⁶³

⁵⁸ Government of Western Australia (2024) *Climate Science Initiative*.

<https://www.wa.gov.au/organisation/department-of-water-and-environmental-regulation/climate-science-initiative>

⁵⁹ Government of Western Australia (2024) *Climate Adaptation Strategy*.

<https://www.wa.gov.au/service/environment/environment-information-services/climate-adaptation-strategy>

⁶⁰ <https://www.dcceew.gov.au/climate-change/policy/adaptation>

⁶¹ <https://www.infrastructureaustralia.gov.au/reports/embodied-carbon-projections-australian-infrastructure-and-buildings>

⁶²

https://www.cmtedd.act.gov.au/open_government/inform/act_government_media_releases/vassarotti/2024/act-government-leads-the-way-to-net-zero-carbon-in-construction-in-australia

⁶³ <https://www.minister.industry.gov.au/ministers/husic/media-releases/building-ministers-back-greater-climate-resilience-australian-buildings>

Wellbeing

Consideration of how social and wellbeing strategies that focus on issues including housing, cost of living and food insecurity impact on the ACT's ability to deliver emissions reductions require an understanding of concepts around just transition.

The term 'just transition' originally arose out of trade union concerns in the 1970s to reconcile environmental and social issues.⁶⁴ Over the last decade it has come to be broadly defined as "ensuring that no one is left behind or pushed behind in the transition to low-carbon and environmentally sustainable economies and societies, can enable more ambitious climate action and provide an impetus to attaining the Sustainable Development Goals".⁶⁵

A key consideration is whether delivering social and wellbeing strategies for ACT residents comes at the expense of delivering climate action.

A case study to illustrate the co-benefits that can be derived from investing in climate action is affordable housing. The NSW Productivity Commission's 2023 report, *Building more homes where people want to live*, argued that the greatest effect on house prices could be achieved with a planning process that increases housing density in areas of highest demand. According to the NSW Productivity Commission building more houses where people want to live could be achieved by:

- Raising average apartment heights in suburbs close to the CBD and job opportunities
- Allowing more development near transport hubs to leverage existing infrastructure capacity
- Encouraging townhouses and other medium-density development.⁶⁶

Increased housing density with access to fast, frequent and reliable zero carbon transport options, not only provides benefits for housing, but also for cleaner transport. The Climate Council argue that to decarbonise the transport sector, "the way we get around must transform from the majority of trips occurring via private vehicle to most happening on public transport or in an active way (such as walking, bike riding, scooting and rolling). This is also known as 'mode shift'".⁶⁷

Allowing more development near transport hubs, which is proposed by the NSW Productivity Commission as a solution to make housing more affordable, is also a solution to climate mitigation. This is not to say that the delivery of social and wellbeing strategies may not involve an opportunity cost with delivering climate action. However, **it cannot be said that a trade-off between action on wellbeing and climate action exists in all cases.**

There is an opportunity to find social and wellbeing actions and climate action that deliver co-benefits. This can be achieved through the intersection between the ACT's Wellbeing Framework and the proposed Climate Action Plan. An ACT Climate Action Plan should explicitly seek opportunities to align social and wellbeing strategies to deliver co-benefits to the ACT community.

⁶⁴ Gerrard, E., & Westoby, P. (2021). What Is a Just Transition?. *Coal and Energy in South Africa*, 22.

⁶⁵ United Nations Committee for Development Policy (2023) *Just Transition*.

<https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/CDP-excerpt-2023-1.pdf>

⁶⁶ NSW Government Productivity and Equality Commission (2023) *Building more homes where people want to live*. <https://www.productivity.nsw.gov.au/building-more-homes-where-people-want-to-live>

⁶⁷ Climate Council (2023) *Shifting Gear: The Path to Cleaner Transport*. https://www.climatecouncil.org.au/wp-content/uploads/2023/05/CC_MVSA0354-CC-Report-Road-to-Personal-Transport_V5-FA-Screen-Single.pdf

3.7 Are monitoring, evaluation, reporting and improvement (MERI) processes in place and appropriate? What are the risks, gaps and opportunities in evaluation and reporting?

Currently, MERI practices vary within and between Directorates. We recommend the responsibility of enhancing MERI practices be centralized within a government area that spans all Directorates. Formal structures should be established to foster learning. Additionally, we recommend a needs analysis be conducted to understand the reasons why MERI is not consistently used. Behaviour change theory should then be used to inform the design of effective evaluation capacity building programs.

Recognising that...	Recommendations
<ul style="list-style-type: none"> Fewer documents have an intentional overarching MERI approach (28% of documents), compared to disparate MERI practices (at least 75% of documents). MERI practice varies within and between Directorates. There is more emphasis on monitoring and reporting, whereas evaluation and learning are less prominent. The ACT Government Evaluation Policy and Guidelines has not been updated since 2010. There is no report that brings together all the work on climate change in the ACT (noting that the Minister’s report on Climate Change is an attempt to do so, but it does not capture all climate action in the ACT). The knowledge of external stakeholders could be harnessed further to enhance the design and delivery of climate change action. Drawing upon behaviour change theory could help design an effective strategy; e.g. the COM-B model prompts thinking about capability, opportunity and motivation to achieve the desired behaviour. 	<p>Recommendation 2.3 The responsibility for embedding and strengthening MERI practices should sit with an area of ACT Government that has capacity to influence practice across all Directorates.</p> <p>Recommendation 2.4 The design of effective MERI strategies, integrated into the Climate Action Plan, should draw on behaviour change theory.</p>

Document cataloguing

To examine whether MERI processes are in place and appropriate, documents were reviewed for evidence of existing MERI arrangements. Over 80% of documents provided evidence of MERI practices.

Over 80% of documents (n=43) provide evidence of MERI practices. 75% (n=40) provide evidence of improvement/learning practices. Both documents that had small examples of MERI/L practices and documents that had an explicit overarching MERI framework were included. Considering only the latter, the numbers drop significantly. When looking at explicit plans for a MERI/L activities: 15 documents have monitoring practices, 12 documents have evaluation practices, 14 documents have reporting practices, and just 3 have improvement/learning practices.

It is important to note that it is mostly strategic documents which would set out an overarching MERI approach. For example, of the 15 documents that had overarching monitoring practices, 12 of the documents are strategic documents, the remaining documents were: *Territory Wide Risk Assessment 2017*, *Monitoring and evaluation plan for the home energy efficiency program*, and the *Climate Change Adaptation Strategy Completion Report*. There were also 9 reviews/evaluative documents that were required by an Act, or a commitment from a strategy and each reflected all of the MERI practices.

The *Canberra Region Local Food Strategy 2024-2029* is a good example of embedding MERI practices and has a MERI plan for the strategy's implementation.

Stakeholder perceptions

Internal government staff spoke about a general commitment to MERI practices, but said they are not always undertaken consistently. Differences occur both within and between Directorates, with some staff saying it was embedded in their work, and others saying the opposite.

Sometimes MERI practices are planned but not always undertaken. Funding can be an issue with MERI sometimes included in business cases but then removed to reduce costs. Sometimes staff move on to start new work before the post implementation reviews are completed. Stakeholders said that having measurable KPIs in relevant corporate plans increases the likelihood that MERI will be completed.

External stakeholders also spoke about lack of funding to evaluate their work, within the budget of their government grants.

Staff provided examples of MERI, in Cabinet (where outstanding actions and decisions are monitored) and with specific projects and policies (e.g. a project about insulation for rental properties, ACT No Waste project, preventative health policy).

The Communications and Engagement team use evidence to plan their work. For example, the Communications and Engagement team use market research to help design campaigns and regular surveys of community members. E.g. a phone survey is conducted in April and August each year of 1000 residents and the main winter campaign is conducted between the two survey dates. A community survey is also conducted each year to understand the priorities of people living in the ACT.

Some staff also commented that monitoring and reporting are often higher priorities than learning and acting on the MERI findings.

The ACT Government Evaluation Policy and Guidelines have not been updated since 2010.⁶⁸ However, some support is available to staff to undertake MERI. For example, the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) has supported an Evaluation and Evidence Academy for staff, annually since 2021. The Academy aims to improve the practice and culture of evidence-based decision-making in the ACT public service. It is designed to enable participants to inform and train others in their respective work areas – and potentially run future workshops themselves. The focus is on supporting the implementation of the ACT Wellbeing Framework.

Each year, 20-25 participants complete the program. The program, which is a mix of workshops, coaching and an applied workplace project, is run by Dr George Argyrous and Dr Duncan Rintoul on behalf of CMTEDD, through a partnership with the UTS Institute for Public Policy and Governance.

Insights

To consider whether monitoring, evaluation, reporting and improvement (MERI) processes are in place and appropriate there is a need to understand how well-designed processes are and to what extent do they support people to evaluate their work.

⁶⁸ ACT Government (2010) *ACT Government Evaluation Policy and Guidelines*.
http://www.cmd.act.gov.au/__data/assets/pdf_file/0004/175432/ACT-Evaluation-Policy-Guidelines.pdf

An example of a best practice monitoring, evaluation, reporting and improvement (MERI) process is the C40.⁶⁹ According to C40, a climate action planning monitoring, evaluation and reporting system enables a city to track and review the intended results and real progress from a Climate Action Plan. C40 use the following definitions of monitoring, evaluation and reporting:

- Monitoring: Continuous, systematic collection of data on specified indicators.
- Evaluation: The process by which a city assesses and understands changes identified over time, in line with the indicators and against a baseline. This is done to assess the impact of actions, and to review and update the actions and resource allocation plans, to ensure efficient and effective delivery of the CAP.
- Reporting: Presenting data and analysis to stakeholders for information, decision making, or knowledge sharing.

A MER system should be based on a meaningful evidence base that can consist of quantitative and qualitative indicators. C40 define indicators as:

- Quantitative: reported as numbers, such as units, proportions, rates of change or ratios. Example: number of kilometres of (segregated) cycle lanes.
- Qualitative: reported as words, in statements, paragraphs and reports. Example: perceptions of cycling safety from in depth interviews. These indicators can help tell a narrative around progress or impact using examples, a case study or even a quote which can be powerful in its own right.

An evaluation process as part of a MER system is key to identifying gaps and opportunities. According to C40, "evaluation takes a critical look at the actions to improve their impact. The ideal outcome of evaluation is therefore creating recommendations to improve the design and implementation of adaptation actions, policies and processes. This can enable the city to revise the allocation of resources and gain a deeper understanding of the problem. It can also help to find the causal chains of effects and the intervention logic, the action's implementation processes, and the suitability of policy tools used to address the problem. Furthermore, evaluating one action may also enable the city to identify lessons that can be applied to other actions within the same city or other cities (if the evaluation results are shared). Hence, evaluation goes deeper than monitoring to assess causality between the action and the effects observed".⁷⁰

To increase the consistent use of solid MERI practices across the ACT Government, a concerted effort is needed. **It is recommend assigning responsibility to an area of government that sits across all Directorates.**

For the ACT to understand the impact of all the climate change work, all actions need to align to shared outcomes and to tell a coherent story. The Climate Action Plan could be a place to bring this all together. A suggested approach is:

1. Develop a draft Climate Action Plan
2. Develop an associated MERI Framework and, through this process, consider alignment of actions to desired outcomes
3. Finalise the Climate Action Plan.

⁶⁹ C40 Knowledge (2020) *Monitoring, evaluation and reporting guidance for climate action planning teams.*
https://www.c4oknowledgehub.org/s/article/City-CAP-Monitoring-Evaluating-and-Reporting-MER-Guidance?language=en_US

⁷⁰ C40 Knowledge (2024) *Climate Action Planning Guide: How to set up monitoring, evaluation and reporting for your city's climate action plan*
https://www.c4oknowledgehub.org/s/guide-navigation?language=en_US&guideRecordId=a3t1Q0000007IEWQAY&guideArticleRecordId=a3s1Q000001iaiaQAA

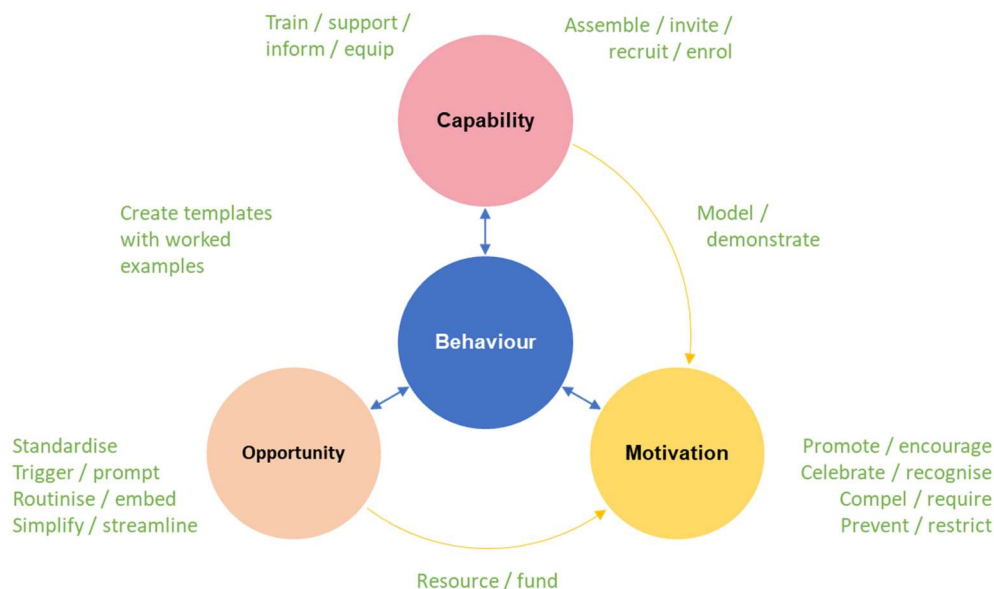
Not all actions need to be evaluated to the same extent. Taking a **risk-based approach** may be useful, where evaluation efforts are prioritised using a set of criteria (e.g. more evaluation effort might be needed for actions where the outcomes are less predictable, high risk, high cost, novel approaches used, or where the ACT is particularly curious about the outcomes).

Whilst we find that **MERI practices** are patchy, we have little visibility of the underlying reasons, therefore further investigation is needed. Once the underlying reasons are determined, an effective approach could be designed using behaviour change theory. One theory that has been used in other jurisdictions⁷¹ is the COM-B model⁷², as illustrated in Figure 3, which prompts thinking about capability, opportunity and motivation to achieve the desired behaviour (in this case, undertaking MERI).⁷³

- **Capability** refers to the physical and psychological abilities that enable an individual to perform the behaviour, such as having the necessary skills and knowledge.
- **Opportunity** includes external factors that make the behaviour possible or prompt it, including external context and social influences.
- **Motivation** involves all brain processes, reflective and automatic, that energise and direct behaviour, like intentions, beliefs, emotions, and habits.

For example, if capability is determined to be lacking, efforts to train people could be increased. If there is a deficit of motivation, efforts to motivate / encourage people could be trialled.

Figure 3: COM-B model of behaviour change applied to evaluation capacity building



Source: *Practical Evaluation Capacity Building*, Australian Evaluation Society workshop delivered by Duncan Rintoul and Vanessa Hood, Rooftop Social

⁷¹ Rintoul, D. (2019) Evaluation capacity building in the NSW Department of Education: The story so far. *Australian Educational Leader* 41(1).

⁷² <https://thedevelopmentlab.com/reference-guide/organizational-behavior/the-com-b-model-for-behavior-change>

⁷³ Michie, S., van Stralen, M. M. & West, R. (2011) The behaviour change wheel: A new method for characterising and designing behaviour change interventions. *Implementation Science*, 6: 42.

4 Conclusion

This review investigates the appropriateness of overarching frameworks and is able to draw conclusions about the appropriateness and effectiveness of climate actions in the ACT only where relevant evaluation findings are available.

The review concludes that the ACT has strong foundations to deliver net zero emissions and strengthen climate resilience. The review found that the strong community support for climate action across a majority of the ACT is a major asset.

Two overarching recommendations are made:

1. To create a Climate Action Plan as a regularly updated, expanded version of the current Climate Change Strategy.

This Climate Action Plan should:

- update the ACT’s climate vision, consistent with climate science and the Paris Agreement 1.5°C ambition
- consolidate all relevant targets and goals
- incorporate annual climate-related financial disclosure statements and integrate financial considerations into government climate-related decisions
- be established as a legislative requirement, through an amendment to the Climate Change and Greenhouse Gas Reduction Act 2010.

2. To create structures that facilitate coordination, the building of partnerships, the sharing of expertise and involvement from the broader ACT community.

Key focus areas here include:

- embedding learning and improvement practices into ACT climate actions, not just monitoring and reporting
- establishing an ACT Climate Ecosystem as an open network of climate experts, to leverage the depth of climate expertise across the ACT
- developing intentional structures that encourage discussion and learning, e.g. forums, MERI champions and communities of practice
- establishing a Climate Community Partnership Framework to help formalise and resource collaboration between the ACT Government and community groups
- strengthening climate action-related MERI practices across all Directorates
- identifying and prioritising opportunities for social and wellbeing strategies to align with climate actions to deliver co-benefits.

The project team recommend that these actions be considered in the next phase of climate planning for the ACT Government in 2025. These actions can be taken forward for further consideration as to resourcing and analysing the short and long term benefits of implementation across the ACT Government.

Appendix A: Alignment between C4o Framework criteria, evaluation questions and cataloguing questions

C4o Framework criteria	Evaluation question from RFO	Criteria
1 Public commitment by current mayor (or city leadership) to take urgent and equitable action	1. Does the ACT Government have an appropriate vision and direction setting on climate change that considers the broader climate action agenda?	3. EVIDENCE - VISION Does the document provide evidence of a vision and commitment to act on climate change?
2 Climate commitments and considerations are embedded into internal governance and decision-making structures	3. Are climate change impacts considered and embedded into key government decisions, work and practices? If not, how and where can they be embedded?	1. GOVERNANCE Does the document provide evidence of governance processes? <small>May not be relevant to all types of documents.</small>
3 Engagement with diverse stakeholders	5. To achieve net zero targets, the ACT Government can't do it alone. Partnerships with business, community service organisations and responsibility sharing between individuals, community and government is essential. Does the ACT Government have the right partnership and engagement/communication settings?	Cataloguing question is N/A – stakeholder engagement will be used
4 Collaboration and partnerships are established with external stakeholders		
5 Evidence and analysis to support the identification of adaptation strategies and actions that collectively achieve the city's goals and targets around building <i>climate resilience and reducing vulnerability</i> .	1. Does the ACT Government have an appropriate vision and direction setting on climate change that considers the broader climate action agenda? 6c. To what extent has Government's adaptation efforts met its goals and targets (to evaluate sufficiency of goals and targets and sufficiency of adaptation efforts). What are the gaps and opportunities to enhance fostering climate resilience in our assets, services, and operations?	3. EVIDENCE – ADAPTATION Does the document provide evidence of adaptation strategies to boost climate resilience and reduce vulnerability?
6 Evidence and analysis to support the identification of <i>mitigation strategies</i> and actions to reduce emissions <i>within and beyond the city boundary</i> to achieve net zero emissions.	1. Does the ACT Government have an appropriate vision and direction setting on climate change that considers the broader climate action agenda?	3. EVIDENCE - MITIGATION Does the document provide evidence of mitigation strategies that expand beyond ACT?
7 Evidence that sectoral and socio-economic data, with a focus on equity,	1. Does the ACT Government have an appropriate vision and direction setting on climate change that considers the broader climate action agenda?	3. EVIDENCE Does the document

C4o Framework criteria	Evaluation question from RFO	Criteria
have informed decision making on targets, strategies and actions.	7. How does the impact of social and wellbeing strategies and progress impact the ACT's ability to deliver emissions reductions (e.g. housing, cost of living, food insecurity)?	provide evidence of economic data?
8 Short, medium and longer term city-wide adaptation goals and targets to build resilience and reduce vulnerability, informed by the evidence base and latest climate science.	1. Does the ACT Government have an appropriate vision and direction setting on climate change that considers the broader climate action agenda? 6c. To what extent has Government's adaptation efforts met its goals and targets (to evaluate sufficiency of goals and targets and sufficiency of adaptation efforts). What are the gaps and opportunities to enhance fostering climate resilience in our assets, services, and operations?	Cataloguing question is N/A – stakeholder engagement will be used
9 Short, medium and longer term city-wide <i>net zero emission reduction targets</i> , informed by the evidence base and latest climate science.	1. Does the ACT Government have an appropriate vision and direction setting on climate change that considers the broader climate action agenda?	4. TARGETS Does the document have a short, medium and long term reporting targets?
10 Short, medium and longer term goals and targets to ensure that climate action improves social, environmental and economic equity.	1. Does the ACT Government have an appropriate vision and direction setting on climate change that considers the broader climate action agenda? 7. How does the impact of social and wellbeing strategies and progress impact the ACT's ability to deliver emissions reductions (e.g. housing, cost of living, food insecurity)?	5. WELLBEING FRAMEWORK Does the document link to the ACT wellbeing framework?
11 Sector-specific strategies that together achieve the city-wide adaptation, net zero GHG emissions and equity goals and targets.	2. Are the existing strategic plans deemed appropriate and effective to meet the government vision on climate change? 4. The findings from the latest emissions projections modelling suggest that there may be challenges for the ACT to meet interim and net zero targets under the existing policy settings. What are the strategic gaps and opportunities to help achieve our interim and net zero targets, and climate resilience objectives? 6c. To what extent has Government's adaptation efforts met its goals and targets (to evaluate sufficiency of goals and targets and sufficiency of adaptation efforts). What are the gaps and opportunities to enhance fostering climate resilience in our assets, services, and operations?	6. SECTOR FOCUS Does the document focus on an individual sector?

C4o Framework criteria	Evaluation question from RFO	Criteria
<p>1 Adaptation and</p> <p>2 mitigation actions that are directly linked to the evidence base, goals and targets, and demonstrate use of all possible city powers, partnerships and influence.</p>	<p>1. Does the ACT Government have an appropriate vision and direction setting on climate change that considers the broader climate action agenda?</p> <p>2. Are the existing strategic plans deemed appropriate and effective to meet the government vision on climate change?</p> <p>4. The findings from the latest emissions projections modelling suggest that there may be challenges for the ACT to meet interim and net zero targets under the existing policy settings. What are the strategic gaps and opportunities to help achieve our interim and net zero targets, and climate resilience objectives?</p> <p>6a. Are the programs, policies, services, budget and resource allocations considered appropriate and effective in meeting the government vision on climate change?</p> <p>7. What are the key external factors that create opportunities, risks or uncertainties for ACT Government actions? For example, how might Commonwealth or other jurisdictions' strategies and progress impact the ACT's ability to deliver emissions reductions?</p>	<p>7. ADAPTATION AND MITIGATION</p> <p>Does the document include adaptation and mitigation actions that are directly linked to targets?</p>
<p>1 Actions using all available</p> <p>3 powers to end the use and support for fossil fuels.</p>	<p>1. Does the ACT Government have an appropriate vision and direction setting on climate change that considers the broader climate action agenda?</p>	<p>8. DECARBONISATION</p> <p>Does the document provide evidence of action/s to end use of fossil fuels?</p>
<p>1 Implementation planning</p> <p>4 for priority short-term actions.</p>	<p>2. Are the existing strategic plans deemed appropriate and effective to meet the government vision on climate change?</p> <p>4. The findings from the latest emissions projections modelling suggests that there may be challenges for the ACT to meet interim and net zero targets under the existing policy settings. What are the strategic gaps and opportunities to help achieve our interim and net zero targets, and climate resilience objectives?</p> <p>6a. Are the programs, policies, services, budget and resource allocations considered appropriate and effective in meeting the government vision on climate change?</p> <p>6b. Are there specific gaps and opportunities at the operational level that will help achieve our interim and net zero targets, and climate resilience objectives?</p>	<p>9. INVESTMENT</p> <p>Does the document provide evidence of planning and / or resource allocation (investment) to meet targets?</p>

C4o Framework criteria	Evaluation question from RFO	Criteria
<p>1 A system for monitoring, evaluation, reporting and learning (MERL) which includes a set of indicators to assess action implementation and progress at output, outcome and impact level.</p>	<p>6. A meta-analysis that synthesizes all existing evaluation, monitoring, review and research reports applicable to climate action in the ACT over the previous five years.</p> <p>8. Are monitoring, evaluation, reporting and improvement processes in place and appropriate? What are the risks, gaps and opportunities in evaluation and reporting? For example, are there policies or programs that have not been evaluated or may need to be reevaluated to realign with the government’s strategic direction?</p>	<p>10. MERL Does the document provide evidence of a system for monitoring, evaluation, reporting and learning (MERL)?</p>
<p>1 Regular public communication and reporting of the status of climate action implementation and progress towards the city’s climate goals and targets based on the MERL system.</p>	<p>8. Are monitoring, evaluation, reporting and improvement processes in place and appropriate? What are the risks, gaps and opportunities in evaluation and reporting? For example, are there policies or programs that have not been evaluated or may need to be reevaluated to realign with the government’s strategic direction?</p>	<p>Cataloguing question is N/A – stakeholder engagement will be used</p>

Appendix B: Criteria for cataloguing documents and example document

Criteria	Details	Sub-Criteria	Example document
Document Details	Name of document	Description	ACT Climate Change Strategy 2019-25
Document #	Each document assessed will be given a unique number to allow analysis.	Number	4
Year	Year published	Year	2019
Length of document	No. pages	Number	40
Type of document	Report, strategy, plan, legislation, framework, implementation plan etc.	Description	Strategy
Description	One sentence description	Description	Outlines ACT Government’s climate change response and identifies actions to meet the climate targets and prepare for climate change
Origin	Whether the document contains information on why climate response was created	Select one - Detailed/Some/None	Detailed
Tier	Each document will be assessed according to its overall importance. A proposed taxonomy is whether a document is a ‘core’ climate action document or a ‘related’ climate action document.	Core/Related <i>Draft guidance: A core climate action document would be a climate strategy, while a related document might be the disability strategy.</i>	Core
Notes	Any general notes		N/A
1: Governance	Does the document provide evidence of governance processes?	ACT Govt department that reviewed and approved document (brief description)	Director-General, Environment, Planning and Sustainable Development Directorate

Criteria	Details	Sub-Criteria	Example document	
2: Stakeholder engagement	Does the document provide evidence of a stakeholder engagement process?	Which group was engaged (brief description)	Broad community engagement	
		Engagement approach (brief description)	Extensive engagement process. More than 65,000 people reached by social media and engagement events. Almost 60 individual engagement events, 1100 face-to-face conversations with individuals and 100 emailed submissions. On the YourSay website, there were 3000 visits, 900 people voted in quick polls and 116 people submitted written comment.	
3: Evidence	Does the document provide evidence that forms the basis for an action?	Evidence (Yes/No) <i>Draft guidance: including scientific evidence, assessment of existing conditions including baseline emissions, regular greenhouse gas inventories, a long-term emissions trajectory, accountability measures, climate risks and socioeconomic priorities</i>	Yes – e.g. references the Paris Agreement, outlines carbon budgets	
		Does the document provide evidence of a vision and commitment to act on climate change?	Vision (Yes/No)	Yes
		Does the document provide evidence of adaptation strategies to boost climate resilience and reduce vulnerability?	Adaptation Strategies (Yes/No)	Yes
		Does the document provide evidence of mitigation strategies that expand beyond ACT?	Mitigation strategies (Yes/No)	Yes
		Does the document provide evidence of economic data?	Economic data (Yes/No) <i>Such as: a business plan, cost-benefit-analysis, cost and feasibility studies, etc.</i>	Yes – a number of cost and feasibility studies mention, social cost of carbon

Criteria	Details	Sub-Criteria	Example document
4: Targets	Does the document have short, medium and long term reporting targets?	Short term targets (Yes/No)	Yes – emissions reduction targets for 2020, 2025
		Medium term targets (Yes/No)	Yes – emissions reduction targets for 2030
		Long term targets (Yes/No)	Yes – emissions reduction targets for 2040, 2045
5: Wellbeing Framework	Does the document link to the ACT Wellbeing Framework? <i>We are proposing to use the ACT Wellbeing Framework as an indicator of an approach that incorporates just transition principles.</i>	Link to First Nations communities (Yes/No)	Yes
5: Wellbeing Framework	Does the document link to the ACT Wellbeing Framework? <i>We are proposing to use the ACT Wellbeing Framework as an indicator of an approach that incorporates just transition principles.</i>	Link to ACT Wellbeing Framework, select which apply: <ol style="list-style-type: none"> 1. Access and connectivity 2. Economy 3. Education and life-long learning 4. Environment and climate 5. Governance and institutions 6. Health 7. Housing and home 8. Identity and belonging 9. Living standards 10. Safety 11. Social connection 12. Time 	Access and Connectivity Economy Education and life-long learning Environment and climate Governance and Institutions Health Housing and home Living standards Safety
6: Sector focus	Does the document focus on an individual sector?	Global Protocol for Community-Scale Greenhouse Gas Inventories (roughly), select which apply: <ol style="list-style-type: none"> 1. Energy 2. Transportation 	Energy Transport Waste Agriculture, forestry + other land use

Criteria	Details	Sub-Criteria	Example document
		3. Waste 4. Industrial 5. Agriculture, forestry + other land use	
7: Adaptation and mitigation	Does the document include adaptation and mitigation actions that are directly linked to targets?	Adaptation actions (brief description) <i>Note: action must be tied to a target</i>	Yes – target for 30% tree canopy, targets for renters and social housing for climate-wise zero emissions homes
		Mitigation actions (brief description) <i>Note: action must be tied to a target</i>	Yes – various actions tied to targets across energy, transport, building
8: Decarbonisation	Does the document provide evidence of action/s to end use of fossil fuels?	Actions (brief description)	Yes – zero emissions from gas use by 2045, electrification of government fleet, 100% renewable electricity
9: Investment	Does the document provide evidence of planning and / or resource allocation (investment) to meet targets? <i>This question seeks to identify allocation of financial resources.</i>	Planning (Yes/No)	Yes
		Investment (Yes/No)	Yes
10: MERL	Does the document provide evidence of monitoring, evaluation, reporting and learning (MERL) practices?	Monitoring (Yes/No)	Yes
		Evaluation (Yes/No)	Yes
		Reporting (Yes/No)	Yes
		Learning (Yes/No)	Yes - Review in 2024 to assessment progress and inform to next strategy
11. EXTERNAL FACTORS	Does the document reference external factors such as other states/jurisdictions impacting on ACT Government actions?	Yes/No	Yes – collaborating with other jurisdictions e.g. on car registration reform

Appendix C: Full list of documents reviewed

1. Climate Change and Greenhouse Gas Reduction Act 2010
2. ACT Wellbeing Framework
3. Parliamentary and Governing Agreement
4. ACT Climate Change Strategy 2019-25
5. ACT's Zero Emissions Vehicles Strategy 2022-30
6. Zero-emission transition Plan for Transport Canberra
7. Building Canberra's Circular Economy: ACT Circular Economy Strategy and Action Plan 2023-2030
8. Active Travel Plan 2024-30
9. Canberra: A statement of ambition
10. CBR Switched On – ACT's Economic Development Priorities 2022-25
11. Whole of Government Adaptation Framework (INTERNAL)
12. Canberra's Living Infrastructure Plan: Cooling the City
13. Territory Wide Risk Assessment 2017
14. Climate Change Risk Assessment for the ACT
15. ACT Housing Strategy October 2018
16. Age Friendly City Plan 2020-2024
17. ACT Disability Strategy 2024-2033
18. Canberra Region Local Food Strategy 2024-29
19. Integrated Energy Plan
20. Parliamentary and Governing Agreement Status Report - Number Two 2022
21. ACT Climate change Strategy 2019 -2025 Review
22. 2022-23 Ministers Annual Report under the Climate Change and Greenhouse Gas Reduction Act 2010
23. Review of the Climate Change and Greenhouse Gas Reduction Act 2010 (ACT) 10-year statutory review
24. Carbon Neutral ACT Government Framework Review Internal paper 2017
25. ACT Greenhouse Gas Inventory report 2022-23
26. ACT Government Zero Emissions Vehicles Strategies Evaluation Report
27. Hydrogen Refuelling Station Review Final Audit report
28. Results of Consultation on an Energy Efficiency Improvement Scheme Extension
29. EEIS Policy settings analysis
30. Policy and Market Analysis for the EEIS
31. Monitoring and evaluation plan for the Home Energy Efficiency Program
32. Evaluation of the National Residential Efficiency Scorecard trial
33. Evaluation of home energy assessments
34. Map and gap analysis of support provided to vulnerable households to reduce carbon emissions and energy hardship
35. Sustainable Household Scheme Review
36. Actsmart PR_Business final
37. Actsmart PR_Community_Draft
38. Actsmart PR_Households_final
39. Review of the Electricity Feed-in (Renewable Energy Premium) Act 2008
40. Review of the Electricity Feed-in (Renewable Energy Premium) Act 2008
41. Review of the operation of the Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011
42. ACT Auditor-General's Report - Act Government's Vehicle Emissions Reduction Activities
43. Establishing Reporting from Regulatory Data Sets for Gas Transition and Electrification program
44. Home Energy Support: Community Housing Evaluation Report
45. VHESS how it all fits together
46. Climate Change Adaptation Strategy Completion Report
47. Review of Renewables Auction 5 Summary Report
48. Review of the Energy Efficiency Improvement Scheme
49. Canberra Plant Selector Tool (content review)
50. Monitoring and evaluation of the Minimum energy efficiency standard for rental properties in the ACT
51. GHG inventory review Canberra Memorial Parks
52. Sustainability Strategy 2021-2025 (Suburban Land Agency)
53. Zero Emissions Pathway Advisory - Canberra Health Services

2024 Independent review of ACT Government action on climate change – methodology and recommendations

Methodology

The Review's methodology considered key evaluation questions approved by the Steering Committee to guide the evaluation from three perspectives:

- a. Document cataloguing of 53 ACT government documents. These represented a sample of all climate-related documents in the ACT over the previous five years.
- b. Stakeholder engagement with targeted groups of internal ACT Government stakeholders and external community groups in the ACT.
- c. Insights: The consultants used the C40 Cities Climate Transition Framework (C40 Framework) as a foundational framework for the Review. This framework was chosen after a review of evidence-based frameworks relevant to the ACT: to catalogue the supplied documentation and as a scaffold for framing discussion questions in the stakeholder interviews. The use of this framework is intended to be an indicator of best practice climate action. It is not proposed that the ACT should join the c40 membership.

Recommendations

Review Recommendations	
1.	Create an ACT Climate Action Plan as a regularly updated, expanded version of the current Climate Change Strategy
1.1	An ACT Climate Action Plan should be established with an updated vision, targets and goals, clearly articulating that the ACT's vision is to achieve net zero emissions and strengthen climate resilience consistent with climate science and the Paris Agreement 1.5°C ambition.
1.2	Informed by climate science, the ACT Climate Action Plan should combine all relevant targets and goals across different legislation, strategy and action plans into a single climate action document.
1.3	The ACT Climate Action Plan should place particular emphasis on medium-term targets and adaptation resilience targets, which are identified as gaps in the current Strategy.
1.4	The ACT Climate Action Plan should bring forward the ACT's net zero emissions target from 2045 to 2040 at the latest. A more aggressive emissions reduction pathway is consistent with the IPCC assessment that current Nationally Determined Contributions (NDC) commitments risk increasing temperatures beyond 2.0°C.
1.5	Review the ACT's renewable electricity practices and targets to recognise evolving opportunities for '24/7' renewable energy power including the development of associated standards.
1.6	Climate Action Plan should incorporate annual climate-related financial disclosure statements that would include scenario analysis, transition planning and an assessment of both physical and transition risks based on common metrics aligned to international best practice.

1.7 1.7 To support economically efficient investment decisions that have a climate-related component, a Climate Action Plan should establish frameworks to internalise externalities, such as a frameworks that value emission reductions.

1.8 The ACT Climate Action Plan should be established as a legislative requirement, through an amendment to the Climate Change and Greenhouse Gas Reduction Act 2010.

2. Create structures to facilitate coordination, the building of partnerships, the sharing of expertise and involvement from the broader ACT community

2.1 The ACT Government should leverage the depth of climate expertise across the ACT, including at ANU and University of Canberra, establishing an ACT Climate Ecosystem as an open network of climate experts based on monitoring, evaluation, reporting and improvement (MERI) frameworks. This would provide a mechanism to allow climate-related developments to be considered and debated across the ACT.

2.2 The ACT should establish a Climate Community Partnership Framework as a mechanism to structure collaboration between the ACT Government and community groups. Financial resourcing of community groups should be part of this framework, to support their participation in consultations, management partnerships and implementation of MERI practices.

2.3 The responsibility for embedding and strengthening MERI practices should sit with an area of ACT Government that has capacity to influence practice across all Directorates.

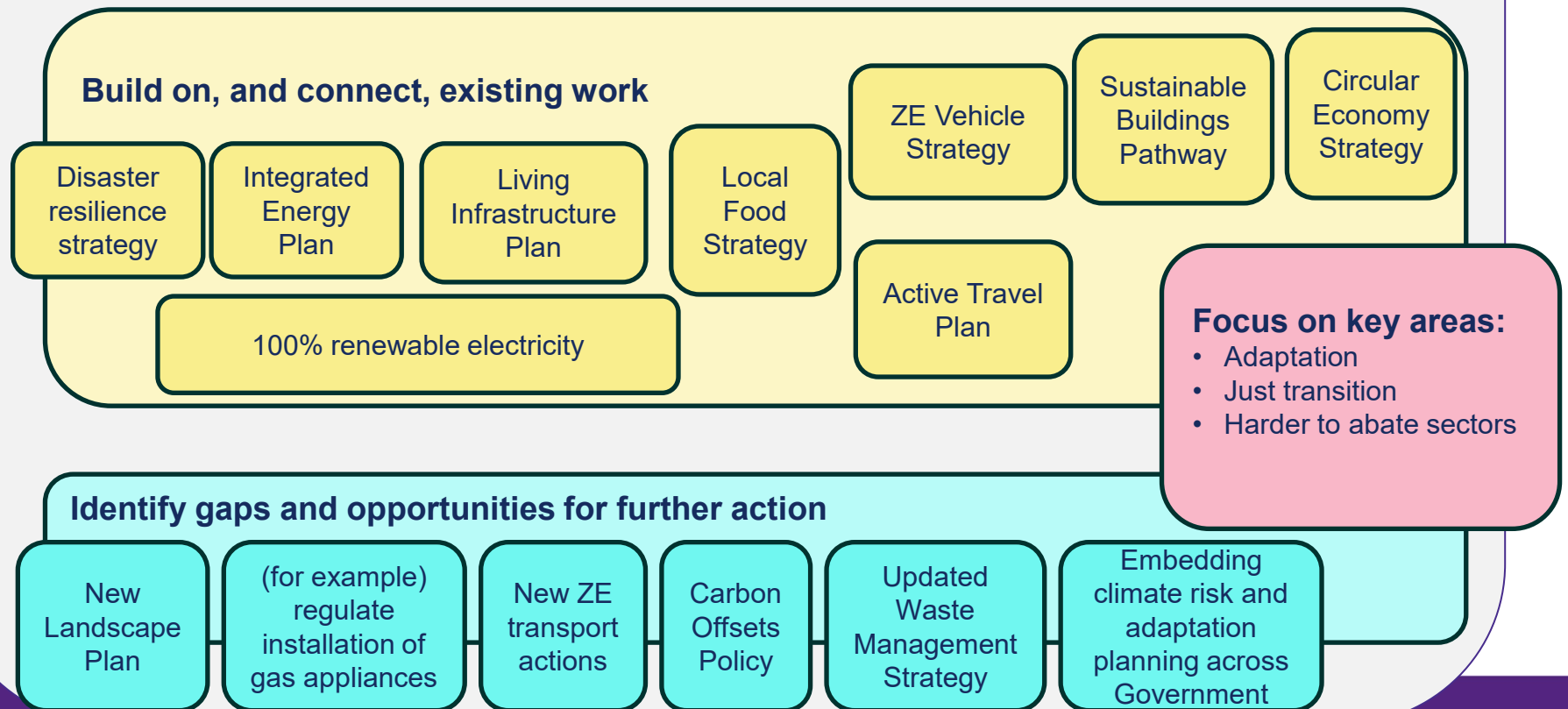
2.4 The design of effective MERI strategies, integrated into the Climate Action Plan, should draw on behaviour change theory.

2.5 The ACT Government should identify and prioritise opportunities for social and wellbeing strategies to align with climate actions to deliver co-benefits. This will require collaboration and cohesion between the ACT's Wellbeing Framework and the Climate Action Plan.

Climate Change Strategy 2.0 Concept

Overarching framework

- Provide clarity and direction on ACT's priorities and pathways for managing climate change, including guiding strategic principles
- Articulate mitigation and adaptation short, medium and long term goals



Early Concept: Framework approach

Emissions Reduction Net Zero by 2045

Interim targets: 50 to 60% by 2025 | 65 to 75% by 2030 |
90 to 95% by 2040
Net-zero government emissions by 2040

Example Action – review of emissions targets



Adaptation and Resilience Resilient and sustainable Canberra now and into the future

Canberrans prepared for a 2-4 degree warmer world.
Considers resilience for heatwaves, storms, floods, bushfires
and drought as well as climate change awareness and action.
Example Action – annual resilience indicator

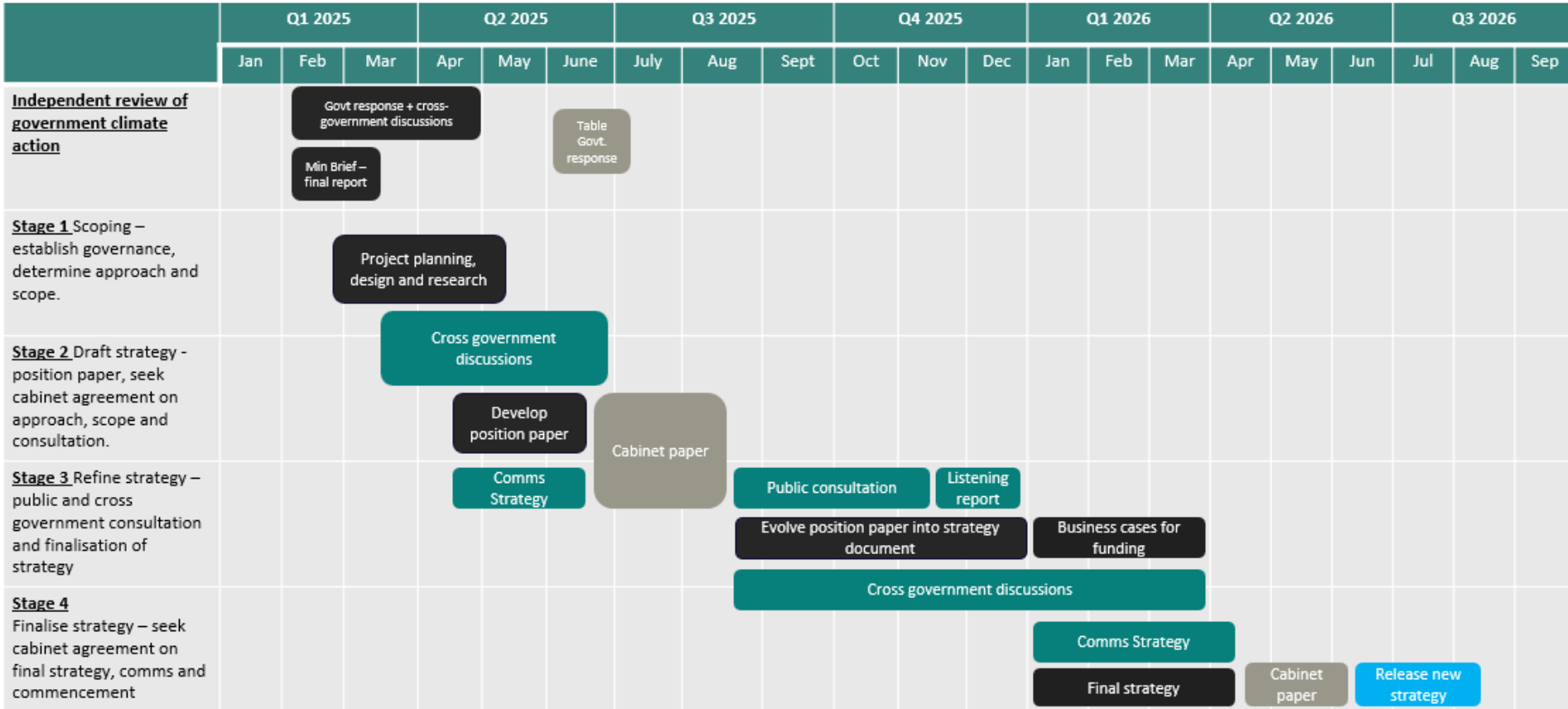
Framework themes

Examples of existing work and potential actions

01	People – community and businesses	Disaster Resilience Strategy, Social Recovery Framework, Circular Economy Strategy, Community Sector adaptation planning
02	Landscape, nature and water	Nature Conservation Strategy, ACT Water Strategy, Climate adaptation for nature, Canberra Region Local Food Strategy, <u>Action: New Landscape Plan</u>
03	Built environment	Sustainable Buildings Pathway, the Territory Plan, Living Infrastructure Plan, Infrastructure Plan and Pipeline, <u>Action: updated Waste Management Strategy</u>
04	Transport	ZEV strategy, Zero-Emissions transition Plan for Transport Canberra, Active Travel Plan
05	Electricity and energy	Integrated Energy Plan, Maintaining 100% Renewable Target, <u>Action: commitment to regulate the installation of gas appliances</u>
06	Government, institutions and economy	Climate related financial disclosures, ACT Skills Action Plan, <u>Action: New Carbon Offsets Policy; Action: Embedding climate risk and adaptation planning across Government</u>

***These are early concepts. Themes and content are likely to change with further planning and consultation.**

Proposed Timeframes



Preparation work: Jan to July 2025

- Establish governance and scope
 - This includes defining the outcome and approach for the new climate change strategy; cross-Government governance established
- Research and problem analysis
 - Collating current context, mitigation and adaptation progress, current goals and actions, gaps and linkages against each theme
- Preparing for public consultation
 - Identifying matters to engage on and consultation approach
- Government discussions and decisions
 - Discuss recommended positions for Government response to the independent review on the effectiveness of government action on climate change
 - Initial socialisation of Strategy approach and key gaps



Environment, Planning and Sustainable Development Directorate

To: Minister for Climate Change, Environment, Energy and Water

Tracking No.: 25/010061

Date: 14/03/2025

From: Executive Group Manager, Climate Change, Energy and Water

Subject: Policy options to prevent gas appliance installations in the ACT

Critical Date: 12/04/2024

Critical Reason: In the ordinary course of business

- DDG 14/03/2025

Recommendations

That you:

1. Note the information contained in this brief; and

Noted / Please Discuss

2. Agree to EPSDD developing a proposed approach to prevent gas appliance installations in the ACT for Cabinet consideration by [redacted]

Agreed / Not Agreed / Please Discuss

Suzanne Orr MLA 31.03.25

Minister's Office Feedback

Please share w CM + Planning Min.

Background

1. The ACT Government released the Integrated Energy Plan (IEP) in June 2024, which outlines a pathway to transition from fossil fuel energy with the goal to become a net zero emissions city by 2045. This includes the eventual shut down of the ACT gas network.
2. A regulation to restrict new connections to the gas network in the ACT commenced on 8 December 2023. The Regulation has the effect of limiting growth of the gas network, thereby curbing the continued growth of emissions from gas.
3. The ACT Government is also supporting Canberra households and businesses to replace old gas appliances when they reach end of life with energy efficient electric appliances through targeted information, supportive programs and incentives.
4. Despite these important interventions, energy consumers with an existing gas connection can continue to access and use the gas network and install new gas appliances when old appliances (gas or electric) break or reach end of life.
5. This is a problem as the choice to replace old appliances with new gas appliances can lock future owners and tenants onto the gas network, increase the transition cost for the ACT, contribute to greenhouse gas emissions, and result in higher energy costs for consumers. It is also likely to disproportionately impact vulnerable consumers (e.g. low-income, renters) and small businesses who have less means to transition to all-electric.
6. Emissions forecasting shows that, under current projections, the ACT will face challenges in meeting our interim 2030 emissions targets and is not on track to meet 2040 nor 2045 targets.
7. The IEP committed to exploring other regulatory options to support electrification, particularly for vulnerable households, including interventions to prevent the installation of gas appliances. The purpose of this brief is to:
 - a. provide background on the issue, including previous analysis and community engagement findings as part of the development of the IEP;
 - b. provide a broad overview of some of the policy options the Gas Transition Policy Team are currently exploring; and
 - c. seek your agreement to present options to Cabinet in late 2025.

Issues

What we know so far

8. Gas is used by households and businesses for space heating, hot water heating and cooking. Generally, the most energy intensive appliances in Canberra households are space heating appliances, followed by hot water heating appliances. Most gas heating appliances have a life of 10-15 years (Attachment B). This means that it is likely that

many gas appliances installed in the late 2020s will need to be replaced before the end of their service life as the gas network begins to shut down.

9. Modelling suggests that gas prices will continue to rise over the long term as more consumers exit the gas network and the cost of managing the network is spread over fewer consumers.
10. As the cost of gas increases, it is anticipated that many households and businesses with the means to transition to electric appliances will do so. However, vulnerable consumers, such as low-income, renters, and small businesses, who do not have the financial means or power to make changes to their home or businesses, will be disproportionately impacted by the price increases.
 - a. ACT Government existing programs do not reach all vulnerable consumers, most notably renters and other low-income groups who do not qualify for concessions.
11. Early indications are that the community is electrifying. Data provided for the government's greenhouse gas inventory indicates an overall decline in natural gas and liquefied petroleum gas (LGP) emissions in the ACT since 2022.
12. The number of Evoenergy gas customers peaked at 154,448 in 2022. However, in 2023 the number of disconnections was greater than the number of new connections, marking the first year where the number of customers declined (GHD Advisory report; overview at [25/0006557](#)).
13. Market research conducted in August 2024 demonstrates that over 70% of Canberra households are aware of the ACT Government's plan to transition households and businesses from gas to electric. Of those surveyed who use gas, over one quarter (28%) say that they are planning to transition. Of those not planning to switch, just over half say they are either never planning to shift (49%) or would never consider switching (5%).
14. This demonstrates there may still be a need for regulatory measures to prevent resistant consumers from replacing appliances with new gas appliances.

Community sentiment and feedback

15. Community Engagement on the IEP undertaken in August and September 2023 found that the majority of those who provided feedback were generally supportive of the switch to renewable energy in the ACT (almost 60% of survey respondents).
16. The consultation clearly showed that there was strong support in the community to prioritise a fair and equitable transition to net zero across all engagement activities, including supporting vulnerable households who have least capacity to pay for electrification upgrades, as well as finding pathways for hard to transition groups, such as renters and complex buildings (e.g. people living in multi-unit apartments).
17. Across all engagement activities, many believed there is a role for regulation in supporting electrification. For example, most respondents supported mandatory information disclosure on the sale of gas and electric appliances (76.4%) as well as the

presence of gas connections and appliances in property advertisements (for sale or lease) (80.3%). Some also called for mandatory switch over dates or appliance bans.

18. Renters expressed feeling limited in their ability to make decisions about energy resources as they do not have a say as to what appliances are installed in their home. Further, it was noted that landlords did not have adequate incentive to upgrade their properties as the upfront costs of energy efficient electric appliances are often more expensive than gas appliances, and landlords do not receive the benefits.
19. While incentives for landlords to switch to electric (such as no-interest loans or tax exemptions) were proposed as a means to address these concerns, many renters and other groups called for regulations to prevent the installation of new gas appliances to support renters in the energy transition (e.g. through appliance bans, or improved minimum energy efficiency standards).

Other jurisdictions

20. The Victorian Government is currently considering interventions to prevent the installation of new gas appliances in residential and commercial buildings and sought community feedback on proposed amendments to the Buildings Regulations 2018 and Plumbing Regulations 2018 (both under the Building Act 1993) from 13 December 2024 to 28 February 2025. A summary of the proposed amendments and accompanying Regulatory Impact Statement is available at [Attachment A](#). The Victorian Government's Building Electrification Regulatory Impact Statement Summary that was released as part of the consultation is also available at [Attachment B](#).

Potential Interventions in the ACT

21. The Gas Transition Policy Team is considering a range of interventions to address the continued installation of new gas appliances in ACT homes and businesses. These options are listed below, with further detail in [Attachment C](#):
 - a. Improving data collection on gas appliance installation across government.
 - b. Improve safety and compliance standards for gas appliances in residential and commercial properties.
 - c. Phasing out or restricting installation of gas appliances.
 - d. Mandatory disclosure of information about the ACT's energy transition on the sale of gas appliances.
 - e. Minimum energy efficiency standards for gas appliance installation, or certain types of gas appliances (e.g. space heating and hot water heating).

Next steps

22. Ongoing policy analysis is required to support a recommendation on lowest cost pathways to reduce gas use from existing customers. CCEW has sought budget funding

for further analysis and future public consultation on options (Brief number 24/0015761).

- 23. Subject to budget funding being agreed, a brief providing recommendations on a proposed approach to phase out gas appliance installations in residential and commercial properties, including the development of a supporting Regulatory Impact Analysis, will be provided in Q4 2025 for consideration.
- 24. Subject to budget, further analysis and approvals, the Gas Transition Policy team proposes the following milestones:

Q4 2025 (Sep-Dec)	Ministerial brief with recommended pathway
Q1 2026	Cabinet package seeking policy approval of recommended pathway (including community consultation materials and communications and engagement plan)
Q2 2026	Community consultation commences (to be confirmed with Communications and Engagement) This timeframe would align with the proposed timeframe for release of the second Climate Change Strategy (see brief 25/000541). Subject to Cabinet agreement and further work, this could be included in the updated Strategy as commitment/action as a 'next step' under the Integrated Energy Plan, with the IEP positioned as a 'sector plan' on the ACT's path to net zero.

Financial Implications

- 25. There are no financial implications associated with this brief.

Consultation

Internal

- 26. Nil for this brief.

Cross Directorate

- 27. The Gas Transition Policy team are consulting with CMTEDD and Access Canberra colleagues in developing options to improve data collection on the installation of gas appliances.
- 28. The team are also consulting with Legislation Policy and Programs, in Justice and Community Safety Directorate on alignment with the Minimum Energy Efficiency Standard community consultation work.

External

29. Informal officer level regular meetings with counterparts in Victorian Government to share updates, project learnings, and identify potential areas of alignment.

Work Health and Safety

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

Benefits/Sensitivities

31. Taking further action to reduce gas appliance use in the ACT will help the ACT to achieve our net zero emissions by 2045 target. A gas appliance ban in particular, alongside other interventions, would help kerb emissions faster than the current level of policy intervention (as shown in the Energeia report provided at Attachment D).

32. While regulatory options to restrict/disincentivise gas appliances are anticipated to be welcomed by many in the community, there will also be resistance to any changes from some sectors, including gas fitters, plumbers and some other trades groups, real estate and property groups, households who prefer using gas, and some commercial groups who may face high cost or other technical barriers to transition. There is some negative media activity from these groups in relation to the Victorian Government’s community consultation.

33. While electrification will benefit many households and businesses through reduced energy savings over the long term, the higher purchase cost of some electric appliances relative to some gas appliances may raise cost of living concerns.

Communications, media and engagement implications

34. Nil from this brief. The Gas Transition Policy team will work closely with EPSDD Communications and Engagement on a supporting communications and engagement plan if required to help inform the community on the issue, seek feedback on options and support community education on the benefits of electrification.

Signatory Name: Simon Grice Phone: 6207 9780

Action Officer: Megan Baker Phone: 6205 4518

Attachments

Attachment	Title
Attachment A	Summary of the Victorian Government’s Building Electrification Regulatory Impact Statement
Attachment B	Victorian Government Building Electrification Regulatory Impact Statement (summary document)
Attachment C	Potential interventions to address continued gas appliance installation in the ACT
Attachment D	Gas Transition Pathway to Net Zero - Energeia Report

Attachment A: Summary of Victorian Government's Building Electrification Regulatory Impact Statement

- The Victorian Government is currently considering interventions to prevent the installation of new gas appliances in residential and commercial buildings and are seeking community feedback on proposed amendments to the Buildings Regulations 2018 and Plumbing Regulations 2018 (both under the Building Act 1993).
- [Community consultation](#) on the proposed changes was open from 13 December 2024 to 28 February 2025 with the aim to introduce the final regulations mid-late 2025 and commence 2026 (TBC).
- The objectives of the changes are to reduce consumer energy bills, reduce greenhouse gas emissions, and mitigate potential shortfalls in gas supply.
- A Regulatory Impact Statement (RIS) was released as part of the consultation which examines four regulatory options to support electrification across the commercial and residential sectors.
- The preferred government option included electrification of new residential and most new commercial buildings, as well as existing residential buildings. The cost benefit analysis undertaken as part of the RIS demonstrated that all options delivered a net positive benefit for the community. Option 3 delivered the highest benefit, helping consumers to save hundreds of dollars annually on their energy bills and reducing 39.3 million tonnes of carbon emissions by 2045. A copy of the Building Electrification Regulatory Impact Statement Summary document is available at [Attachment B](#) for information.
- Notably the preferred option does not include regulatory changes regarding gas cooktops in existing buildings. This is to address concerns over consumer preferences for cooking with gas, which may lead to resistance to the changes from some sectors of the community. The Government anticipates that the changes may prompt households to voluntarily disconnect their remaining appliance to avoid paying gas supply charges over time.
- The Victorian RIS supports IEP policy testing analysis by Energeia which found that:
 - *A ban on new gas appliance installation would have a net positive lifetime impact on consumers and is a key part of realising ACT's emissions goals as it serves to reduce the issue of appliance write-downs in the event of gas network decommissioning.*
 - Note: Further detailed regulatory impact analysis would be required to confirm outcomes of potential regulatory settings in the Territory. A copy of the Energeia report was provided to your office in January 2025 (brief [24/131932](#)) and is available at [Attachment D](#).
- EPSDD will monitor Victoria's community consultation and regulation implementation.

Attachment C: Potential interventions to address continued gas appliance installation in the ACT

a) Improving data collection on gas appliance installation across government

- i. The ACT Government currently has very limited and inconsistent data capture related to the installation of gas appliances across ACT residential and commercial properties.
- ii. Improving data collection and reporting is a key enabler to support evidence based future interventions. It will enable government to more effectively monitor the energy transition and success of supporting policies, regulation and programs.
- iii. The Gas Transition team are working closely with Access Canberra and the Chief Minister Treasury and Economic Development Directorate (CMTEDD) to identify opportunities to improve data collection. Improvements to relevant Access Canberra smart forms that gas fitters are required to complete could assist in this process and place a greater focus on compliance.

b) Improve safety and compliance standards for gas appliances in residential and commercial properties

- i. There are currently no requirements for owners or landlords to ensure that their appliances remain in good condition and are safe for use.
- ii. Imposing mandatory checks on gas appliances (required in other jurisdictions including Victoria and the UK) would improve community safety and help identify unfit appliances that could be encouraged to transition to for electric options. It would also provide an ongoing source of income for gas fitters whose new appliance installation work is expected to decline over time.
- iii. The Justice and Community Services Directorate are currently exploring options to include mandatory gas appliance and electrical safety checks for rental properties as part of the minimum standards for rental properties and occupancy law reform community consultation. If implemented, further changes could ensure that the same measures are required across all ACT households and potentially commercial properties.
- iv. This option would not fully address the problem of continued gas appliance installation, but could be an effective interim option.

- v. A mandatory inspection process would also provide an opportunity for information about the ACT's gas transition to be given directly to consumers who continue to use gas.

c) Phasing out or restricting installation of gas appliances

- i. Such a restriction could potentially be imposed by an amendment to the Gas Safety Act 2000, with a Regulation to follow. The Act already contains regulation making powers and an offence provision (under s8A) relating to energy efficiency and environmental harm.
- ii. The introduction of the 'No New Gas' regulation has shown that early and frequent public messaging, engagement and consultation about a future regulation is key to successful implementation and acceptance by the community.
- iii. The phasing (appliance type), timing of introduction and potential range of exemptions will be key considerations of any proposed future public consultation and regulation.
- iv. Under the IEP, it has been flagged that such prohibitions may be in place from 2030, so it will be important for the Regulatory framework and transition period to be established well in advance of 2030.

d) Mandatory disclosure of information

- i. Mandatory disclosure of information on the sale of gas appliances was tested and broadly supported by the community as part of the IEP. There are a relatively small number of suppliers of gas appliances within the ACT.
- ii. There is potential to require gas fitters to provide advice about the ACT's intention to phase out gas when installing a gas appliance (e.g. on a quote). This ensures that information is provided, generating broader awareness of the energy transition, however is unlikely to deter appliance installation if an appliance has already been purchased. This requirement would be challenging to enforce.
- iii. The Gas Transition Policy team are coordinating targeted stakeholder consultation with appliance retailers and gas fitters to better understand their preferences and potential barriers to businesses providing information on the ACT's transition off gas.

e) Minimum energy efficiency standards for gas appliance installation, or certain types of gas appliances (e.g. space heating and hot water heating)

- i. An ACT specific minimum energy performance standard could leverage frameworks available at the National level including the Greenhouse and

Energy Minimum Standards Act 2012 (GEMS), which provides a framework for minimum energy performance standards for appliances that can be sold in Australia. It is important to note that the GEMS minimum energy performance standards are limited and currently do not include gas appliances besides hot water heating systems. It is also yet to incorporate key electric technologies (e.g. hot water heat pumps).

- i. There is ambition within the Energy Efficiency Working Group (E3), formed under the Energy and Climate Change Ministerial Council, to consider including other gas appliances within GEMS in the future and work is currently underway to incorporate heat pumps.
- ii. Implementing a minimum energy efficiency star rating standard for appliances that gas fitters may install in the Territory, that builds upon the GEMS framework, would compel consumers to choose appliances that meet a higher minimum energy efficiency standard, helping consumers to save on energy costs over the long term. This action would not prevent gas appliance installation, and still allow consumer choice, but would help to ensure any appliance replacements were efficient and reduce emissions from inefficient appliance use.
- iii. Using an ACT specific minimum energy performance scheme could complement a ban on appliance installation, particularly if a future prohibition did not cover all appliance or property types. It may also be an option worth pursuing if there is a strong impediment to appliance installation prohibitions.
 - i. It should be noted that new appliance type inclusions into GEMS is a long process and takes several years to be included in the scheme. For example, E3 has been working on adding heat pump hot water systems for more than 2 years and they are still yet to be added to the scheme.
 - ii. The uncertainty around inclusion of new products and the length of time to create new testing and rating systems would mean that solely relying on this option may not yield meaningful emissions changes before 2030.



Environment, Planning and Sustainable Development Directorate

To: Minister for Planning and Sustainable Development
Chief Minister

Tracking No.: 25/0099287

Date: 28/03/2025

CC: Head of Service

From: Director-General, Environment, Planning and Sustainable Development Directorate (EPSDD)

Subject: Appointment of the Chief Planner – Temporary Short-Term

Critical Date: 24/04/2025

Critical Reason: To provide you with options for the temporary short-term appointment of the Chief Planner following expiry of the current appointment on 30 April 2025, so that a new short-term appoint may be made. In addition, this brief provides you with advice for a longer-term appointment following expected machinery of government changes

Recommendations—Chief Minister

That you:

until 30 June

- 1. Agree to bypass Cabinet agreement for the short-term appointment of the Chief Planner;

~~Agreed~~ / Not Agreed / Please Discuss

- 2. **Agree** to the appointment of Dr Erin Brady (**Option 1**) or Mr George Cilliers (**Option 2**) as Chief Planner for six months from 1 May – 31 October 2025, noting the information in this brief

Option 1 / Option 2 / Please Discuss

- 3. If you agree to **Option 1**, **sign** the instruments at Attachments B1 and B2 appointing Dr Brady as the Chief Planner and Mr Cilliers as the acting Chief Planner.

Signed / ~~Not signed~~ / Please Discuss

- If you agree to **Option 2**, **sign** the instrument at Attachments C1 and C2 extending Mr Cilliers' appointment as the Chief Planner and Dr Brady as the acting Chief Planner.

Signed / ~~Not Signed~~ / Please Discuss

- Agree** for EPSDD (or the relevant new directorate) to bring a paper for Cabinet consideration to appoint a long-term Chief Planner following expected machinery of Government changes.

~~Agreed~~ / Not Agreed / Please Discuss

Andrew Barr MLA



17/4/25

Chief Minister's Feedback

Recommendations—Minister for Planning and Sustainable Development

That you:

- Agree** to the appointment of Dr Erin Brady (**Option 1**) or Mr George Cilliers (**Option 2**) as Chief Planner for six months from 1 May – 31 October 2025, noting the information in this brief

[See alternative preferred option.](#)

Option 1 / Option 2 / Please Discuss

- If you agree to **Option 1**, **sign** the instruments at Attachments B1 and B2 appointing Dr Brady as the Chief Planner and Mr Cilliers as the acting Chief Planner.

Signed / ~~Not Signed~~ / Please Discuss

- If you agree to **Option 2**, **sign** the instrument at Attachments C1 and C2 extending Mr Cilliers' appointment as the Chief Planner and Dr Brady as the acting Chief Planner.

Signed / ~~Not Signed~~ / Please Discuss

- Agree** for EPSDD (or the relevant new directorate) to bring a paper for Cabinet consideration to appoint a long-term Chief Planner following expected machinery of Government changes.

Agreed / Not Agreed / Please Discuss

Chris Steel MLA  15/4/25

Minister's Feedback

Could we extend the current Chief Planned until June 30/ July 1 to align with the MOG changes and appoint a long term Chief Planner at the time of these changes.

Agreed.

AB

17.4.25

Background

1. The *Planning Act 2023* (the Act) requires the Executive to appoint a person as the Chief Planner. The Act sets out criteria a person must meet in order to be appointed as the Chief Planner.
2. The Executive must not appoint a person as the Chief Planner unless satisfied that the person:
 - a. Has the management and planning experience and expertise to exercise the functions of the Chief Planner, and
 - b. Either:
 - i. has qualifications that are appropriate to exercise the functions of the Chief Planner; or
 - ii. is eligible to be registered with a representative body.
3. Under the Act, the Chief Planner is the Territory Planning Authority (the Authority) (see section 16(3)).
4. Under the Act (section 18(1)), the Authority is given specific functions, which include (amongst other functions):
 - a. to prepare and administer the territory plan;
 - b. to plan and regulate the development of land;
 - c. to advise on planning and land policy, including the broad spatial planning framework for the ACT and the achievement of desired future planning outcomes;
 - d. to grant, administer, vary and end leases on behalf of the Executive; and
 - e. to decide applications for approval to undertake development.
5. The previous brief 24/132439 (Attachment A) provided an outline of the requirements above and provided an option analysis for consideration at that time.

6. The Executive agreed to appoint Mr George Cilliers as Chief Planner on an interim basis from 1 July 2024 until 31 December 2024 (CAB 24/423). This appointment was subsequently extended until 30 April 2025 by agreement of the Executive (Attachment A).
7. Dr Erin Brady recently returned to the role of Deputy Director-General, Planning and Sustainable Development on 10 February 2025. Dr Brady has the requisite qualifications and skills to be the Chief Planner.
8. Under transitional arrangements from the repealed *Planning and Development Act 2007*, Dr Brady is the Chief Planner whenever the nominated Chief Planner is on leave, out of the country, or vacates the position. This allows continuity for the Chief Planner position during any absences.
9. As noted in the previous brief to extend Mr Cilliers' appointment (Attachment A), an Independent Governance Review (PEG Report) was undertaken following the Planning System Review and Reform Project. The Chief Minister, Treasury and Economic Development Directorate commissioned an **Independent Governance Review** into the effectiveness of existing governance frameworks within the ACT's new planning system and their support for an efficient and transparent system. The Government subsequently agreed to split the role of Director-General, EPSDD and the Chief Planner in May 2024 (CAB 24/204), effective 1 July 2024.
10. The PEG Report made recommendations about possible conflict of duties in the then existing governance framework, however it did not recommend with any precision what the new arrangements should be.

Issues

11. The current appointment of Mr Cilliers as Chief Planner will expire on 30 April 2025. A new instrument is required to appoint the Chief Planner beyond this date.
12. The appointment of the Chief Planner is made by the Executive (proposed to be both the Minister for Planning and Sustainable Development and the Chief Minister). No consultation with the relevant Assembly committee is required. The appointment is a notifiable instrument.
13. The *Governance Principles: Appointments, Boards and Committees* requires that appointments made by a Minister or the Executive are required to be considered by Cabinet. This brief seeks the Chief Minister's agreement to bypass Cabinet agreement for the temporary appointment of Chief Planner and thereby provide a pathway for the most efficient appointment process before expiry of the current appointment..
14. No consultation with the relevant Assembly committee is required. The appointment is made by a notifiable instrument.

15. Machinery of Government (MoG) change work has been in process for several months and it is anticipated that direction on new directorates will occur in the coming months. This may result in changes to directorates and where the functions related to the planning system and the Authority/Chief Planner functions may sit in the future, for example, through changes to the Administrative Arrangements. This may involve changes to administrative units and executive roles within the directorates responsible for planning (per the Act) in the ACT, such as the Territory Planning Authority and the Chief Planner role.
16. Due to these unknown and impending changes to directorates and it also being unknown if there may be impacts on statutory functions (intentional or unintentional), it is not recommended that a long-term appointment be made at this time until there is certainty with functions and executive positions (noting the Chief Planner has to have suitable skills and has a role in statutory and strategic planning). Accordingly, short-term options have been provided below as well as advice for you to consider for a longer-term appointment to the Chief Planner role.

Short-Term Temporary Appointment of a Chief Planner

Option 1 – Appointment of Dr Erin Brady

17. Dr Brady has returned to the position of Deputy-Director General (DDG), Planning and Sustainable Development. Dr Brady holds doctorate level qualifications in planning and has extensive experience in planning domestically and internationally. Accordingly, Dr Brady meets the requirements under the Act to hold the position of Chief Planner. A copy of Dr Brady's CV is provided at Attachment D.
18. The appointment of Dr Brady to the Chief Planner role would assist in the administration of the Act. This is due to the nature of planning functions administratively sitting across two administrative branches, both being administered by two separate Executive Group Managers (EGM) that report to Dr Brady in her capacity as DDG.
19. The two divisions that report to the DDG are Statutory Planning, and Planning and Urban Policy divisions. Generally speaking, these divisions oversee statutory decision making (e.g., development applications, leases) and strategic planning and policy (e.g., Territory Plan and amendments, urban policy) respectively. Due to the nature of the Act, the Chief Planner has oversight of functions that sit under both of these administrative areas and can provide advice to the Minister in relation to these functions (subject to the requirements of the Act).
20. While arrangements have been implemented to provide for the continued operation of the planning system following the PEG Report, pending long-term appointment of a Chief Planner (in the absence of a more senior qualified person), the appointment of the Chief Planner at the EGM level (Statutory Planning) creates some governance

challenges with respect to the role of the EGM, Planning and Urban Policy. This could be avoided with Dr Brady's appointment to the Chief Planner role.

21. A Chief Planner position above and separate from these roles in the organisation's hierarchy, creates administrative efficiency and separation of regulatory and policy functions.
22. Should you agree to **Option 1**, it is recommended that Mr Cilliers is appointed as the acting Chief Planner whenever Dr Brady is interstate or unable to perform the role. Mr Cilliers meets the requirements under the Act to hold the position of Chief Planner. Mr Cilliers holds the position of EGM, Statutory Planning within EPSDD in addition to being the current Chief Planner.

Option 2 – Continued Appointment of George Cilliers short-term

23. George Cilliers is the current Chief Planner. Mr Cilliers continues to meet the requirements under the Act to hold the position of Chief Planner.
24. Mr Cilliers also holds the position of EGM, Statutory Planning within EPSDD. This position oversees planning assessment and the administration of the leasehold system, among other functions. Many of these functions overlap with the Chief Planner role, however as noted above, policy and strategic functions are administered through a separate division.
25. The reappointment of Mr Cilliers as Chief Planner would provide continuity until a long-term appointment is made.

Longer-Term Appointment of a Chief Planner

26. Should you agree to a further short-term appointment of the Chief Planner position, there will remain a need to appoint a Chief Planner in the longer term. Once the MoG outcomes are known and the arrangement of Government and directorates is known in the coming months, this will provide an opportunity to consider the long-term appointment of Chief Planner.
27. Following the changes, there will be greater certainty in executive positions and clarity in the way planning functions can be administered by the ACT Government and Public Service. It is advised that this would provide a suitable opportunity to appoint a long-term Chief Planner.

Financial Implications

28. In the interim, the two options of the Chief Planner will be accommodated through existing resources by appointing an existing and suitably qualified ACT public servant to the role.

Consultation

Internal

29. EPSDD Legal Policy has reviewed the instruments and brief.

Cross Directorate

30. Nil

External

31. Nil

Work Health and Safety

32. No work health and safety issues are anticipated to arise from this brief.

Benefits/Sensitivities

- 33. The appointment of the Chief Planner will provide certainty for the statutory position and functions to be delivered in accordance with the Act over the coming months.
- 34. As described above, there is administrative benefit in having the Chief Planner position sit under the more senior position of Deputy Director-General under Option 1. However, a change in the statutory position of Chief Planner will likely attract interest from the community.
- 35. The reappointment of Mr Cilliers as the Chief Planner would allow for continuity of the statutory function of Chief Planner.

Communications, media and engagement implications

- 36. The publication of an instrument extending or appointing a Chief Planner is likely to generate some interest in the media and community.
- 37. Talking points or other materials can be prepared if required.

Signatory Name: Ben Ponton Phone: MS Teams

Action Officer: Brodie Ferson Phone: MS Teams

Attachments

Attachment	Title
Attachment A	Previous Brief - 24/132439 - Barr/Steel - Chief Planner Appointment and Governance Review Recommendations
Attachment B1	Appointment Instrument – Dr Erin Brady
Attachment B2	Acting Appointment Instrument – Erin Brady
Attachment C1	Appointment Instrument – George Cilliers
Attachment C2	Acting Appointment Instrument – George Cilliers
Attachment D	CV of Dr Brady



Environment, Planning and Sustainable Development Directorate

To: Chief Minister
Minister for Planning and Sustainable Development

Tracking No.: 24/132439

Date: 09/12/2024

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

Subject: Chief Planner Appointment and Governance Review Recommendations

Critical Date: 16/12/2024

Critical Reason: To extend the interim Chief Planner appointment before the current appointment expires on 31 December 2024.

- DDG, Planning and Sustainable Development 09/12/24

Recommendations – Chief Minister

That you:

1. **agree** to a four-month extension of the interim Chief Planner appointment to allow for uncertainties relating to machinery of government changes and the return of qualified senior staff from long term leave to be resolved, and **sign** the appointment instrument at Attachment A

Agreed and Signed / Not Agreed / Please Discuss

Andrew Barr MLA *Andrew Barr* 19/12/24

Minister's Office Feedback

Recommendations – Minister for Planning and Sustainable Development

That you:

- 2. **agree** to a four-month extension of the interim Chief Planner appointment to allow for uncertainties relating to machinery of government changes and the return of qualified senior staff from long term leave to be resolved, and sign the appointment instrument at Attachment A;

Agreed and Signed / Not Agreed / Please Discuss

- 3. **note** the options for a future long-term Chief Planner appointment outlined in this brief;

Noted / Please Discuss

- 4. **note** the return of Dr Erin Brady to the Deputy Director-General, Planning and Sustainable Development role on 10 February 2025, and note she has the requisite qualifications and skills to be appointed as the Chief Planner should you consider that to be the appropriate position to hold this role;

Noted / Please Discuss

- 5. **advise** of your preferred approach to the longer-term appointment to the Chief Planner role so that a Cabinet Submission can be prepared; and

Please Discuss

- 6. **agree** to the proposed actions on recommendations from the Independent Governance Review as outlined at paragraph 18. These would be noted on the EPSDD website.

Agreed / Not Agreed / Please Discuss

Chris Steel MLA  16.1.24.

Minister's Office Feedback

Background

1. This brief provides options for Government consideration for the appointment of the Chief Planner under the *Planning Act 2003*. Under the Planning Act (section 26), the Executive must appoint a person as the Chief Planner.
2. The Executive must not appoint a person as the Chief Planner unless satisfied that the person:
 - a. Has the management and planning experience and expertise to exercise the functions of the Chief Planner, and
 - b. Either:
 - i. Has qualifications that are appropriate to exercise the functions of the Chief Planner, or
 - ii. Is eligible to be registered with a representative body.
3. Under the Planning Act, the Chief Planner is the Territory Planning Authority (see section 16(3)).
4. Under the Planning Act (section 18(1)), the Territory Planning Authority is given specific functions, which include (amongst other functions):
 - a. to prepare and administer the territory plan;
 - b. to plan and regulate the development of land;
 - c. to advise on planning and land policy, including the broad spatial planning framework for the ACT and the achievement of desired future planning outcomes;
 - d. to grant, administer, vary and end leases on behalf of the Executive; and
 - e. to decide applications for approval to undertake development.
5. Importantly, the Territory Planning Authority has independent *decision-making* functions, free from direction by the Minister or Government of the day. Section 20 of the Planning Act sets out the limited powers for the Minister to direct the Territory Planning Authority to take action. These direction powers are limited to:
 - a. directing the Territory Planning Authority about the general policies the authority must follow; and
 - b. requiring the Territory Planning Authority to prepare an amendment of the Territory Plan or review the Plan (noting decisions on plan amendments are ultimately a Minister decision subject to Legislative Assembly oversight).
6. A Territory Planning Authority [governance map](#) has been prepared to provide information on the entities and their roles within the planning system.

7. Following the Planning System Review and Reform Project, the Chief Minister, Treasury and Economic Development Directorate commissioned an [Independent Governance Review](#) into the effectiveness of existing governance frameworks within the ACT's new planning system and their support for an efficient and transparent system.
8. The Independent Governance Review found many effective governance practices supporting the new planning system. The Directorate along with colleagues from across the ACT Public Service, are now working towards [implementing the agreed recommendations](#). Proposed action on these recommendations is outlined below.

Issues

Chief Planner Appointment

9. Mr George Cilliers was appointed as the interim Chief Planner for a term commencing on 1 July 2024 and ending on 31 December 2024.
10. As this term of appointment is coming to an end, a new appointment must be considered.
11. As there are machinery of government changes being considered which may affect the planning portfolio, it is considered appropriate to extend the appointment of the interim Chief Planner to provide continuity during this period. This will allow for a longer-term decision to be made on the Chief Planner role, considering any new directorate structures and changes to administrative arrangements. ✓
12. It is proposed to extend the interim Chief Planner for a period of four-months, to 30 April 2025. This would allow time for any machinery of government changes to be considered. ✓
13. If you agree to this approach, an appointment instrument is provided at [Attachment A](#) for signature. Note this instrument is to be made by the Executive and will need to be co-signed by the Chief Minister and the Minister for Planning and Sustainable Development. ✓
14. With respect to a longer-term appointment, several options have been prepared for your consideration. These options are further explored and analysed in [Attachment B](#) and include:
 - a. [Option 1](#): Maintaining the existing interim appointment
 - i. Note this is currently filled at the Executive Group Manager, Statutory Planning level
 - b. [Option 2](#): Appointing the occupant of the Deputy Director-General, Planning and Sustainable Development role

- i. Dr Erin Brady is returning to the Deputy Director-General, Planning and Sustainable Development role on 10 February 2025 and has the requisite qualifications and skills to be considered for appointment.
 - ii. This is the recommended long-term option.
 - iii. If this option is preferred extending the current appointment of Mr Cilliers until 30 April 2025 would allow for a Cabinet appointment process to be undertaken and a period of handover.
 - c. **Option 3:** Establishing an independent office of the Chief Planner (new executive position, separate administrative unit/entity)
 - d. **Option 4:** Review the balance of statutory decision-making and policy functions of the Chief Planner, in consideration of and noting opportunities from machinery of government changes.
15. The Independent Governance Review made several recommendations relevant to the Chief Planner role which have been considered in the development of these options. Relevant recommendations include:
- a. **Recommendation 1:** The ACT Government should release specific guidance on obligations, expectations and best practice management of holding joint statutory and public sector roles.
 - b. **Recommendation 2:** Separating the role of Chief Planner from the responsibilities of the Director-General, EPSDD would deliver a better governance arrangement.
 - c. **Recommendation 3:** The person holding the role of Chief Planner should not have the power to influence the appointment of the Conservator and Government Architect positions.
16. Following your consideration of these options, the Directorate seeks your advice on the preferred approach so that a Cabinet submission can be prepared on a proposed new appointment.

Independent Governance Review – Action on Recommendations

17. As noted above, the Independent Governance Review made several recommendations seeking to improve planning system governance processes.
18. Of those recommendations, the following recommendations are outstanding and require your consideration:
- a. **Recommendation 3**
 - i. As noted above, this recommendation will be considered complete following the longer-term appointment of the Chief Planner and has been considered in the development of the options for your consideration.

b. **Recommendation 5:** A strategic advisory body, that includes referral entities and those outside of the TPA that have relevant expertise, should be established to support achieving the Objects of the Act.

i. **Current processes:**

1. Three Service Level Agreements are currently in place with the Territory Planning Authority and referral entities which establish statutory requirements for entity advice, expectations, timeframe KPIs, escalation pathways and a consultation process between the TPA and the referral entity. These are in the processes of being revised in-lieu of the new planning system and expanded to include all key external referral entities.
2. The Territory Planning Authority has also established an Assessment and Environment Advisory Panel which brings together key entities to discuss significant development applications prior to making decisions. This allows broader strategic consideration of issues raised by applications prior to decision-making.
3. For government agencies, the Planning and Infrastructure Subcommittee of Strategic Board provides an existing forum for strategic discussions on planning and development matters – this includes Executives from agencies including EPSDD, Access Canberra, Infrastructure Canberra and Transport Canberra and City Services Directorate.
4. The [Evaluation Framework](#) developed for the new planning system provides a transparent mechanism for monitoring the achievement of the objects of the Act. This includes engagement with government agencies, industry and the community. Further, EPSDD has established explicit initiatives to regularly engage with community representatives (through the Environment and Planning Forum) and industry representatives (through the Planning and Construction Industry Chief Executive Reference Group).
5. The limited commentary provided in the Independent Governance Review has not demonstrated a clear gap to be addressed through the recommended body, and it is considered that the existing processes provide supporting opportunities to monitor the achievement of the objects of the Act through intentional conversations with different stakeholder groups.

- ii. **Proposed action:** Nil required – covered by existing arrangements above.
- c. **Recommendation 8:** Consideration should be given to the Director-General of EPSDD being a prescribed referral entity for an Environmental Impact Statement (EIS) in the Planning Regulations, given their responsibilities for the environment under current administrative arrangements.
 - i. **Current processes:**
 - 1. Under the *Nature Conservation Act 2014*, the Conservator of Flora and Fauna is given the functions of developing and overseeing policies, programs and plans for the effective management of nature conservation in the ACT and to monitor the state of nature conservation in the ACT. The Conservator is already a prescribed referral entity. The environment protection authority, the directors-general responsible for health policy and city services, as well as the relevant land custodian, are also prescribed. These prescribed entities are considered to cover the broad range of environmental impacts which may arise. If unique proposals come through the planning system, internal referrals to relevant ACT Government agencies are put in place.
 - 2. The commentary in the Independent Governance Review does not identify a gap that is being addressed through the recommendation, and as is noted above, the consideration of environmental matters is addressed through the existing prescribed entities.
 - ii. **Proposed action:** Nil required – covered by existing arrangements above.

19. Your agreement to the approach outlined above will complete actions on the recommendations assigned to EPSDD.

Financial Implications

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

Consultation

Internal

21. This brief was prepared by the Planning and Urban Policy Division in consultation with the Statutory Planning Division.

Cross Directorate

22. EPSDD is working with the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on the delivery of recommendations from the Independent Government Review. This includes work led by CMTEDD on *Recommendation 1: The ACT Government should release specific guidance on obligations, expectations and best practice management of holding joint statutory and public sector roles*. This is currently the subject of consultation across the public service.

External

23. Not required.

Work Health and Safety

24. Nil.

Benefits/Sensitivities

25. An extension to the interim appointment is required to support consideration of a longer-term appointment and to resolve the best solution following expected machinery of government changes.
26. The options outlined in this brief for the Chief Planner consider and are consistent with the recommendations of the Independent Governance Review. This will support transparency and community confidence in the planning system.
27. The proposed responses to other recommendations of the Independent Governance Review provide a balanced response and consider existing processes which achieve the intent of these recommendations. Where some recommendations are not explicitly actioned, this may attract some community concern. However, the intent of these commitments is met, and for administrative efficiency, new processes and bodies are not considered necessary.

Communications, media and engagement implications

28. It is not proposed any media is required to announce the extension of the interim Chief Planner appointment. Talking points will be prepared for your consideration to support the appointment being notified and to support website updates noting EPSDD actions on the Independent Governance Review recommendations.
29. A media announcement is proposed to support the longer-term appointment of the Chief Planner and a communications plan will be prepared to support that appointment.

Signatory Name: Ben Green Phone: 77387

Action Officer: James Bennett Phone: 54877

CABINET

Attachments

Attachment	Title
Attachment A	Chief Planner Appointment Instrument
Attachment B	Options Analysis – Appointment of the Chief Planner

Planning (Chief Planner) Appointment 2024 (No 2)

Notifiable instrument NI2024–

made under the

Planning Act 2023, s 26 (Appointment of chief planner)

1 Name of instrument

This instrument is the *Planning (Chief Planner) Appointment 2024 (No 2)*.

2 Commencement

This instrument commences on 1 January 2025.

3 Appointment of chief planner

The Executive appoints GEORGE CILLIERS as the Chief Planner.

4 Term of appointment

The chief planner is appointed for the period 1 January 2025 to 30 April 2025.



Andrew Barr MLA
Chief Minister



Chris Steel MLA
Minister

19 December 2024

16 December 2024

Options analysis – Appointment of the Chief Planner

In developing options for Government consideration on the appointment of the Chief Planner, the following criteria have been developed to guide the assessment of the desirability of the options.

What is the risk we are trying to address?

- Through the Planning Governance Review, a potential governance risk was raised by having the Chief Planner also occupy the position of Director-General. There was a potential conflict of duties raised in the reporting lines of statutory office-holders, such as the Conservator of Flora and Fauna (occupied by the EGM, Environment, Heritage and Park), being appointed by and reporting to the Director-General (who at the time was also the Chief Planner).
- Another issue was raised through the Planning Governance Review, various media reporting, social media posts and Assembly proceedings (Committee Hearings / Reports and in the Assembly in response to motions and questions put to the Minister in Question Time – refer to Hansard) in relation to the different treatment of planning and environment policy functions. Planning policy sat with the Chief Planner (also the Director-General EPSDD) while environment policy functions sat with the Conservator of Flora and Fauna (EGM Environment Division). This creates a perceived inconsistency with the relative importance of planning and environmental policy matters if they sit within the same directorate.
- Another consideration raised was a perceived inherent conflict where the Chief Planner is also the Director-General. It was considered there was an inherent conflict in the duty of a Director-General under the Public Service Management Act and the role of the Chief Planner in providing independent planning advice to Government.
- Development approval decisions and enforcement action is free from political interference (where integrity and corruption risks could materialise)

Assessment Criteria:

- Performance of planning system
 - o Does the option support the effective and efficient operation of the planning system?
 - Clarity of roles and responsibilities
 - Accountability for decision-making
- Ease of implementation
 - o Does the option align to the existing organisational structure?
 - o Do the mandatory experience and qualifications requirements support a broad pool of suitable candidates for consideration?
 - o Is there an existing occupant suitable for consideration?
- Legislative change
 - o Is legislative change required?
 - o Consistency with other ACT Government legislation (advice on policy vs statutory functions)
- Cost
 - o Is there a cost to Government to pursue this option?
- Governance risk
 - o What governance risks are raised by the option?
 - o Can these be appropriately managed?
- Achievement of Governance review recommendations
 - o Does the option achieve the review recommendations?
 - Particular consideration given to independence of the role, appointment of direct staff reports, and whether there are any conflicts of duties for a person performing multiple functions

Attachment B

Option 1	Option 2	Option 3	Option 4
<p>Option:</p> <p>Make interim arrangement permanent</p>	<p>Option (recommended):</p> <p>Establish the Chief Planner as the Deputy Director-General of the directorate responsible for planning (EPSDD)</p>	<p>Option:</p> <p>Establish an independent office of the Chief Planner (new executive position, separate administrative unit/entity)</p>	<p>Option:</p> <p>Review the balance of statutory decision-making and policy functions of the Chief Planner, in consideration of and noting opportunities from machinery of government changes</p> <p>This option could explore separate policy and decision-making functions of the Chief Planner.</p> <p>In separating policy and decision-making functions, there are options for how to deal with the policy advice role:</p> <ul style="list-style-type: none"> - A separate statutory appointment to provide planning policy advice, or - Planning policy advice functions revert to Directorate under AAs <p>*the policy and planning advice functions of the authority would be dealt with by the Administrative Arrangements, allocated to a responsible Minister and directorate.</p> <p>There are also options as to which SES position the consent authority functions could sit with:</p> <ul style="list-style-type: none"> - EGM Statutory Planning (as with interim Chief Planner appointment), or - DDG, Planning and Sustainable Development
<p>Considerations:</p> <p>This would involve formalising the interim arrangement and keeping the Chief Planner as George Cilliers, the EGM, Statutory Planning.</p> <p>Under this option, the existing statutory functions of the Chief Planner and Territory Planning Authority would remain the same.</p> <p>This would require further work to resolve governance and reporting lines for decision-making and policy functions, as administrative responsibilities are split across the Statutory Planning and Planning and Urban Policy Divisions. The interim arrangements currently deal with this through delegations, but these raise their own governance, accountability and performance risks that need to be managed.</p>	<p>Considerations:</p> <p>This option would address the potential risk raised in the Governance Review and not have the Chief Planner as the director-general, or in the position that appoints other statutory/government positions, such as the Conservator of Flora and Fauna and Government Architect.</p> <p>It should be noted that the Chief Planner appointed is made by the Executive, the Conservator is appointed by the Director-General, and the Government Architect is currently engaged under a Services Agreement following an EOI merit selection process.</p> <p>This option can be implemented with relative ease under the existing legislative framework.</p> <p>Consideration would need to be given to the position description and existing/future</p>	<p>Considerations:</p> <p>This option would involve the creation of a separate entity. This would require machinery of government changes.</p> <p>This option would also require careful consideration of what functions continue to be Territory Planning Authority functions, and what functions would remain with the public service. Reporting lines to Ministers and support to the portfolio would also need to be resolved.</p> <p>Given the above, it is likely this would require the recruitment of new FTE positions and is therefore considered a high-cost option.</p>	<p>Considerations:</p> <p>This would involve a reworking of s 18 functions. In particular, removing s18(1)(d) as a statutory function, and have this sit as a function of the Directorate responsible for planning through the AAs. If legislative change is pursued, adding in a new function of ensuring there is an integrity framework should be considered to make this explicit (reflecting existing practice).</p> <p>The singular vision across planning policy and decision-making (sitting within EPSDD) is a feature that works well in the current planning system.</p> <p>This option addresses concerns raised by some that decision-making functions sit with the same individual responsible for policy functions, with an ability for the Chief Planner to depart from advice from other statutory office holders, such as the Conservator for Flora and Fauna and the Heritage Council. Some have raised concerns that this can be seen as elevating development/planning considerations above environmental/heritage considerations. However, it should be</p>

Attachment B

	<p>occupants of the DDG position to ensure they meet the legislative criteria for appointment.</p> <p>A further potential risk arises here if the DDG was to act in the DG role and also occupy the role of Chief Planner at that time. Arrangements would need to be put in place to manage this should the situation arise so as to avoid any of the inherent conflicts identified in the Independent Governance Review.</p> <p>Under current directorate structures, there may be a perception that planning matters (at DDG level) are considered to be of higher importance than environmental/climate matters (at EGM level). This risk is explored further in the discussion of Considerations for option 4. This could also be addressed by having a corresponding DDG appointed as the Conservator.</p>		<p>noted the Act contains a framework for when these circumstances may arise and how decisions can be made, including statutory considerations, constraints on when departures from advice can happen, and accountability for this sitting with the Chief Planner (as a high-level decision-maker).</p> <p>However, in the absence of any broader consideration of statutory office holders across the public service and their associated policy functions and decision-making responsibility, this option could be seen as recreating the ‘problem’ that planning policy and environment policy are treated differently and have a different level of importance. Under this option, this risk comes about through planning policy being a responsibility of a Director-General (if policy functions revert to the Directorate), while environment policy is a legislative responsibility of the Conservator of Flora and Fauna (as EGM Environment Division). If this risk is considered material and undesirable, a broader review of statutory office holder functions could be undertaken, or this option not pursued.</p> <p>This could also be addressed by removing environment policy functions from the Conservator (see section 21(1)(a) of the <i>Nature Conservation Act 2014</i>). That would give the Directorate and the Director-General broad policy responsibility across the entire portfolio, with decision-making functions on statutory processes sitting with the statutory office holders (e.g. Chief Planner and Conservator). For consistency, the functions of the Heritage Council might also need to be considered under this option.</p> <p>There is a risk with this option that removing planning policy advice from the Chief Planner/TPA would remove the independence of planning advice being provided by professional experts. This raises integrity risks for Government and opens up potential opportunities for conflict of interest and corruption as planning policy decisions can have significant financial impacts for land-owners. Establishing planning policy advice as a statutory function of the independent territory planning authority supports a system where planning policy decisions are based on expert planning advice, rather than the perceived potential for political and personal gain.</p> <p>As noted in the options above, this could be addressed by having two statutory appointments – a policy authority and a consent authority, which would dilute the concentration of authority into a single position.</p>
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<p><u>Assessment against criteria:</u></p> <p><u>Performance of planning system:</u> As per current system.</p> <p>This has the potential to raise administrative challenges as the Chief Planner is legislatively responsible for providing planning policy advice, but is not administratively responsible for this under current Directorate arrangements. Responsibility for planning policy sits with the EGM Planning and Urban Policy, reporting through to the DDG and DG.</p> <p><u>Ease of implementation:</u> Formalising interim arrangements.</p> <p>Cabinet consideration and new appointment instrument required.</p> <p><u>Legislative change:</u> No.</p> <p><u>Cost</u> This is a low-cost option, reflecting existing interim arrangements.</p> <p>No additional costs expected to be incurred.</p> <p><u>Governance risk</u> General governance risks can be managed through the existing integrity plan, decision-making procedures and the delegation framework.</p> <p>The EGM position does not appoint other statutory office-holders within EPSDD, so this potential risk is not realised.</p> <p><u>Achievement of Governance review recommendations</u></p> <p>This option delivers on recommendations 2 and 3 of the Governance Review.</p>	<p><u>Assessment against criteria:</u></p> <p><u>Performance of planning system:</u> This option would support the current performance of the planning system. It would also be supported by the existing directorate structure.</p> <p><u>Ease of implementation:</u> Can be implemented using existing legislative, governance and delegation framework.</p> <p>Cabinet consideration and new appointment instrument required.</p> <p><u>Legislative change:</u> No. This could be implemented under the existing legislative framework.</p> <p>However, consideration would need to be given to the position description and occupant of the Chief Planner to ensure they meet the legislative criteria for appointment.</p> <p>If the candidate pool is not considered broad enough due to limitations imposed by the legislative criteria, legislative change could be considered to broaden the pool of suitable candidates.</p> <p><u>Cost</u> This is a low-cost option, reflecting existing interim arrangements.</p> <p>No additional costs expected to be incurred.</p> <p><u>Governance risk</u> General governance risks can be managed through the existing integrity plan, decision-making procedures and the delegation framework.</p> <p>The DDG position does not appoint other statutory office-holders within EPSDD, so this potential risk is not realised.</p> <p><u>Achievement of Governance review recommendations</u></p> <p>This option delivers on recommendations 2 and 3 of the Governance Review.</p>	<p><u>Assessment against criteria:</u></p> <p><u>Performance of planning system:</u> This option would increase the independence of the Territory Planning Authority from the government of the day and the relevant Minister (without legislative change).</p> <p>This potentially raises a point of conflict if the Chief Planner/Territory Planning Authority pursues a different course of action than the priorities of the Minister/Government.</p> <p>It also then raises risks around accountability for Ministers and the Chief Planner, especially in the context of the resourcing required to deliver these functions.</p> <p><u>Ease of implementation:</u> This option is the most complex to implement and requires machinery of government changes and significant costs to establish.</p> <p><u>Legislative change:</u> Unlikely. This could likely be achieved through administrative changes, but may require some legislative change depending on the final model chosen to be implemented.</p> <p><u>Cost</u> This is a high-cost option that would involve the establishment of an independent Territory Planning Authority. This would likely incur costs relating to new FTE and machinery of government changes to reflect the independence of the office.</p> <p><u>Governance risk</u> General governance risks can be managed through the existing integrity plan, decision-making procedures and the delegation framework.</p> <p>This option raises governance risks around the independence of the Territory Planning Authority from Minister/Government interference.</p> <p><u>Achievement of Governance review recommendations</u></p> <p>This option delivers on recommendations 2 and 3 of the Governance Review.</p>	<p><u>Assessment against criteria:</u></p> <p><u>Performance of planning system:</u> This option can be seen to better support the achievement of the planning priorities of the government of the day. The planning directorate would work to implement the Government's Planning Strategy and District Strategies, and focus immediate effort on the Minister's Statement of Planning Priorities. Public servants would still be required to provide frank and fearless advice on the achievement of those policy objectives, but there is less of a focus on the independent nature of planning advice, and a strong focus on delivering the planning priorities of the elected government.</p> <p>The performance of the consent authority would likely not change.</p> <p><u>Ease of implementation:</u> Following legislative change, this option could be implemented with relative ease, as the Statutory Planning Division largely perform the consent authority functions.</p> <p>The existing Planning and Urban Policy and Development and Implementation Divisions structure would then support the provision of planning policy advice.</p> <p><u>Legislative change:</u> Yes, there would likely need to be legislative change to the functions of the Chief Planner/Territory Planning Authority to limit this role to a development consent authority.</p> <p><u>Cost</u> This is a low-cost option, reflecting existing the directorate structure.</p> <p>No additional costs expected to be incurred.</p> <p><u>Governance risk</u> General governance risks can be managed through the existing integrity plan, decision-making procedures and the delegation framework.</p> <p><u>Achievement of Governance review recommendations</u></p> <p>This option delivers on recommendations 2 and 3 of the Governance Review.</p>
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Australian Capital Territory

Planning (Chief Planner) Appointment 2025

Notifiable instrument NI2025–

made under the

Planning Act 2023, s 26 (Appointment of chief planner)

1 Name of instrument

This instrument is the *Planning (Chief Planner) Appointment 2025*.

2 Commencement

This instrument commences on 1 May 2025.

3 Appointment of chief planner

The Executive appoints DR ERIN BRADY as the Chief Planner.

4 Term of appointment

The chief planner is appointed for the period of 1 May 2025 to 31 October 2025.

Andrew Barr MLA
Chief Minister
April 2025

Chris Steel MLA
Minister
April 2025

Australian Capital Territory

Planning (Acting Chief Planner) Appointment 2025

Notifiable instrument NI2025–

made under the

Planning Act 2023, s 26 (Appointment of chief planner)

1 Name of instrument

This instrument is the *Planning (Acting Chief Planner) Appointment 2025*.

2 Commencement

This instrument commences on 1 May 2025.

3 Appointment of chief planner

The Executive appoints GEORGE CILLIERS to be the acting chief planner when the position of chief planner is vacant, or the chief planner is on leave, interstate or overseas.

4 Term of appointment

The acting chief planner is appointed for the period of 1 May to 31 October 2025.

5 Revocation

This instrument revokes NI2022-190.

Andrew Barr MLA
Chief Minister
April 2025

Chris Steel MLA
Minister
April 2025

Australian Capital Territory

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Chief Minister
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Australian Capital Territory

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Andrew Barr MLA
Chief Minister
April 2025

Chris Steel MLA
Minister
April 2025



Environment, Planning and Sustainable Development Directorate

To: Minister for Climate Change, Environment, Energy and Water

Tracking No.: 25/0144953

Date: 28/03/2025

From: Executive Group Manager, Climate Change, Energy and Water

Subject: Zero Emissions in Government Operations

Critical Date: 14/04/2025

Critical Reason: To provide an update on progress towards net zero emissions targets for government operations.

- DDG 02/04/25

Recommendations

That you:

- 1. Note the information contained in this brief relating to the anticipated one year delay in the achievement of the 33% emissions reduction interim target (relating to ACT Government operations).

Noted / Please Discuss

- 2. Note that final emissions results for FY24-25 will be available in August 2025.

Noted / Please Discuss

Suzanne Orr MLA 10/04/25

Minister's Feedback

Do we have an indication of what the cumulative reduction amount will be at the end of 2024-25? e.g. 29%

please copy to CM + Transport Minister.

Background

1. Under the Climate Change Strategy 2019-25, the ACT Government has committed to achieving net zero emissions from its operations by 2040, with an interim target of a 33% reduction in emissions by 2025 (compared to 2020 baseline).
2. The 2020 baseline for Government operational emissions targets is not aligned to the territory-wide baseline (1990) and was dated after ACT Government 100% renewable electricity contracts came into effect. This means that emissions savings achieved from the procurement of renewable electricity are not reflected in Government operational results, as they are in the territory-wide results.
3. Most emissions from Government operations are due to scope one transport fuels (approximately 59%) and fossil fuel gas (38%). The largest source of these emissions is the Transport Canberra Bus Fleet, accounting for just over half of all ACT Government operational emissions. Therefore, electrification of the bus fleet and transitioning buildings off fossil fuel gas remain critical to achieving the 2040 net zero target.
4. The ACT Government has eliminated scope two electricity emissions through the procurement of 100% renewable electricity, and scope three emissions are not currently reported in the ACT Government emissions boundary. Scope three is currently under consideration.
5. Due to COVID impacts and resultant supply chain delays, it is anticipated that the ACT Government is one year behind schedule to achieve the 2025 interim target. With the expected delivery of an additional 96 Battery Electric Buses in 2026, and progress of the Electrification of Government Gas Assets (EoGGA) program, the 33% reduction is expected to be achieved in FY 2026-27, rather than FY25-26.
6. The previous Government was briefed on two occasions (2021 and 2023) regarding the challenges impacting delivery of the interim emissions target, and the likelihood that achieving the 33% reduction would be delayed.
7. ACT Government has several targeted programs and processes in place to address the two key emissions sources (fossil fuel gas and transport fuels) and respond to the barriers and learnings from the net zero transition to date. These include:
 - a. Electrification of Government Gas Assets program (EoGGA)
 - i. The EoGGA program was developed in response to the barriers faced by Directorates in coordinating and funding electrification projects in line with the net zero targets. Annual emissions updates provided by Directorates showed that Directorate projections were based on the delivery of critical electrification projects, however the complexity and scale of these projects and high capital costs of electrification limited Directorates ability to execute these projects within the target timeframe.

- ii. To address this, the EoGGA program was proposed as a centralised whole-of-government program to transition government owned facilities off fossil fuel gas systems in line with the net zero target.
- b. Zero Emission Transition Plan for Transport Canberra:
- i. The Zero Emissions Transition Plan for Transport Canberra was refreshed in 2024 and outlines actions to transition the public bus fleet to zero emissions by 2040.
 - ii. This includes a commitment to integrate 106 Battery Electric Buses (BEBs) into the fleet by the end of 2026.
 - iii. Construction of the new Woden Bus Depot is in its final stages (expected to be complete mid-2025), and when operational will have the capacity to house and charge up to 100 BEBs. A study into future and existing depot requirements has also been finalised.
- c. Zero Emissions Vehicle Strategy and the Government fleet transition
- i. The Zero Emissions Vehicle Strategy (2022-2030) includes requirements for all new government passenger vehicle leases to be zero emissions, where fit for purpose, supports the transition of other government fleet vehicles to zero emissions, and enables the installation of government fleet charging infrastructure.
- d. Zero Emissions Government Loan Fund (ZEG Fund)
- i. The ZEG Fund is a whole-of-government fund managed by the EPSDD's Zero Emissions Government (ZEG) team, which provides funding for Government agencies to finance projects aimed at reducing ACT Government greenhouse gas emissions. It supports the 2040 net zero emissions target, focusing on solar and energy efficiency upgrades to lower the financial cost of the transition.
 - ii. While the EoGGA program focuses solely on replacing gas assets, the ZEG Fund ensures energy efficiency and solar PV projects are considered to reduce capital costs and generate ongoing savings. Improving the energy efficiency of buildings and installing solar prior to electrification reduces the total electricity demand of the site, which means that the size, cost and space requirements of electrical plant and equipment used to replace gas assets can be substantially reduced.
 - iii. The ZEG team have conducted a desktop analysis of ACT Government rooftops which identified approximately 20MW of solar PV capacity available on government buildings, with the potential to achieve \$5.5 million in annual savings. The ZEG Fund provides the primary funding mechanism to support this solar installation.

8. In FY2023-24, emissions from ACT Government operations totalled 62,204 t CO₂-e, representing a 5% reduction in emissions from the baseline reporting year.
9. In August 2025, utility and emissions data will be extracted from the Enterprise Sustainability Platform. These results will confirm the total emissions reductions achieved in FY24-25.
10. Results can also be extracted in early 2026 to enable all data to enter the system and provide a final emissions figure for 2025.

Issues

11. ACT Government is approximately one year behind schedule to achieve the 2025 interim target (a 33% reduction in emissions from government operations). Based on procurement commitments and current programs, the 33% reduction is expected to be achieved in FY 2026-27.
12. The current Climate Change Strategy and associated five-year reporting cycle is coming to an end in 2025. There is currently no interim emissions target for Government operations between 2025 and 2040.
13. The development of a new Climate Change Strategy presents an opportunity to establish new interim targets for Government operations and reaffirm the government operational target of net zero by 2040.
14. While iCBR is responsible for delivery of the EoGGA program (which is reported to the Chief Minister), you as Minister hold the policy position regarding the net zero target and are responsible for reporting emissions outcomes in line with these targets.
15. There is a need to ensure that EoGGA program remains focussed on emissioner reduction outcomes and it is not subsumed into a general maintenance program across government facilities.
16. Ongoing vigilance between the iCBR and EPSDD is critical to ensure energy efficiency and solar works are aligned with building electrification to reduce overall capital costs.
17. As Government continues to transition off fossil fuel gas, and plant and equipment is electrified, refrigerants are expected to become a growing source of emissions. It is therefore important that the EoGGA program prioritises the selection of refrigerants with a low Global Warming Potential to manage this impact and ensure maximum emissions reductions can be achieved.

Financial Implications

18. Nil.

Consultation

Internal

19. Ongoing discussions held between Climate Change Energy and Water Policy and Program teams (Emissions Reduction Policy, ZEG and ZEV) regarding development of new Climate Change Strategy, monitoring of refrigerant emissions, tracking of scope three emissions, and opportunities to improve and align reporting processes.

Cross Directorate

20. The ZEG team and EoGGA team meet monthly to discuss opportunities to align energy efficiency, solar and electrification works.
21. At the recent ZEG Implementation Committee held on 25 February 2025, an Agenda item noting the end of the 2025 emissions reporting cycle was raised to discuss opportunities to review and improve reporting processes moving ahead.
22. Consultation with Transport Canberra in the development of this Brief.

External

23. The Zero Emissions Government team participate in the Interjurisdictional Working Group on Government Sector Emissions and are conducting a review of other jurisdictions to identify opportunities to improve the accuracy of emissions forecasting and reporting processes.

Work Health and Safety

24. Nil

Benefits/Sensitivities

25. The one-year delay in achieving the 33% ACT Government interim target is not unexpected and the previous Government was briefed on the challenges and barriers faced in the net zero transition – particularly relating to COVID and its longer-term impacts on supply chains and procurement.
26. The new centralised EoGGA program and update to the Transport Canberra Transition Pathway, including the significant electrical upgrades to Depots to enable BEB charging, respond directly to these challenges.
27. As the EoGGA program commences its second year of delivery, and additional BEBs enter the Transport Canberra bus fleet through to 2026, emissions reduction outcomes are expected to amplify, and the ACT Government emissions trajectory will correct course. However, developing a new interim target for 2030 is advised to ensure progress continues and can be tracked in the mid-term.

Communications, media and engagement implications

28. Nil from this Brief, however future publication of the government’s emissions results for FY24-25 may result in negative media attention and enquiries regarding emissions targets. Key messages in response to this risk include:

- a. As a leading jurisdiction, ACT Government is committed to setting ambitious emissions reduction targets and demonstrating leadership as we progress towards net zero by 2040. This includes the delivery of our centralised Electrification of Government Gas Assets program, Zero Emissions Vehicle Strategy, and Transport Canberra Transition Pathway, which will see our bus fleet and buildings powered by 100% renewable electricity.
- b. Delivering our ambitious interim target one year behind schedule is not unexpected given the challenge and disruption of COVID and its ongoing impact on supply chains and procurement. However, we have been working hard to ensure our buildings, vehicles, facilities, and infrastructure are prepared to transition to all-electric and utilise 100% renewable electricity.

Signatory Name: Ros Malouf Phone: 72244

Action Officer: Phillippa Hildebrand Phone: 52001

Attachments

Attachment	Title
Attachment A	Zero Emissions Government Loan Fund – FY 24-25 update

Attachment A: Zero Emissions Government Loan Fund – 2025 Update

In FY 24-25, 18 projects are being scoped with Directorates across ACT Government under the ZEG Loan Fund, with a total combined value of \$ 3.82 million.

These include:

- An application to install 300kW of solar PV at CIT Fyshwick. The solar PV system will prepare the campus for an estimated 40-60% increase in electricity consumption due to electrification. A similar large scale solar PV project is anticipated for the CIT Bruce campus.
- Solar PV installations at 10 or more schools, expected to amount to 500kW.
- 400kW of solar PV at Tuggeranong bus depot, and a similar capacity predicted for the new Woden bus depot.
- 500kW+ of solar PV at the University of Canberra Hospital. This will also help to prepare the site for future large-scale EV charging infrastructure.
- Several other solar PV and energy efficiency projects are being scoped at EPSDD Parks & Conservation depots, CHS, ESA and TCCS sites.

Of these 18 projects, 5 have been approved, these include:

- Installation of 53kW of solar PV at the Domestic Animal Service with savings of \$13,058 per year.
- Installation of 63.8kW of additional solar PV at Bimberi Youth Justice Centre with savings of \$18,118 per year.
- Installation of 78.2kW of solar PV and 51.2kWh of battery at West Belconnen Child and Family Centre with savings of \$19,176 per year.
- Installation of 60kW of solar PV at Bonython Primary School with savings of \$19,409 per year.

Environment, Planning and Sustainable Development Directorate

Objective Reference: 25/0149849

To: Minister for Planning and Sustainable Development

Date: 26 March 2025

From: Executive Branch Manager, Building, Design and Projects

Subject: Draft Missing Middle Housing Design Guide – Industry Feedback

Critical Date: ASAP

Critical Reason: That you note the feedback prior to Cabinet consideration of *25/144 - Cabinet - Missing Middle Housing Reforms* on 16 April 2025

- DDG, Planning and Sustainable Development 26/3/25
 - EGM, Planning and Urban Policy 26/3/25
-
- The Environment, Planning and Sustainable Development Directorate (EPSDD) has been working to develop a package of missing middle planning reforms to support the government’s commitment to deliver new housing opportunities.
 - These reforms include a draft Missing Middle Housing Design Guide (MMHDG) and a draft Major Plan Amendment (MPA) to the Territory Plan.
 - Engagement with industry via a dedicated MMHDG Technical Advisory Group (TAG) and Pool of Practitioners (POP) has assisted in the development of missing middle housing reform.
 - In-confidence engagement with the TAG and POP groups occurred in October and December 2024, and February 2025 on the planning system reform proposals. A draft summary of the most recent TAG and POP meetings held in February 2025 is at [Attachment A and B](#).
 - Feedback from the TAG and POP groups suggests a high level of support for the development of the MMHDG and for reform to the planning system to promote more missing middle housing across the ACT.
 - Some members of the TAG and POP have provided separate feedback, with concerns about missing middle reform as highlighted at [Attachment C](#) (feedback from Mr Richard Johnston). Feedback on behalf of design professionals is overall supportive of the reforms, with particular issues raised for further consideration as highlighted in [Attachment D](#) (feedback from Mr Rob Henry on behalf of the Australian Institute of Architects).

CABINET

Signatory Name: James Bennett

Phone: x54877

Action Officer: Adam Azzopardi

Phone: x75341

Attachments

Attachment	Title
Attachment A	MMHDG - Technical Advisory Group - Meeting Outcomes - 28 February 2025
Attachment B	MMHDG - Pool of Practitioners - Meeting Outcomes - 28 February 2025
Attachment C	Missing Middle Housing Design Guide – Comments by Richard Johnston on Draft Guide
Attachment D	Missing Middle Housing Design Guide – Comments by Australian Institute of Architects on Draft Guide

Please discuss.

MISSING MIDDLE HOUSING DESIGN GUIDE

TECHNICAL ADVISORY GROUP – MEETING OUTCOMES

DATE: FRIDAY 28 FEB 2025

LOCATION: 220 LONDON CIRCUIT, CITY

ATTENDEES	
James Bennett	EPSDD (Chair)
Catherine Townsend	ACT Government Architect (Design Co-Chair)
Adam Azzopardi	EPSDD
Alyce Fenwick	EPSDD
Panama Leaver	EPSDD
Fiona Swan	EPSDD
Brad Maxwell	EPSDD
Ashlee Berry	Property Council
Cristian Gonzalez	Building Designers Association of Australia
Andrew Fisher	Green Building Council of Australia
Natalia Anderson	Planning Institute of Australia
Shaob Cole	Australian Institute of Architects
Nichelle Jackson	Housing industry Association
Greg Weller	Housing Industry Association
Shoba Cole	Australia Institute of Architects
Gay Williamson	Australian Institute of Landscape Architects
APOLOGIES	
Nathan Watt	EPSDD
Anna Neelagama	Master Builders Association
Ziad Zakout	Master Builders Association
Amy Lee	EPSDD
Nivad Nafisi	EPSDD
Daniel Boesen	Urbis
Alex Wierzbicki	Urbis

1. KEY POINTS RAISED

The following matters were presented to TAG by government representatives;

- Final Draft Missing Middle Housing Design Guide (MMHDG).
- supporting proposed draft Major Plan Amendments to the Residential Policy and corresponding Technical Specification, Subdivision Policy and corresponding Technical Specification.
- Intent for public engagement for the above items, including a Housing Map showcasing high quality exemplar developments.

GENERAL UPDATES

- 1.1. TAG members were requested to sign the Deed Poll of Confidentiality. All participants affirmed that they have either already provided or intend to provide prior to close of proceedings.

MISSING MIDDLE HOUSING DESIGN GUIDE

TECHNICAL ADVISORY GROUP – MEETING OUTCOMES

- 1.2. Updates and revisions to the draft MMHDG were highlighted, noting updates to imagery and diagrams, inclusion of a section detailing 'character', updates to individual guidance items to achieve greater nuance/clarify these.
- 1.3. Further testing and analysis is planned and/or underway, with emphasis on financial implications/viability and locational suitability. These will inform further considerations by government.
- 1.4. Policy development and implementation timeframe was presented, highlighting the likelihood of a Legislative Assembly inquiry which may impact the ultimate implementation date.
- 1.5. Changes arising from missing middle housing reform is anticipated to apply broadly to all RZ1 and RZ2 residential zoned land within the ACT. Changes were presented in comparative tables detailing policy outcomes, heights, site coverage, minimum block area, maximum dwellings, subdivision and unit titling.
- 1.6. Consultation for the draft MMHDG and associated draft MPA are planned to be released concurrently for community feedback, noting their interrelationship.
- 1.7. A policy objective of the reforms is to maintain a clear graduation in terms of scale and intensity of development across the spectrum of residential zones, with RZ1 proposed to have some restrictions on these characteristics to ensure a distinctive character when compared to other zones.
- 1.8. Testing that has been undertaken to determine appropriate densities was presented for the range of typologies considered by the MM reforms. The scenarios presented indicated what is considered achievable with respect to the broad parameters of the reforms. Further detailed testing is anticipated to determine feasibility of a more fully realised architectural site response in keeping with the draft MMHDG and revised planning framework.

TAG FEEDBACK

- 1.9. Solar envelopes restrictions have been observed to result in more expensive buildings.
- 1.10. Careful consideration of definitions is required to ensure they do not preclude development on more complex sites (e.g. where 'storey', 'basement', 'attic' interact on a site with undulating typography)
- 1.11. Consider opportunities to vary the planning framework to include a mechanism where design excellence is demonstrated for most outcomes (e.g. mechanism to vary a specific control where majority of other outcomes are high quality). This could be akin to the NSW 4.6 Variation mechanism.
- 1.12. Observation that LVC has undergone a rapid increase over a short time period.

Q AND A

- 1.1. Will consultation identify specific areas to be impacted by the proposed reforms?
 - 1.1.1. The current reform package is anticipated to apply to all RZ1 and RZ2 residential zoned land, with general market factors noted as a key determinant of uptake. Background studies including locational suitability and development feasibility studies have been commissioned and will

MISSING MIDDLE HOUSING DESIGN GUIDE

TECHNICAL ADVISORY GROUP – MEETING OUTCOMES

inform the reforms.

- 1.2. Does the revised consolidation policy allow for incorporation of adjacent PRZ and/or other public purpose land?
 - 1.2.1. The intent of the reforms is focused on the consolidation of residential blocks. The maximum block sizes for consolidation in RZ1 currently consider the location of the proposed blocks to be consolidated – for example, if they create an end of section block, are adjacent to an urban open space or the community path systems the maximum size may be increased.
- 1.3. Has qualitative and/or more wholistic testing involving architectural site responses been undertaken to determine impact on neighbouring sites?
 - 1.3.1. Further detailed testing is planned to review a range of considerations, including detailed modelling of potential amenity impacts, financial feasibility and further locational suitability. The draft MMHDG provides clear guidance to support amenity outcomes at the neighbourhood scale, where development is proposed to occur.
- 1.4. How have solar envelopes been considered? (Participants noted adverse impact of solar envelopes on development feasibility).
 - 1.4.1. Solar envelopes have been adjusted in the current iteration of the reforms. The adjustments have taken into consideration the solar envelope approaches employed by other jurisdictions such as NSW.
- 1.5. How have height and storey limits been considered?
 - 1.5.1. Revised Residential Policy expresses storey limits for RZ1 and RZ2, while corresponding height limits (in metres) have been included in the associated Technical Specification. Heights (in m) have been addressed to ensure these more directly align and reduce ambiguity. 3.5m floor to floor has been used as an equivalent guide to a storey.
 - 1.5.2. Rezoning to higher order residential zones may be considered as an appropriate mechanism to allow additional heights. This would allow the policy intent/integrity of the zones to be maintained.
- 1.6. What opportunities will there be for industry involvement during community engagement?
 - 1.6.1. Further consideration will be given to the role of industry groups/bodies in community consultation as the Communications Strategy is further developed. EPSDD anticipates this group to assist in communicating the direction of the missing middle housing reforms.

2. NEXT STEPS

- 2.1. An additional TAG meeting is proposed to discuss the community engagement materials and strategy prior to public release.
- 2.2. It will be scheduled in approximately mid-April 2025.
- 2.3. TAG members are requested to provide examples to illustrate the impact of current LVC on development feasibility. Examples are sought where LVC has directly led to aborted developments.

MISSING MIDDLE HOUSING DESIGN GUIDE

POOL OF PRACTITIONERS – MEETING OUTCOMES

DATE: FRIDAY 28 FEBRUARY 2025

LOCATION: 220 LONDON CIRCUIT, CITY

ATTENDEES	
James Bennett	EPSDD (Chair)
Catherine Townsend	ACT Government Architect (Design Co-Chair)
Adam Azzopardi	EPSDD
Panama Leaver	EPSDD
Fiona Swan	EPSDD
Brad Maxwell	EPSDD
Kieran Pierlot	Master Builders Association
Jeremy Mather	Australian institute of Architects/ Mather Architecture
Jessica de Rome	Australian institute of Architects/ de ROME Architects
Rob Henry	Australian institute of Architects/ DNA Architects
Richard Johnston	Community Member
Darren Goodwin	Master Builders Association
Natalia Anderson	Planning Institute of Australia
Marco Galeotti	Master Builders Association
APOLOGIES	
Nathan Watt	EPSDD
Panama Leaver	EPSDD
Mel Kruz	Gyde Consulting
Nichelle Jackson	Housing industry Association
Nathan Judd	Australian institute of Architects/ Mather Architecture
John Tancheveski	Pier Projects
Alyce Fenwick	EPSDD
Justin Whytcross	Master Builders Association

1. **Terms of Reference and previous meeting summary**

- 1.1. Members were requested to sign the Deed Poll of Confidentiality. All participants affirmed that they have either already provided or intend to provide prior to close of proceedings.
- 1.2. Comments received post the previous meeting were acknowledged as received.

2. **Project plan (where we are up to)**

- 2.1. The missing middle housing (MMH) reforms are currently being reviewed by Government directorates prior to entering the ACT Government's Cabinet process.
- 2.2. Agreement will be sought by Government to release the MMH reforms for community engagement. If agreement is reached, engagement is expected to occur over an 8-week period anticipated in April/May. Various engagement activities will be run across the ACT and Government is open to considering additional opportunities for engagement including POP members.
- 2.3. Both the draft Missing Middle Housing Design Guide and the Territory Plan (TP)

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POOL OF PRACTITIONERS – MEETING OUTCOMES

amendments will be released for engagement together.

- 2.4. Once engagement closes, Government will consider feedback and seek to finalise the MMHDG and TP amendment by the end of the year, noting that as the TP changes constitute a Major Plan Amendment, they will need to follow a legislative process which may impact the final implementation date.
- 2.5. The development of a Missing Middle Housing Pattern Book may commence next year. Enabling a faster approval pathway for using a Pattern Book selected design will be under consideration.

3. Draft Missing Middle Housing Design Guide

- 3.1. Updates and revisions to the draft MMHDG were highlighted, noting updates to imagery and diagrams, inclusion of a section detailing 'character' considerations, further updates to individual guidance items to achieve greater nuance throughout the document based on feedback to date.
- 3.2. Further testing and analysis is planned and/or underway, with emphasis on financial implications/viability and locational suitability. These will inform further considerations by Government.
- 3.3. Further comments are sought from the POP members. Comments received prior to mid-March will be considered for inclusion in the draft version of the MMHDG for engagement. Comments can also be submitted through the community engagement forums.
- 3.4. The Guide remains a draft document until it is formalised through Cabinet.

4. Territory Plan Changes

- 4.1. The TP changes form a draft Major Plan Amendment.
- 4.2. The proposed changes to the TP are design-led from the development of the draft MMHDG and through industry feedback. Analysis has been undertaken to identify the current barriers in the TP, to test the controls recommended by the draft MMHDG and modify the TP to enable and increase in missing middle typologies.
- 4.3. Modifications to the RZ1 and RZ2 zones Policy Outcomes were discussed. These are proposed to be modified to enable missing middle development.
- 4.4. The primary revised metrics were presented and noted to be located in the Technical Specifications to allow variability in outcomes.
- 4.5. Internal testing of the revised TP controls and density studies were shared with the group.

5. Discussion

- 5.1. Basements were confirmed as being permissible in RZ1 and RZ2, and not considered to be an additional storey. Refer to the TP Definitions.
- 5.2. Character is dealt with via the Assessment Outcomes in the Territory Plan and is addressed in the Policy Outcomes and the Guide.
- 5.3. Placing density controls in the Technical Specifications provides a reference point for RZ1. This is intended to be used by designers and the Authority in reviewing applications. All requirements of the MMHDG and Technical Specifications must be

MISSING MIDDLE HOUSING DESIGN GUIDE

POOL OF PRACTITIONERS – MEETING OUTCOMES

considered in developing designs, however some flexibility may be considered where good design outcomes are demonstrated and impacts to neighbours are mitigated.

- 5.4. The decision to modify RZ1 and RZ2 controls, rather than upzoning RZ1 to RZ2, and RZ2 to RZ3 is to ensure a distinction between the zones is maintained. RZ1 will remain a predominantly low-density zone. Modifying the RZ1 controls has allowed a nuanced, design-led approach.
- 5.5. A minimum block width/street frontage for missing middle development has not been applied to the Technical Specifications. This will be reviewed in the draft MMHDG in relation to waste collection.
- 5.6. Mixed feedback was received regarding two block consolidation and the possible results where two large blocks over 2000m² may consolidate. Feedback was received that a maximum size of block consolidation may be beneficial to manage the scale and intensity of development.
- 5.7. Community engagement will be seeking feedback from the community on how much density is acceptable. There were various responses from the group, ranging from the need to respond to the housing crisis through the provision of increased density, to current residents wanting to retain the existing RZ1 density character.
- 5.8. Defining existing character was discussed by the group. This included the large space between dwellings in many RZ1 areas, the street trees within a suburb and the potential for long street frontages in RZ2. It was suggested that a large development of over 3000m² could result in a scale and frontage incompatible with established character. A maximum building length fronting the street may be considered.
- 5.9. Existing trees can present a barrier to redevelopment of sites. TCCS is anticipating a review of the Urban Forest Act.
- 5.10. Development considerations highlighted by the group included: RZ2 has limited capacity to deliver missing middle housing as most sites have been recently redeveloped with single dwellings; RZ1 has capacity for additional traffic; utilities charges are increasing; accessible homes are a growing market that missing middle typologies can respond to; premium suburbs may be more profitable for a more premium product and may therefore be targeted by developers; ACAT may be a barrier to development.
- 5.11. EPSDD is liaising with Treasury regarding LVC and other non-planning financial levers that can support more development.
- 5.12. Change is proposed in RZ3, RZ4 and RZ5 is limited to height and site coverage at this stage.

6. Close

- 6.1. Government will re-engage with the group about the engagement strategy prior to consultation and in the meantime is happy to take feedback on the proposed reforms.
- 6.2. POP members were reminded the content of the meeting is confidential.

OVERALL CONCLUSIONS:

1. This Guide is misconceived and unnecessary. The *ACT Housing Design Guide* already covers most of the subject matter of this Guide and does it better and more succinctly. This Guide contains some 130 pages, much of it silly diagrams, glossy photos and unhelpful and inaccurate text.
2. What is the point of it anyway? Probably just to provide cover for the Government to introduce greater ‘flexibility’ in RZ1 zones, permitting up to 3-storey apartment buildings. It will not in any way guarantee better outcomes.
3. Before such a guide is introduced (if ever), I suggest that a great deal of local area, or ‘precinct’, planning would need to be done to enable higher-density redevelopment acceptable to local residents and without serious environmental (and probably political) consequences in RZ1 zones.
4. It does not appear that any analysis has been carried out, even in RZ2 zones, to determine whether planning controls need to be adjusted, let alone in RZ1. Unless the ‘Policy Outcomes’ for RZ1 in the *Territory Plan 2023* are to be abandoned completely they would not permit higher-density redevelopment.
5. In any case, single block redevelopment is an impractical way to significantly increase densities in suburban areas (see ‘*Greening the Greyfields*’ by Peter Newton et al). Precinct planning needs to be done to identify appropriate redevelopment areas and special planning controls applied to those areas.
6. Larger scale redevelopment in appropriate areas permits greater housing variety on sites, as well as significantly increased densities. Government intervention may be required to provide ‘affordable’ housing and to consolidate sites.
7. A lot of the focus of this Guide is on what can possibly fit on a single block. It is much more important to determine what is appropriate in the ‘development context’. As noted in my detailed comments, ‘AMCORD’ contains probably the best description of ‘Development Context and Site Analysis’.
8. “Investing in infrastructure capacity to support increased density” is also best facilitated through comprehensive planning to agree on appropriate locations and allow the necessary investigative work.
9. Much of this Guide is about detailed suggestions for building design, which should all be known to competent designers anyway. Much more important are the sections on designing for the big challenges of climate change and urban heating (which are mostly relegated to towards the end of the document).
10. The section called variously ‘URBAN CHARACTER’ or ‘BUSH CHARACTER’ is ridiculously inaccurate, at least for Inner South Canberra. [see below]
11. Much more emphasis should be placed on ‘communal open space’ requirements for higher-density development, particularly to allow the greatest possible area to establish tree cover over and to provide play spaces for children close to home [see: ‘*Healthy Higher Density Living for Families with Children*’ Western Sydney Local Health District 2024].

DETAILED COMMENTS REFERRING TO PARTS OF THE DRAFT GUIDE [comments in bold]

‘PART ONE: INTRODUCTION AND PURPOSE’ [page 2]

“This vision continues the original plan for Canberra as a city within the landscape that celebrates its bushland setting. It protects and enhances the qualities that we value about Canberra while managing growth and change across the city.”

As I note below Canberra did not have a bushland setting”. In any case it is not true that this Guide “protects and enhances the qualities that we value about Canberra”. The Housing Design Guide, under ‘PLACE-BASED DESIGN THINKING’ [P.4], has a much more nuanced description, noting that “Canberra is made up of many different places and districts”. It says: “A place-based approach to design builds upon a place’s character to create places are responsive to their context and create a desirable sense of place.”

*“Maximising the use of already identified urban renewal areas is crucial for meeting the ACT’s growth targets. Yet, these growth areas alone might not suffice to provide the housing choices in locations where people want to live. Consequently, there is a need to focus on renewing **some** suburban residential areas with higher density housing types and typologies.”*

So this Guide is to facilitate higher density housing in “some suburban residential areas”. But how are these ‘some’ areas to be identified? The approach as outlined to us on 28.2.25, and in this draft document, does not suggest there would be any comprehensive forward planning involving local communities to identify ‘some’ appropriate areas for ‘urban renewal’ as has been carried out by local government in other cities such as Melbourne. I suggest that without such comprehensive and sensitive ‘precinct’ planning the result is likely to be major conflict in established communities. [Few current practitioners would remember, but there was an outbreak of dual occupancy developments on street corners in the late 1990’s, which led to community outrage and was probably a factor in the Liberal Government losing the subsequent election. There have been strict limits applied to dual occupancies in RZ1 zones for about the last 20 years, until the recent planning system changes allowing a second house [up to 120 m²] and unit titling. Now, a potentially much more radical set of changes is being proposed.]

‘KEY FACTORS IN DEVELOPING MISSING MIDDLE’ [page 3]

“The development of missing middle housing is a unique opportunity to balance feasibility with affordability. By ensuring appropriate density in more locations, we can provide more affordable housing options across the ACT.”

What does: “balance feasibility with affordability” mean? And how does this Guide guarantee ‘affordability’? It is likely that the costly and sought-after residential areas will continue to attract larger, more expensive and less affordable dwellings, regardless of the revised Territory Plan density settings area suggested to apply to all RZ1 areas. And what is “appropriate density in more locations”? This is meaningless stuff unless backed up with comprehensive and community-sensitive precinct planning.

“The ACT Government is exploring updates to planning controls, such as car parking requirements, block sizes, and setbacks, to better support missing middle.”

What about controls to protect “the qualities that we value about Canberra”? eg. high quality landscape settings and tree cover, with complementary building forms?

“Missing Middle Housing Design Guide”

Comments by Richard Johnston [Life Fellow PIA, B.Arch., Dip. T&CP, Dip’ Environ. Studies]

“Streamlining the planning application process can significantly enhance the feasibility of missing middle housing projects. By providing clear timelines, offering incentives for projects that meet specific criteria, and engaging with community stakeholders early on, we can reduce delays and foster a more supportive development environment. This proactive approach can encourage investment in missing middle housing.”

This Guide and the suggested Territory Plan changes appear to offer nothing in terms of “timelines”, “incentives” and community engagement.

“Investing in infrastructure capacity to support increased density is crucial for the successful implementation of missing middle housing. By addressing community concerns and ensuring that infrastructure keeps pace with development, governments can create a supportive environment for new housing.”

But will they? How can you sensibly “invest in infrastructure capacity to support increased density” if you haven’t done the forward planning and identified appropriate locations?

‘MISSING MIDDLE IN THE ACT’ [page 4]

“The development of this type of housing options [sic], however, requires careful consideration of zoning rules and design guidelines to ensure high-quality, sustainable, and affordable housing that respects Canberra’s garden city character.”

“Yes it does require careful consideration, but “zoning rules and design guidelines” will not guarantee this outcome, without also providing comprehensive, community-sensitive ‘precinct’ planning and Government investment in affordable [ie. ‘public’] housing.

‘WHY THE NEED FOR DESIGN GUIDES’ [page 5]

“Design guides can provide greater clarity, flexibility and consistency for the community, authority officers and industry.”

This Guide is clearly a fail on ‘clarity’ and ‘consistency for the community’ etc. It’s only really intended to provide greater ‘flexibility’, for assessment officers and developers smart enough to exploit this.

In none of this introductory blurb is there anything about environmental challenges, climate change and the build-up of urban heating. These challenges will be intensified by higher-density development unless it is balanced with strong safeguards for retaining and improving tree canopy cover with plenty of high quality meeting and play spaces for family living.

‘WHAT IS GOOD DESIGN?’ [page 6]

This is OK, particularly ‘Context and character’, but it doesn’t seem to have been carried over into the ‘Design Guidance’. The *Housing Design Guide* is better.

‘MISSING MIDDLE DESIGN PRINCIPLES’ [page 7]

In my previous comments I said “good, but ‘Principle two’ could be amplified, with words such as “with tree shading to enhance amenity and reduce urban heating”. No change.

‘HOW DOES THIS GUIDE RELATE TO OTHER DESIGN GUIDES?’ [new page 12]

This refers to the *Housing Design Guide*, but fails to explain what the relationship of one to the other is and why this new Guide is required. Page 8 of the *Housing Design Guide* says it “applies to all residential building typologies including dual occupancies, townhouses and apartments”. This Guide seems to contradict that. The *Housing Design Guide* also cross-references in many places with the *Urban Design Guide*. This one does not.

“Missing Middle Housing Design Guide”

Comments by Richard Johnston [Life Fellow PIA, B.Arch., Dip. T&CP, Dip’ Environ. Studies]

‘HOW THESE DESIGN GUIDES RELATE TO THE TERRITORY PLAN’ [new page 14]

“The [Territory Plan’s] assessment outcomes specify ways that the desired policy outcomes for districts and zones in the ACT can be met. The design guides demonstrate ways the assessment outcomes can be met.” **The current ‘Policy Outcomes for RZ1 – Suburban Zone’ are quite appropriate and specific [see below]. Are these ‘policy outcomes’, only recently confirmed in the Territory Plan 2023, now proposed to be radically changed? They are:**

‘1. Achieve and/or maintain **low density** residential neighbourhoods in suburban areas.’

This Guide proposes up to 3-storey apartment blocks in RZ1. Is that low density?

‘2. Provide for a range of housing choices that meet changing household and community needs.’

But how do you demonstrate that ‘1’ is still met?

‘3. Limit the extent of change that can occur particularly with regard to the residential density and original pattern of subdivision.’ **This Guide encourages radical change.**

‘4. Ensure development respects valued features of the neighbourhood and landscape character of the area [**how are these to be determined?**] and does not have unreasonable negative impacts on neighbouring properties.’ **This is likely to be a major issue in RZ1.**

The ‘assessment outcomes’ say: “Where a design guide applies to a development, the proposal must demonstrate that it is consistent with the relevant guidance.” **Hopefully that at least means there must be a ‘design response’ provided? The detailed ‘assessment outcomes’ are however very rubbery, eg.:** “19. **Sufficient** planting area, canopy trees, deep soil zones and water sensitive urban design measures are provided to enhance living infrastructure, support healthy tree growth and minimise stormwater runoff.”

How do you apply this sort of vague requirement? This Guide is similarly vague.

‘TERRITORY PLAN ASSESSMENT OUTCOMES’ [new pages 15-17]

“In demonstrating consistency with the **assessment outcomes**, proposed development must demonstrate consideration of the design guidance provided in the Missing Middle Housing Design Guide for each of the themes. This includes consistency with the assessment outcomes.” **Good luck with that!**

‘PART TWO: CHARACTER AND SITE’ [p. 19]

‘URBAN CHARACTER’ [pp. 22,23]

This is called, perhaps more appropriately, ‘Bush character’ on the Contents page. It seems to me to be a largely pointless exposition on “bushland character”, which is particularly inappropriate to the Inner South Canberra dominated by mature exotic large tree species. Indeed much of the site for Canberra was described as “treeless plains” rather than “native landscapes” in the early days and its appearance today is largely due to the enormous efforts of foresters such as Thomas Charles Weston. Oddly, ‘Photo 1’ is of Throsby Court, Griffith, which was an early low density public housing development with a large central communal open space and big, exotic trees. Will this Guide produce that kind of development? Not likely!

“Missing Middle Housing Design Guide”

Comments by Richard Johnston [Life Fellow PIA, B.Arch., Dip. T&CP, Dip’ Environ. Studies]

‘SITE SCENARIOS’ [p. 24,25]

This was previously called “Understanding your site” [on the Contents page] or “CHARACTER AND PALCE [PLACE?]- BASED DESIGN”, but with no content. I recommended including a reference to ‘AMCORD - 2.4 Development Context and Site Analysis’ (pages 63,64), which is one of the best works available on the subject. AMCORD says:

“The development context involves four aspects:

- planning and development intentions for the site;
- the relationship of the site to the local community; [the locality’s identity and character, the streetscape, and the relationship to local movement and social networks]
- the relationship of the site to adjoining properties;
- physical characteristics of the site.”

The introduction to this new section says: “Understanding the physical, social, economic and environmental characteristics that define the site, and **ensuring that it successfully integrates into the natural conditions and surrounding suburb** is key to creating a successful project. This knowledge fosters sustainable, functional and community friendly development.”

What follows however seems to be almost all about the site and how it could be used, rather than anything much about the ‘development context’. The heading ‘SITE SCENARIOS’ of course gives the game away.

I refer you back to the first paragraph under ‘WHAT IS GOOD DESIGN?’ [page 6]:

“Good design is not just about how a place looks, but how it works and makes people feel. It fosters better environments that enhance public value and support individual and community well-being. Achieving good design involves a thoughtful process that considers the **specific context**, including neighbourhood dynamics, street characteristics, and site features.”

The ‘Site scenarios matrix’ [p.25] is a particularly strange document, but is obviously hinting at some of the new provisions for the Territory Plan to allow substantially increased densities in RZ1 zone. Eg. it suggests that ‘Dual Occupancy’ would be OK on >600 sqm sites [currently > 800 sqm] and ‘Tri Occupancy’ on >700 sqm [not currently permitted and, with recent experiences with ACT Housing projects on single house blocks in Griffith and Narrabundah, impossible to achieve satisfactorily in one level]. Then there is ‘Townhouse’ and ‘Terrace’ on > 800 sqm [how many dwellings, what about impacts on streetscapes?] and ‘Apartment’ on >1,200 sqm [why that site size and no limit on numbers of dwellings?].

‘PART THREE: DESIGN GUIDELINES’ [p. 27]

‘SITE AND LAND USE’ [p.28]

“The proposed use and scale of development needs to be **appropriate to the character, site and zone.**” [‘character’ of what?]

‘ 3.1 BUILDING TYPOLOGIES’ [p.30 -]

I commented previously “I think these are mainly awful examples of what NOT to do!” They have not improved. They typically appear to show: very high site coverages; car parking and driveways dominating surface areas or in [very expensive] basements; vestigial landscape areas. ‘Terrace houses’ either have: multiple driveways from the street; or rear laneways [how often are they feasible?]; or [very expensive] basements. The ‘Low-rise apartments’ [Fig.32, p.44] look particularly horrendous – 3 storeys and occupying most of the site - and this is being seriously proposed as an option in RZ1?

“Missing Middle Housing Design Guide”

Comments by Richard Johnston [Life Fellow PIA, B.Arch., Dip. T&CP, Dip’ Environ. Studies]

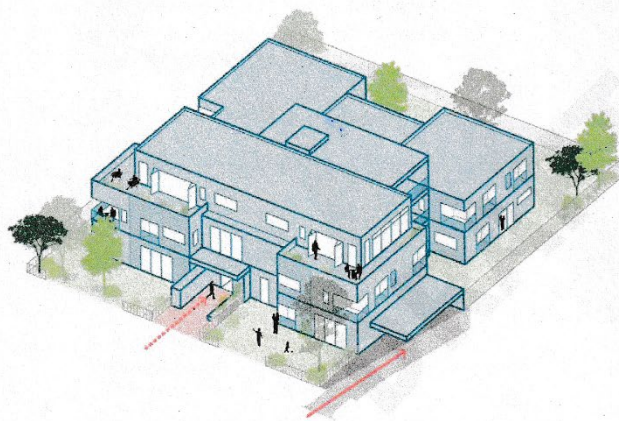


Figure 32: A typical 3 storey low-rise apartment building.

Other names:

Apartments, manor house, triplex, tri-occupancy, quad-housing, quadruplex.

Key characteristics

Height:

2 storeys. On large sites up to 3 storeys.

Open Space Provision:

Typically, private courtyards for ground floor apartments and balconies for upper floor levels. Large sites may also include common open space areas and facilities.

Parking arrangement:

Co-located parking areas above ground or in basement.

Where to use

Zone: RZ1 and RZ2

‘3.2 UNDERSTANDING YOUR SITE [p.48-]

*“Understanding the physical, social, economic and environmental characteristics that define the site, and ensuring that it successfully integrates into the natural conditions and **surrounding suburban context** is key to creating a successful project. This knowledge fosters sustainable, functional and **community-friendly** development.*

But there is no guidance on how to integrate with the “surrounding suburban context”.

‘3.2D TREE RETENTION’ [p.51] T

This is good, but buried away to almost guarantee it will be ignored.

‘3.3 LAND USES’ [p.52]

“Effective planning of residential land uses ensures that housing developments are well-integrated with essential amenities, infrastructure and green spaces, fostering vibrant and sustainable neighbourhoods.”

This sounds like an argument for getting the land use planning right in the first place. What is a designer or a developer supposed to do about this?

‘3.3C BLOCK CONSOLIDATION AND SUB-DIVISION’ [p.54,55]

“Consolidation:

“iii. Consider and ensure that block consolidation aligns with the area’s broader strategic planning goals, such as increasing density or creating larger development parcels.”

The Inner South District Strategy 2023 identifies only four areas as “Category 1 change areas – they have either been confirmed by Government for future development or have well-progressed proposals that have been determined as having strong planning merits.”

So presumably this Guide only applies to those areas?

“Subdivision:

*“i. Ensure that the subdivision complies with **local planning regulations**, zoning requirements, and minimum block standards.”*

Was this just unthinkingly lifted from somewhere else?

‘3.4 BUILDING ENVELOPE’ [p.56]

“Appropriate height and transition in building form maintains neighbourhood character and prevents abrupt changes in scale and streetscape. [sic]”

“Figure 45: Larger block widths and depths enable a greater building envelope while maintaining a consistent neighbourhood feel and character.”

Is this seriously proposed for RZ1 – particularly the 3-storey building on the right?



Figure 45: Larger block widths and depths enable a greater building envelope while maintaining a consistent neighbourhood feel and character.

‘5.1 COMMUNAL OPEN SPACE’ [p.70,71]

“Communal open spaces in multi-dwelling development enhance quality of life and community cohesion. They provide essential green areas for physical activity, relaxation, recreation, and social interaction, fostering wellbeing and a sense of belonging.”

The Housing Design Guide is much better than this.

‘6.1 SCALE AND BUILDING FORM’ [p.78]

“The proposed use and scale of development should be appropriate to the local character and site context.” **Does a 2-storey, saw-toothed roof terraced triplex [Figure 72] achieve this?**

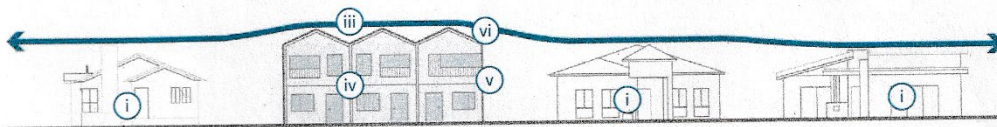


Figure 72: New development can propose an increased height while retaining the prominent building form and rhythm.

“Through increasing housing densities, buildings should remain flexible and include high amenity spaces for residents and their changing needs. Building scale refers to the size and proportion of the buildings, while form pertains to the shape, structure and overall architectural expression. **Maintaining a sense of place and ensuring that new developments integrate seamlessly with the existing urban fabric is important** to create street continuity and continuous experiences with consistent street patterns.”

How does the designer or developer respond to that?

‘6.2 ORIENTATION AND STREET INTERFACE’ [p.82]

‘Figure 73’ – shows the middle building a lot closer to the street than the others, but apparently minor “offsets” are all that is required to make this OK?

‘Figure 74’: “Missing middle development integrating into and becoming a part of the streetscape”- shows three buildings, one a 3-storey apartment block and an attached single garage, one a conventional 2-storey with hipped roof and garage under, and one 2-storey saw-tooth roof terraced triplex – have these all “integrated into” the streetscape?

“Missing Middle Housing Design Guide”

Comments by Richard Johnston [Life Fellow PIA, B.Arch., Dip. T&CP, Dip’ Environ. Studies]

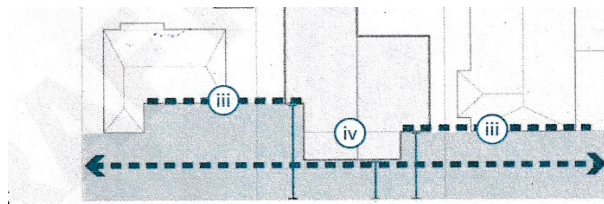


Figure 73: Where neighbouring sites have different setbacks from each other, development should be offset to allow for a good relationship to both.

e



Figure 74: Missing middle development integrating into and becoming part of the streetscape.

‘6.3 DIVERSE HOUSING CHOICE AND OCCUPANT AMENITY’ [p.90]

‘6.3A HOUSING MIX’

“i. Provide a mix of housing types and sizes that support the future needs of the community and provide housing choice and affordability to households of all shapes and sizes.”

How can an ‘infill project’ (mostly on a single block) possibly achieve that, particularly in a high-value area?

‘7.1 TREES, LANDSCAPING AND NATURAL FEATURES’ [p.98-101]

“Deep soil planting zones and canopy cover support healthy tree growth, enhance urban greenery and provide essential shade, reducing urban heat island effects and improving comfort and energy usage. Selecting climate-specific plant species that thrive in Canberra conditions creates resilient and water-sensitive gardens. The integration of landscaping will foster healthier, more resilient urban communities, contribute to resident’s well-being, and create a more sustainable community.”

Important, but this doesn’t tell you what to do.

‘7.1a PLANTING AREAS’

*“i. Deep soil planting areas should cover the **minimum** block area specified for the zone.”*

This is pathetic! The Housing Design Guide is better:

‘7.3a DEEP SOIL PLANTING AND TREE CANOPY COVER’

“i. Provide deep soil planting zones to maximise tree canopy cover coverage of larger, longer-lived shade trees as per Living Infrastructure Plan targets.”

‘7.4 CLIMATE CHANGE RESILIENCE’ [pp.110-114]

‘7.4B. URBAN HEAT ISLAND’ – the “hierarchy of urban heat mitigation measures” is actually important – but who’s going to read this far?

‘DOCUMENT REFERENCES’

It’s disappointing that none of these are from outside the ACT – there are some excellent NSW Government guides.

END

Missing Middle Housing Reform

Feedback from the Australian Institute of Architects (via Mr Rob Henry)
17 March 2025

Our group met on Wednesday evening and worked through the MMHDG and Tech Spec changes that were presented.

We had the following comments on the guide:

- The MMHGD reads well and is consistent with other design guides.
- It works as an aspirational document which describes what the missing middle is and the benefits of change.
- There could be more detail on the benefits of Missing Middle, noting it is the most efficient form of housing.
- The document feels too lengthy and we suggest it being refined to reduce the content.
- There is concern on the language being used as it lacks clarity. A good example is the points on page 112 - 7.4C Robust, Low Maintenance Materials and Plantings: "*Choose building materials that have high insulation properties and are sustainable and attractive, while still creating individuality in design*". There are far too many requirements in this one statement that it becomes impossible to achieve. And 'attractive' to who? No two people agree on what is 'attractive'. Another example is "*When specifying window framing, consider the maintenance and climate to ensure they can withstand natural elements and age well in terms of aesthetic*". Does this mean timber windows aren't allowed even though they are required in heritage areas and can be the most aesthetically pleasing frame choice? Does this mean that uPVC windows can't be used as they are considered to not be aesthetically pleasing? In short, the wording is trying to say too much and in doing so is confusing.
- There is still concern in the use of specific photos that describe positive or negative attributes poorly.
- There is still concern in some of the diagrams being too 'built form' looking and being suggestive of outcomes we don't want. A good example is Page 32, figure 4 which is showcasing a site that is too built form intensive and not illustrating best practice in site coverage and tree canopy use.
- More clarity on how this document is read in conjunction with the Housing Design Guide (HDG). Will the HDG be modified. Is the MMHDG for RZ1 and RZ2 only and the HDG for RZ3-5?
- We wonder if there is too much emphasis on single block development within the guide.

We had the following comments on the Tech Specs:

- Concern that RZ1 is too development intensive, particularly relating to two blocks consolidation (without size limitation). We'd suggest some adjustment to reduce the maximum size of consolidation to prevent over development and maintain landscape settings, streetscape character, and bulk and scale.
- We are supportive of RZ2 modifications.

Missing Middle Housing Reform

Feedback from the Australian Institute of Architects (via Mr Rob Henry)
17 March 2025

- We'd like to see some precinct planning done to determine zoning uplift, for example where additional RZ2 can be done. We are aware of the work done by Purdon and the Property Council, which could be utilised for this.
- A preference to remove storey limitations and replace with building envelope limitations.

The Institute's greatest concern is how the approvals process will work for the MMHDG and RZ1 and RZ2 uplift in general. We believe there should be clarity on the approvals process when this document is released for community consultation. We will continue to advocate for a Missing Middle Design Review Panel to support good development.

I can put this into a formatted document if required.

I have cc'd our Chapter President, Shoba Cole into this email. She was at the meeting and is supportive of the above feedback.

Thanks,

Rob



Rob Henry
Director

*B/App Sci Env. Design, B/Arch
(Honours)*

Meeting notes

Topic: Mawson / Athllon Drive Update – 19 March 2025 meeting

Directorate: Environment, Planning and Sustainable Development Directorate

SOUTHERN GATEWAY

1. The Environment, Planning and Sustainable Development Directorate (EPSDD) is leading planning for the Southern Gateway Corridor to inform development of the Southern Gateway Planning and Design Framework (the Framework). EPSDD is working across Government in undertaking this work.
2. The area of the Framework is identified in **Attachment 1**.
3. A subcommittee paper on the Framework is being brought to the Housing and Infrastructure subcommittee on 16 April 2025.
4. The Framework project timing is broadly:
 - Q3 of 2025 – a project update document including principles for change in the corridor, proposed directions and intersecting projects (eg, light rail, key sites).
 - Q2-3 2026 – a draft Framework with proposed rezoning, planning controls, policy changes.
5. The Suburban Land Agency's (SLA) role is related to investigations focused on identifying potential opportunities for land release sites. The sites that SLA is to investigate (which includes the consideration for a Mawson supermarket site) are identified as Z1-4 on **Attachment 1**. This approach aligns with the new directions for which agency undertakes investigations per the ILRP reform changes made in 2024.

Approved by: Dr Erin Brady, Deputy Director-General, Planning and Sustainable Development

18 March 2025

Meeting notes

Topic: Mawson / Athllon Drive Update – 19 March 2025 meeting

Directorate: Environment, Planning and Sustainable Development Directorate

Mawson Group Centre - potential supermarket sites

6. EPSDD tasked SLA on 14 November 2025, with investigating a site for supermarket / land release in Mawson.
7. In tasking SLA, EPSDD provided the information and studies on potential sites that EPSDD had undertaken and the summary of this is provided in **Attachment 2**.
8. There are two sites in the Mawson group centre on the Indicative Land Supply Program (ILSP) and two on the Indicative Land Release Program (ILRP). See **Table 1** and **Figure 1**. All are currently serving as surface car parks.





	Block 17 Section 46	Block 25 Section 46	Block 6 Section 57	Block 26 Section 47
Site				
Block Area	5049m ²	7658m ²	5202m ²	5147m ²
Current Use (approx. number)	108 car parking spaces	224 car parking spaces	228 car parking spaces	126 car parking spaces
Land Release Status	ILSP	ILSP	ILRP (2026/27)	ILRP (2027/28)

TABLE 1: SITES ON THE ILSP AND ILSP IN THE MAWSON GROUP CENTRE (LAND RELEASE STATUS, AS PER THE 2024-25 TO 2028-29 INDICATIVE LAND RELEASE PROGRAM)

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FIGURE 1: MAWSON GROUP CENTRE CAR PARKS

9. Based on the information provided by EPSDD, at this stage, both EPSDD and SLA identified Block 25 Section 46 as the most likely to achieve the delivery of a supermarket site.
10. SLA has undertaken further consideration of the group centre and where a supermarket site could occur. SLA has looked at this as part of investigation area 'Z4' as shown in **Attachment 1**; in the broader Mawson group centre area.

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Considerations for a supermarket site

11. Block 25 Section 46, is zoned Commercial Zone 3 (Services Zone). Under the Territory Plan's Commercial Zones Policy there is a Policy Outcome that states – “*Encourage commercial development that supports but does not undermine the function of the CZ1 and CZ2 zones*”. This Outcome will need to be appropriately considered in both a Major Plan Amendment and land release.
12. Enabling release of this site may require a Major Plan Amendment (MPA) depending on the scale of the proposed planning changes and the supermarket size proposed by the SLA and whether the current CZ3 zoning will need to be changed to Commercial Zone 1 (Core Zone).
13. This will also need to consider if the supermarket building is mixed-use eg, with residential above; what the appropriate zoning and planning controls will be.
14. The site area required for a supermarket needs to be considered in terms of whether the current block is adequate or there is a need to include existing road. The related land assembly, infrastructure requirements and existing conditions/location, parking and circulation will also need to be considered.
15. Through the development of the current ILRP (2025-26 to 2029-30), SLA is proposing to defer release of land at Mawson group centre from 2026-27 to 2028-29 but details have yet to be confirmed.
16. In relation to a proposed Major Plan Amendment (see further section on MPA considerations) EPSDD has asked SLA to provide:
 - a. a timeline to demonstrate proposed approach and steps (e.g MPA, SDA, due diligence, and land release process) to achieve a land release within this term of government; and
 - b. clarification as to why a second supermarket site requires the rezoning of adjacent urban open space to commercial (refer Attachment 3).

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SLA work – ILRP and Attachment 3 – Mawson Centre and Athllon Drive

17. As part of the work SLA has commenced on the Framework sites, EPSDD was provided a presentation in recent weeks, that indicates broader options for the Mawson group centre. To date EPSDD has not been able to get detailed information that supports the concepts presented (noting EPSDD has requested to work with SLA on this). This material is provided at **Attachment 3**¹.
18. Note this current work for the centre and the Z4 site (slides 2-14), by SLA is simple initial blocking and stacking and does not provide a considered place plan for the area. We also don't have the detail that sits behind this or consideration of broader principles for centres. For example, it does not illustrate consideration of the built form in the existing centre or integration with that. Public realm and other aspects are needed to better connect the proposal with the existing shops at the centre. There has also not been any detailed consideration of precinct level infrastructure capacity or need for improvement.

Athllon Drive land release sites

19. Land shown in Attachment 1, alongside Athllon Drive and opposite Phillip Trades area, is scheduled for release by the ILRP for 2026/27. In the current draft ILRP, Athllon Drive has been reprofiled to 2028-29.
20. This land sits with the SLA Urban Estate's team who are responsible for preparing the sites for release.
21. EPSDD is advised that SLA's Urban Estates team has paused work on these sites whilst the SLA's Land Supply Group undertake further investigations into their potential, including increasing existing allowable building heights which is shown in Table 2 below.
22. The site was rezoned from RZ2 to RZ5 in 2017 as part of Territory Plan Variation 344 as a result of the Woden town centre master plan.
23. Depending on outcomes of SLA work, SLA may need a MPA to change the Territory Plan to increase building heights.

¹ Note this document is marked Cabinet and will be provided separately – not as part of these notes.

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<p>R43 This rule applies to area 'c' in figure 4. The maximum number of storeys is 3, except where within 52m of Yarralumla Creek centre line, where the maximum number of storeys is 6.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>
<p>4.2 Setback</p>	
<p>R44 The minimum front building setback to block boundaries addressing Athllon Drive is 4m.</p>	<p>C44 Building frontages to Athllon Drive provide a landscaped setting.</p>

TABLE 2: EXTRACT FROM THE WODEN DISTRICT POLICY IN THE TERRITORY PLAN 2023

Athllon Drive Road duplication and proposals

24. The Athllon Drive Duplication is an ACT Labor 2020 election commitment. The area subject to duplication is shown in **Attachment 1** (Z3).
25. SLA's investigation work (zone 3 Attachment 1) overlaps with the area subject to the Athllon Drive Road duplication, this work doesn't appear to consider current operations for the recently constructed Woden bus depo.
26. A preliminary design for duplication is being prepared by the consultant SMEC and is due to Infrastructure Canberra (iCBR) soon.
27. The process forward for the Athllon Drive duplication project is currently being confirmed since the project team has only recently been transferred to iCBR from TCCS.
28. The concept design option selected allows for two lanes in each direction with one of those lanes in each direction being a transit lane.
29. The project team expect that once the preliminary design is received it will be circulated to stakeholders and then it will progress to detailed design, approvals and subject to funding, construction.
30. There is no timing for this work yet.
31. **Attachment 3** – slides 15-21 indicate high level conceptual ideas for the Athllon Drive duplication area and associated with Mawson centre. EPSDD has requested any studies, financial costing, analysis that underpins this concept.

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Major Plan Amendment considerations

32. Assuming a MPA is required at some stage and depending on approach (noting that details are still not known dependent on further investigation), there are three potential options that could be pursued:
- a. Include only those necessary changes required for the release of the second supermarket site (within Block 25 section 46 – no additional land added – this needs clarification of land size and requirements) as part of possible wider group and local centre major plan amendment (eg, possibility to move existing planning controls to technical specifications and assessment outcomes). This group and local centre work is currently underway and may not be at a point to implement changes until later in 2026.
 - i. Positive: could enable potential release of a site (for a smaller supermarket, possibly not full line).
 - ii. Consideration: may forgo opportunities for a holistic place planning approach to the centre and may not result in an optimum integrated outcome or a full line supermarket.
 - b. Holistic place planning for the Mawson centre and delivered with the Southern Gateway Planning and Design Framework. Delivery of the planning changes proposed by the Framework are not expected to be in place until at least 2027.
 - i. Positives:
 - Holistic place planning with the Framework would allow the best integration with the future light rail corridor planning and potential delivery.
 - More comprehensive community engagement during the planning processes
 - Delivery of a full line supermarket.
 - ii. Consideration:
 - Noting planning changes related to the Framework are not expected until at least 2027, delivery of a second supermarket within this term of Government is uncertain.
 - c. Place planning delivered in precinct approach for Mawson Group Centre and Athllon Drive. This work is able to be led by SLA and an MPA could be

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prepared (subject to relevant investigations and meeting Authority requirements) and released for statutory consultation in 2026.

i. Positives:

- Place planning in a dedicated precinct project would allow the vision for the group centre and surrounds to be fully considered.
- More comprehensive community consultation during the planning process.
- Delivery of a full line supermarket likely as part of this.

ii. Considerations:

- Moving ahead of the Southern Gateway Planning and Design Framework may not deliver the most integrated outcome with the future light rail corridor and broader planning for the corridor. It may also result in confusion for community without having overarching directions for the corridor.
- Relevant studies and coordination across government to prepare appropriate documentation for a MPA will be required and may take up to 12 months.
- While timeframes would be very tight, a second full line supermarket may be possible in this term of Government.

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BACKGROUND

The Framework

Development of the Framework is being informed by four distinct inputs as shown in [Figure 1](#).

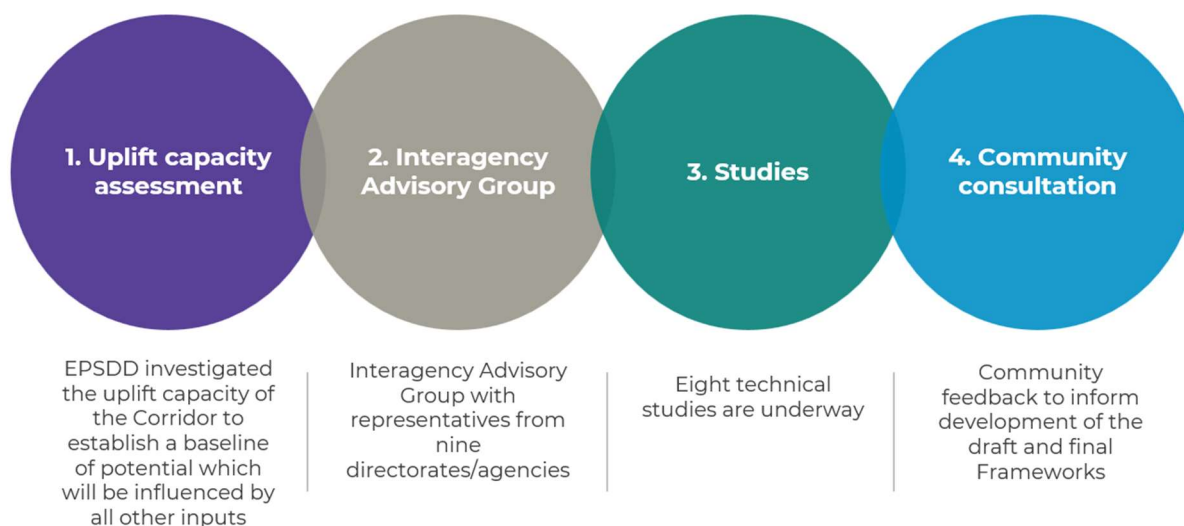


FIGURE 2: INPUTS INFORMING DEVELOPMENT OF THE FRAMEWORK

33. Of the eight studies being prepared to inform the Framework, seven are underway with another to anticipated to commence in Q3 2025. The outcomes of these studies will become available over the course of 2025. The studies are:

- Canberra Strategic Transport Model 2.0;
- community, sport and recreation needs assessment;
- development feasibility and sequencing;
- employment lands study;
- flood study;
- infrastructure capacity study;
- missing middle suitability study; and
- value capture.

Approved by: Dr Erin Brady, Deputy Director-General, Planning and Sustainable Development

18 March 2025

Meeting notes

Topic: Mawson / Athllon Drive Update – 20250319 meeting

Directorate: Environment, Planning and Sustainable Development Directorate

The Framework - Investigation sites

34. In addition to the work being undertaken by EPSDD on the Framework, SLA is separately, examining four distinct areas within the Southern Gateway study area (refer to **Attachment 1**) and beyond these areas.
35. SLA's investigations are meant to be focused on identifying potential opportunities for land release. To make this meaningful, the detail of what is needed to support release and the opportunities and challenges associated, is critical to work with EPSDD work on the Framework.
36. While the work produced by SLA provides a level of conceptual thinking, EPSDD has requested that a comprehensive methodology for conducting analysis and assessing feasibility is applied, so that options and suitable detail can be provided for ministerial and government consideration. Furthermore, it is important that outcomes of SLA work aligns with the broader objectives of the Framework.
37. SLA has not yet provided EPSDD with details of the timing of their investigative work or a work program for the work outlined in Attachment 3 and other sites in the corridor.
38. SLA has verbally provided dwelling yield figures, but these figures have been subject to change. EPSDD requires details on how these dwelling yield figures have been calculated to support the ILRP and other detailed planning work.

Approved by: Dr Erin Brady, Deputy Director-General, Planning and Sustainable Development

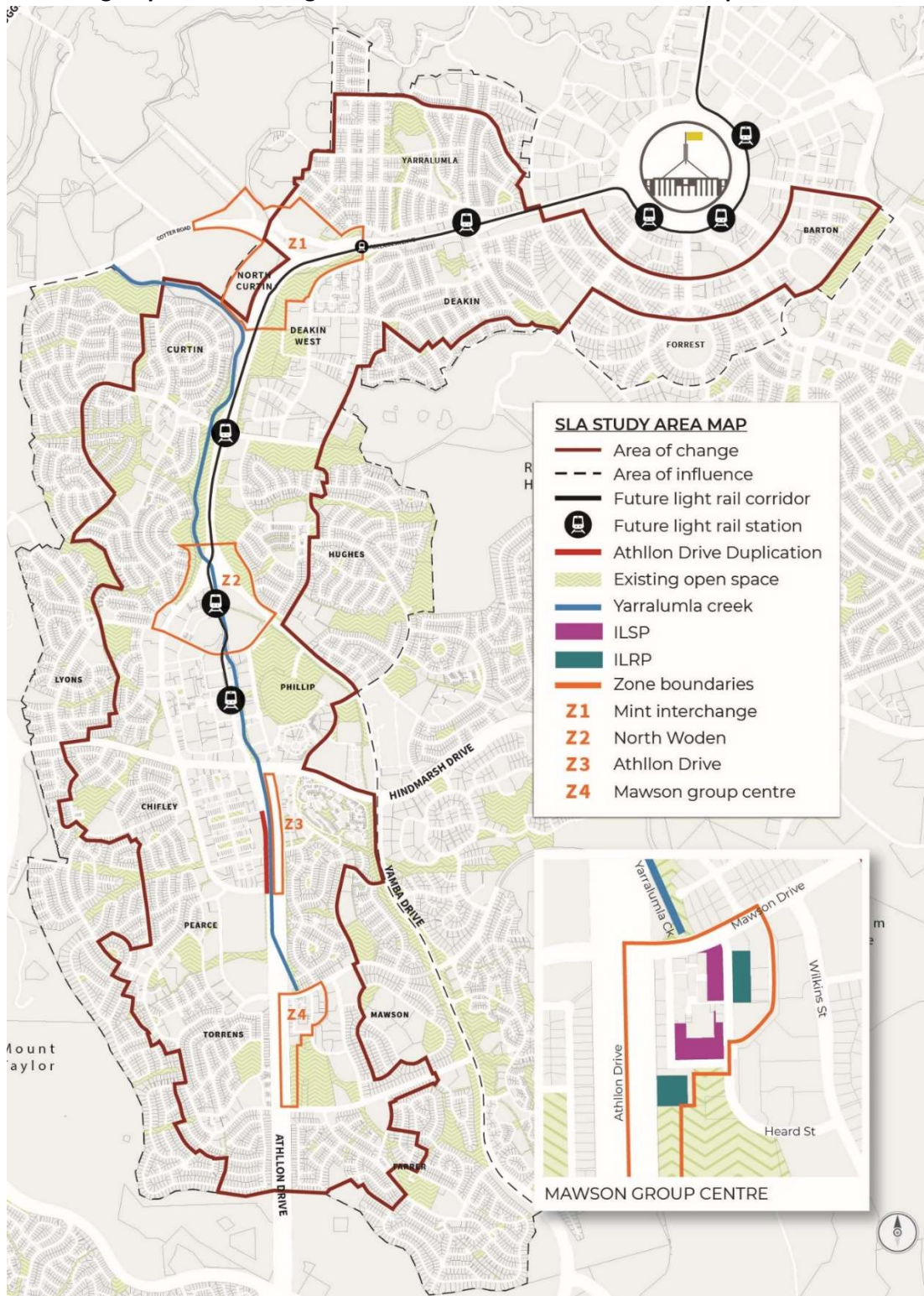
18 March 2025

Meeting notes

Topic: Mawson / Athllon Drive Update – 20250319 meeting

Directorate: Environment, Planning and Sustainable Development Directorate

ATTACHMENT 1 – Southern Gateway Study Area, SLA investigation sites, SLA Athllon Drive and Mawson group centre investigation sites and Athllon Drive area for duplication



Approved by: Dr Erin Brady, Deputy Director-General, Planning and Sustainable Development





18 March 2025

Meeting notes

Topic: Mawson / Athllon Drive Update – 20250319 meeting

Directorate: Environment, Planning and Sustainable Development Directorate

ATTACHMENT 2 – Summary of the studies and investigations undertaken by EPSDD and provided to the SLA (including block specific opportunities and risks analysis)

	Block 6 Section 57	Block 17 Section 46	Block 25 Section 46	Block 26 Section 47
Site				
Block Area	5202m ²	5049m ²	7658m ²	5147m ²
Current Use (approx. number)	228 car park	108 car park	224 car park	126 car park
Land Release Status	ILRP (2026/27)	ILSP	ILSP	ILRP (2027/28)
Site Investigations Completed (details see below)	SIR 2 (2018, 2019), tree survey (2021), Human Health Risk Assessment (2022), No RAP required. SIDRA traffic assessment.	SIR Stage 1	SIR Stage 1	SIR Stage 1 (2018), Site audit report (2022), stormwater pipe diversion options study (2024), contamination studies, Remediation Action Plan costings (2024)
Contamination Remediation (details see below)				Heavy metal contamination associated with imported fill. The remediation cost ranges from \$600k in the best case through to \$8.36m in the worst case, with likely costs between \$1.3m and 2.1m.
Site Works (details see below)				Relocation the existing 1800cm diameter SW pipe from through the block to the east, outside the block boundary. Will need to be developer cost. Estimated to be \$1.345m.
Further Site Investigations Recommended (details see below)	Stormwater catchment and capacity study (when development is known). Accident investigations	SIR2	SIR2	SIR2, RAP - any further contamination studies stormwater pipe diversion options study

Approved by: Dr Erin Brady, Deputy Director-General, Planning and Sustainable Development

18 March 2025

Meeting notes

Topic: Mawson / Athllon Drive Update – 20250319 meeting

Directorate: Environment, Planning and Sustainable Development Directorate

	Block 6 Section 57	Block 17 Section 46	Block 25 Section 46	Block 26 Section 47
	study (@Mawson Drive).			
Southern Gateway	Centre not yet considered	Centre not yet considered	Centre not yet considered	Centre not yet considered
District Strategy	700 additional jobs by 2050			
Flood Mitigation			TCCS completed stormwater diversion to Yarralumla Creek to protect Mawson Place from flooding (2024)	TCCS completed stormwater diversion to Yarralumla Creek to protect Mawson Place from flooding (2024)
Territory Plan Zoning	CZ1	CZ1	CZ3	CZ3 with a sliver of UOS to the south of the block. New block survey required to remove UOS from the block.
TP Building Heights	Max 2 storeys and 100% plot ratio (commercial zones tech specs)	Max 2 storeys and 100% plot ratio (commercial zones tech specs)	Max 2 storeys and 100% plot ratio (commercial zones tech specs)	Max 16m – approx. 4 Storeys (district policy)
TP Replacement Public Parking (District Policy)	Required and makes a substantial contribution to the long-term parking supply for the group centre	Required and makes a substantial contribution to the long-term parking supply for the group centre	Required and makes a substantial contribution to the long-term parking supply for the group centre	Site not specifically identified
TP District and Zone Policies (directly relevant and requiring consideration)	<ul style="list-style-type: none"> • Building design, active frontage, pedestrian routes and mid-block link requirements. • Residential use not permitted at ground floor (CZ Assessment Requirement) • Max GFA for office: 2000m² (CZ Assessment Requirement) 	<ul style="list-style-type: none"> • Building design, active frontage, pedestrian routes and mid-block link requirements. • Residential use not permitted at ground floor (CZ Assessment Requirement) • Max GFA for office: 2000m² (CZ Assessment Requirement) 	<ul style="list-style-type: none"> • Building design, active frontage, pedestrian routes and mid-block link requirements. • Encourage commercial development that supports but does not undermine the function of the CZ1 and CZ2 zones (Policy Outcome). • Internal shopping arcade or mall not permitted (CZ 	<ul style="list-style-type: none"> • Building design, active frontage, pedestrian routes and mid-block link requirements. • Encourage commercial development that supports but does not undermine the function of the CZ1 and CZ2 zones (Policy Outcome). • Internal shopping arcade or mall not permitted (CZ • Max GFA for office: 2000m² (CZ Assessment Requirement)

Approved by: Dr Erin Brady, Deputy Director-General, Planning and Sustainable Development

18 March 2025

Meeting notes

Topic: Mawson / Athllon Drive Update – 20250319 meeting

Directorate: Environment, Planning and Sustainable Development Directorate

	Block 6 Section 57	Block 17 Section 46	Block 25 Section 46	Block 26 Section 47
			Assessment Requirement). <ul style="list-style-type: none"> • Max GFA for office: 2000m2 (CZ Assessment Requirement) • Max GFA for shop selling food: 300m2 (CZ Assessment Requirement) 	<ul style="list-style-type: none"> • Max GFA for shop selling food: 300m2 (CZ Assessment Requirement).

Approved by: Dr Erin Brady, Deputy Director-General, Planning and Sustainable Development

18 March 2025

Meeting notes

Topic: Mawson / Athllon Drive Update – 20250319 meeting

Directorate: Environment, Planning and Sustainable Development Directorate

Block Specific Analysis

Block 6 Section 57			
Key Issues	Opportunities	Risks	Recommendations/ Gaps
Environmental / Contamination	<ul style="list-style-type: none"> Stage 2 SIR completed for the site in March 2021 by Cardno. Human Health Risk Assessment (HHRA) completed in 2022 found that the site was not impacted by any major contamination and did not require a RAP. 	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> A Detailed Site Investigation completed for the site in October 2022 and endorsed by the EPA. Site is suitable for development from a contamination perspective.
Stormwater Infrastructure	<ul style="list-style-type: none"> Overland flow on the site is well managed. 	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Once yield and layout of proposed development is finalised, stormwater catchment and capacity assessments may be required.
Flood	<ul style="list-style-type: none"> Subject site is not within 1% AEP flood levels and is under low flood risk. 	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> No action required for flood management.
Trees	<ul style="list-style-type: none"> Preserve regulated trees on the subject site. 	<ul style="list-style-type: none"> Removal of regulated mature trees on the site. 	<ul style="list-style-type: none"> Liaise with the conservator and TCCS Tree Protection Unit for any impact on the trees during development.
Traffic conditions/ Intersections	<ul style="list-style-type: none"> SIR 2 mentions that traffic generated from the subject site is likely to have a minor impact on the current level of traffic congestion. SIDRA analysis undertaken on intersections in proximity of the subject site. 	<ul style="list-style-type: none"> Accident investigation for intersections not undertaken to achieve a level of service. 	<ul style="list-style-type: none"> Prior to development further consultation with TCCS is required to establish constraints of existing intersection performance and additional pressures imposed by the proposed development.
Additional notes	<ul style="list-style-type: none"> The subject site is required to retain a total of 228 parking spaces to meet parking requirements under the ACT Parking and Vehicular Access Code (Parking spaces based on SIR1 desktop assessments). 		

Approved by: Dr Erin Brady, Deputy Director-General, Planning and Sustainable Development

18 March 2025

Meeting notes

Topic: Mawson / Athllon Drive Update – 20250319 meeting

Directorate: Environment, Planning and Sustainable Development Directorate

Block 17 Section 46			
Key Issues	Opportunities	Risks	Recommendations/ Gaps
Environmental / Contamination	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> SIR 1 does not provide site specific contamination assessment. 	<ul style="list-style-type: none"> Conduct land contamination assessment.
Stormwater Infrastructure	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Once yield and layout of proposed development is finalised, stormwater catchment and capacity assessments may be required.
Flood	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Nil 	<ul style="list-style-type: none"> N/A
Trees	<ul style="list-style-type: none"> Preserve regulated trees on the subject site. 	<ul style="list-style-type: none"> Removal of regulated mature trees on the site. 	<ul style="list-style-type: none"> Tree survey and tree damaging activity approval required.
Traffic conditions/ Intersections	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Consider road network upgrade to accommodate traffic from new development. 	<ul style="list-style-type: none"> Undertake a detailed traffic impact assessment including a micro simulation model of traffic network to assess network performance.
Additional notes	<ul style="list-style-type: none"> CZ1 (Core Commercial zone) Retain a total of 108 parking spaces (Parking spaces based on SIR1 desktop assessments). Stage 1 Site Investigation Report (SIR) for Mawson group centre completed by Stantec in September 2024. Stage 2 SIR would be needed before proceeding with the development in the subject site. 		

Approved by: Dr Erin Brady, Deputy Director-General, Planning and Sustainable Development

18 March 2025

Meeting notes

Topic: Mawson / Athllon Drive Update – 20250319 meeting

Directorate: Environment, Planning and Sustainable Development Directorate

Block 25 Section 46			
Key Issues	Opportunities	Risks	Recommendations/ Gaps
Environmental / Contamination	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> SIR 1 does not provide site specific contamination assessment. 	<ul style="list-style-type: none"> Conduct land contamination assessment.
Stormwater Infrastructure	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Once yield and layout of proposed development is finalised, stormwater catchment and capacity assessments may be required.
Flood	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Nil 	<ul style="list-style-type: none"> N/A
Trees	<ul style="list-style-type: none"> Preserve regulated trees on the subject site. 	<ul style="list-style-type: none"> Removal of regulated mature trees on the site. 	<ul style="list-style-type: none"> Tree survey and tree damaging activity approval required.
Traffic conditions/ Intersections	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Consider road network upgrade to accommodate traffic from new development. 	<ul style="list-style-type: none"> Undertake a detailed traffic impact assessment including a micro simulation model of traffic network to assess network performance.
Additional notes	<ul style="list-style-type: none"> CZ3 (services zone) Retain a total of 224 parking spaces (Parking spaces based on SIR1 desktop assessments). Stage 1 Site Investigation Report (SIR) for Mawson group centre completed by Stantec in September 2024. Stage 2 SIR would be needed before proceeding with the development in the subject site. 		

Approved by: Dr Erin Brady, Deputy Director-General, Planning and Sustainable Development

18 March 2025

Meeting notes

Topic: Mawson / Athllon Drive Update – 20250319 meeting

Directorate: Environment, Planning and Sustainable Development Directorate

Block 26 Section 47			
Key Issues	Opportunities	Risks	Recommendations/ Gaps
Environmental / Contamination – subject site’s proximity to a potentially contaminated site (service station).	<ul style="list-style-type: none"> Potential mixed-use development on the site. 	<ul style="list-style-type: none"> Stage 1 SIR found concentrations of heavy metals on the block. High remediation cost. 	<ul style="list-style-type: none"> Conduct land contamination assessment and develop Remediation Action Plan (RAP) for EPA endorsement.
Stormwater Infrastructure	<ul style="list-style-type: none"> Conduct storm water modelling to verify the capacity of the stormwater network servicing the subject site. 	<ul style="list-style-type: none"> Relocate stormwater line running through the middle of the block. TCCS has agreed to relocate the 1800 diameter SW line towards east outside the block boundary but will be developer-initiated project. Potential project delay and cost overrun. Estimated cost for relocation is \$ 1,345,344.00. 	<ul style="list-style-type: none"> Existing and proposed stormwater infrastructure may not have sufficient capacity due to the size of upstream catchment on the subject site. Storm water modelling should be conducted to verify network capacity.
Flood	<ul style="list-style-type: none"> Consider potential flood risks in future development. 	<ul style="list-style-type: none"> Major overland flow path along the eastern and northern boundaries of the subject site. Flooding risk during heavy rainfall events. 	<ul style="list-style-type: none"> Though the subject site is not within 1% AEP, however, due to its proximity to major overland flow paths and Yarralumla Creek, risk of flooding may still be present.
Trees	<ul style="list-style-type: none"> Preserve potential regulated mature trees on the periphery of the subject site in line with Urban Forest Act 2023. 	<ul style="list-style-type: none"> Removal of regulated mature trees on the site. 	<ul style="list-style-type: none"> Tree survey and tree damaging activity approval required. Undertaking construction activities around the trees may be subject to ACT Parks and Territory Services, ACT Heritage Council and EPSDD Conservator of Flora and Fauna’s approvals.

Approved by: Dr Erin Brady, Deputy Director-General, Planning and Sustainable Development

18 March 2025

Meeting notes

Topic: Mawson / Athllon Drive Update – 20250319 meeting

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Traffic conditions/ driveway	<ul style="list-style-type: none"> Consider road network upgrade to accommodate traffic from new development. 	<ul style="list-style-type: none"> Existing driveway over 8 stormwater box culverts may require upgrade resulting in additional costs and delay in timeframe. 	<ul style="list-style-type: none"> TCCS may require considering road network upgrade as the site is within traffic catchment of road network that is predicted to experience high level of congestion. Undertake a detailed traffic impact assessment including a micro simulation model of traffic network to assess network performance.
Additional notes	<ul style="list-style-type: none"> Existing parking capacity on the site is 126 parking spaces ((Parking spaces based on SIR1 desktop assessments). Stage 1 Site Investigation Report (SIR) for Block 26 Section 47 was completed by Cardno in December 2018. Stage 2 SIR would be needed before proceeding with the development in the subject site. 		

Approved by: Dr Erin Brady, Deputy Director-General, Planning and Sustainable Development

18 March 2025

Meeting notes

Topic: Mawson / Athllon Drive Update – 20250319 meeting

Directorate: Environment, Planning and Sustainable Development Directorate

ATTACHMENT 3 – SLA Work – Mawson Group Centre and Athllon Drive (March 2025)

Note this presentation has been presented to EPSDD in late-February and copy provided mid-March.

Note this material is marked Cabinet and will be provided separately.

Approved by: Dr Erin Brady, Deputy Director-General, Planning and Sustainable Development

18 March 2025

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Environment, Planning and Sustainable Development Directorate

To:	Minister for Climate Change, Environment, Energy and Water	Tracking No.: 25/0154150
Date:	30 March 2025	
From:	Deputy Director-General, Environment, Water and Emissions Reduction	
Subject:	2025 Review of the Commissioner for Sustainability and the Environment	
Critical Date:	1 April 2025	
Critical Reason:	To commence the recruitment processes for an interim Commissioner for Sustainability and the Environment.	
	• DDG, Environment, Water and Emissions Reduction	30/03/2025

Recommendations

That you:

1. **Note** the paper 'Commissioner for Sustainability and the Environment: First Pass Role Review' (Attachment A).
Noted / Please Discuss
2. **Agree** to initiate a reform process to refine the Commissioner's role to be more in line with its original intent.
Agreed / Not Agreed / Please Discuss
3. **Agree** to a position description for a Commissioner (interim) to advance the change process (Attachment B).
Agreed / Not Agreed / Please Discuss
4. **Agree** to appoint a Commissioner (interim) for a 12-month period, to commence the change process.
Agreed / Not Agreed / Please Discuss
5. **Sign** the letter to the Chief Minister to request an exemption from the requirement for Cabinet consideration of the interim appointment (Attachment C).
Signed / Please Discuss

Suzanne Orr MLA

31/03/25

Minister's Office Feedback

Background

1. In January 2025, you were briefed (25/0004886) on the need to progress the Interim Appointment process for the Commissioner for Sustainability and the Environment. As part of this, you supported the Environment, Planning and Sustainable Development Directorate (EPSDD) to undertake a quick review of the role and request for exemption for Cabinet consideration of the interim appointment.
2. The current Commissioner, Dr Sophie Lewis, concludes her term on 30 April 2025 and there is an opportunity at this juncture to review and refine the position. EPSDD has commissioned a first pass review to see if change is warranted.
 - a. The paper 'Commissioner for Sustainability and the Environment: First Pass Role Review' presents a prima-facie case for change.
3. The paper notes that Commissioner-style roles have great variation in their functions and arrangements, both within the ACT and across jurisdictions. There is no one model for an effective commissioner, but there are important choices to be made depending on objectives.
4. The *Commissioner for the Environment ACT 1993* created the Commissioner role and legislative amendments have shifted the role's purpose over time.
 - a. Initially, the Commissioner was given similar powers to the ACT Ombudsman but limited to environmental matters. The original Commissioner was an auditor with investigative powers to hold the Executive accountable for their management of the environment and compliance with their own regulations.
 - b. Over time, the Commissioner's remit expanded to include sustainability and gained new responsibilities - such as enhancing understanding and advocating for best practices around environmental and sustainability issues. Thus, the role grew to include a broad advisory function alongside its originally intended auditor functions.
5. Additionally, you supported the progression of an exemption from Cabinet consideration of the interim appointment to the Chief Minister. The exemption request was not supported by the Chief Minister at that time.

Issues

Summary

6. The paper notes that there is a inconsistency at the heart of the Commissioner's functions.
 - a. The Commissioner has a range of coercive powers that, while suitable for an investigator or auditor role, are likely inappropriate for an advisor-style role. In short, 'As a rule, you can police government policy, or debate it, but you can't do both.'
7. There is a continuing need for an independent compliance role to oversee the ACT's environmental policy, programs and outcomes. However, the Commissioner's audit functions and powers have not been particularly well leveraged.
 - a. There is an opportunity for the Commissioner's tasking to expand into more granular review of workflows and deliverables at the sub-entity and whole-of-government levels.
8. The value of an open-ended advisory function on environmental issues within the ACT Government is not directly obvious. The inconsistency in the Commissioner's functions needs to be rectified to ensure that the Commissioner is effective and fit-for-purpose and serves our current operational needs.
9. The two models proposed for consideration are the Auditor and the Advisor.

Option 1: The Auditor (Recommended)

10. Auditor models are frequently selected as a safe pair of hands. Their purpose is to support accountability and transparency through independent reporting, similar to the function the ANAO provides to the Commonwealth Parliament and thereby contribute to improved public sector performance (ANAO 2024). It would form part of an established part of executive government, working as a collaborative watchdog on the operation of ACT Government entities.
11. The Auditor would publish an annual audit work program in July each year and has extensive powers to access documents and information in support of its legislated mandate. Key outputs could include financial and performance audits, annual performance statements for the ACT Government, and periodic insight papers. Other notable characteristics of this model could include:
 - a. Reviews are 'backwards looking', and subject to tight scope.
 - b. Reports are tabled in the Legislative Assembly and are subject to government acceptance/rejection.
 - c. Once accepted, report findings are policy.
12. The draft position description (Attachment B) aligns with this model.

Option 2: The Advisor

13. Advisor models are frequently chosen for their blue sky thinking. Their purpose is to help make better policies in the long-term interest of their chosen sector, similar to the function the Productivity Commission provides to Commonwealth Government and Australian community (PC 2024). This model focuses in on the broad cross-section of ways that their sector may achieve a more productive and efficient way of working.
14. The Advisor contributes by providing quality independent advice to their sector and by communicating ideas and analysis. It would be an agency of the ACT Government and would sit within an ACT Government Directorate, it would not administer government programs or exercise executive powers. Other characteristics of this model could include:
 - a. Reviews that are broad, often with a very wide scope.
 - b. Reports may be requested by government or self-initiated.
 - c. Reports are provided to the relevant ACT Government Directorate in the first instance.

Next Steps

15. Given the impacts of the Machinery of Government Changes and the recommendations discussed above, EPSDD recommends that an interim Commissioner be appointed for a period of up to 12 months, allowing the Machinery of Government changes to be bedded down and to allow the advancement of the change process.
16. To progress the interim appointment of the Commissioner, EPSDD recommends that you write to the Chief Minister to seek an exemption from Cabinet consideration. The exemption will be sought on the basis that the appointment is short-term, that continuity of the current legislated role is important to meet statutory obligations, and that the role will advance the change process as detailed in Attachment A. Following this, a full Cabinet process will be undertaken for the long-term appointment of the Commissioner. A draft letter to the Chief Minister is at Attachment C.
17. The Interim Commissioner will commence the implementation of proposed reforms for the role, the proposed timeline and details of this are included on slide 18 of Attachment A.

Financial Implications

18. Recruitment costs will be internally managed by the Office of the Commissioner for Sustainability and the Environment.

Consultation

Internal

19. N/A.

Cross Directorate

20. EPSDD has consulted with Chief Minister, Treasury and Economic Development

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Directorate, including Cabinet Office and the Office for Industrial Relations and Workforce Strategy.

Work Health and Safety

21. Nil response.

Benefits/Sensitivities

22. The goal of this review is to ensure that the Commissioner's role is fit-for-purpose and performs a more appropriate role within the ACT's environmental policy and program space.
23. Expanding the Commissioner's workload into ACT government directorates and entities workstreams would increase its value in a tight budgetary environment.
24. Undertaking this exercise could allow for the creation of a general model for reviewing and refining commissioner roles in the future.
25. Reviewing and subsequently refining the Commissioner's role could be interpreted as a critique of previous commissioners.
26. Draft Position Description for Interim Commissioner (as detailed in Attachment B) should be reviewed by the ACT Government Solicitor Office to ensure that it is consistent with the *Commissioner for Sustainability and the Environment Act 1993*.

Communications, media and engagement implications

27. Media interest throughout the proposed review and refinement process is anticipated to occur. Talking points and a communication strategy will be developed in due course.

Signatory Name: Geoffrey Rutledge Phone: 75001

Action Officer: Jessica Round Phone: 54887

Attachments

Attachment	Title
Attachment A	Commissioner for Sustainability and the Environment: First Pass Role Review
Attachment B	Draft Position Description for Interim Commissioner
Attachment C	Exemption Letter to the Chief Minister



ACT
Government



STRATEGY and
TRANSFORMATION
OFFICE

COMMISSIONER FOR SUSTAINABILITY & THE ENVIRONMENT

FIRST PASS ROLE REVIEW

MAR 2025

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FOREWORD

CASE FOR CHANGE

The Commissioner for Environment & Sustainability role needs review

This report makes the case that over the last three decades the Commissioner's role has evolved into a hybrid, with functions that are potentially inconsistent.

Over time, we have created a position that tries to be all things to all stakeholders, and in doing so, have either set it up for failure or left it entirely open to the discretion of incumbents.

To deliver consistent value to the Territory, what the role needs in 2025 is a return to fundamentals.

The Commissioner entity began its life in 1994 as an environmental partner to the ACT Ombudsman, and to regain effectiveness, it should return to a contemporary version of that original model.

In embarking on this journey, the role will need to be pruned of some functions and augmented with others. This process needs to be purpose-driven and strategic, and to avoid the temptation of 'picking and choosing' aspects of the role for special attention.

A 12-month transition period is proposed, with an interim Commissioner to assist in guiding the change agenda.

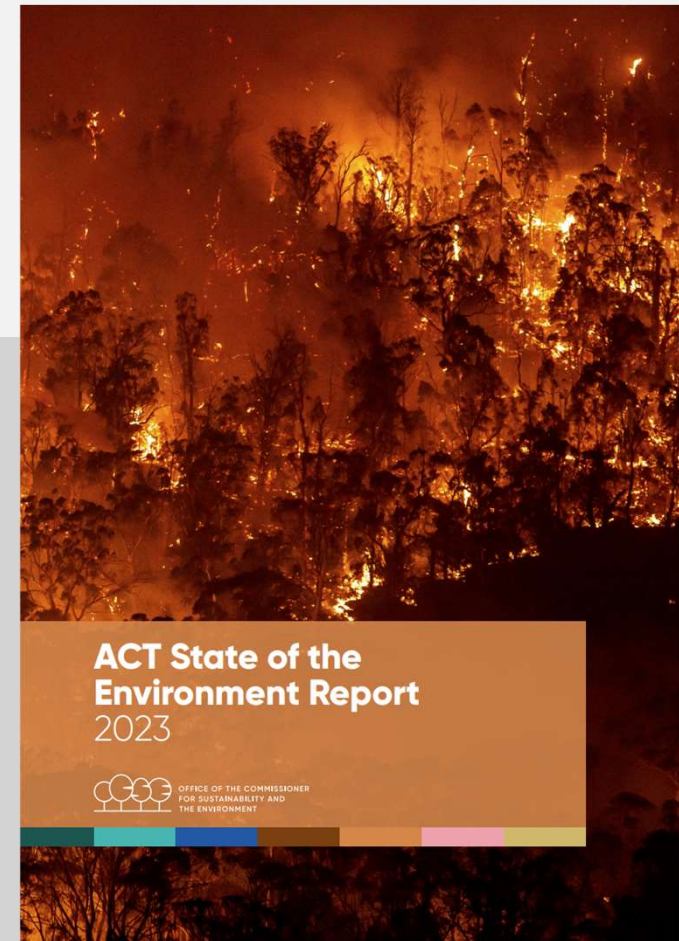


Figure 1: *ACT State of the Environment Report (2023)*, published every four years covers several objectives, including assessment of environmental conditions, policy progress and recommendations, and community engagement.

ISSUES & SENSITIVITIES

SCOPE & LIMITATIONS

This report is a first pass attempt to answer, ‘Do we have an issue here?’

The term of the Commissioner for Sustainability and the Environment is due for reappointment in May 2025. Prior to this process, EPSDD engaged the STO to understand how this role functions in other jurisdictions, and whether any lessons can be learned and incorporated into the ACT role.

The STO was asked to:

- Review the role of the Commissioner to promote better outcomes for the ACT community and surrounding environment.
- Identify opportunities for better practice within the functions and services provided by this key role.
- Document findings in a Position Description for the role of the Commissioner for Sustainability and the Environment.

This review was a first pass of the topic, and was conducted largely as a desktop analysis exercise. It did not include engagement with the majority of key stakeholders, especially community groups with environmental and sustainability interests.



Figure 2 Seven individuals have held the office of Commissioner for the Sustainability and the Environment since 1994. Dr Sophie Lewis is the current incumbent. OCSE *Strategic Plan 2020-23* presents strategic direction of the office.

EXPECTATIONS

The Commissioner role is positively perceived; we need to build on this

Over the last 30 years, the Commissioner for Sustainability and the Environment has become a respected and trusted voice in the ACT community.

Investigative reports and other collateral from the Commissioner's Office – such as the recent wood heaters report – are seen as authoritative and reliable.

Any changes to the Commissioner's role will be viewed against this largely positive history, influencing ongoing perceptions and expectations.

Environmental and sustainability issues are front and centre for most Canberrans. The ACT ranks highly in environmental quality and wellbeing (Figure opposite refers). The office of the Commissioner is a part of the ecosystem that has delivered this outcome, a result the vast majority of Canberrans would be reluctant to jeopardise.

A key challenge for most reform and improvement tasks is how to build on what works.

Fortunately, the Commissioner role is not fundamentally 'broken' and there is much to build on from the established role.

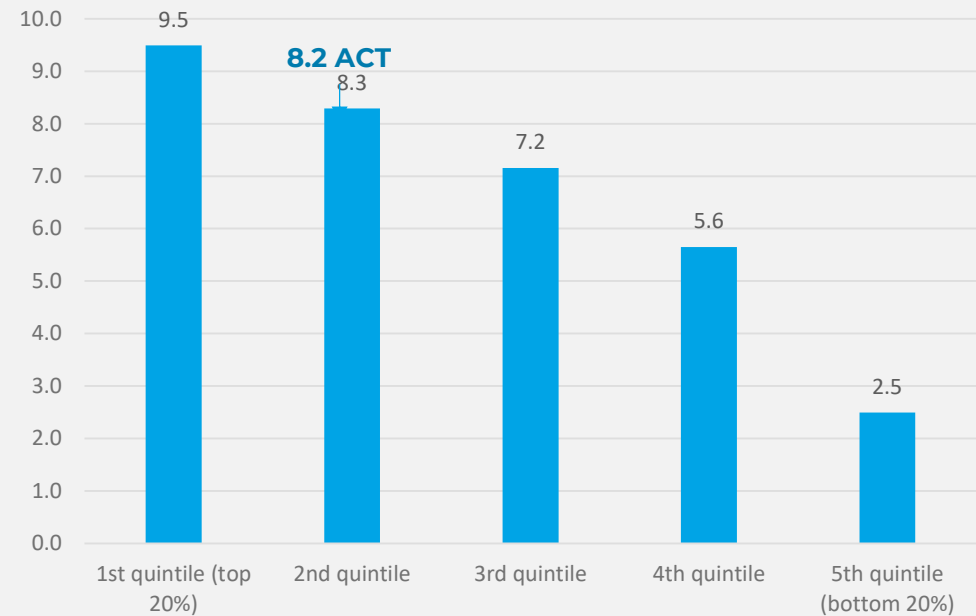


Figure 3: Environmental quality index for 487 jurisdictions worldwide, drawn from the OECD regional wellbeing survey (OECD 2022), divided into quintiles (20% bins) with averages out of 10 for each. ACT is in an envious position at 8.2/10.

ROLE ACCRETION

The Commissioner role has expanded horizontally and vertically over time

The original 1993 Act created the Commissioner role to:

- **Periodically report on the environment.** Provide regular and consistent assessments of environmental conditions and management in the ACT
- **Investigate the ACT Government's handling of the environment.** Investigate complaints about the management of the environment by the Territory or its agencies, and issues related to ecologically sustainable development
- **Undertake special investigations:** directed by the Minister and on their own initiative



The 2012 amendment of the Act expanded the role to:

- **Track sustainability progress:** Monitor and report on the Territory's advancements towards ecologically sustainable development (ESD).
- **Support informed decision-making:** Encourage policies and actions that align with sustainability principles.
- **Enhance understanding:** Promote awareness of environmental and sustainability issues.
- **Advocate for best practices:** Drive sound environmental practices across ACT's government agencies.

Figure 4: The shifting intent of the Commissioner's role. The Commissioner role we have today is a hybrid administrative entity and may suffer from strategic over-reach as a result.

The *Commissioner for the Environment Act 1993* (ACT) created the role of the Commissioner with powers similar to the ACT Ombudsman. The role was limited to matters relating to the 'environment' and designated the 'Commissioner for Environment'.

In 2003 and 2007, community consultation persuaded the government of the day that the role should cover sustainability measures as well, and the Commissioner began working on 'sustainability' ahead of changes to the legislative environment.

In 2012, an amendment included this work in the Act and renamed the Commissioner role the 'Commissioner for Environment and Sustainability'.

To a significant extent, the new role saw a horizontal expansion of the Commissioner's powers and responsibilities, not just vertical integration. The addition of the sustainability work made sense from a policy or topical domain perspective and promised greater vertical depth in the Commissioner's role. But it was also coincident with the horizontal accretion of new organisational functions, turning the original ombudsman model into something else.

FIRST PRINCIPLES

First principles analysis suggests some functional inconsistency

We asked some very basic questions about the defining features of ‘commissioners’ in general (Parrish 2024)..

The graphic opposite lists alphabetically 14 ideal type functions of commissioners in the UK/Canada/NZ/Australia administrative tradition. They range from community advocate to workforce leadership. No one Commissioner would *or should* tick off on all these attributes, but getting the mix right is key to making any role effective and efficient.

As noted previously, the Commissioner’s role has accumulated new areas of interest *and* functions over time – both vertical and horizontal expansion.

Looking at the chart opposite, it is apparent that the role now covers functions involving both coercive powers and soft persuasion/advisory powers. This is an inconsistency: it’s hard to be a pure advisor when you can require compliance.

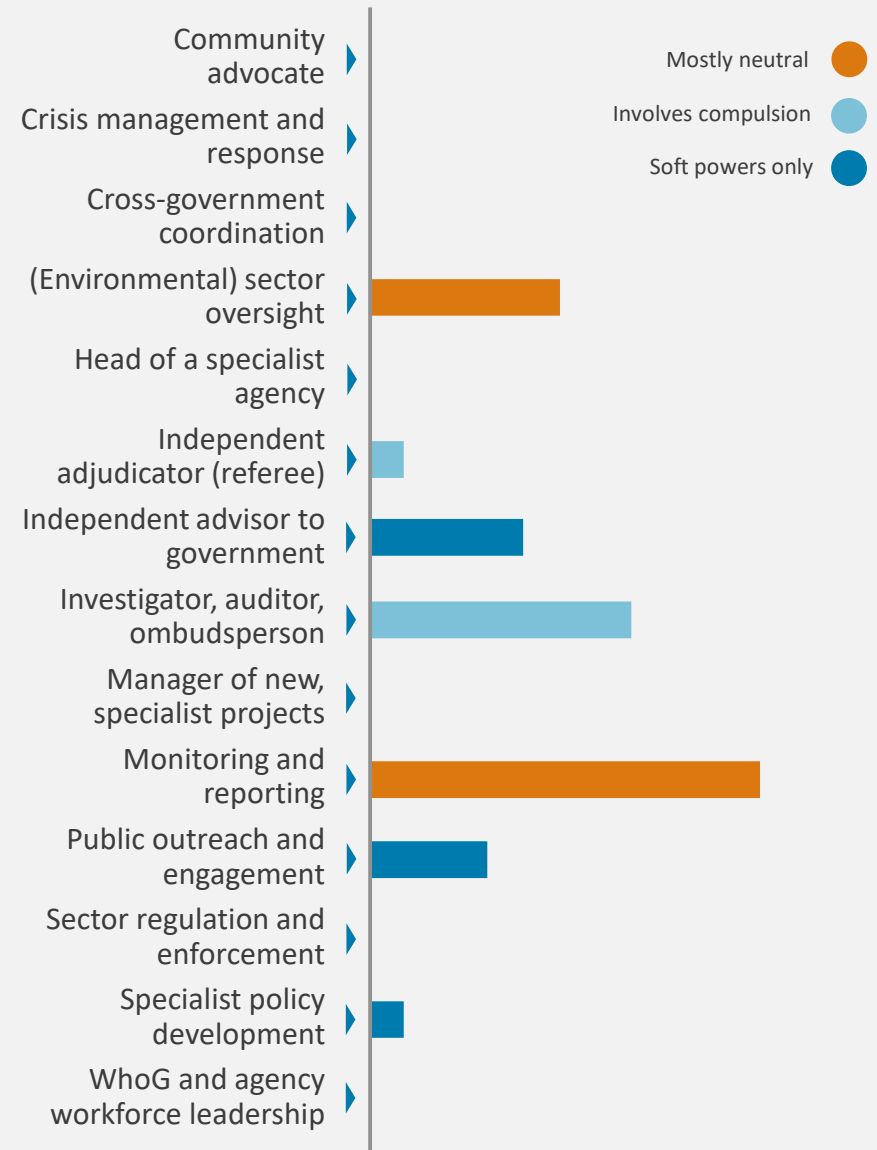


Figure 5: *Stylised display of functions*. For demonstration only. The Commissioner is both an enforcer and a persuader. Some functions are unaffected (e.g. sector oversight and M&R), but there is potential for contradictions in others.

CASE ANALYSIS

The case analysis points to the need to handle compulsion appropriately

Environment Commissioners Across Jurisdictions				
	VICTORIA	CANADA	NEW ZEALAND	WALES
Role Description	Provides independent scientific reporting to inform policymakers, scientists, and the wider Victorian community on the state's natural environment support economic sustainable	Provides parliamentarians and Canadians with objective, independent analysis and recommendations on the federal government's	Independent Officer of Parliament. Reports on the implementation of NZ environmental laws and government policies and can investigate actions of	Supports public bodies in Wales to think about the long-term impact of their decisions, to work better with people, communities and each other, and to
Legislative basis	Commissioner Environment Sustainability Link			
Functions	(1) Review, monitor, and report on environmental sustainability (2) Contribute to development (3) Advocate (4) No investigative powers			

Commissioner Roles Across the ACT					
	HRC	Ombudsman	ESAC	PSSC	CIE
Role Description	Independent Statutory Officer, President of the ACT Human Rights Commission. An investigative, oversight and advisory role focused on human rights with managerial responsibilities.	Independent Officer of the Legislative Assembly. An investigative and complaints handling role focusing on the actions of the public service and freedom of information obligations of government.	Statutory Office filled by a public servant appointed by a Director-General. Manager of the ACT Emergency Service, ACT Ambulance Service, ACT Fire and Rescue Service and the ACT Rural Fire Service.	Independent Statutory Officer. Supported by the Public Sector Unit. An investigative, advisory, complaints-handling and advocacy role focused on the conduct of public servants.	An Executive Office within CMTEDD. Head of the Office of International Engagement. An advocacy and management role to pursue Canberra's goal to become an internationalised city.
Legislative basis	Human Rights Commission Act 2005. Link	Ombudsman Act 1989. Link	Emergencies Act 2004. Link	Public Sector Management Act 1994. Link	Not a statutory position, created by executive.
Functions	Manages the Human Rights Commission; Oversees and investigates ACT Government / Government Agencies' human rights compliance; Advises on human rights compliance; Intervenes in significant court cases; Provides public education on human rights.	Investigates complaints regarding actions of the ACT Government / Government Agencies' that are not covered by the HRC or OCSE; Reviews decisions related to Freedom of Information requests; Oversees ACT Policing and ACT Integrity Commission.	Responsible for the strategic direction and management of the emergency services; Responsible for community education, awareness and preparedness for emergencies; Provides emergencies-related advice on planning and development matters.	Conducts investigations on the direction of the Chief Minister, or on own initiative, into matters of misconduct within the public sector; Provides advice to Chief Minister on matters arising from said investigations; Promotes the observation of ACTPS values;	Leads the Office of International Engagement (OIE); Oversees ACT Government international engagement activities on a whole-of-government basis; Hosts events to promote Canberra internationally; Manages sister-city and friendship city relationships.

*Petitions en submitted as

Figure 6: The case material suggests we have avoided a critical choice in how we structure the Commissioner role: it mixes elements of both compulsion and persuasion, hard and soft powers, with neither fully bottomed out. For a Commissioner that polices policy, and for one that debates it, see the Environment Act 1986 (NZ) and the Commissioner for Environmental Sustainability Act 2003 (VIC) respectively.

We reviewed the ACT Commissioner for Sustainability and the Environment role alongside a series of direct comparators, including:

- Commissioner for Environmental Sustainability, Victoria
- Commissioner for the Environment and Sustainable Development, Auditor General of Canada
- Parliamentary Commissioner for the Environment, New Zealand
- Commissioner for Future Generations, Wales.

We also reviewed some indirect comparators across ACT Government (ESA Commissioner, Public Sector Standards Commissioner, etc).

Powers of compulsion, especially investigative powers, are typically tightly circumscribed, and exercised within narrow operational constraints and domains. We could only find one example where a commissioner with coercive powers in a set domain also had a mandate to engage the community or government openly as a public intellectual (NZ Environment Commissioner). As a rule, you can police government policy, or debate it, but you can't do both.

TWO MODELS

The Auditor and the Advisor are an analogy for the core choice

Info boxes: The two models are mutually exclusive. The coercive powers of audits come with tight control over scope, while the freedom to explore policy options comes with a purely advisory role

1. THE AUDITOR

The Auditor's purpose is to support accountability and transparency through independent reporting, similar to the function the ANAO provides to the Parliament and thereby contribute to improved public sector performance (ANAO 2024). It would form part of an established part of executive government, working as a collaborative watchdog on the operation of ACT Government entities.

Similar to the ANAO, the Auditor would publish an annual audit work program in July each year and has extensive powers to access documents and information in support of its legislated mandate. Key outputs could include financial and performance audits, annual performance statements for the ACT Government, and periodic insight papers. Other notable characteristics of this model could include.

Other notable characteristics:

- Reviews are 'backward looking', and subject to tight scope
- Reports are tabled in Parliament and subject to government acceptance/rejection
- Once accepted, report findings are policy.

Auditors are frequently selected as a 'safe pair of hands.'

2. THE ADVISOR

The Advisor's purpose is to help make better policies in the long-term interest of their chosen sector, similar to the function the Productivity Commission provides to Commonwealth Government and Australian community (PC 2024). This model focuses in on the broad cross-section of ways that their sector may achieve a more productive and efficient way of working.

Similar to the Productivity Commissioner model, the Advisor contributes by providing quality independent advice to their sector and by communicating ideas and analysis. They would be an agency of the ACT Government and would sit within an ACT Government Directorate, it would not administer government programs or exercise executive powers.

Other characteristics:

- Reviews can be broad ranging, often with very wide scope
- Reports may be requested by government or self-initiated
- Reports are provided to Treasury in the first instance

Advisors are frequently chosen for their blue skies thinking.

ROADMAP FOR CHANGE

ONE CLEAR CHOICE

The Auditor model is the preferable path forward for several reasons

The Commissioner for Environment and Sustainability has evolved into a hybrid role, with features of *both* a pure advisory model (like the Productivity Commission (PC)) and a formal investigative/audit entity (like the Australian National Audit Office (ANAO)).

Consolidating the second of these models should be the basis for change because:

- The original purpose of the role was closely influenced by the need for a compliance watchdog in the ACT environment policy and program space. This need continues.
- The investigative function, along with partner activities, could be usefully and predictably expanded with workstreams tied to multiple ACT Government directorates and entities, and
- The value-add of an open-ended advisory function on environmental issues within the ACT Government is not directly obvious. It remains latent, but is a practical possibility given the enabling provisions of the legislation.

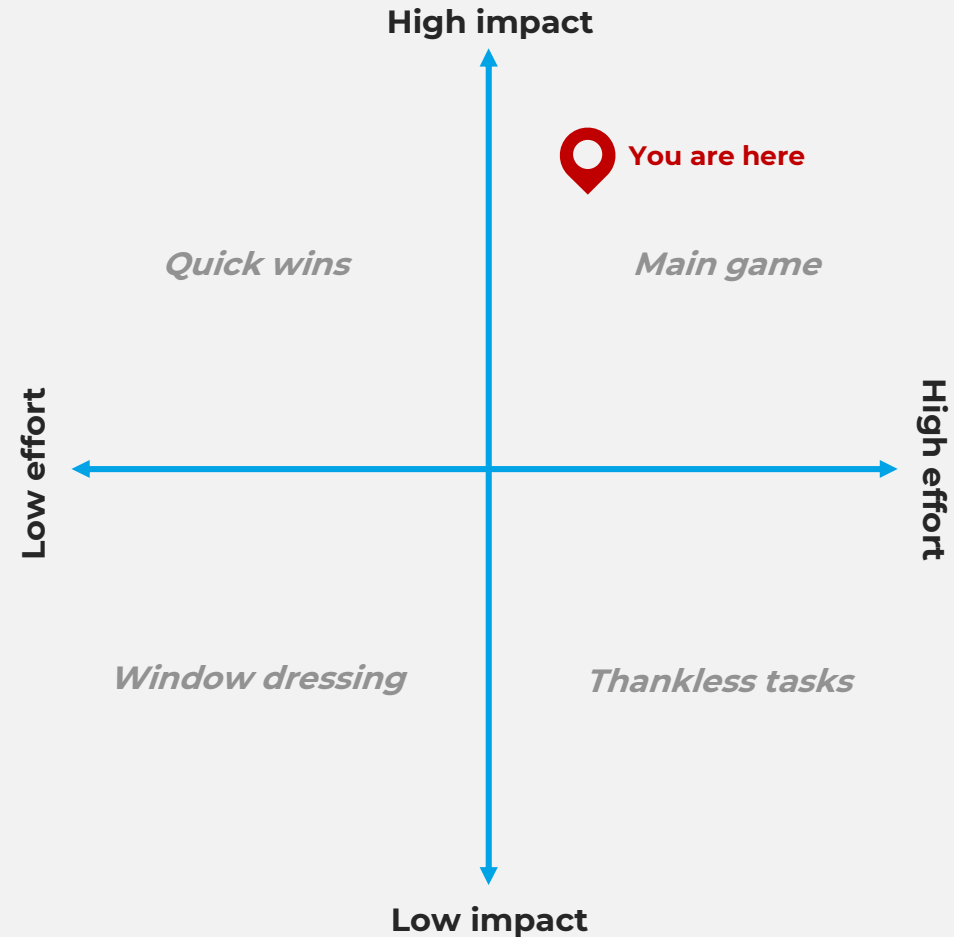


Figure 7: *Effort-impact matrix*. In addition to the rationale presented opposite, choosing to return to the Commissioner’s investigative roots as the basis for reform promises large returns at least cost consistent with the 80/20 rule. See SaferCare Vic (2024) for a brief overview of effort-impact matrixes

SHARPER FUNCTIONS

We should sharpen then extend the Commissioner's powers & functions

Currently, the Commissioner role has significant executive powers based on its investigative function, which can be triggered by an external complaint, the Minister's request, or as a proactive undertaking by the Commissioner's office.

If the Commissioner believes an ACT Government entity has information that would contribute to an investigation, it can require the provision of this material and enter the physical premises of the entity.

In the first instance, we propose the introduction of an annual schedule for reviews, to be agreed with the Assembly at the start of the reporting period. Any deviation from this would have to be re-prosecuted. The schedule would reflect a balance of priorities across the Assembly, Executive, Commissioner and other parties.

At the same, the routine work of the Commissioner would be increased to include, among other things, a program of formal reviews for relevant deliverables across government (e.g. environmental plans).

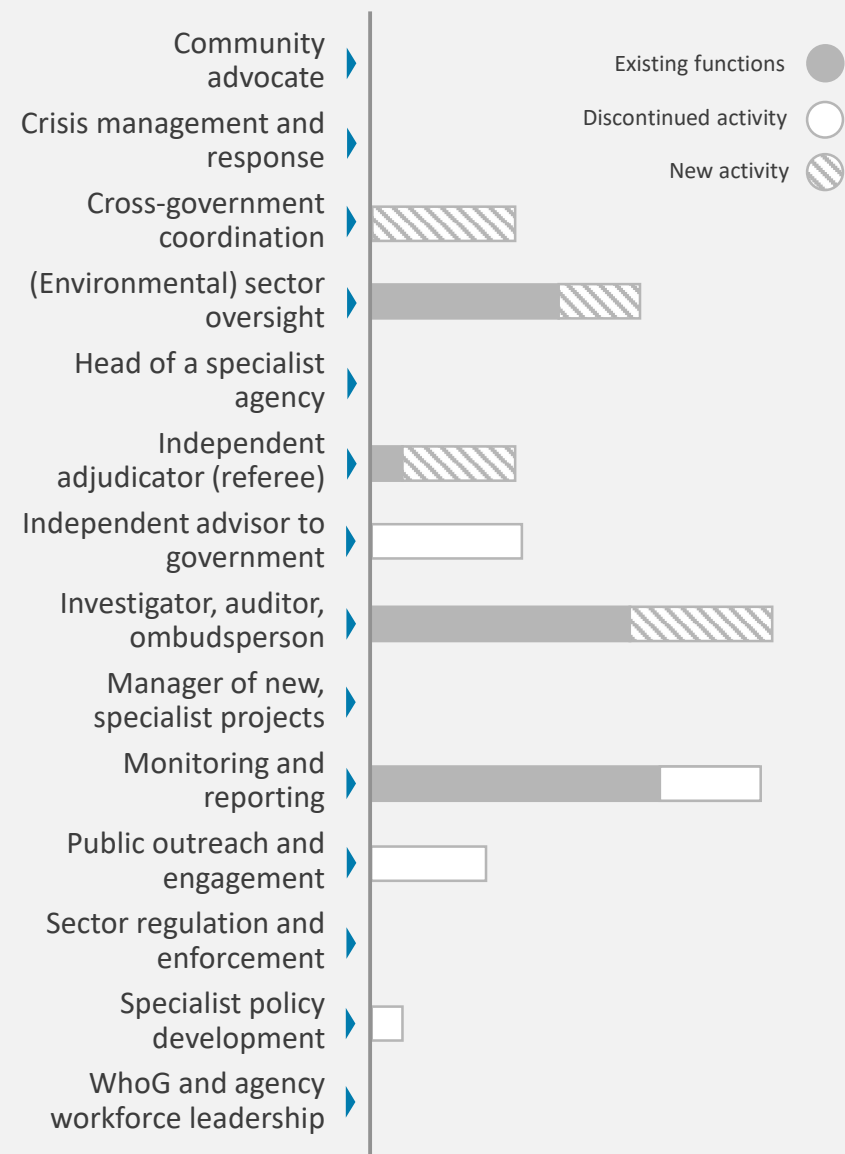


Figure 8: *Stylised display of functions..* The changes proposed here would bring the role into line with its original intent and better exploit the opportunities in that model. For information on ideal-type analysis, see Stapley et al (2022)

REFINED OUTPUTS

We could also expect refinement of the Commissioner's deliverables

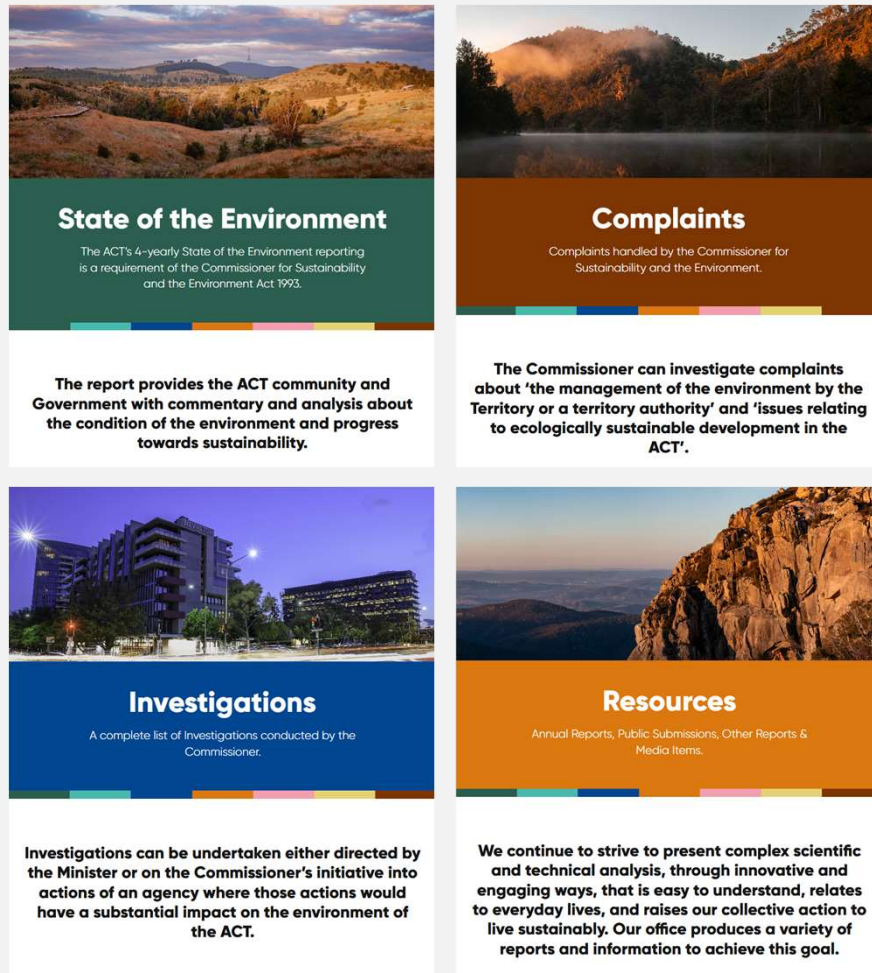


Figure 9: Snapshot of deliverables. The Office of the Commissioner produces a range of outputs that are a mix of 'how things are' and 'how things should be'. OCSE (2020) and OCSE (2024) formed the basis of this analysis.

We conducted a select review of reports developed by the Commissioner's Office over the last decade, comparing materials against a continuum of 'how things are' on one end and 'how things should be' on the other.

The difference between the two types of reporting is subtle. It's useful to see the 'how things are' work as a type of evaluation exercise (similar to the reports conducted under ANAO's Annual Work Program), while the 'how things should be' work involves a return to first principles (similar to the self-initiated research conducted by the PC).

Almost all work produced by the Commissioner is a mix of these two ideal types, although to varying degrees.

Public submissions and investigations conducted by the Commissioner's office (ministerial and own initiative) lean towards the latter, as do some of the miscellaneous reports, while the State of the Environment and annual reports lean towards the former.

Overall, however, the style of these documents tends to have an audit feel, irrespective of purpose.

It may be advisable to standardise this as the 'Commissioner's craft' and to pare back work in the 'should be' space.

CLEARER PURPOSE

The strategic intent of the Office of the Commissioner also needs attention

Once the formal structure of the Commissioner role is settled, attention can turn to the question of strategic intent. This should include revision of the Office's

- Vision statement
- Mission statement
- Strategic goals, and
- Values.

Draft material on vision and mission is included opposite, as a before and after snapshot. On goals, options could include:

- To conduct transparent and robust environment and sustainability audits based on best practice science and evaluation principles, and
- To promote accountability and impart community confidence in environment and sustainability policy and programs across the ACT Government.

On values, we propose a return to the ACTPS values of Respect, Integrity, Collaboration and Innovation, augmented by two additional concepts: **Independence and Rigour.**



Vision: *An environmentally sustainable ACT, region and Australia*

Mission: *To act as an independent voice for the environment and sustainability in the ACT, and promote community engagement*



Vision: *ACT government action on the environment and sustainability is leading edge among national and international peers*

Mission: *To ensure government action on the environment and sustainability in the ACT is consistent with commitments and best practice*

Figure 10: The target outcome is not the environment per se, but what the government is doing to ensure it is as good as it can be. For information on strategic intent, see Coleman (2012)

FUTURE PROOFING

And there are emergent opportunities that could become important in time

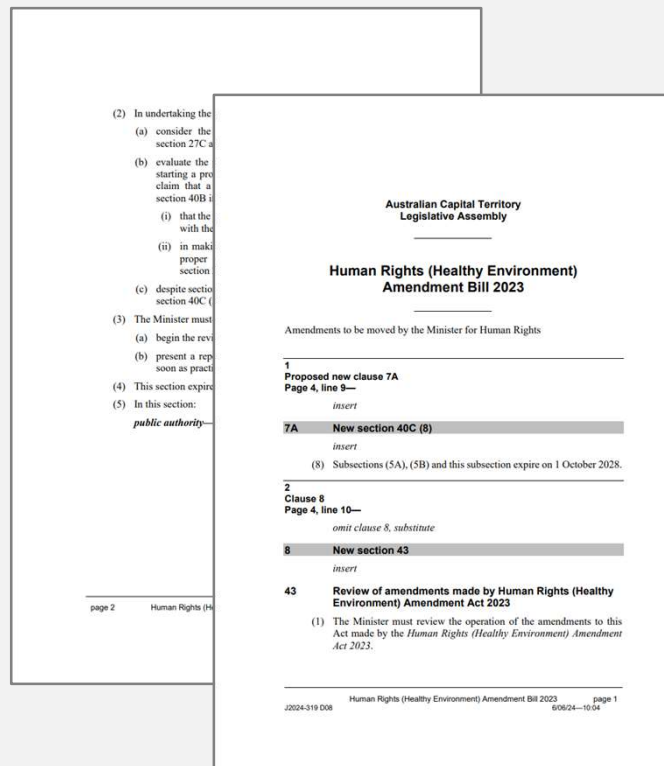


Figure 11: The Human Rights (Healthy Environment) Amendment Bill 2023. The Office of the Commissioner could have a role here and elsewhere. We need to build the role with a philosophy of ‘for, not with’ to allow for contingencies

The ACT Human Rights (Healthy Environment) Amendment Bill 2023, passed on 28 August 2024, was introduced to provide statutory recognition for the right to a clean environment.

The new legislation recognises a right to clean air, a safe climate, access to safe water and to healthy and sustainably produced food, non-toxic environments in which to live, work, study and play, and healthy biodiversity and ecosystems.

It is entirely plausible that in its revised form, the Office of the Commissioner could be called upon to assist with judicial proceedings under the new legislation – possibly supporting cases as an expert witness or provision of tailored research. An expanded view of this role could include tribunal work to expedite routine judicial decisions.

There are likely to be several of these emergent opportunities over the coming years, that as of writing are difficult to anticipate. In reviewing legislation and supporting instruments for the Office of the Commissioner, attention needs to be given to building the role as a flexible platform to allow for change over time.

OPERATIONS

A close look at the operational context reveals several adjunct wins



Figure 12: Some thoughtful tweaks to the management of the Commissioner role could yield some limited quick wins. But these measures should be seen as 'nice to have' rather than the main game. For further reading on operational issues see Doerr (2017), Collins (2001) and Buckingham et al (2015.)

We reviewed the operational context for the commissioner role looking for adjunct wins and tweaks that, overall, might contribute to a better position.

Four are worth considering:

- Elaborate more detailed guidance criteria for the appointments process. Current provisions are relatively 'light'
- Establish a reference group to provide real-time feedback on the Commissioner's tasking and work-in-progress
- Develop key performance measures for the role, keeping in mind the objectives of the Act and requirements for independence
- Introduce a formal review mechanism, that would allow the role, including the legislation, to be reexamined for relevance, effectiveness and efficiency.

There is an interesting question to be answered as to how much improvement to the Commissioner role could be expected through these sorts of adjustments. The answer is 'some'. While necessary, on their own, they won't add up to systemic reform.

NEXT STEPS

Implementing the proposed reforms will require a 12-month lead time

Timeframe	Activity	Dependencies
March-April 2025	Agree draft role of the Commissioner: EPSDD executive, Minister	Ministerial briefing
April-May 2025	Approach market for an interim Commissioner for 6 months transitional role	Approach to market agreed
May-August 2025	Research, test and collate role changes for 'investigator plus'	White paper detailing new Commissioner model (v.1), Ministerial briefing
June 2025 latest	Add legislative amendment to Cabinet agenda list and legislative calendar	2H 2025 date lockers
September 2025	Undertake stakeholder engagement to validate new scope of Commissioner role	New Commissioner model socialised and validated; White Paper 2.0
October 2025	Provide drafting instructions to Parliamentary Counsels Office for Act amendment	All work to-date, esp. White Paper 2.0
October 2025	Provide submission to the Remuneration Tribunal for consideration	All work to-date, esp. drafting instructions and White Paper 2.0
November 2025	Provide Remuneration Tribunal decision, Bill and Cabinet Submission to Cabinet for agreement	Remuneration Tribunal process draft bill from Parliamentary Counsels Office
Early 2026	Bill tabled and passed in Legislative Assembly	Cabinet agreement; draft bill from Parliamentary Counsels Office
March-April 2026	Approach market for full term Commissioner under amended Act	Amended Act

AFTERWORD

A NOTE ON RISK

The reform path outlined here carries risk, but this should be manageable

Community views on issues before the Commissioner, such as air pollution (figure opposite refers), are frequently passionate.

During the stakeholder consultation phase of the reform program outlined here, environmental groups are likely to raise contrary opinions on both the current and future role of the Commissioner. Some may find the 'blue skies' aspects of the current role too important to lose.

However, this version of the role represents a luxury service at a time when the ACT needs to double-down on core requirements. The Territory cannot afford both an ANAO and PC for the environment, and as this paper suggests, they can't be the same person.

Fortunately, the case for change should have a reliable advocate in the interim Commissioner. They will have a strong incentive to explain then reexplain the need for reform, and where accommodation is necessary or possible, navigate a path through.

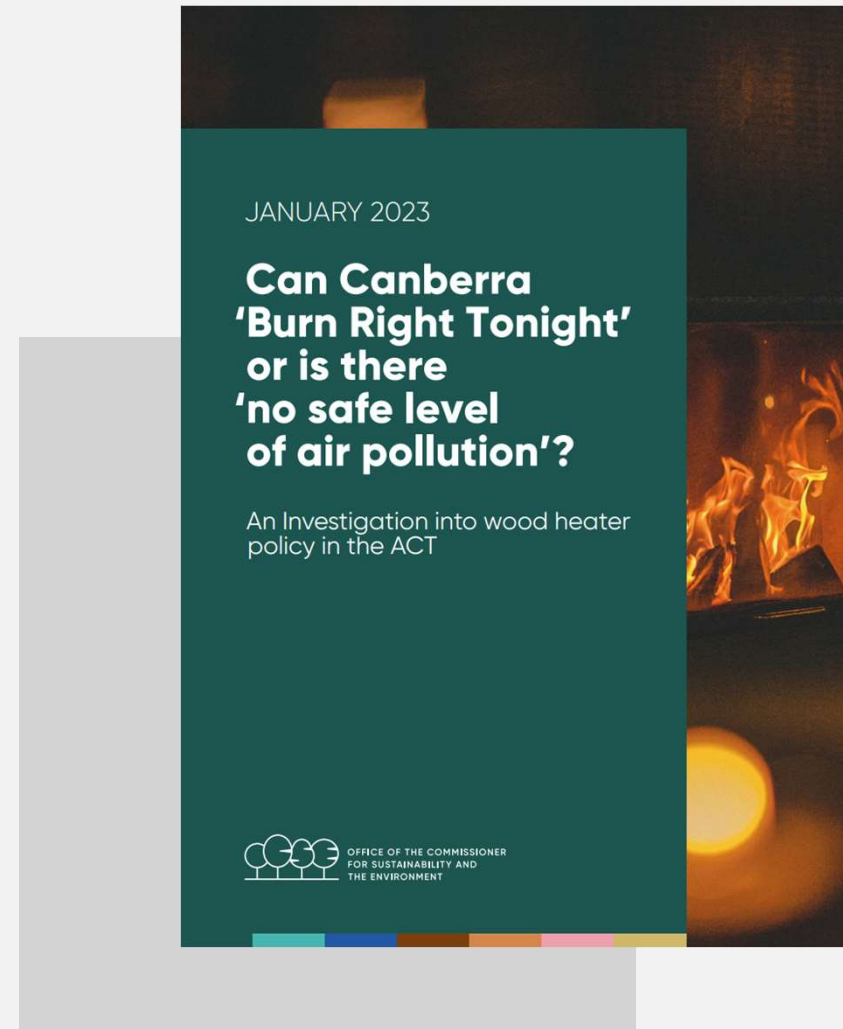


Figure 13: Investigations (such as OSCE 2023) can be undertaken either directed by the Minister or on the Commissioner's initiative into actions of an agency where those actions would have a substantial impact on the environment of the ACT

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CONTACT

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POSITION DESCRIPTION –Commissioner for Sustainability and the Environment

CONTEXT

The Commissioner for Sustainability and the Environment (the Commissioner) is an independent statutory position, established by the *Commissioner for Sustainability and the Environment Act 1993* (the Act, available [here](#)).

The Commissioner plays an advisory, reporting and oversight role to the ACT Government to protect the ACT's environment and ensure ecologically sustainable development. Additionally, the Commissioner receives and responds to community concerns about environmental management in the ACT.

In playing these roles, the Commissioner must consider the objects of the Act, which are to:

1. ensure regular and consistent reporting on matters relating to the condition and management of the environment in the Territory
2. ensure regular reporting on progress towards ecologically sustainable development by the Territory and Territory authorities
3. encourage decision making that facilitates ecologically sustainable development
4. enhance knowledge and understanding of issues relating to ecologically sustainable development and the environment, and
5. encourage sound environmental practices and procedures to be adopted by the Territory and Territory authorities as a basis for ecologically sustainable development.

Subject to the Act, the Commissioner is appointed by the Minister for a term of up to 5 years. However, it is intended that the tenure of the current appointment will be from 1 May 2025 to 1 May 2026 to allow for a formal role review. The incumbent will be eligible for reappointment in 2026.

The remuneration, allowances and other entitlements are determined by the ACT Remuneration Tribunal. The determination currently in force can be accessed [here](#).

WORKING ENVIRONMENT

The Environment, Planning and Sustainable Development Directorate (the Directorate) has administrative responsibility for the *Commissioner for Sustainability and the Environment Act 1993* ([Administrative Arrangements 2024](#)).

Although the Commissioner operates independent of the Directorate, the Directorate provides staffing, human resource and finance support to the Office of the Commissioner for Sustainability and the Environment.

The Directorate aims to protect the environment, help Canberra adapt to climate change, and deliver good planning outcomes for the ACT.

The Directorate administers a range of legislation including the *Planning Act 2023*, the *Nature Conservation Act 2014*, *Commissioner for Sustainability and the Environment Act 1993*, *Climate Change and Greenhouse Reduction Act 2010*, *Environment Protection Act 1997*, *Tree Protection Act 2005* and the *Heritage Act 2004*. More detail on the Directorate's purpose and functions can be found [here](#).

As a result of significant overlap in policy domains, the Commissioner will have a close working relationship with the Directorate.

DUTIES

The Commissioner undertakes the following statutory functions and activities:

1. Investigate complaints about the management of the environment by the Territory or a territory authority; and issues relating to ecologically sustainable development in the ACT
2. Conduct investigations as directed by the Minister
3. Conduct on the Commissioner's own initiative, investigations into actions of an agency where those actions would have a substantial impact on the environment of the ACT
4. Deliver state of the environment reports, and
5. Prepare an Annual Report, in accordance with relevant statutory provisions.

To fulfill these functions, the Commissioner may:

1. Provide input into ACT Government draft documents by specific invitation or through the public consultation process
2. Undertake advocacy for the environment across government and community stakeholders by: (i) engaging with digital and traditional media channels, (ii) attending meetings and seminars, and (iii) giving presentations, and
3. Support staff to build skills and capabilities on environment and sustainability related topics.

ROLE REQUIREMENTS

As Commissioner, you will play a key part in reviewing the purpose and functions of the role, and setting it up for long-term success.

The selection criteria for the role are as follows:

Professional skills and knowledge

1. Demonstrated advanced understanding of issues related to environmental management and ecologically sustainable development

2. Extensive experience of work in government at senior levels, including work with or to ministers and Cabinet
3. Prior experience and understanding of working collaboratively with a range of stakeholders, including senior representatives in government and the community, to achieve successful outcomes, and
4. Strong people management skills, including ability to manage small, high performing teams (such as taskforce arrangements).

Behavioural Capabilities

5. Demonstrated leadership capabilities in a variety of professional contexts
6. Ability to navigate complex social problems as an objective facilitator, and
7. Demonstrated understanding of the [ACPTS Values](#), and the [ACTPS Shared Capability Framework](#).

Compliance

- The role involves direct supervision of staff.

DRAFT



Suzanne Orr MLA

Minister for Aboriginal and Torres Strait Islander Affairs
Minister for Climate Change, Environment, Energy and Water
Minister for Disability, Carers and Community Services
Minister for Seniors and Veterans

Member for Yerrabi

Mr Andrew Barr MLA
Chief Minister

Our ref: 25/0154150

Dear Chief Minister

Andrew,

Appointment of Commissioner for Sustainability and the Environment

I refer to the appointment to the above position, which is currently occupied by Dr Sophie Lewis. Dr Lewis has advised me of her intention to conclude her role as the Commissioner for Sustainability and the Environment at the expiry of her term on 30 April 2025.

I wrote to you in January this year, requesting your agreement to an exemption from Cabinet consideration for an interim appointment process for the Commissioner for Sustainability and the Environment. I proposed utilising the Machinery of Government realignment, and any advice from the ACTPS Taskforce as an opportunity to undertake a review of the role and consider how the scope of responsibilities for the Commissioner could be revised. At the time, the exemption was not supported.

I directed EPSDD to undertake a rapid review of the role, and they engaged the Strategy and Transformation Office within CMTEDD. The review's implementation timeline will require extensive support to continue its advancement over the next 12-months. To advance this, I propose the appointment of an interim Commissioner for a period of up to 12 months to ensure continuity of the role as currently legislated, and a reset of the position.

I write to seek your approval for an exemption from Cabinet consideration of the interim Commissioner's appointment due to the following reasons:

- utilising the realignment to review the governance of the role and align the Commissioner's responsibilities with Government priorities, the new Directorate, and ongoing review efforts to drive effective change;

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 SuzanneOrrMLA

 SuzanneOrrmla

- this is a short appointment that is exempt from the requirement for Standing Committee consultation; and
- The long-term appointment of the Commissioner will be subject to full Cabinet and Standing Committee consideration.

Both CMTEDD's Office of Industrial Relations and Workforce Strategy and the Cabinet Office have been consulted on this request.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Suzanne Orr', with a stylized flourish at the end.

Suzanne Orr MLA

03/04/25