



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

**STANDING COMMITTEE ON ENVIRONMENT, CLIMATE
CHANGE AND BIODIVERSITY**

(Reference: [Inquiry into Annual and Financial Reports 2021-2022](#))

Members:

**DR M PATERSON (Chair)
MS J CLAY (Deputy Chair)
MR E COCKS**

TRANSCRIPT OF EVIDENCE

CANBERRA

MONDAY, 31 OCTOBER 2022

**Acting secretary to the committee:
Ms M Ikeda (Ph: 620 50199)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

APPEARANCES

Environment, Planning and Sustainable Development Directorate	1
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Amended 20 May 2013

The committee met at 1.45 pm.

Appearances:

Gentleman, Mr Mick, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services

Environment, Planning and Sustainable Development Directorate

Ponton, Mr Ben, Director-General

Burkevics, Mr Bren, Executive Group Manager, Environment, Heritage and Water

Watts, Ms Michaela, Director, Urban Reserves, Environment, Heritage and Water

Foley, Mr Justin, Acting Senior Director, Fire Management Unit and the Parks and Conservation Service, Environment, Heritage and Water

THE CHAIR: Good afternoon and welcome to the public hearings for the Standing Committee on Environment, Climate Change and Biodiversity's Inquiry into Annual and Financial Reports 2021-22. The proceedings today will examine the annual reports for the Environment, Planning and Sustainable Development Directorate.

Before we begin, on behalf of the committee, I would like to acknowledge that we meet today on the lands of the Ngunnawal people and pay respects to their continuing culture and contribution they make to the life of this city and this region. The first time witnesses speak, they will need to state their name and capacity in which they appear today. Please be aware that proceedings are being recorded and transcribed for Hansard and will be published. Proceedings are also being broadcast and webstreamed live. When taking a question on notice, it would be useful to use the words, "I will take the question on notice."

In our first session we will hear from Minister for Planning and Land Management. I welcome Mr Mick Gentleman and officials to today's hearing. I will just remind you of the protections and obligations afforded by parliamentary privilege and draw your attention to the privilege statement. Can you confirm for the record that you have read and—

Mr Gentleman: Yes, I can, thank you, Chair.

THE CHAIR: Great, thank you, all right.

I was just wondering if you could provide some background and some information on the Ngunnawal ranger funding initiative, how many people that program has employed and what those rangers are intended to be working on?

Mr Gentleman: Thanks, Dr Paterson. It is an important exercise, I think, that we involve Ngunnawal culture and our traditional custodians in our operations in the Parks and Conservation Service. I have been out a number of times now with our Indigenous rangers, looking at particular areas of interest to them. One was around block 33 in Pearce looking after Xanthorrhoea trees a number of years ago and the knowledge that I gained for that particular day from the rangers has stayed with me since that. So I think it is really important.

As to the detail of the work that we are doing, I might hand over to directorate officials to let you know about those rangers and the important work they are providing.

Mr Ponton: Thank you. I might kick off and I will hand to my colleagues. I have read and understood the privileges statement. Look, I will just add that in terms of the Ngunnawal rangers program, that is really important in terms of how we care for Country. My colleagues will talk a little bit more about cultural burning and also water, which is a new component of working with traditional custodians in relation to managing the estate. And I might look to my colleagues, Ms Watts, thank you.

Ms Watts: Thank you, Mr Ponton. I acknowledge the witness statement and I have read this, as such. I am the Acting Senior Director for Parks and Partnerships in the ACT Parks and Conservations Service. Just to add onto what the minister and Mr Ponton have said, within the ACT Parks and Conservations Service we have three rangers with the Ngunnawal heritage. We have an additional two in conservation research and water policy. As has already been stated, they are working on interpretations, caring for Country arrangements and standard land management when it comes to ranger duties. They do have a focus on Ngunnawal-led interpretations. I think I will leave it at that, thanks.

THE CHAIR: I am just wondering how their interpretations and how their understandings of Country and culture feed back into the broader range of programs?

Mr Gentleman: Well, one of the things that I learned, I suppose, on the particular visit was the real knowledge that they had of how the land was used originally. So when we were looking particularly at cleaning up around the Xanthorrhoea trees in Pearce, they described to me how traditional custodians would use those trees. One use was to make a glue that would hold components together, like spears and that sort of thing. Another interesting thing, which I do not think anybody would have ever thought of, was that they used the trees as a compass. So the Xanthorrhoea tree has a vertical flower and it always flowers to the north first and so they are able to use those sorts of items for navigation across Country as well as the streams that they use anyway.

But it was more what the importance to them of being on land was, and, therefore, they could show us how important it was too, as well as the importance of keeping the knowledge of how that land was and what it was used for. We have been able to deliver that in some other ways too. If you look at Namarag Park now down in the new suburb of Whitlam, we have been able to tell Aboriginal story telling. I think it is pretty well delivered at Namarag, but when you actually speak to the rangers on the site, they go into much more detail about how those river corridors were used by Ngunnawal people traditionally, thousands of years ago.

THE CHAIR: Are there any moves to expand the program or is it constantly looking at ways to engage Indigenous people in the ACT in that program?

Mr Gentleman: Yes, I would certainly like to see how we can broaden the program but the important work is being delivered by them at the moment and we learn from that and discover what we might need to do in the future.

THE CHAIR: Thank you.

MR COCKS: Minister, you have spoken quite a bit about the symbolic aspects of engagement here. I am really interested in the systematic way that these rangers are able to feed their knowledge into routine government work. Are there systems in place that make that happen?

Mr Gentleman: Yes. This year, with the changes to the planning system in the ACT, I think for the first time we are embedding a Ngunnawal culture and learning in the planning system. So that is the first time that has occurred in the territory. I am not sure—

MR COCKS: And is that the rangers' perspective, sorry?

Mr Ponton: I will ask my colleagues to expand a little bit further. I mentioned earlier, cultural burning and water practices; certainly, we are learning from those rangers in terms of how we manage land. So of course, as part of what the Parks and Conservations Service does in managing the land, we need to undertake burns and we are making sure that those burns are done in a culturally sensitive way. So that is always being fed back into the work that we do. More recently, as Ms Watts talked about on water, we are learning in relation to what we can do better in terms of managing water resources. I might ask my colleague to expand a little bit more in relation to how we are taking that knowledge and then feeding that into our program for our own burns and water work that we need to do.

Mr Foley: Would you like me to talk to cultural burning?

Mr Ponton: Please.

Mr Foley: So notwithstanding the last two wet years that we have had, which has made burning quite difficult, we are actively working with Ngunnawal community and with Ngunnawal rangers to identify critical cultural burns and critical values in doing that.

So it is very important to understand that the action, the burn that you do, really has to be addressing and has to be identified by community and address critical community values and aspirations. So we have been working with the rangers and community to identify and implement burns.

We are also working at a level higher, if you like, through our rangers and with community to identify a more cohesive cultural burning framework, and that is an activity that we are really working with right across the environment, heritage and water division. The intent of that is to, again, identify the critical community values: what role does planned burning play for community? Yes, it has a critical social dimension and cultural dimension to it; access to Country is really important as well as the outputs of burning in terms of species or community compositions that come out of burning, that arise from burning. So it is really getting underneath and understanding what a systematic cultural burning program is and how we work in the best possible way with community to deliver that.

MR COCKS: That sounds like it is very much at that policy end of the program and

understanding what the levers are.

Mr Foley: Working with both ends, yes.

Mr Burkevics: I have read and acknowledge the privilege statement. Just further to Mr Foley's comments, just to touch on your point about the systematic approach to engagement, that occurs, as discussed, at an operational level with the Indigenous rangers. I think at a more strategic and policy level, we have the Dhawura Ngunnawal Caring for Country Committee. I co-chair that committee with members of the Ngunnawal community and that is a very successful policy and consultation means to ensure that the traditional knowledge of the Ngunnawal people is incorporated and fed into all programs that we run across the division.

MR COCKS: Thank you.

MS CLAY: Can I supplement on that? Yes, I just wanted to know what the turnover rate is both from the Ngunnawal rangers but also on our First Nations people working in the directorate. Is their rate of turnover the same as the rates of turnover for other people or is there higher turnover?

Mr Burkevics: I think it would be fair to say we have not probably done analysis down to that level of detail. Typically when you are looking at turnover of staff, it is done at an organisational level. So I am not sure whether we would have the detail available to look at turnover. But I think much like good staff, there are always opportunities for staff to pursue their own career destinations and we support that where we can.

MS CLAY: Thanks.

THE CHAIR: Just a quick further supplementary, in terms of the fire management, are we looking to other jurisdictions and some of the work that goes on in other parts of Australia around the burning, the carbon abatement programs and that type of stuff?

Mr Burkevics: Yes, we are. So we are very tapped into what is happening across the country, we are a member of AFAC, which is the council of emergency agencies. So we are very much tapped into the arrangements that each of the jurisdictions is putting in place. We are in constant communication. We work very closely with New South Wales in particular. So all of our planning, all of our prescribed burning and all of our fuel management, happens hand in glove with the New South Wales parks and conservation service and with forestry agencies as well. So from a policy level, we are engaged but we also work very closely with our cross-border partners.

Mr Gentleman: Indeed, we have been working nationally with AFAC on the new fire danger rating system which has been announced today. Of course, our fire season starts tomorrow. The new system reduces the level of communication down to four quadrants now, talking about the risk of fire and then what you need to do to respond to that risk of fire at each time.

I am very pleased to say that we are right down below the lower level at the moment. We will probably stay that way for a while. But of course, as the grass that we see now growing quite profusely from the rain starts to dry and cure later on in the year, we will

be keeping a close eye on that and, of course, our bushfire operational plan means we are doing strategic slashing and grazing and debris removal wherever we can to remove the risk of bushfire into the future.

And in the meantime, of course, our parks people are working hard and training for the season, and they take part in, of course, AFAC and those activities as well.

MS CLAY: Minister, PCS manages a lot of different types of land—wilderness areas, national parks, reserves and catchments—and there are management objectives in the current Planning and Development Act and those management objectives then feed into the management plans, for each of those different areas. So they are quite significant. I am just wondering how PCS was consulted on the management objectives in the new planning bill for all of those different types of land?

Mr Gentleman: Yes, certainly, as part of the exercise in preparing for the new territory plan, and I might ask Mr Ponton to talk about how that conversation has been occurring. You are right PCS, I think, has 387,000 hectares of land to manage, so it is quite a big portfolio and there are different areas of consideration.

Mr Ponton: I think it is important to note that as director-general I am responsible for Parks and Conservation and also for providing advice to the minister in relation to the planning bill. So we had a range of opportunities to engage across government but it was very important to me to make sure that as a directorate, we were engaging in talking and collaborating as well as we possibly could.

So whilst we had opportunities for our people to engage and collaborate through those more formal structures, through various working groups and the like, we also had our executive management board. So, Mr Burkevics, who represents the Parks and Conservation Service, sits on that. Then a series of less-formal conversations were had in relation to the needs and expectations of not only the Parks and Conservation Service but also our colleagues in the environment division more broadly but equally, across other parts of the organisation such as climate change, energy and the like.

MS CLAY: Some of the old management objectives were a bit outdated; they did not talk about climate resilience, they did not talk about vulnerable habitat or species protection, there were quite a lot of things that we had noted in various bits and pieces of work that were absent. Has that been updated in the new planning bill? Have those management objectives been updated?

Mr Ponton: I would need to have a closer look and refresh my memory, whilst that is a body of work that I have been very focused on and close to for quite some time, in more recent months my focus has been on the district strategies and the territory plans. I just need to go back and have another look. But certainly, we were looking at modernising all parts of the act where we felt it was necessary, particularly to pick up on issues such as climate change resilience and the like. So I would like to say yes but I would prefer to perhaps take that on notice and come back to you and confirm exactly where that might occur.

MS CLAY: That would be great. I do not know if you are able to tell me this, but when you take it on notice it would be very helpful for us to know—if PCS made comments

on what the management objectives should be—whether what ended up in the bill matches the comments that were made.

Mr Ponton: I will certainly see what we can do in that respect.

MS CLAY: Thank you.

MR COCKS: I would just like to come back in particular to bushfire and flood recovery. I am wondering if you can provide an update on bushfire recovery efforts, in particular, in Namadgi National Park and how we are progressing against KPIs in this space?

Mr Gentleman: Thanks, Mr Cocks. It has been a real challenge, I must say, due to the changes in weather patterns. We have seen an incredible amount of rainfall in Namadgi National Park. That has really put us back in regard to access to the park to do that recovery work. The planned development, I think, is quite sound, but just getting into the park to deliver some of those recovery aspects has been very challenging—a lot of the roads are closed still, and we are seeing access as the prohibitor there. That is mainly because we may be able to get into the park but we do not want to put our staff at risk. So where staff could get bogged, or where inundation could occur whilst they are working up there, we are very cognisant of that. We do not want that to impede their work into the future and we want to keep them safe at the same time. With that, I will hand over to the staff and they can tell you where we are up to.

Mr Foley: Just picking up on the point of access, we are prioritising roading and repair to our roading network at the moment and there is quite a bit of work underway. I will take a step back and say that, while access is a challenge, it does not present a risk in the context of fire; when the roads dry out enough, we will be able to get in and manage fire risk. But at the moment, in terms of a lot of the activity, our number one priority at the moment is actually repairing our road network. So we are really in the response stage at the moment. We have got crews ready to get out and move very quickly to make sure that we are repairing the damage. So we have a range of sedimentation issues, we have creek blow outs as a result of the high rainfall, we have saturation of the catchment and we have serious building issues as well. So we have a significant body of work that we need to do to make sure that we can get to that point of access. As I say, we have the crews ready to go, we are just waiting for the drying conditions. Apparently summer is on the way! And we look forward to it coming so that we can get in and do that work.

We are also taking a more strategic look at our roading network and we are developing an asset management plan which is really making sure that we work across government to get the right access in place across our park that is fit for purpose and fit for the work that we actually do.

Mr Burkevics: Mr Cocks, I am happy to add a few remarks if helpful. Yes, I can confirm that Parks and Conservation Service has developed the ACT Bushfire Recovery and Resilience Program 2021-2024, the program plan. I think Mr Foley had touched on that. That plan outlines all the different activities that are being progressed by PCS to assist the environment and the infrastructure in the park to recover. I think there is, as part of that philosophy, ensuring that we can build that better in a more

resilient fashion. I know the minister has remarked on that need to construct infrastructure and other measures to make things more resilient to future fires and floods in the area.

But there is a wide range of tracks and trails that have been upgraded, new alignments, and in particular replacing infrastructure that may be subject to fire such as timber treads on stairs, replacing those with non-burnable objects, rocks, et cetera. So a lot of that work has progressed and I think a lot of the Canberra community would have seen the re-alignment across mount tenant that was a part of the program.

Mr Gentleman: I think a good example of that too is the Yankee Hat walk that is down the bottom of the park, and it is quite a lengthy walk to Aboriginal rock art. We had quite a lot of timber bridges across the creeks and crossings that burned in the fire. We want to replace them with a material that will not degrade and burn so that, if a fire does occur there in the future, that that will stay in place. Also, the area around the artwork itself was originally, simply, a timber stand and barrier and we want to replace that with the appropriate materials so that people will be able to see that rock art well into the future.

MR COCKS: That is great. Maybe you want to take this on notice. I am keen to find out when the different areas are expected to reopen. But I would really like to come back to the roads question that you have raised here, because one of the big concerns that we are hearing from both workers and visitors to our parks is the poor condition of the roads. What I have not found, despite the strategic planning, is an accountability indicator to measure what improvements have been made on an annual basis. Is there a reason that there is not an accountability indicator on that?

Mr Burkevics: Mr Cocks, I think it is fair to say that, as a director, we would be equally as interested in the condition of the roads, noting that from the fires they were immediately subject to the floods and have been damaged and that ongoing weather conditions have prevented access by heavy machinery into those areas.

I think through the partnership arrangements with the Australian government, there was funding awarded to the directorate to progress a strategic roads program for Namadgi. That will look at the condition of the roads, to what standard they have to be maintained and then, obviously, the costs associated with that standard. So there has been a project officer recruited who has commenced. That body of work is over a two-year period and the outcomes of that exercise will be presented to the minister for consideration about how to further strengthen the management of Namadgi and, in particular, the network of roads that are vital for public safety, emergency services and public access as well.

MR COCKS: Yes, so it sounds like that might be a future indicator we would be looking at against that analysis.

Mr Burkevics: Correct, yes.

MR COCKS: I will be watching with interest.

THE CHAIR: My next question is around the ACT Parks and Conservation depots. The annual report talks about how staff have been exploring ways to imbed zero

emissions options into research and operations. I was just wondering if you can give some more detail about what is happening in that space and yes, what sort of innovating strategies are going on around the depots?

Mr Gentleman: Yes, I will shortly pass onto the directorate officials to give you some updates about individual areas, but we are certainly looking at transport into the future. And we are looking at electric vehicles for Parks and Conservation, wherever we can into the future. There has just been some use of small electric vehicles around the area but we have been working with some manufacturers across Australia to provide EVs for the future so that we can reduce our carbon footprint, if you like. But I will ask the directorate to talk to you about individual depots.

Mr Burkevics: I can cover off a few and then hand over to my colleagues as well at a more operational level. I had the pleasure of visiting Tidbinbilla Nature Reserve not so long ago to be briefed by their area manager on some of their initiatives to lower emissions. Use of electric hand tools is now increasing due to the better quality of those tools and their ability to be used for a longer period of time than traditional tools perhaps. As the minister indicated, there are a range of electric vehicles and ongoing consideration of solar use across all the depots, and I think that work in Namadgi is progressing well, in particular. I will see if Ms Watts has any other remarks on electric tools.

Ms Watts: Yes, we are looking to transition a lot of our fuel based small equipment to EV, or electric, based equipment—transitioning things like chainsaws, brush-cutters and that sort of hand-held equipment. We are also trialling the use of electric side-by-sides instead of motorised side-by-side transport. It is especially important in our reserves during these wet periods, when we find that our larger vehicles do tend to get stuck. So side-by-sides are becoming a very important tool for us in these wet conditions. Just to build on what Mr Burkevics said, we are definitely using smaller hand tools that have a battery and are rechargeable as opposed to our fuel-based tools. Thank you.

THE CHAIR: Are there limitations in those tools still or are you able to operate at full operation with them?

Ms Watts: We are finding that, as the technology improves, especially in relation to battery operated tools, we are getting greater range and better usage out of those. In the past, when we needed things like chainsaws to be able to be used quite remotely, we are finding that we can use electric alternatives a lot more readily. They are holding charge and they do have enough power and enough size to be able to do the task that we need. As the technology gets better, we are finding more use for those.

THE CHAIR: Great. Thank you.

MS CLAY: I can see in the annual report that we had a larger area targeted for invasive species and we are now in our third year of La Niña. I just want to get some details of whether the invasive species were mostly fauna or flora and how we are resourcing the program going ahead. We have the Biosecurity Rapid Response Team, but we are now in multiple years of worse-than-usual.

Mr Gentleman: Yes, we got some extra funding for invasive species, and that is both flora and fauna. The team has been working well to try and manage that as best they can. Of course, with the increasing rain now, we are seeing more spread of invasive vegetation across the area. I will ask directorate officials to give some detail.

Mr Burkevics: The Biosecurity Rapid Response Team sits within our biosecurity and rural services area. It has a team that is tasked to respond to reports of invasive weeds around the estate. I think as I mentioned when we last spoke, there is a good example of how they did that on Tuggeranong Hill—a report from a ranger and they responded. I think it is absolutely fair to say there is pressure on those teams at the moment with significant weed and other grass growth across the ACT. Particularly with the ongoing rain, it is very, very difficult to get into these areas, let alone spray, so it is going to require a huge effort from the team over hopefully the summertime to address some of these growing risks and pressures that we face with weeds.

MS CLAY: Sure. How much more funding did we get this year than last year? How many FTEs is that likely to support?

Mr Gentleman: It is a four-year program. It is \$2.968 million over the four years.

MS CLAY: How many people is that?

Mr Burkevics: I would have to take that on notice.

MS CLAY: That would be great. Thank you.

MR COCKS: There is concern around the potential of electric vehicles to have particularly more intense fire risks in the case of bushfires. I am wondering how you are looking to manage those risks going forward?

Mr Gentleman: We are looking at EV across a number of my portfolios, both in ESA and Parks and Conservation. Of course, all of these vehicles must pass the Australian Design Rules criteria, which means they need to be safe. We take the particular criteria and expert work that they do in doing ADRs to ensure the safety for staff and, of course, other visitors to the parks into the future as well. We do make some modifications to some of our vehicles. In particular, in ESA, for example, we have some new light vehicles for bushfire operations. Those modifications of those vehicles include rollover protection, basically safety for our crews and volunteers, and they have things like an automatic star pump and a series of water sprays around the vehicle to protect the occupants should they be very close to fire fronts, for example. Those sorts of things are what we are taking into account for the safety of staff and visitors into the future.

THE CHAIR: We are right on time. Thank you, Minister, and officials. The committee's hearing today is now adjourned. On behalf of the committee, I would like to say thank you. If you have taken any questions on notice—I think we had a couple—you have five working days to respond to the committee secretary on those. Members, if you wish to lodge a question on notice, you have five working days from this hearing.

The committee adjourned at 2.15 pm.