

**2018**

**THE LEGISLATIVE ASSEMBLY FOR  
THE AUSTRALIAN CAPITAL TERRITORY**

**GOVERNMENT RESPONSE TO  
AUDITOR GENERAL'S REPORT**

**No. 1 of 2018**

**Acceptance of Stormwater Assets**

**Presented by  
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## Introduction

The ACT Government welcomes the Auditor-General's Report No. 1 of 2018: *Acceptance of Stormwater Assets* (the Report) presented to the Speaker on 31<sup>st</sup> January 2018. The Audit report contains conclusions, findings and seventeen recommendations.

As noted in the audit summary, "*stormwater management fulfils a number of important functions, particularly in flooding and drainage control, public health and safety, and ecosystem health.*" This range of functions also means that the management of the stormwater system involves a number of ACT Government agencies, namely;

- Transport Canberra and City Services (TCCS) – the ultimate "owner" and manager of the stormwater assets that are accepted;
- Environment, Planning and Sustainable Development (EPSDD);
- Suburban Land Agency (SLA), and;
- Chief Minister, Treasury and Economic Development Directorate (CMTEDD).

The overall conclusion of the audit is that, while clear asset management objectives have been set in the ACT Water Strategy 2014-44, "...these objectives may not be met due to deficiencies in the asset acceptance processes and the management of the accepted stormwater assets."

Other key parts of the overall conclusion are;

- *Acceptance processes are particularly deficient with respect to the design of stormwater solutions as these are negotiated between agencies who have competing objectives for stormwater assets.*
- *The process for developing stormwater solutions would be further enhanced by increased catchment-wide planning and explicit consideration at the design stage of how to fund the maintenance of proposed assets. Options for such funding need to be explored.*
- *There is also an urgent need to review the condition of stormwater assets in established areas of Canberra that will enable an assessment of the Territory's future stormwater needs.*
- *Governance that supports the acceptance of stormwater assets needs to be improved through improvements in agencies' risk management and performance reporting, and the updating of some codes and standards that guide the design and acceptance of assets*

The audit goes on to detail the issues and develop 17 specific recommendations.

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## Responses to the Auditor-General's Recommendations

### RECOMMENDATION 1

Change to the Estate Development code.

The Environment, Planning and Sustainable Development Directorate should facilitate the amendment of the Estate Development Code to include a gross pollutant target (70-90 percent removal).

#### Government Response

Agreed

### RECOMMENDATION 2

Update of design codes and standards

The Environment, Planning and Sustainable Development Directorate and Transport Canberra and City Services Directorate, respectively, should facilitate updates to the *Waterways Water Sensitive Urban Design Code 2009* and the Design Standards for Stormwater Infrastructure to reflect changes resulting from the 2016 Australian Rainfall and Runoff Guidelines.

#### Government Response

Agreed

### RECOMMENDATION 3

Alignment of design codes and standards

The Environment, Planning and Sustainable Development Directorate, in consultation with the Transport and City Services Directorate should:

- a) align the *Waterways Water Sensitive Urban Design Code 2009* with the new Design Standards for Municipal Infrastructure—Stormwater; and
- b) facilitate the amalgamation of these two documents so traditional drainage and water sensitive urban design are fully integrated.

#### Government Response

- a) Agree that the two should be aligned;
- b) Agreed in principle – the principle of alignment and full integration of the *Waterways Water Sensitive Urban Design Code 2009* with the new Design Standards for Municipal Infrastructure—Stormwater is agreed. However it is not practical to amalgamate the two as the Code is a general code under the Territory Plan, while the Design Standards are detailed design requirements for stormwater design, set by TCCS. The two documents have different purposes and target different audiences.

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#### **RECOMMENDATION 4**

##### **Referral entity advice.**

The Environment, Planning and Sustainable Development Directorate should:

- a) review the potential risks associated with accepting stormwater asset designs, without agency advice, as prescribed under Section 150 of the *Planning and Development Act 2007*; and
- b) prepare a mitigation strategy to address these risks, and, if legislative changes are required, advise the Minister for Planning and Land Management.

##### Government Response

- a) Agreed
- b) Agreed

#### **RECOMMENDATION 5**

##### **Catchment-wide stormwater planning.**

The Environment, Planning and Sustainable Development Directorate should identify options for conducting catchment-wide planning, and undertake analysis of stormwater needs, against which future development applications would be assessed. These options should be provided to the Minister for Planning and Land Management for consideration.

##### Government Response

Agreed

#### **RECOMMENDATION 6**

##### **Consideration of stormwater solutions**

The Environment, Planning and Sustainable Development and Transport Canberra and City Services Directorates, in consultation with the Suburban Land Agency, should develop a range of stormwater management solutions for new estates and subdivisions, in the context of a catchment-wide plan for the area, to ensure that the optimal solution and the means of financing it are adopted.

##### Government Response

Agreed

#### **RECOMMENDATION 7**

##### **Certification of Stormwater assets.**

The Transport Canberra and City Services Directorate should require that certifications of stormwater assets are provided by engineers who are suitably qualified and experienced in stormwater design.

##### Government Response

Agreed

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## **RECOMMENDATION 8**

**Functional review of stormwater management.**

**The Transport Canberra and City Services Directorate in consultation with the Environment, Planning and Sustainable Development Directorate, should review arrangements for the management of stormwater assets to improve cross-agency management of stormwater.**

### Government Response

Agreed

## **RECOMMENDATION 9**

**Strategic asset management plan.**

**Roads ACT should, no later than June 2018, update and adopt the Strategic Asset Management Plan, to reflect current stormwater management priorities.**

### Government Response

Agreed

## **RECOMMENDATION 10**

**Development of performance indicators.**

**The Environment, Planning and Sustainable Development and Transport Canberra and City Services Directorates should each develop performance measures for the achievement of ACT Government stormwater objectives, including the management of stormwater discharges. These should be publicly reported (for example, in the ACT Water Report).**

### Government Response

Agreed

## **RECOMMENDATION 11**

**Achieving Government objectives.**

**Transport Canberra and City Services should amend the Requirements for Design Acceptance Submissions procedure to require:**

- a) designers to demonstrate how proposed stormwater assets will achieve the objectives of the ACT Government; and**
- b) consideration of stormwater objectives when assessing stormwater asset designs.**

### Government Response

Agreed

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## **RECOMMENDATION 12**

**Monitoring the performance of stormwater assets.**

**The Transport Canberra and City Services Directorate should collect stormwater asset performance information, available from various agencies, for use in considering the acceptance of stormwater assets.**

Government Response

Agreed

## **RECOMMENDATION 13**

**Identification of risk.**

**The Development, Review and Coordination Section and Roads ACT and City Presentation business units in the Transport Canberra and City Services Directorate should:**

- a) undertake a detailed analysis of the risks associated with the acceptance of stormwater assets;**
- b) include treatments to reduce these risks in their relevant risk registers; and**
- c) establish a formal process that communicates these risks to Directorate executives.**

Government Response

Agreed

## **RECOMMENDATION 14**

**Improving the accuracy of IAMS data.**

**Transport Canberra and City Services should review all IAMS stormwater data to ascertain whether they are accurate and complete.**

Government Response

Agreed

## **RECOMMENDATION 15**

**Management of the existing stormwater network.**

**Transport Canberra and City Services should:**

- a) develop a preventative maintenance plan for stormwater assets; and**
- b) clearly identify problem areas with, and risks to, the stormwater network.**

**If required, appropriate remedial action should be recommended to the Minister for Transport and City Services.**

Government Response

Agreed

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#### **RECOMMENDATION 16**

**Reducing damage to accepted assets.**

**A working group (including representatives from Transport Canberra and City Services, Environment, Planning and Sustainable Development, the Suburban Land Agency, Access Canberra and other relevant entities) should be established to:**

- a) develop a coordinated multi-agency strategy to reduce the damage to accepted assets caused by building and other construction activity; and**
- b) report to the Minister for Planning and Land Management on actions to be taken, then subsequently the results of any actions undertaken.**

#### Government Response

Agreed

#### **RECOMMENDATION 17**

**Review and augmentation of existing stormwater infrastructure.**

**Transport Canberra and City Services should develop a forward program for the ongoing review of stormwater infrastructure in established areas of Canberra and augmentation of the infrastructure where necessary. The forward program should be provided to the Minister for Transport and City Services for consideration and direction.**

#### Government Response

Agreed