



Simon Corbell MLA

DEPUTY CHIEF MINISTER

ATTORNEY-GENERAL

MINISTER FOR HEALTH

MINISTER FOR THE ENVIRONMENT

MINISTER FOR CAPITAL METRO

MEMBER FOR MOLONGLO

The Hon Katrina Hodgkinson MP
Minister for Primary Industries
Parliament House
SYDNEY NSW 2000

Dear Minister,

Thank you for your letter dated 19 December 2014 responding to the ACT Governments concerns regarding yabby fishing in Googong Dam.

As outlined in my correspondence of the 26 November 2014, these concerns fall into two categories. The first is the impact on water quality, and the associated health risks, and secondly, inconsistencies with the Googong lease arrangements.

Icon Water (formerly known as ACTEW Water) has reiterated to me serious concerns regarding the possibility of pathogenic contamination in Googong Dam, which is an important component of Canberra's water supply, and including of course, water supply to the NSW community of Queanbeyan.

Icon Water has advised me that it provides potable water sourced from Googong reservoir to the entire community, including people who are immune compromised, the very young and the elderly. Icon Water stresses that the potential consequences of any contamination are significant and the realistic worst case scenario is hospitalisation or death. This is the reason that water utilities undertake such serious planning and management effort in ensuring the safety, security and quality of the water supply chain.

Icon Water employs a multi-barrier approach to the water supply chain in which the first step is catchment management. Icon Water allocates considerable resources in understanding and controlling risk and potential contaminant sources from the open catchment. Over the last five years it has worked with local landholders to raise the awareness of the risk of pathogenic contamination to waterways. A comprehensive audit and rectification program of all onsite sewage management systems in the catchment has been completed. More than 145 landholders have undertaken training through industry accredited education programs. Landholders have been funded to fence cattle out of creeklines through 10 year contractual arrangements. Restoration and bank stabilisation works have also been implemented.

I provide this detail to demonstrate the emphasis that Icon Water has placed on mitigating the potential for pathogen contamination. Permitting the introduction of yabby nets is seen as counter to these efforts and is an additional, and at this stage, unassessed risk.

ACT LEGISLATIVE ASSEMBLY

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I am advised that a water utility scales its treatment processes based on known raw water quality. A permanent incremental increase in pathogenic contamination beyond a treatment plant's capacity would require Icon Water to make substantial investment in the installation of a tertiary level of treatment requiring additional capital and operational expenditure.

The Australian Drinking Water Guidelines, which form one of the operational licence requirements for water supply in the ACT, is in the process of introducing health based targets for microbial drinking water quality. The proposed methodology considers the performance of the Water Treatment Plant in relation to the condition of the catchment. The introduction of new activities, such as yabby fishing, has the potential to increase the pathogen load, therefore shifting the condition score of the catchment in relation to the water treatment capability, hence making the water potentially 'less safe'.

I note that your department feels that the consultation process for the Bag and Size Limit Review was extensive. I am advised that there is no evidence that there was any formal consultation with key ACT stakeholders, including the Territory and Municipal Services Directorate (TAMS), which has responsibility for foreshore maintenance and compliance with recreational fishing rules at Googong, nor Icon Water, which is the water supply authority operating from Googong Dam. The consultation with the Environmental and Planning Directorate appears to have been via a general informal conversation via telephone with an individual officer.

My previous correspondence also outlines the ACT Government's view that the changes to the rules regarding fishing are likely to contravene the conditions of the Googong Lease. The ACT Government manages the Googong foreshores under a lease from the Commonwealth, with the primary objective being the protection of water quality. The lease (Clause 4.1(e)) specifically states that the foreshore must only be used for the established types and patterns of recreational use at Googong foreshores as at the date of signing of the lease.

Icon Water maintains that it was not consulted and therefore does not have the necessary data to assess the risk profile against what it believes to be significant consequential threats. Likewise TAMS and EPD contend that they also require additional information to assess the implications.

As you are aware, the ACT and NSW Memorandum of Understanding for Regional Collaboration (the MoU) outlines an approach to provide more efficient and effective cross border collaboration on policy, planning and operational programs, and by association, better service delivery to the communities of the ACT and the south east regions of NSW.

The MoU specifically indicates that the respective governments should act expeditiously to resolve issues, initially at a relevant officer level. I therefore propose the formation of an inter-jurisdictional officer level working group to undertake a risk assessment on the potential impacts of yabby fishing on the drinking water supply of Googong Dam and compliance with the Googong lease conditions.

I have requested the ACT Directorate of Environment and Planning work with Icon Water to facilitate this process. The directorate contact officer is Mr John Feint who is available on 62075584 or john.feint@act.gov.au. I trust that we can begin the above mentioned process as a matter of priority.

Yours sincerely

Simon Corbell MLA
Minister for the Environment.