





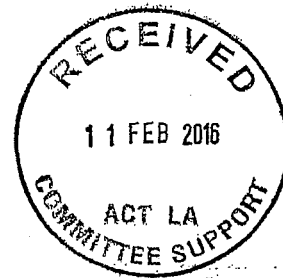
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	A.C.T. LEGISLATIVE ASSEMBLY COMMITTEE OFFICE
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Mr Brendan Smyth MLA
Chair
Public Accounts Committee
ACT Legislative Assembly
London Circuit
CANBERRA ACT 2601



Dear Mr Smyth

I refer to a letter of 24 November 2015 from the Deputy Chair of the Public Accounts Committee, Ms Mary Porter inviting supplementary submissions to the Inquiry into the Auditor-General's Report No 3 of 2015 - Restoration of the Lower Cotter Catchment.

I am pleased to provide a supplementary submission into the Committee's inquiry. Please find attached a progress report against the recommendations from the Auditor-General's report.

I trust this information is useful to the Committee.

Yours sincerely

Meegan Fitzharris MLA
Minister for Transport and Municipal Services

11/2/2016

Auditor General's Performance Audit into the Restoration of the Lower Cotter Catchment 2015
Update against Recommendations as of 14 January 2016

No.	Recommendation	Government Response	Status Update	Progress Status
1	<p>Recommendation 1: DEVELOPING A CODE OF CATCHMENT MANAGEMENT</p> <p>A Code of Potable Water Catchment Management, to direct land management activities in the LCC, should be developed, in consultation with: Territory and Municipal Services, Icon Water, the Environment and Planning Directorate and the Environment Protection Authority, by December 2016. A lead agency has not been nominated as it may be affected by a decision in relation to Recommendation 5.</p>	<p>Agreed</p> <p>TAMS will work with other relevant Directorates to develop a Code of Practice for Potable Water Catchment Management.</p> <p>It is important that management activities including minor and major construction works follow best practice principles to ensure the protection of water quality values. A Code of Practice will outline best practice not only for construction works, but also other management activities undertaken in the catchment such as pest plant and animal control, visitor access controls, and bushfire fuel hazard reduction works. Importantly the Code will be guide all ACT Government agencies and their contractors operating in the LCC.</p>	<p>The development of a code of catchment management will be developed in line with the development of the plan of management. The completion of the plan of management process is currently pending the finalisation of the risk management plan, per item #7.</p>	<p>Proposed to Commence in late March 16.</p>
2	<p>Recommendation 2: REVIEW OF MANAGEMENT AGREEMENT</p> <p>The purpose and intention of the Management Agreement between the Conservator of Flora and Fauna and Icon Water (ActewAGL Distribution)—as it relates to the Lower Cotter Catchment—should be reviewed by the Conservator to determine if the agreement should specifically exclude the Lower Cotter Catchment.</p>	<p>Agreed</p> <p>Further to the Audit Report and due to the restructure of Actew Water (now Icon Water) and ActewAGL Distribution, and the associated redistribution of assets, the Conservator of Flora and Fauna has resolved to review all existing Management Agreements with ActewAGL and Icon Water.</p>	<p>The Conservator of Flora and Fauna has resolved to review all existing management agreements with ActewAGL and Icon. A draft Management Agreement with Icon Water has been prepared and negotiations are continuing at officer level with Icon Water regarding the structure and content of the agreement.</p>	<p>Commenced</p>

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3	<p>Recommendation 3: IMPLEMENT THE TAMS AND ICON WATER CODE OF PRACTICE</p> <p>The ACT Code of Practice which guides maintenance works on Controlled Land should be implemented by the Territory and Municipal Services Directorate and Icon Water, giving particular attention to the information-sharing and approval processes for annual operations plans and works plans.</p>	<p>Agreed</p> <p>TAMS and Icon Water developed a document with agreed standards and processes for works to be undertaken on Controlled Land called Code of Practice: Practical guidelines and standards for co-operation for maintenance works. The intent of the document was to give clarity to both organisations that works undertaken by one agency would not be inconsistent with the priorities and outcomes of the other.</p> <p>TAMS and Icon Water will work together to ensure staff are aware of the provisions of the Code and both agencies are informed, in a timely way, on intentions to carry out works.</p>	<p>An initial review of the Water Code of Practice is proposed for 2016 by ICON and PCS. An option will be to incorporate this code into a new, Code of Catchment Management as outlined in 1. In the interim, the existing Water Code of Practice will continue to be used as a platform to guide on-ground discussions at officer level.</p>	Commenced
4	<p>Recommendation 4: REVIEW AND FINALISE THE PARKS AND CONSERVATION SERVICE CODE OF SUSTAINABLE LAND MANAGEMENT</p> <p>The status of the draft Parks and Conservation Service, Code of Sustainable Land Management should be reviewed and either finalised or rescinded by the Territory and Municipal Services Directorate. If finalised, this should occur by October 2016.</p>	<p>Agreed</p> <p>TAMS will review the need for this Code of Practice in light of the consideration of the development of other codes (see Recommendation 1 and 3) and existing management guidelines and Standard Operating Procedures.</p>	<p>Further to the update in item #1, this action will be reviewed upon the completion of the risk management plan and during the plan of management phase.</p>	Not Commenced. Work on consolidated Codes of Practice to commence late March 2016.
5	<p>Recommendation 5: REVIEW THE MANAGEMENT AND COORDINATION ARRANGEMENTS FOR THE LOWER COTTER CATCHMENT</p> <p>New catchment management coordination and decision-making arrangements specifically for the Lower Cotter Catchment should be developed by the ACT Government and involve consultation with Icon Water, Territory and Municipal Services, Environment Protection Authority, Environment and Planning Directorate and Emergency Services Agency.</p>	<p>Agreed</p> <p>At its May 2015 meeting the Directors-General Water Group resolved that Territory and Municipal Services (TAMS) would establish an inter-directorate working group with representation drawn from TAMS, Environment and Planning Directorate (EPD), the Emergency Services Agency (ESA) in the Justice and Community Safety Directorate, and Icon Water to oversight a Whole of Government response to the recommendations of the audit report, and provide the following to the Directors-General Water Group;</p> <ul style="list-style-type: none"> • terms of reference for the operation of the inter-directorate working group; • an implementation plan, referenced against the relevant audit report recommendations; • reporting protocol back to the DGs Water Group; and • progress reports against implementation plan milestones. 	<p>The inter-directorate working group (called the Lower Cotter Catchment Implementation Group) had its first meeting in July 2015 and subsequent meetings in October and December 2015. The first status report was provided to the August meeting of the Directors General Water Group and is a regular agenda item for these meetings.</p>	Completed and ongoing

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6	<p>Recommendation 6: GIVING EFFECT TO THE WATER RESOURCES ACT: WATER POLICY COORDINATION</p> <p>The Environment Protection Authority's role as articulated in section 64 of the Water Resources Act 2007 should be implemented or reviewed.</p>	<p>Agreed</p> <p>Section 64 of the Act requires, amongst other things, the EPA to coordinate policies in relation to water resources and in administering the Act, to promote an integrated approach to water resource management, environment protection and water catchment management.</p> <p>The policy function that supports the EPA in discharging these responsibilities was incorporated into EPD's Environment Policy Division in 2011 to facilitate a more coordinated approach across the Directorate. With the recent changes involving Access Canberra, the environment protection policy components have been incorporated into the Environment Division. This will strengthen policy co-ordination and support to the EPA in discharging its statutory responsibilities.</p> <p>EPD will review the governance arrangements that support the EPA and the legislation, to reflect current practice.</p>	<p>EPD has commenced a review of the Water Resources Act 2007 (the Act) to determine if amendments are required to reflect the current administrative and policy arrangements for water resource management as detailed under Section 64 of the Act.</p>	Commenced
7	<p>Recommendation 7: DEVELOPMENT OF A LOWER COTTER CATCHMENT RISK PLAN</p> <p>A cross-agency risk management process and plan for the management of the Lower Cotter Catchment in reference to the land managed as a drinking water catchment should be developed by the Territory and Municipal Services Directorate, in consultation with key stakeholders, in particular Icon Water, Emergency Services Agency and the Environment and Planning Directorate, by June 2016.</p>	<p>Agreed</p> <p>Work on developing a Risk Plan has commenced and will be progressed by the LCC inter-directorate working group. The Risk Plan will, inter alia;</p> <p>a) consider existing risk assessments articulated in the Territory Wide Risk Assessment 2014 (TWRA) and the Strategic Bushfire Management Plan 2014;</p> <p>b) comply with the existing standard (AS/NZS ISO31000:2009) and should consider the application of the methodology in the National Emergency Risk assessment Guidelines (NERAG), Australian Government 2010;</p> <p>c) inform future review of the TWRA; and</p> <p>d) form an annexure to the LCC Plan of Management when completed.</p>	<p>The Lower Cotter Catchment Implementation Group commissioned Echelon Australia in October 2015 to assist with the production of a risk and treatment plan. As at Dec 31 2015, the Plan is in draft form. The Plan considers 58 separate risks in 11 categories and outlines priorities for remedial work. The Plan is proposed to be tabled with the DG Water Group in March 2016.</p>	Commenced. - Draft Plan to be presented to DG Water Group in March 2016.
8	<p>Recommendation 8: FINALISE THE PLAN OF MANAGEMENT FOR THE LOWER COTTER CATCHMENT</p> <p>The Plan of Management for the Lower Cotter Catchment should be finalised, by the Territory and Municipal Services Directorate, by July 2017.</p>	<p>Agreed</p> <p>EPD are currently working closely with TAMS to finalise a Plan of Management for the LCC.</p> <p>The Plan of Management will include, as recommended in the audit report;</p> <p>a) elements of a Catchment Management Plan as articulated in the Australian Drinking Water Guidelines;</p> <p>b) a clear statement of responsibilities of different agencies and agreed coordination processes; and</p> <p>c) Definition of appropriate low impact recreational activities based upon a risk assessment.</p> <p>The management plan will also address risks identified in the audit report such as large volumes of unmanaged sediment from unstable soils, wildfire and inadequate controls on public access. An access risk management plan and a program of community awareness will be developed to guide the community on permitted and prohibited activities in the LCC.</p>	<p>An initial draft has been completed by EPD/PCS. This process is now awaiting the finalisation of Recommendation #7 (Risk Plan) so as to provide further guidance on priorities and actions for development of content.</p>	Commenced. First draft to be completed April 2016

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9	<p>Recommendation 9: REGROWTH PINE FOREST IN AND ADJACENT TO THE LOWER COTTER CATCHMENT</p> <p>An action plan for the removal of the regrowth and unmanaged remnant pine forests in, and adjacent to, the Lower Cotter Catchment should be developed and implemented by the Territory and Municipal Services Directorate. In the development of the plan and in implementing it consultation should occur with the Emergency Services Agency, the Environment and Planning Directorate, and Icon Water.</p>	<p>Agreed</p> <p>Work on an action plan has been commissioned and is nearing completion. The objectives and strategies for the management of regrowth pine forest in and adjacent to the LCC will be identified in the Plan of Management for the LCC. Implementation of the action plan will be in co-operation with the Emergency Services Agency and be through the existing framework for bushfire planning and implementation in the ACT. This consists of the 5 Year Regional Fire Management Plans and Annual Bushfire Operational Plans (both of which fall under the Strategic Bushfire Management Plan).</p>	<p>A plan is underway to implement pine wilding removal trials within the Blue Range area to determine what removal methods best align with the preservation of water quality. These trials are being designed and implemented in collaboration with Icon Water.</p>	<p>Commenced - Pine wildling removal trials to commence April 2016.</p>
10	<p>Recommendation 10: REVIEW OF LOWER COTTER CATCHMENT ROAD AND FIRE TRAIL NETWORK</p> <p>The road and fire trail network in the Lower Cotter Catchment should be reviewed and a road network improvement plan should be developed by Territory and Municipal Services in consultation with Emergency Services Agency, Icon Water and the Environment and Planning Directorate. The review should be completed by July 2016.</p>	<p>Agreed</p> <p>The LCC inter directorate working group will prioritise a review of the road and fire trail network in the LCC noting that the underlying objective is to provide appropriate management access noting the need for rapid response capabilities to fires that may occur in the area. The review will take a risk based approach, and may identify the need for some trials to be shut down and others to be opened. In all instances, the need to mitigate against erosion will be a key consideration.</p> <p>The objectives and strategies for the road network implementation plan should be identified in the Plan of Management for the LCC.</p>	<p>The Lower Cotter Catchment Implementation Coordination Group assigned a working group consisting of representatives from PCS, ESA/RFS and the EPD to review the road and fire trail network within the Lower Cotter Catchment. The initial draft has identified roads with strategic fire fighting and land management importance and trails which pose a risk to water quality and therefore, need to be rehabilitated back to a natural state.</p> <p>This LCC Road Matrix has informed the first stage of track closures and a Request for Quotation (RFQ) is being developed to identify the appropriate contractor to conduct the rehabilitation works. Work will commence in Jan/Feb on 2km of old tracks identified as contributing large sediment loads in the Pierces Creek sub-catchment of the LCC.</p>	<p>Commenced - works will be ongoing throughout 2016</p>
11	<p>Recommendation 11: REMEDIATION OF SEDIMENT CONTROL STRUCTURES IN THE LOWER COTTER CATCHMENT</p> <p>The effectiveness of sediment control structures in the Lower Cotter Catchment should be assessed to identify damaged and poorly functioning structures and pondage, and an action plan developed for implementing repairs by Territory and Municipal Services in collaboration with Icon Water.</p>	<p>Agreed</p> <p>TAMS will work closely with Icon Water to determine a priority listing of erosion and sediment control structures for assessment and repair. TAMS has set aside \$0.3M for this purpose in 2015/16.</p> <p>A list of proposed works will be tabled for the consideration of the LCC inter-directorate working group and for the ultimate approval of the DGs Water Group.</p>	<p>High priority erosion and sediment control structures as well as point sources for erosion are being identified and studies have been completed by Landloch (long terms consultant on these matters within the LCC) to determine the root causes of these issues along with appropriate rectifications works. Work completed to date include the de-silting of a large sediment retention pond in the Pierces Ck area.</p>	<p>Commenced - ongoing throughout 2016</p>

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12	<p>Recommendation 12: REPORT ON RESTORATION AGAINST THE STRATEGIC MANAGEMENT PLAN</p> <p>The Commissioner for Sustainability and the Environment should evaluate the restoration of the Lower Cotter Catchment against the Management Goals contained in the Strategic Management Plan, and report to the Minister for the Environment on priorities to be identified for the next decade, by December 2017.</p>	<p>Agreed</p> <p>The Commissioner for Sustainability and Environment will undertake a review of the delivery of management goals outlined in the Strategic Management Plan for the Lower Cotter Catchment, noting that the final terms of reference of such a review would benefit from consultation with the agency and the relevant Minister.</p>	<p>No further update. Refer Commissioner for Sustainability and Environment.</p>	<p>Not Commenced</p>