



STANDING COMMITTEE ON PLANNING, TRANSPORT AND CITY SERVICES
Jo Clay MLA (Chair), Suzanne Orr MLA (Deputy), Mark Parton MLA

Inquiry into Annual and Financial Reports 2020-2021

QUESTION ON NOTICE

Asked by Ms Nicole Lawder MLA: To ask the Minister for Transport and City Services

Ref: Further to the response to QON 579 relating to works at Fadden Pond

In relation to:

1. The answer to Q1 of QON 579 does not provide dates for when the works at Fadden Pond were inspected (as per original question). Please provide evidence of this inspection/s including specific date/dates.
2. Regarding the answer to Q2 of QON 579 that water quality is not retained, why not?
 - a. As an absolute minimum, turbidity and pH should have been measured to ensure discharged waters complied with the environmental authorisation. Ideally, a full suite of analysis should have been undertaken on the water quality and the sediments, including nutrients and metals specifically. This information would not only inform the operators on what treatment is needed prior to discharging the pond waters downstream, but also assist in understanding the sources and quantum of pollutants; and what frequency future maintenance might be required, including for similar ponds. Why wasn't this carried out?
3. Regarding the answer to Q3, what does "observed as acceptable" mean? And to whom? What are the water quality qualifications of the person/s who made this determination?
4. Regarding the answer to Q4, again, what does "observed and found acceptable mean"? What are the water quality qualifications of the person/s who made this determination?
5. What does "works were undertaken in accordance with the EMP whenever possible" mean? Shouldn't it all have taken place in accordance with the EMP? Isn't that why we have an EMP? What road safety concerns were there?
6. Regarding the answer to Q6 were the works really carried out in accordance with the EA and the EMP? As just a few examples (not including the silt drying location change, and that there were not enough star pickets to hold up the silt drying pond fence, and others):
 - a. Why was no sampling undertaken as required under EA 0654 item 10.1?
 - b. Why was water discharged to the stormwater system to empty the pond in dry weather despite EA 0654 item 15.1?

- c. Why was the mechanism for draining of the pond not identified in the EMP as required under EA 0654 item 17.2?
 - d. Why wasn't monitoring undertaken as required under EA 0654 item 18.1?
 - e. How was the water quality of the discharge from the work managed given the high turbidity of the pond?
7. Regarding the answer to Q7, clearing of the vegetation, including macrophytes, around the pond, improves the appearance, but it also reduces the uptake of nutrients by the vegetation and hence the water quality improvements from the pond. The macrophytes should eventually re-establish themselves, but it is unclear what the TCCS policy and practice is for managing macrophyte harvesting across the ACT. What is TCCS policy on macrophyte harvesting?
 8. The original question remains: What type of algae is blooming in Fadden Pond?
 9. Regarding the answer to Q11, the question remains. I presume the original response to QON443 identifying Upper Stranger Pond as part of the flow was incorrect?
 10. Regarding the answer to Q12, the original question remains: when, what type, number.

Mr Chris Steel MLA: The answer to the Member's question is as follows:–

1. Regular inspections and site visits were carried out by TCCS officers during the desilting of Fadden Pond. Inspections took place between 10 to 28 May 2021.
2. If water quality testing occurs, test records are retained.
 - a. Water was drained from the pond into the stormwater network prior to desilting activity. During desilting there was no discharge to the stormwater network.
3. Suitably experienced TCCS officials observed and noted the water quality as acceptable due to the lack of visible algal blooms. The clarity of the water was clear throughout the whole water column indicating low turbidity and low suspended solids.
4. Refer to response for question 3.
5. As stated in response to QON 578 a condition of the Environmental Authorisation (EA) requires an Environment Management Plan (EMP) be prepared and approved by the Environment Protection Authority (EPA) prior to works being carried out for each site. The EMP does not separately specifically identify or state monitoring to be undertaken.

The EA is the overarching document and Section 18.1 of the EA states monitoring of water quality in the work area shall be undertaken during extraction of the material. The work undertaken required the pond to be drained while the extraction was taking place, with no outflow occurring during the works. Given monitoring under the EA applied to extraction while the pond was operating as normal, that is not drained, the monitoring requirements under the EA did not apply for the works undertaken. In summary, in the absence of surface water following the draining, surface water monitoring was not applicable. In relation to road safety, traffic management plans were employed as required and pedestrian paths were closed.

6. a. to e. Refer to response to question 5.
7. Macrophytes are managed in accordance with operational and maintenance manuals and best management practice.
8. The exact type of algae has not been determined however tests carried out for total cyanide volume indicate the algae is not blue-green algae.
9. Water from Fadden Pond eventually flows into Isabella Pond and not Upper Stranger Pond.
10. Golden Perch will be restocked in Fadden Pond. The quantity and timing is currently unknown until stock becomes available.

Approved for circulation to the Standing Committee on Planning, Transport and City Services

Signature:



Date:

25/3/22

By the Minister for Transport and City Services, Mr Chris Steel MLA