



ACT
Government

Progress Report: Auditor-General's
Report No. 3 of 2015 - Restoration of the
Lower Cotter Catchment

February 2017

Objective

This progress report is drafted in response to Recommendation 3 of the Standing Committee on Public Accounts Report No. 31 of July 2016.

A summary of actions completed, in progress or proposed, against each of the 12 recommendations in the ACT Auditor General's *Report No.3/2015: Restoration of the Lower Cotter Catchment* is outlined below.

Background

Introduction

One of the defining features of the geography of the ACT is of course, the distinctive mountains to the city's west. The potential to derive water supply from the mountainous native forests which make up the Cotter River catchment was an important factor influencing the choice for the site of Australia's new Federal capital.

In 1915 the Cotter Dam was built just upstream of where the Cotter River meets the Murrumbidgee River and for over 40 years it stood as the source of Canberra's only drinking water supply. As the city grew, administrators recognised the need for more dams and so the Bendora and Corin Dams were both built, also on the Cotter River in the 1960s.

The Canberra bushfires of 2003 were the most widespread felt in the ACT, possibly since 1939, with almost all of Namadgi National Park's 110 000 hectares affected, as well as the complete devastation of the nearby Tidbinbilla Nature Reserve and the thousands of hectares of pine plantations at Ingledene, Miowera, Gibraltar and Pierces Creek.

The relatively rapid recovery of the natural landscape contrasted with ex-pine plantation areas which would need active management to ensure the integrity and productivity of the soil would not be lost to erosion. This was the catalyst to an important community/government partnership. Led by Greening Australia and the Parks and Conservation Service, work on "Re-greening the Cotter" began, with over 300 000 native seedlings planted from 62 native species of trees and shrubs.

In the decade post 2003, over 500 hectares of fire devastated Lower Cotter Catchment have been transformed into a recovering landscape, in part due to this replanting effort.

Also post 2003, and in the middle of the millennium drought, attention turned to strategic planning that might deliver security of water supply in a drying climate. An enlarged Cotter Dam was an important element of that strategy and in 2009 work commenced on enlarging the capacity of the existing dam through the construction of a new 80m high dam wall downstream of the existing dam wall structure. In 2013 the enlarged Cotter Dam was completed activating a further 20 000 ha of land as new drinking water catchment for

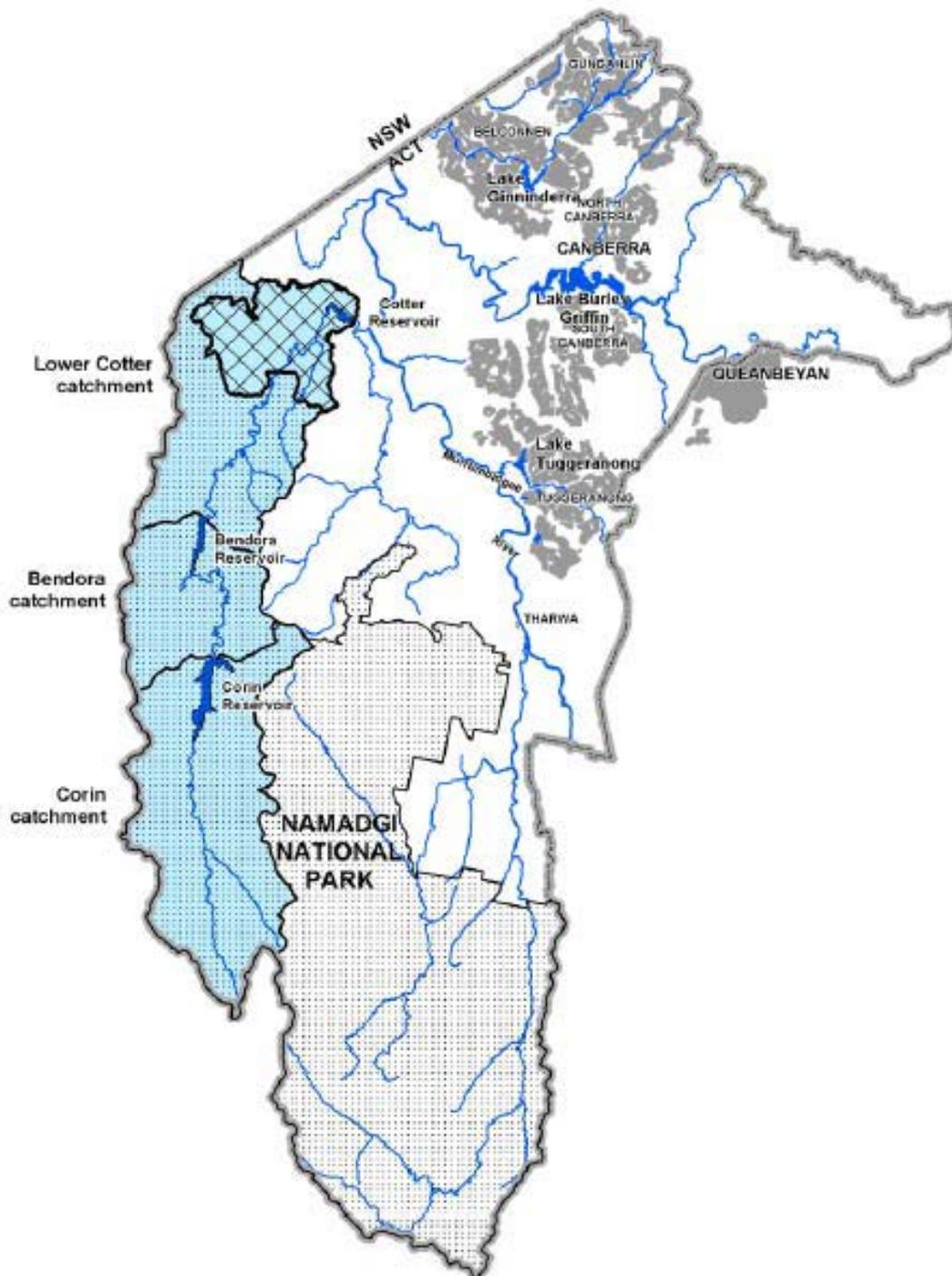
Canberra. The recovery of the Lower Cotter Catchment took on an increased urgency because it is now an important component of the Territory's water catchment.

The Lower Cotter Catchment

The area referred to as the Lower Cotter Catchment (LCC) is a region of former pine plantation which encompasses approximately 6,350 ha. It is a recovering landscape, previously pine plantation, and immediately upstream of the enlarged Cotter Dam.

It should be noted that the size of the watershed of the lower reaches of the Cotter River is much greater than what we define as the Lower Cotter Catchment, and includes land within Namadgi National Park (12 650 ha) and the Brindabella National Park in NSW. These areas are managed in accordance with their own plans of management which are not inconsistent with the preservation of water quality values and are outside the scope of the definition of the Lower Cotter Catchment (Figure 1).

Figure 1. Map of the ACT showing the Lower Cotter Catchment



Note: The cross-hatched area is the Lower Cotter Catchment, subject area of the AGs Report no 3/2015 and this Progress Report. The blue shaded area is the entire Cotter River catchment, with both the Corin and Bendora sub-catchments visible. Source: Lower Cotter Catchment Strategic Management Plan, p. 2

Auditor General's Enquiry and Public Accounts Committee Report No 31.

The Auditor-General's Report No. 3 of 2015: *Restoration of the Lower Cotter Catchment* was presented to the ACT Legislative Assembly on 20 May 2015. The Audit report presents the results of a performance audit that examined the management of the Lower Cotter Catchment as defined by the area cross-hatched at Figure 1 above.

In accordance with the resolution of the Standing Committee on Public Accounts (the Committee), the Audit report was referred to the Committee for examination.

In its Report No. 31 *Review of the Auditor-General's Report No. 3 of 2015: Restoration of the Lower Cotter Catchment*, the Committee made seven recommendations, six of which were agreed in whole or in part by Government and one which was noted.

A full copy of Government's response to the Committee's Report No. 31 is at [Attachment A](#).

In particular the Committee's Recommendation 3 called on Government to;

report to the Assembly, by the last sitting day in March 2017, on the progress of the Government's implementation of the recommendations made in Auditor-General's Report No. 3 of 2015: *Restoration of the Lower Cotter Catchment*, that have been accepted either in-whole or in-part. This should include: (i) a summary of action to date, either completed or in progress (including milestones completed); and (ii) the proposed action (including timetable), for implementing recommendations (or parts thereof), where action has not yet commenced.

This Progress Report is drafted in response to Recommendation 3 of the Committee's Report No. 31 and outlines actions completed, in progress and proposed against each of the Auditor-General's 12 recommendations.

As the oversight authority for all land management activities in the Lower Cotter Catchment, the Directors-General Water Group, (constituted by Directors-General from the Environment, Planning and Sustainable Development Directorate, Justice and Community Safety, Transport Canberra and City Services, Health Directorate, Chief Ministers, Treasury and Economic Development Directorate as well as the Managing Director of Icon Water), created the Lower Cotter Catchment Working Group in May 2015. This Working Group, with membership from operational staff from the represented Directorates and Icon Water, meet regularly to direct the operational land management in the Lower Cotter Catchment and to report to the DGs Water Group on progress towards giving effect to the AGs Report No 3/2015.

Note that recommendations 1, 3 and 4 listed below, each relating to matters of codes of practice, have been considered together, as Government has determined one code of practice covering each of the three areas of concern expressed by the AG would be the most appropriate operational response.

No. Recommendations: AG Report No. 15/215	Progress Report as at 17 February 2017.
<p>1 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.</p>	<p>Status: IN PROGRESS</p> <p>Summary: Work is well progressed in finalising a Code of Sustainable Land Management Practices (Rec.4) with an advanced draft being reviewed by operational managers. The Code will incorporate a particular schedule addressing potable water catchment management (Rec. 1) as well as a maintenance works code (Rec. 3) - which is in existence already but would benefit from a review given considerable workplace practice change. (Rec. 3).</p> <p>Milestones Achieved</p> <ol style="list-style-type: none"> 1. All agencies agree to consolidating codes of practice into one document titled Code of Sustainable Land Management Practices (the Code). 2. Resources identified in August 2016 to review the Code and bring together the required relevant schedules including a schedule titled <i>Potable Water Catchment Management</i>. 3. Draft of the Code in circulation with land managers December 2016.
<p>3 The ACT Code of Practice which</p>	<p>Timeline of Proposed Actions</p>

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.

- 4 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.

- 2 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.

1. April 2017: Final Draft of Code endorsed by Working Group and presented to DG Water Group for endorsement.
2. April 2017: Rollout of Code to all relevant ACT Gov staff.
3. May 2017: Work to commence on new schedule to the Code titled *Potable Water Catchment Practices*.
4. July 2017: Potable Water Catchment Practices schedule completed and appended to the Code.

Status: COMPLETED

Summary: A Site Management Agreement dated 20 January 2017 between the Conservator of Flora and Fauna and Icon Water is now in place and applies to all areas of land in the Territory where Icon Water retains assets including the Lower Cotter Catchment.

The Agreement outlines the approvals environment for maintenance works carried out by Icon Water and requires Icon Water to submit proposals for new works through the normal planning and environmental protection approvals processes.

5 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.

Status: COMPLETED

Summary: At its May 2015 meeting the Directors-General Water Group resolved to assume management oversight for all matters relating to the management of the Lower Cotter Catchment.

Furthermore the Directors-General Water Group resolved that the Environment, Planning and Sustainable Development Directorate (EPSDD) would establish an inter-directorate working group with representation drawn from EPSDD, the Emergency Services Agency (ESA) in the Justice and Community Safety Directorate (JACS), 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;

- 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.

The working group has been established and has met regularly since May 2015 with progress reports presented to the Directors-General Water Group.

6 The Environment Protection Authority's role as articulated in section 64 of the Water Resources Act 2007 should be implemented or reviewed.

Status: COMPLETED

Summary: The Environment Protection Authority's role pursuant to section 64 was reviewed early in 2016 and consequently it was determined that certain functions related to catchment management and water policy, would be appropriately delegated to the Executive Director, Environment Division, within EPSDD. This was executed via instrument on 23 May 2016. (See Notifiable Instrument NI2016– 249 made under the Water Resources Act 2007, s65).

7 A cross-agency risk management process and plan for the management of the Lower Cotter Catchment in reference to the land managed

Status: COMPLETED

Summary: *A Lower Cotter Catchment Risk Assessment and Risk Treatment Plan* was completed in May 2016 and endorsed by the Directors-General Water Group at its June 2016 meeting. The Plan focuses management activities to address key risks and has been used to prioritise remediation activities such as the management of

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.

pine wildlings, remediation of erosion and sediment control structures and stabilisation of erosion gullies.

8 The Plan of Management for the Lower Cotter Catchment should be finalised, by the Territory and Municipal Services Directorate, by July 2017.

Status: IN PROGRESS

Summary: A Lower Cotter Catchment: Draft Reserve Management Plan (the draft plan) was released for public comment in January 2017. A final version of the Plan, amended to incorporate public comment, is scheduled to be presented to the Minister in June 2017.

Milestones Achieved:

1. Working group agrees to the draft plan in November 2016.
2. Copy of draft plan provided to Conservator of Flora and Fauna in November 2016.
3. Draft plan released for public comment on 16 January 2017.
4. Public presentations and key stakeholder engagements occur over February 2017.

Timeline of Proposed Actions

1. Public consultation period to close 10 March 2017.
2. Review plan in light of public comments, provide a public consultation report to the Minister by May 2017.
3. Complete edits, design and printing of plan by June 2017.
4. Refer Plan to Minister by June 2017.

9 An action plan for the removal

Status: IN PROGRESS

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.

Summary: Work has been completed on the *Blue Range Rehabilitation Plan v3*. This is an operational document that sets out a 3 year plan of action to manage pine regrowth in the Blue Range area of the Lower Cotter Catchment. Implementation is scheduled over the next three years with 68 ha of pine regrowth within the Lower Cotter Catchment to be removed in 2016-17. EPSDD will lead the delivery of works on the ground and report regularly to the Lower Cotter Catchment Working Group (multi-directorate representation inc Icon Water).

Milestones Achieved:

1. A trial to determine appropriate field methods to remove pine wildlings on steep terrain commenced in February 2016 and was finalised in May 2016.
2. Evaluation of trial and cost – benefit analysis completed October 2016.
3. To date, 10 ha of treatment has been completed (16/17 quota: 68.7 ha) with water quality monitoring indicating no sediment movement.

Timeline of Proposed Actions

1. The proposed timeline (subject to review) for the removal of pine regrowth within the LCC is as follows:
2016-17: 68.7 ha
2017-18: 87.1 ha
2018-19: 70.5 ha

10 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

Status: NEARING COMPLETION

Summary: The Lower Cotter Catchment Working Group is reviewing the final draft of a *Lower Cotter Catchment Road Network Plan*. The plan which informs the extent and classification of the road network in the Lower Cotter Catchment was informed by a road matrix which evaluated each road on five criteria including: safety, quality, soil stability, fire operations and land management or public recreation. The Plan is scheduled to be completed by April 2017.

Environment and Planning Directorate. The review should be completed by July 2016.

- 11** 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.

Status: COMPLETED

Summary: Landloch Australia was commissioned to prepare a report on the state of sediment control structures within the Lower Cotter Catchment and recommendations for remediation where necessary in July 2015. The report reviewed all known (38) sediment control structures in the Catchment which included;

- gabion check dams
- rock check dams;
- sediment control dams; and
- gabion retaining walls.

A total of 10 structures (8 gabion check dams and 2 rock check dams) were prioritised for remedial work and all these works were successfully completed in 2016.

- 12** 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

Status: IN PROGRESS

Summary: The Commissioner's office commenced scoping this project in 2015-16 in consultation with key stakeholders and subject matter experts.

Milestones Achieved:

1. An assessment methodology describing the relationships between plans, actions and reviews prescribed by the Auditor General's report is being developed.
2. With the statutory management plan not expected to be in final form until July 2017, and superseding

the next decade, by December 2017.

the Strategic Management Plan, the value of undertaking a review on a plan about to be replaced was diminished.

3. Consequently, the Commissioner wrote to the Minister (then Minister Corbell) on 2 September 2016 to seek an extension to the due date for the review until December 2018.
4. Formal agreement is being sought for the extension of time from Minister Rattenbury and Minister Gentleman.

Timeline of Proposed Actions

1. Evaluation project plan finalised by June 2017
2. Evaluation to commence in July 2017 including on ground ecological assessments from autumn through to spring
3. Draft report available September 2018
4. Final report to Minister December 2018