

MEDIA RELEASE

20 May 2015

Restoration of the Lower Cotter Catchment

The ACT Auditor-General, Dr Maxine Cooper, today presented the report on the **Restoration of the Lower Cotter Catchment** to the Speaker for tabling in the ACT Legislative Assembly.

Dr Cooper said ‘since the 2003 fires, the better than expected natural regeneration of the vegetation cover and the management efforts and resources expended have been effective in steadily improving water quality and reducing turbidity [cloudiness of the water] in this catchment’.

The importance of the Lower Cotter Catchment increased with the construction of the Enlarged Cotter Dam (completed August 2013) which contains twenty-five per cent of the ACT’s potable water supply and represents an investment of approximately \$410.5 million.

Dr Cooper said ‘there have been some significant achievements made in implementing the *Lower Cotter Catchment Strategic Management Plan 2007* in an area devastated by fire just over twelve years ago — now a major land restoration project in a fire-damaged and erosion-degraded potable water catchment. It reflects a cooperative approach across Government agencies, Icon Water and community volunteers’.

Dr Cooper also said ‘while this approach has yielded desired results, since 2009 coordination has been problematic and a new management, coordination and decision-making structure for the Lower Cotter Catchment is needed’.

While this is good news, Dr Cooper’s report provides a warning that the Lower Cotter Catchment is exposed to significant risks which could accumulate and lead to a catastrophic failure of this water catchment. The ultimate risk is of the movement of large volumes of unmanaged sediment from unstable soils into the reservoir. Wildfire is a significant risk which will increase with climate change and requires persistent and effective management efforts. The controls which regulate public access to this catchment are inadequate; increasing the risk of fire, landscape damage and erosion. If a fire were to occur and if it was followed by a heavy rainfall event(s), then there is a significant risk that the sediment control structures would be overwhelmed culminating in high levels of turbidity in the catchment leading to a loss of water quality and

consequently increased cost of water treatment. It is of concern that examples have been found in the audit that illustrate neglected or damaged erosion control structures.

Dr Cooper said 'there are twelve recommendations aimed at assisting in managing the Lower Cotter Catchment into its next stages of development in what is a very long-term project'.

The audit conclusion and the twelve recommendations in the Restoration of the Lower Cotter Catchment: Report No 3/2015 are attached to this media release.

Copies of the **Restoration of the Lower Cotter Catchment** Report No. 3/2015, are available from the ACT Auditor-General's Office website www.audit.act.gov.au . If you need assistance accessing the report please phone 6207 0833 or go to 11 Moore Street, Canberra City.

Overall conclusion

The Planning and Development Act 2007 provides an overarching legislative framework to protect the ACT's potable water catchments. The Act satisfied the requirements of the Australian Drinking Water Guidelines, as it makes the protection of 'existing and future domestic water supply' the highest objective for the Lower Cotter Catchment (LCC). The 2003 fires adversely affected the water quality in the LCC. This is being addressed through the implementation of a major restoration project. The importance of the LCC increased with the construction of the Enlarged Cotter Dam (completed August 2013) which contains twenty-five per cent of the ACT's potable water supply and represents an investment of approximately \$410.5 million.

Since the 2003 fires, the natural regeneration of the vegetation cover and the management efforts and resources expended by Icon Water, the Territory and Municipal Services Directorate and the Environment Protection Authority, have been effective in steadily improving water quality and reducing turbidity and sedimentation. However, turbidity problems still occur following heavy rainfall events because of the unstable soils and erosion sites in particular parts of the catchment.

Progress in restoring the LCC has been such that we are now entering the consolidation and maintenance phases of the restoration. The management actions from 2006 to 2009 were under a Deed of Agreement whereby a strong decision-making Management Group, supported by ACT Government funds and an additional \$11 million supplied by Icon Water, enabled the completion of major sediment control engineering works and the revision of the road network. This in conjunction with the natural regeneration of the vegetation has reduced the rate of sediment movement into the Enlarged Cotter Dam. The vegetation recovery in the LCC has been better than anticipated and has assisted in the stabilisation of the erosion-prone soils.

Coordination of the efforts within the LCC has been important because of the number of different agencies involved in the delivery of a large, complex, restoration project with multiple facets and resourcing implications. However, high-level coordination of activities in the LCC has been reduced since the Deed of Agreement ceased in October 2009. The subsequent consultative committee which was intended to continue the LCC coordination role did not include senior staff with decision-making authority and ceased in 2013. As a result, there is no effective high-level coordination for the implementation of the LCC Strategic Management Plan. Because of the inherent risks in this situation, a review of the catchment management and coordination arrangements for the LCC by the ACT Government would assist in identifying a new management, coordination and decision-making structure for the LCC.

The Strategic Management Plan set out twenty-nine management actions to be achieved. Seventeen of the management actions (58.5 per cent) in the Strategic Plan were achieved; a further eight were partly achieved (27.5 per cent). Only four (14 per cent) of the management actions were not achieved, in what has been, and continues to be, a major land restoration

project for a fire-damaged and erosion-degraded potable water catchment. This is a significant achievement for a cooperative approach across several agencies and community volunteers in the restoration of the catchment.

Some of the management actions were rated as 'achieved and ongoing' or 'partly achieved and ongoing.' This indicates that there is still further work required over time in order to achieve the ultimate goal of resilient native woodland and grasslands in the LCC Strategic Management Plan.

Despite the improvements in water quality the LCC is exposed to significant risks which are interrelated and which, under adverse conditions, could accumulate and lead to a catastrophic failure of the water catchment. The ultimate risk is of the movement of large volumes of unmanaged sediment from unstable soils into the reservoir. Wildfire is a significant risk which will increase with climate change and requires persistent and effective management efforts. The controls which regulate public access to the LCC are inadequate; increasing the risk of fire, landscape damage and erosion. If a fire were to occur and if it was followed by a heavy rainfall event(s), then there is a significant risk that the sediment control structures would be overwhelmed culminating in high levels of turbidity in the catchment leading to a loss of water quality and consequently increased cost of water treatment. It is of concern that examples have been found in the audit that illustrate neglected or damaged erosion control structures.

It was not evident that the four agencies: the Environment and Planning Directorate, the Environment Protection Authority, Icon Water (ACTEW Water, ACTEW AGL) and the Territory and Municipal Services Directorate who shape the plans for or undertake management actions in the LCC, had a shared knowledge of the cascading effect of risks and their potential consequences. This is because there is no shared overarching risk identification process and risk management plan. The development of a shared risk plan is important so that identified risks can be used to effectively and efficiently determine financial resources needed for risk mitigation strategies including: fire management, maintenance of sediment control structures and public access controls for the LCC. These are high risks to water quality protection.

Priority needs to be given to important and ongoing work such as: the inspection and maintenance of erosion control structures in the LCC; a review of the LCC road and fire trail network to facilitate safe fire management; review of three areas of pine plantation that have been intentionally unmanaged and now present a fire risk, including in particular the Blue Range; controlling the major weeds (pine wildings and blackberry); completing a statutory plan of management for the LCC; finalising controls on public access to the catchment; and making the community aware of the importance of access restriction in protecting our water supply.

Twelve recommendations are made, of which three are high priority. These are aimed at integrating the management of the LCC and accelerating the implementation of the Strategic Management Plan to protect the LCC which supports the Enlarged Cotter Dam that is an important component of the ACT's water security.

Recommendations

RECOMMENDATION 1 DEVELOPING A CODE OF CATCHMENT MANAGEMENT

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.

(The Code of Potable Water Catchment Management could be based on a review of the *ACT Code of Forest Practice 2005* and be used as a standard and a condition contained in environmental authorisations for the LCC. It should be consistent with the *Australian Drinking Water Guidelines* and consistent with provisions of the TAMS and ACTEWAGL, *Code of Practice: Practical guidelines and standards for co-operation for maintenance works.*)

RECOMMENDATION 2 REVIEW OF MANAGEMENT AGREEMENT

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.

(There may be no substantial basis for the inclusion of the Lower Cotter Catchment, as its inclusion in the agreement is only needed if Icon Water’s actions might conflict with the management objectives for the catchment, in particular, protecting the water supply. If the Conservator considers that an agreement is necessary, the reasoning for including the Lower Cotter Catchment should be documented in the agreement being developed.)

RECOMMENDATION 3 IMPLEMENT THE TAMS AND ICON WATER CODE OF PRACTICE

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.

(If the Conservator of Flora and Fauna specifically excludes the Lower Cotter Catchment from the Management Agreement (Recommendation 2) then Icon Water and Territory and Municipal Services Directorate should develop a Memorandum of Understanding to integrate their activities using the ACT Code of Practice.)

**RECOMMENDATION 4 REVIEW AND FINALISE THE PARKS AND CONSERVATION SERVICE
CODE OF SUSTAINABLE LAND MANAGEMENT**

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.

**RECOMMENDATION 5 REVIEW THE MANAGEMENT AND COORDINATION ARRANGEMENTS
FOR THE LOWER COTTER CATCHMENT**

HIGH PRIORITY RECOMMENDATION

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.

(The aim is to develop effective, streamlined coordination and decision-making arrangements at the high level, and to integrate these arrangements into the operational level. An important consideration is that the decision-makers must also have the authority to assign and commit the necessary resources to implement their decisions.)

**RECOMMENDATION 6 GIVING EFFECT TO THE WATER RESOURCES ACT: WATER POLICY
COORDINATION**

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

(The Administrative Arrangements for water policy should align with section 64 of the *Water Resources Act 2007* or if existing arrangements are maintained in that water policy is in the Environment and Planning Directorate, the *Water Resources ACT 2007* should be amended.)

RECOMMENDATION 7 DEVELOPMENT OF A LOWER COTTER CATCHMENT RISK PLAN

HIGH PRIORITY RECOMMENDATION

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.

(Territory and Municipal Services should therefore take carriage of the risk process and plan which should be reviewed every three years or sooner if the risk profile merits review.)

RECOMMENDATION 8 FINALISE THE PLAN OF MANAGEMENT FOR THE LOWER COTTER CATCHMENT

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

(Community consultation for the Plan of Management should be based on the knowledge that the key management objectives for the Lower Cotter Catchment have been decided and are contained in the *Planning and Development Act 2007* and the *Territory Plan 2008*.)

RECOMMENDATION 9 REGROWTH PINE FOREST IN AND ADJACENT TO THE LOWER COTTER CATCHMENT

An action plan for the removal of the regrowth and unmanaged remnant pine forests in, an 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.

RECOMMENDATION 10 REVIEW OF LOWER COTTER CATCHMENT ROAD AND FIRE TRAIL NETWORK

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.

(The review should define the minimum road and fire trail network that balances the goal of access for fire fighting with the goal of minimising roads and fire trails so as to minimise erosion and sediment movement into the reservoir; and examine gates and other control structures that effectively restrict or control public access but allow access for fire fighting and service needs.)

RECOMMENDATION 11 REMEDIATION OF SEDIMENT CONTROL STRUCTURES IN THE LOWER COTTER CATCHMENT

HIGH PRIORITY RECOMMENDATION

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.

RECOMMENDATION 12**REPORT ON RESTORATION AGAINST THE STRATEGIC MANAGEMENT PLAN**

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.

(This aligns with the requirement in the Strategic Management Plan for it to be evaluated, Section 1.1)