

To: Mr Phillip Glyde
Chief Executive
Murray-Darling Basin Authority

From: Ben Ponton
Director-General, Environment, Planning and Sustainable Development Directorate
Australian Capital Territory

Australian Capital Territory annual reporting for 2018-19

The ACT's 2018-19 Basin Plan annual report combines reporting requirements for the Implementation Agreement Statement of Assurance with additions to satisfy the Basin Plan Schedule 12 and the National Partnership Agreement.

I certify that to best of my knowledge, for the 2018-19 water accounting period the information provided in the self-assessment attached to this statement accurately reflects the extent to which Australian Capital Territory is compliant with the its obligations under the Basin Plan 2012.

The ACT has met obligations under the requirements of the 2012 Basin Plan and has been self assessed as being compliant. No non-compliance or partial compliance has been detected.

Ben Ponton on behalf of the Australian Capital Territory.



Ben Ponton

14/11/2019

Table of Contents

Reporting context	1
Matter 6: Local Knowledge & Solutions.....	2
Matter 10: Environmental Watering	3
Matter 13: Critical Human Water Needs	5
Matter 14: Water Quality and Salinity	6
Matter 16: Water Trading	7
Other: Sustainable diversion limits	8
Other: SDL Adjustment & Constraints Management.....	8
Other: Water Resource Plans.....	8
Attachment A: Basin Environmental Watering Priorities (BAEWP) for reference in reporting why watering not undertaken in accordance, under BPs8.44	10

The ACT Government's 2018–19 annual report to satisfy annual reporting obligations for:

- Basin Plan Schedule 12 responses (except Matter 9 – use of environmental water)
- National Partnerships Agreement (NPA) assurance of milestone achievement
- Basin Plan Implementation Agreement (BPIA) self-assessment of compliance with implementation tasks

Reporting context

This template provides a single Commonwealth information collection point that covers Basin State 2018-19 annual reporting obligations in relation to the Murray-Darling Basin Plan for:

- Basin Plan Schedule 12
- the Basin Plan Implementation Agreement (BPIA) compliance requirements
- the milestone assessments of the National Partnership Agreement (NPA) on Implementing Water Reform in the Murray-Darling Basin

Note that: reporting for Schedule 12 Matter 9 (the identification and use of environmental water) is reported separately by Basin States, CEWH and the Authority; and reporting for Schedule 12 Matter 5 (the transition to long-term average sustainable diversion limits) is reported separately by the Department.

The Department of Agriculture (the Department) will use the information provided in this template as well as multiple other sources to meet NPA reporting requirements. Where milestones have not been fully met in 2018–19, Basin states should indicate what steps are underway to fully meet the milestone in the future. Where applicable, describe any intended actions and planned timeframe for the milestone to be met. The Department will seek collaborating information from the MDBA and Commonwealth Environmental Water Office (CEWO) where applicable.

Matter 6: Local Knowledge & Solutions

Reporting Matter	Reporting Requirement (Supporting evidence to be provided by Basin States)	Response (response/milestone achievement/compliance status)
<p>M6 The extent to which local knowledge and solutions inform the implementation of the Basin Plan.</p> <p>[Chapter 6, 8 & 10]</p> <p>[NPA 8e]</p>	<p>Please describe the process and outcomes of local engagement contributing to key BP implementation activities in 2018-19 as follows:</p> <p>M6a) Water Resource Plans:</p> <ul style="list-style-type: none"> The engagement process and how local knowledge and views influenced the development of WRPs. Any activities undertaken to increase Traditional Owners' capacity to participate in the development of WRPs, and improve engagement between water planners and Traditional Owners, in order to incorporate indigenous values and uses into WRPs (BP Ch10 Part 9). <p>M6b) Environmental watering:</p> <ul style="list-style-type: none"> Describe the engagement process and how local knowledge, views and solutions influenced the planning and delivery of environmental water and the outcomes. This includes how the following were considered: <ul style="list-style-type: none"> the views of local communities and persons materially affected by the management of environmental water (BP8.39 and NPA 8e) 	<p>M6a) The Environment, Planning and Sustainable Development Directorate (EPSDD) has engaged the local community to assist with the development of the ACT's Water Resource Plan.</p> <p>The ACT has previously identified key stakeholders to inform the implementation of the Basin Plan, based on similar water policy engagements, as the ACT had already identified the key local stakeholders throughout the development and implementation of similar works to the Basin Plan, such as the ACT Water Strategy and Catchment management coordination. The nature, size and structure of the ACT limits the number of stakeholders as compared to other Basin states. The extent of community engagement in 2018-19 did not need to be as extensive as previous years as the ACT is now seeking to finalise the key parts of its WRPs.</p> <p>EPSDD has and maintains close relationships with the key stakeholders that relate to water and water resource planning. For instance, EPSDD works closely with the one ACT water utility, ICON Water, during utility performance reporting, regular water quality monitoring, trade obligations and the review of the environmental flow guidelines. Similarly, EPSDD has maintained relationships with the rural lessees, water experts and key community groups that have previously assisted and advised on the development of the ACT Water Strategy, review of the Environmental Flow Guidelines (EFG) and previous work on the Water Resource Plan.</p> <p>The knowledge drawn from these groups has been used to assist in the development of various aspects of the ACT's water resource plan. More specifically, the engagement with key stakeholders has enabled the ACT to review the ACT EFG. The review of the EFG is a requirement of the ACT's Water Resource Act 2007 and occurs every 5 years. EFG describe the quality, timing and quality of water required to sustain freshwater ecosystems. The revised EFG will better inform Basin Plan obligations, such as the Long Term Environmental Watering Plan, Annual Environmental Watering Priorities, Identification of Priority Environmental Assets and Priority Environmental Functions and be consistent with MDBA Basin-wide Environmental Watering Strategy. Thus, the revised EFG is central to the ACT's WRP and have been prepared with these requirements in mind.</p> <p>The review process under the Act requires a consultation notice be advertised with a 60 day consultation period and the draft EFG be available on the Governments website (Have your say – ACT Government/Community feedback online link and at shopfronts. Submissions were invited. Key stakeholders were directly engaged which included Icon Water, the National Capital Authority, NSW Department of Environment, Environmental Flow Technical Advisory Panel, Upper Murrumbidgee Demonstration Reach, NRM Advisory Panel and expert scientific workshops (including the MDBA). Two community open workshops that presented the draft EFG were conducted. Through these consultations it was agreed to amend the EFG to increase environmental flows from Googong Dam, protect ACT environmental flows from NSW take, and amend the 10% limit on take above the 80th percentile base flows in the Murrumbidgee River to provide Icon greater flexibility managing the Murrumbidgee to Googong transfer. Additionally, suggestions to improve the governance arrangements within the ACT by separating policy with regulation have been received.</p> <p>More broadly, the ACT has continued to engage targeted one-on-one consultations with a number of key stakeholders, agencies and groups on the draft ACT Water Resource Plan. These include:</p> <ul style="list-style-type: none"> Icon Water ACT water experts, including Professor Ian Falconer and Mr Ian Lawrence, ACT Governments Director-General Water Group which comprise, Chief Ministers, Treasury, Economic Development, Territory and Municipal Services Directorate, Health Directorate, General Urban Renewal, Land Development and Emergency Service Agency. NSW Government; In particular Departments of Primary Industries and Water and the Department of Environment and Heritage Rural Landholders Association MLDRIN especially with respect to Aboriginal water resource planning matters Australian Water Association, and ACT Hydrological Society <p>M6b) The ACT does not retain Held Environmental Water (HEW). However, the ACT only abstracts up to about 10% of available flows on average, with the remaining 90% effectively environmental flows through the ACT's Environmental Flow Guidelines (EFG). The EFG are the main mechanism to deliver environmental flows throughout the ACT by providing releases or spills from dams or by restricting the volume of water that can be abstracted from a water management area. The EFG is an integral component of the ACT's Water Resource Plan as it set out the flow requirements needed to maintain aquatic ecosystems throughout each of the Territory's water management areas. The EFG will also better inform Basin Plan obligations, such as the Long Term Environmental Watering Plan, Annual Environmental Watering Priorities, Identification of Priority Environmental Assets and Priority Environmental Functions and be consistent with MDBA Basin-wide Environmental Watering Strategy which are based on EFG. The review of the EFG</p>

Reporting Matter	Reporting Requirement (Supporting evidence to be provided by Basin States)	Response (response/milestone achievement/compliance status)
	<ul style="list-style-type: none"> indigenous values (BP8.35). 	<p>was undertaken by the Institute of Applied Ecology of the University of Canberra. Workshops were held for the review process of the EFG. This included involvement with a range of hydrology and freshwater ecology experts and also key stakeholders to source the most up to date information and feedback from the community (please see M6a response on stakeholder and community consultation). The ACT adopts the process of adaptive management in the development, application and refinement of its EFG incorporating improved knowledge and research to address apparent knowledge gaps. This is also aided by a technical advisory group.</p> <p>As mentioned in M6a) above the development and consideration of the revised EFG in 2017-18 involved community engagement.</p>
	<p>M6c) Other Basin Plan implementation activities, namely SDL adjustment:</p> <p>Describe how local knowledge and solutions identified through engagement with local communities, including Aboriginal communities, impacted on the implementation of other key Basin Plan mechanisms or activities including the development and implementation of SDL adjustment measures. (Reporters may also choose to address any of their other engagement priorities, which may vary among jurisdictions).</p> <p>Examples or case studies are not mandatory, but may be a useful way to describe how local knowledge and solutions inform implementation of the Basin Plan.</p>	<p>M6c) The ACT has no SDL adjustment mechanisms.</p>

Matter 10: Environmental Watering

Reporting Matter	Reporting Requirement (Supporting evidence to be provided by Basin States)	Response (response/milestone achievement/compliance status)
<p>M10 The implementation of the environmental management framework.</p> <p>[Chapter 8, Part 4]</p> <p>[NPA 8]</p> <p>[BPIA 18.1]</p>	<p>M10a) Are you on track to develop long-term watering plans for surface water resource plan areas consistent with the requirements of the Basin Plan?</p> <p><i>The Department's guidance - reporting may include:</i></p> <ul style="list-style-type: none"> Where long-term surface watering plans have not been finalised, please indicate whether an extension of time has been agreed with the MDBA and report on progress in the preparation of plans to provide assurance that the agreed revised timeframe will be met. 	<p>M10a) The ACT has no Held Environmental Water (HEW) and no specific environmental assets contained within the ACT, except one RAMSAR site which is excluded as it is not on a water course.</p> <p>The ACT's Long Term Watering Plan was submitted to the MDBA on 4 March 2019 and a letter was received from the MDBA accepting the LTWP on the 2 May 2019.</p> <p>The ACT drafted a Long Term Watering Plan as a component or section of the draft ACT Water Resource Plan based on the ACT's Environmental Flow Guidelines (EFG). The aim is to provide a strong link between the MDBA's Basin-wide environmental watering strategy (2014) and the approach taken by the ACT for environmental watering, given the particular nature of the provision of environmental watering in the ACT. The ACT's approach to long term environmental watering is closely based on its EFG as provided under Part 3 of the ACT's Water Resources Act 2007. The guidelines provide the ecological objectives for ACT aquatic ecosystems and the environmental flows for specific reaches that are required to maintain these ecological objectives. These guidelines are reviewed and updated approximately every five years. Even though the guidelines are regularly updated and improved, the approach within the guidelines identifies the essential features of the flow regime, including the natural variability, seasonal variation, floods and intermittent dry periods. The EFG review came into effect on 12 April 2019.</p> <p>An extension for the submission of the Long Term Watering Plan was granted to mid 2018 to align it with the revised EFG.</p>
<p>[Chapter 8, Part 4]</p> <p>[NPA 8c]</p>	<p>M10b) Were annual environmental watering priorities (AEWP) or other relevant instruments submitted to the MDBA for all areas by 31 May 2019, for the purposes of identifying the Basin annual environmental watering priorities for the water resource plan areas?</p> <p><i>The Department's guidance - reporting may include:</i></p> <ul style="list-style-type: none"> Confirmation that annual environmental watering priorities have been prepared and provided to the MDBA for all (regulated and unregulated) surface water catchments. A rationale should be given for any areas where these have not been prepared. As per s8.24 of the Basin Plan, the level of detail in annual environmental watering priorities may vary according to local conditions, and statutory and other arrangements prevailing in the water resource plan areas. 	<p>M10b) The ACT does not currently have any held environmental water, hence does not have specific priorities for use of such water. Planned environmental water in the ACT is managed in accordance with the ACT environmental flow guidelines which were reviewed in April 2019 and submitted to the MDBA.</p>
<p>[Chapter 8, Part 4]</p>	<p>M10c) Please describe progress in coordination, consultation or</p>	<p>M10c) The ACT and NSW have held discussions on environmental watering and agree on the current arrangements. There is very little opportunity for</p>

[NPA 8c, d & f]	cooperation issues with other Basin jurisdictions on the management and delivery of environmental water and opportunities for further improvement.	improved outcomes from coordinated environmental water releases in the Murrumbidgee River system.
[Chapter 8, Part 4] [NPA 8d]	<p>M10d) Provide at least one case study that demonstrates how environmental watering principles were embedded in the decision-making process and identify the relevant principles <i>[limit 500 w]</i>.</p> <p>M10e) Please provide reasons for any environmental watering that was not in accordance with the Basin annual watering priorities listed at Attachment A (partially/fully), in accordance with Section 8.44 of the Basin Plan and Principle 1 of Division 6.</p> <p>M10f) Confirmation that the management and delivery of planned and held environmental water was consistent with the Basin Plan, including the environmental watering plan's <i>Principles to be applied to environmental watering</i>.</p> <p>If confirming, please provide evidence and examples. If unable to confirm, please describe what actions are underway to enable confirmation in the future.</p> <p><i>The Department's guidance - reporting under M10f) may include:</i></p> <ul style="list-style-type: none"> - Confirmation that the management and delivery of planned and held environmental water was consistent with the Basin Plan's Principles to be applied to environmental watering, including Principle 4b of Div.6, which states that environmental watering is to be undertaken having regard to the risks of extraction of that water for other uses. - Confirmation that the jurisdiction is making progress in reforming compliance arrangements as reported in the MDBA's 2019 template 'Progress on Compact priority actions'. 	<p>M10d) The ACT has no Held Environmental Water (HEW). The ACT's Environmental Flow Guidelines (2019) established under disallowable instrument DI2019—37 currently identifies the ecological objectives for ACT aquatic ecosystems and the environmental flows for specific reaches that are required to maintain these ecological objectives. The EFG are the main mechanism to deliver environmental flows throughout the ACT by providing releases or spills from dams or by restricting the volume of water that can be abstracted from a water management area. These environmental flows are secured within the ACT's Licences to take water, under the ACT Water Resources Act 2007, which also require compliance with the environmental flow guidelines. The ACT water utility, Icon Water, has a more detailed Licence to take water, which ensures environmental watering is maintained each year from the water supply dams unless temporary water restrictions are initiated. No restrictions were enacted during this reporting period. The Icon Water licence identifies planned environmental water (PEW) and outlines particular ecosystems, the reaches or location the environmental water must target and the volume or flow requirement. As a case study, the secure deliver of the ACT's annual environmental water is managed through a prescriptive utility licence arrangement. Options to apply environmental watering to different catchments are not relevant to the ACT.</p> <p>M10e) The ACT provided environmental water in accordance with the Basin annual watering priorities.</p> <p>M10f) The ACT has no Held Environmental Water (HEW). The ACT's planned environmental water was delivered in line with the ACT Annual Environmental Watering priorities. The only Planned Environmental Waters are within the water storage catchments managed by Icon Water. All environmental watering throughout the ACT has been undertaken in line with licence requirements and is outlined in the Icon Water report, 'Licence WU67 Environmental Flows Annual Compliance Report July 2017 to June 2018'. This report summarises the overall performance, quality and volume of environmental flow releases for the period July 2017 to June 2018 as required under Clause C3 of the Licence to Take Water WU67 held by Icon Water under the Water Resources Act 2007 (ACT). The environmental flow requirements from each dam was met and exceeded at all locations, Corin Dam (410752) required the release of 13.7 GL of environmental water but released 53.7 GL, Bendora (410747) required 19.2 GL but release 23.6, Cotter Dam (41700) required 13.2 GL but released 32.8 GL and Googong Dam (410760) required 4.0 GL but released 15.5GL.</p>
[Chapter 8, Part 4] [NPA 8a]	<p>M10g) Except as otherwise agreed between the Commonwealth and the relevant State(s) to facilitate improved environmental watering, please confirm that the characteristics of licensed entitlements held for environmental use have not been enhanced or diminished relative to like entitlements held for other purposes.</p> <p><i>The Department's guidance - reporting may include:</i></p> <ul style="list-style-type: none"> - Where proposals to trade environmental water have not been supported, evidence of likely adverse third party impacts should also be provided. 	<p>M10g) Options to apply environmental watering to different catchments are not relevant to the ACT. Planned environmental watering occurs in the ACT in terms of the Water Resources Act 2007 and the ACT's environmental flow guidelines throughout the water storage catchments managed by Icon Water.</p>
[Chapter 8, Part 4] [NPA 8b]	<p>M10h) Where feasible and agreed by the relevant Basin State, and where third party impacts have been considered, confirm that measures have been implemented to facilitate the use of environmental water by protecting environmental water in-stream and on land.</p> <p>M10i) Describe how has the State facilitated:</p> <ul style="list-style-type: none"> - the delivery of environmental water in-stream through arrangements such as water shepherding to facilitate environmental flows (NPA 8(b)(i)) and, - the further use of environmental water at multiple locations, such 	<p>M10h) The only Planned Environmental Waters are within the water storage catchments managed by Icon Water which excludes any third party impacts occurring.</p> <p>M10i) The only Planned Environmental Waters are within the water storage catchments managed by Icon Water. Therefore, no impairment to providing environmental flows, such as shepherding, is possible within these catchemnts. Similarly, there is no opportunity to provide the environmental flows via multiple locations.</p>

	<p>as through return flow provisions (NPA 8(b)(ii)).</p> <p>M10j) Where interim measures have been implemented, please describe what actions are underway, or proposed, to implement enduring measures that will facilitate longer-term protection and use of environmental water.</p> <p>If unable to confirm, please describe what actions are underway to enable confirmation in the future.</p> <p><i>The Department's guidance - reporting under M10h, i) and j) may include:</i></p> <ul style="list-style-type: none"> - Confirmation that arrangements are in place to protect environmental flows and allow reuse of environmental water at multiple locations. Please indicate where these arrangements are specified. - Reporting on the implementation of Prerequisite Policy Measures should also be provided. - Where these measures have not been fully implemented, please indicate what future actions are planned to ensure implementation by June 2019, for example through the preparation and accreditation of Water Resource Plans. 	<p>M10j) The ACT has no interim measures. The ACT's Environmental Water is secured under the disallowable instrument DI2013-44 and is reviewed every 5 years.</p>
--	---	--

Matter 13: Critical Human Water Needs

Reporting Matter	Reporting Requirement (Supporting evidence to be provided by Basin States)	Response (response/milestone achievement/compliance status)
M13 The implementation, where necessary, of the emergency response process for critical human water needs. [Chapter 11] [BPIA 26.1]	<p><i>Context: The Guideline for the triggers and processes for changing water sharing Tiers provides guidance on how the MDBA and Basin States should communicate if the triggers are reached.</i></p> <p>M13a) Please indicate if a water quality trigger (as per s11.05) was reached and if so, what action was taken.</p>	<p>M13) – N/A to the ACT</p>
Chapter 11] [BPIA 27.1, 27.2, 28.1]	<p><i>Context: (i) The MDBA will provide New South Wales, Victoria and South Australia with Water Resource Assessments, from which the States make decisions about allocations. Assessments will be provided at least monthly, and more frequently if conditions warrant.</i></p> <p><i>(ii) During periods of Tier 3 water sharing arrangements, the MDBA will provide the Ministerial Council with Water Resource Assessments, from which New South Wales, Victoria and South Australia make decisions about allocations when determining if water can be made available for uses other than critical human water. Assessments will be provided at least monthly, and more frequently if conditions warrant.</i></p> <p><i>(iii) A Basin State must have regard to advice from the Authority regarding the volume of water to be made available to it in a particular year, when making decisions about whether water is made available for uses other than meeting critical human water needs (s11.08(3)).</i></p> <p><i>(iv) The MDBA, through the preparation of the Water Resource Assessment will determine if the appropriate conditions apply. If New South Wales, Victoria or South Australia considers the triggers have been reached, its BOC member should advise the Executive Director, River Management Division, MDBA. The Guideline for triggers and processes for changing water sharing Tiers provides more information on how the MDBA will communicate a change in water sharing arrangements to the Basin States, CEWH and the Department.</i></p>	<p>M13b) – N/A to the ACT</p>

	M13b) Please indicate if a trigger was reached and what action was taken to implement water sharing arrangements.	
--	--	--

Matter 14: Water Quality and Salinity

Reporting Matter	Reporting Requirement (Supporting evidence to be provided by Basin States)	Response (response/milestone achievement/compliance status)
<p>M14 Progress the implementation of water quality and salinity management plan, including the extent to which regard is had to the targets in Chapter 9 when making flow management decisions.</p> <p>[Chapter 9] [BPIA 21.1]</p>	<p><i>Context: BP Ch9.14 recognises that flow management, in some circumstances, can assist with the management of water quality issues, such as salinity, hypoxic blackwater events and blue green algae outbreaks. The intent of s9.14 is that 'having regard' to these risks and opportunities becomes part of business as usual when making decisions about flow management or the use of environmental water. Other actions that can also address water quality issues include coordination and communication about blue green algae outbreaks (in line with BP s9.18) or hypoxic blackwater events.</i></p> <p>M14a) In this context, please describe how these water quality issues were considered, when making decisions about flow management or the use of environmental water, and/or other actions; did this make a difference to these water quality issues, and are there any learnings to inform adaptive management.</p>	<p>The ACT Environmental Protection Regulations 2005 sets out a range of water quality objectives and criteria related to the protection of each designated environmental and use value as prescribed in the ACT's Territory Plan. A set of secondary or loading water quality criteria is also identified in the Regulations in respect to the urban lakes, the Murrumbidgee River and Burrinjuck Reservoir. The ACT Guidelines for Recreational Water Quality 2010 monitors blue green algal blooms and high levels of faecal coliforms throughout Canberra's lakes. In 2012, the National Capital Authority released their revised Lake Burley Griffin Water Quality Management Plan, containing recommended water quality guides in respect to protection of lake ecosystems, aesthetic values, recreational waters, and irrigation water supply that specifically targets the waters of Lake Burley Griffin. The ACT Aquatic Species and Riparian Zone Conservation Strategy 2007 seeks to maintain and improve the natural integrity of the rivers and riparian zones in the ACT within a regional context. In fact the strategy was reviewed in 2013 which highlighted activities that should lead to more native fish and plants, less erosion, improved water flow and fewer weeds in the longer term.</p> <p>The ACT is largely within an unregulated part of the Murrumbidgee River system (apart from the water supply dams). The environmental flow guidelines protect base flows in unregulated rivers and abstraction in unregulated rivers and require environmental watering releases from the water supply dams. These flows effectively ensure that streams are generally meeting the appropriate water quality targets.</p> <p>A good example of how the ACT continually develops tools and policy towards improved water management is the ACT Water Strategy (Striking the Balance, ESDD 2014a). The Water Strategy identifies the strategies and the actions that will assist the ACT in achieving the water quality outcomes, which are aligned with the Basin water quality objectives. For example, Strategy 2 is to 'Protect and restore aquatic ecosystems in urban and non-urban areas' set out the three following actions: 1. Improve water quality and ecosystem health in the ACT and region's rivers, lakes, aquifers, ponds and wetlands; 2. Ensure appropriate management (volume, timing, and quality) of environmental flows; and 3. Strengthen compliance and enforcement for water resource management.</p> <p>The following are key achievements under Strategy 2:</p> <ul style="list-style-type: none"> - Establishment and delivery of the Healthy Waterways project, a joint \$93.5 million initiative of the ACT and Australian governments to improve the quality of water entering our lakes and waterways and flowing downstream into the Murrumbidgee River system. The project includes the construction of infrastructure – such as wetlands, ponds and rain gardens – as well as research trials, a community education campaign and improvements to water monitoring practices. - Establishment of the ACT and Region Catchment Management Coordination Group as a statutory body under amendments to the ACT Water Act. The Coordination Group advises the Minister on water catchment management, and consists of members from Federal Government, ACT Government, Icon Water, NSW Government and local NSW regional councils and the community. The Coordination Group is committed to improving catchment management governance in the region by promoting effective coordination and collaboration. - Approval by ACT Government of the ACT and Region Catchment Management Strategy, and interjurisdictional endorsement of the strategy from key stakeholders. - Approval by ACT Government of Implementation Plan 2 under the ACT Water Strategy, and interjurisdictional endorsement of the second Plan from key stakeholders. - Release of Catchment Health Indicator Program Reports for Waterwatch from 2014 to 2018; these are now an ongoing process. Waterwatch is a regional citizen science project that monitors the health of the regional waterways. - The review of the Municipal Infrastructure Standards (MIS) has been completed. A further review of the MIS08 – Stormwater was undertaken to include a water quality infrastructure component. - The Environmental Flows Guidelines have been reviewed by the University of Canberra and came into effect on 12 April 2019. <p>The ACT Water Strategy continues to follow a number of progressive policy positions that strengthen the sustainable management of water within the environment, such as the approach of the ACT's Water Resource Act 2007 that has the key principal of the environment is provisioned with water first, then the consumptive water allocation is determined. Additionally, the environmental flow guidelines are set to determine the amount of water needed to maintain aquatic ecosystems of the ACT.</p> <p>The Water Strategy not only contains required actions but measureable targets with indicators. The approach taken by the ACT to develop further procedures and tools provides a good example of policy development focused on water quality improvement.</p>
<p>[Chapter 9] [BPIA 23.1]</p>	<p><i>Context: The MDBA, the BOC, and Basin States are to undertake any long-term salinity planning and management functions in accordance with the targets in Appendix 1 of Schedule B of the Murray-Darling Basin Agreement (including the Basin Salinity Management Strategy</i></p>	<p>M14b) The ACT is subject to the new Basin Salinity Management 2030 Strategy and will report on performance as required. Historically, salinity is not an issue in the ACT and is of low risk, given the ACT's position in the Basin, and that our levels stay within the targets that have been set, and salinity reports are provided annually through the Basin salinity audit process.</p>

	Operational Protocols). M14b) Please indicate how salinity (and other) water quality targets are being applied. (Note that Basin States may refer to Basin Salinity Management 2030 Strategy reporting to meet this reporting requirement, in line with the Schedule 12 Reporting Guidelines).	
--	--	--

Matter 16: Water Trading

Reporting Matter	Reporting Requirement (Supporting evidence to be provided by Basin States)	Response (response/milestone achievement/compliance status)
M16 The implementation of water trading rules. [Chapter 12] [BPIA 29.1 – 31.1]	<p>M16 a) Provide website links to the publication of information regarding an Approval Authority's interest in a trade (s12.38 (2)).</p> <p>M16b) Provide documentation to support compliance with s12.37 (notice of disclosure)</p> <p>M16c) Describe how you have notified affected parties with the decision to restrict a trade and reasons for the restriction consistent with s12.39.</p> <p>M16 d) How has your State undertaken best endeavours to ensure water announcements have been made generally available?</p> <p>M16 e) Provide documentation that supports a compliance with s12.50 (water announcements to be made generally available).</p>	<p>M16a) The ACT is compliant with the Basin Plan water trading rules as commenced 2014. There are no arrangements in place for interstate trading between the ACT and New South Wales. The ACT has exercised its best endeavours to ensure that its water trading rules, policies and processes meet the obligations under the Implementation Agreement and the Basin Plan.</p> <p>The lack of any interstate water trading arrangements in place during 2017-18 is the result of the inability of New South Wales to address and progress this matter.</p> <p>M16b) – The ACT is not able to outline an authority disclosure process as water trading hasn't been established between the ACT and New South Wales</p> <p>M16c) - The ACT does not notify parties with the decision to restrict a trade as water trading hasn't been established between the ACT and New South Wales</p> <p>M16d) - The ACT does not make announcements on interstate trade as water trading hasn't been established between the ACT and New South Wales</p> <p>M16e) - The ACT does not make announcements on interstate trade as water trading hasn't been established between the ACT and New South Wales</p>
[Chapter 12] [NPA 6d] [BPIA 29.1 – 31.1]	M16 f) Report on interstate and intrastate trade processing times (as per the COAG service and reporting standards for trade processing times).	M16f) - There are no arrangements in place for interstate trading between the ACT and New South Wales. However, the very few intra-state water trading was conducted in keeping with set processing times and reporting standards.
	M16 g) Provide confirmation that applications for entitlement and allocation trades to which the Commonwealth was a party were processed consistent with the agreed service standards.	M16g) - There were no trades where the Commonwealth was a participant for water resources within the ACT.
[Chapter 12.02 – 12.27] [NPA 6a] [BPIA 29.1]	M16h) Report progress made in the last year in removing unnecessary restrictions on allocation trade in surface water systems including those MDBA identified as priorities in each Basin state.	M16h) – Not applicable as there were no unnecessary restrictions on allocation trades with respect to the ACT.
	<p>M16i) Confirmation of the removal of volumetric or other barriers to permanent trade out of water irrigation areas that are inconsistent with the Basin Plan water trading rules.</p> <p><i>The Department's guidance - reporting may include:</i></p> <ul style="list-style-type: none"> – Please advise if any new restrictions have been introduced. The intention is to ensure that all barriers to permanent water trade have been resolved prior to the conclusion of the NPA, or else it has been agreed the issue is not material to Basin water reform. If the status of any matter has not changed since 2017-18 reporting, this will suffice as the response. 	M16i) - There is an environmental restriction with respect to trading water from certain water management areas to another because of the environmental aspects – lack of physical connection.
[NPA 6e]	M16j) Confirmation that surface water entitlements in regulated systems are consistent with clauses 28 to 32 of the NWI, unless where otherwise agreed by the Commonwealth.	M16j) - All ACT surface water entitlements are consistent with NWI clauses 28 to 32.
Information and reporting requirements		
[Chapter 12.43, 12.46] [BPIA 31.1]	M16k) Has the Basin State made any changes to the water access rights displayed on the MDBA's Water Market products page? If so what documentation has been provided to the MDBA with the updated information as required under s12.43?	M16k) - The ACT has no water access rights displayed on the MDBA's Water Market Products page.

	M16l) Has the Basin State implemented any new trade rules that regulate the trade of tradable water access rights? If so have they provided these rules to the MDBA as required under s12.46?	M16l) - The ACT has no new trade rules
[Chapter 12] [BPIA 31.2]	M16m) Has the Basin State sold water in the previous year? If so, did they notify the approval or registration authority of the price agreed for the trade?	M16m) - The ACT does not hold and did not sell any water in the previous year.

Other: Sustainable diversion limits

Reporting Matter	Reporting Requirement (Supporting evidence to be provided by Basin States)	Response (response/milestone achievement/compliance status)
[NPA 6c]	<p>Oa) Confirmation that no action has been taken to impede Commonwealth measures to acquire water for environmental purposes, except where consistent with the Basin Plan water trading rules.</p> <p><i>The Department's guidance - reporting may include:</i></p> <ul style="list-style-type: none"> - Where further water recovery is required to Bridge the Gap, provide evidence of support for Commonwealth measures to acquire water for environmental purposes, such as actions to support Commonwealth funded infrastructure programs and strategic water purchases. - Where support was not provided for a water recovery program, please provide an explanatory statement. - Reporting is only required in cases where further water recovery is required and water recovery programs have not achieved their water recovery targets. - Evidence of support that state led (Commonwealth funded) projects have been managed in way that supported the recovery of water. 	<p>Oa) - No action has been taken by the ACT to impede Commonwealth measures to acquire water for environmental purposes. The Commonwealth, apart from the outcome of the June 2018 Ministerial Council outcomes, have not expressed any interest in acquiring water for environmental purposes in the ACT. Following the June 2018 Ministerial Council outcome (up to 15GL from water efficiency measures), measures and opportunities was started to be investigated in the 2018-19 period for under the Water Infrastructure Program. The investigations include efficiencies from urban water efficiency improvements integrating water security measures with waterway improvements activities.</p>

Other: SDL Adjustment & Constraints Management

Reporting Matter	Reporting Requirement (Supporting evidence to be provided by Basin States)	Response (response/milestone achievement/compliance status)
[NPA 7] [BPIA 14.2]	<p>Ob) Describe progress in the further development of the Ministerial Council agreed package of constraints proposals, and in addressing issues identified in the phased assessment process.</p> <p>Oc) Describe progress towards the successful implementation of constraints measures by 2024, including coordinated cross-jurisdictional activities and community involvement, to enable flow rates of up to 80,000ML per day at the South Australian border.</p>	<p>Ob) - The ACT is not directly involved in the Constraints Management Strategy. There are no projects proposed for the ACT nor does the Strategy have any application to the ACT.</p> <p>Oc) – N/A to the ACT</p>

Other: Water Resource Plans

Reporting Matter	Reporting Requirement (Supporting evidence to be provided by Basin States)	Response (response/milestone achievement/compliance status)
------------------	--	---

<p>[applicable to overall NPA] [BPIA 24.1]</p>	<p><i>Context: Progress with the development of Water Resource Plans for accreditation is currently being reported by the MDBA, through quarterly jurisdictional reports to the Basin Plan Implementation Committee and The Department will rely on reporting through BPIC. States only need to report where they wish to add further detail or clarification. Applicable to overall NPA assessment of progress as flagged in the 2017-18 NPA assessment.</i></p> <p>Od) This reporting is <u>optional</u>. Basin states may choose to comment on their progress where this differs, or is expected to differ, from the most recent MDBA quarterly report on WRP development.</p>	<p>Od) – On 26 April 2019 the ACT submitted the ACT Water Resource Plan (surface water and groundwater) to the MDBA and asked the Authority to assess the Plan in accordance with Section 63 (1) of the Water Act 2007 (Cth). The Authority provided formal advice in line with Section 63 (4) of the Act, communicating the outcome of their assessment and outlining their view that the ACT Water Resource Plan was not yet consistent with the Basin Plan. The ACT intends to withdraw the ACT Water Resource Plan and after consulting with the MDBA and to resubmit for accreditation.</p>
--	--	---

Attachment A: Basin Environmental Watering Priorities (BAEWP) for reference in reporting why watering not undertaken in accordance, under BPs8.44

The table below provides a reference for exception-based reporting under BPs8.44. The table lists Basin annual environmental watering priorities for 2018-19 and the relevant jurisdiction. [See attachment in separate document]

To: Mr Phillip Glyde
Chief Executive
Murray-Darling Basin Authority

From: Ben Ponton
Director-General, Environment, Planning and Sustainable Development Directorate
Australian Capital Territory

Australian Capital Territory annual reporting for 2018-19

The ACT's 2018-19 Basin Plan annual report combines reporting requirements for the Implementation Agreement Statement of Assurance with additions to satisfy the Basin Plan Schedule 12 and the National Partnership Agreement.

I certify that to best of my knowledge, for the 2018-19 water accounting period the information provided in the self-assessment attached to this statement accurately reflects the extent to which Australian Capital Territory is compliant with the its obligations under the Basin Plan 2012.

The ACT has met obligations under the requirements of the 2012 Basin Plan and has been self assessed as being compliant. No non-compliance or partial compliance has been detected.

Ben Ponton on behalf of the Australian Capital Territory.

Ben Ponton /11/ 2019