



ACT
Government

Environment and Planning

To: Dr Rhondda Dickson
Chief Executive
Murray-Darling Basin Authority

From: Ms Dorte Ekelund
Director General
Environment and Planning Directorate
Australian Capital Territory

Statement of Assurance for the Australian Capital Territory for 2013-14

In order to maximise transparency and to provide assurance to other parties and the community that the obligations of the Basin Plan are being implemented appropriately and in line with agreed arrangements under the Basin Plan 2012 Implementation Agreement, the Australian Capital Territory has completed a self-assessment of performance against its obligations under the *Basin Plan 2012* (refer to Table 1 and 2 below).

I certify that to best of my knowledge, for the 2013-14 water accounting period the information provided in the self-assessment attached to this statement accurately reflects the extent to which the Australian Capital Territory is compliant with the its obligations under the *Basin Plan 2012*.

Where non-compliance or partial compliance has been detected, I have identified the measures the Australian Capital Territory has implemented, is implementing or plans to implement and any impediments that are outside the Australian Capital Territory control which may impact on compliance with particular provisions of the Basin Plan.

..... DORTE EKELUND.  5th. November 2014.....
Name Signature Date

Table 1: Self-assessment checklist for Basin States (2013-14)

<p>Basin Plan Implementation Agreement Tasks (refer note 2)</p>	<p>Timing</p>	<p>Summary of standards and processes for delivering tasks</p>	<p>Compliance Status (Yes, No, Partial) (Refer note 3)</p>	<p>Commentary (refer note 4) (Summary of Note 4: For 'full compliance', may provide a good example or commentary; for 'no' or 'partial compliance', must explain the situation, actions taken or planned to ensure compliance at a specified future date, and describe any third party impediments that hindered compliance)</p>
<p>Task 19: Annual environmental watering priorities (Refers compliance status with sections 8.23 - 8.26 of the Basin Plan).</p>				
<p>Task 19.1: Identify annual environmental watering priorities for each water resource plan area.</p>	<p>By 31 May each year or as agreed.</p>	<p>Basin States will submit their annual environmental watering priorities or other relevant instrument as agreed with the MDBA, for the purposes of identifying the annual environmental watering priorities for the water resource plan areas.</p>	<p>Not applicable to the ACT</p>	<p>On account of the fact that the ACT provides for environmental water as the basis for its water planning framework under its water resources legislation the ACT is not required to be involved in environmental watering</p>
<p>Task 20.1: Identify possible cooperative arrangements that will support the delivery of environmental water in accordance with the priorities identified in the annual environmental watering priorities.</p>	<p>From the commencement of the 2013-14 water year.</p>	<p>The parties agree to identify possible cooperative delivery arrangements where appropriate, noting that decisions about the use of environmental water are a matter to be determined by the holders of held environmental water and managers of planned environmental water.</p>	<p>Not applicable to the ACT</p>	<p>See above</p>
<p>Task 20.2: Report when the Basin annual environmental watering priorities are not followed.</p>	<p>By 31 October 2014 and annually thereafter.</p>	<p>Where Basin Annual Environmental Watering Priorities (BAEWP) are not followed, Basin States will provide the MDBA with a statement of reasons as to why environmental watering has not been</p>	<p>Not applicable to the ACT</p>	

Basin Plan Implementation Agreement Tasks (refer note 2)	Timing	Summary of standards and processes for delivering tasks	Compliance Status (Yes, No, Partial) (Refer note 3)	Commentary (refer note 4) (Summary of Note 4: For 'full compliance', may provide a good example or commentary; for 'no' or 'partial compliance', must explain the situation, actions taken or planned to ensure compliance at a specified future date, and describe any third party impediments that hindered compliance)
		undertaken in accordance with the AEWP for the relevant water year.		
Task 21: Targets for managing water flows (Refers compliance status with section 9.14 of the Basin Plan).				
Task 21.1: Have regard to flow- related targets on dissolved oxygen, recreational water quality and levels of salinity when performing their functions and when making decisions about the use of environmental water.	From commencement of the Plan.	Schedule 12 of the Plan requires the parties to report on the extent to which they have had regard to the targets. (The <i>Basin Plan Schedule 12 Reporting Guideline</i> provides guidance on meeting the reporting requirements related to the obligations identified in Schedule 12).	Yes	Under Schedule 12 and section 9.14 the ACT is not subject to the targets set for the five reporting sites which are along the Murray River.
Task 23: Application of salinity targets for the purposes of long-term salinity planning and management (Refers compliance status with section 9.19 of the Basin Plan).				
Task 23.1: Apply salinity targets in the Murray–Darling Basin Agreement for salinity planning and management.	From commencement of the Plan.	The MDBA, the Basin Officials Committee, 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	Yes	On 17 December 2010, the Ministerial Council approved the ACT End-of-Valley target. The approved ACT baseline target is the End-of-Valley target measured at Halls Crossing at the border of the ACT at the Murrumbidgee River. The ACT reports annually on the salinity EC and salt load exported from the ACT as recorded at Halls’s Crossing based on the difference of salinity EC and salt load as measured at Angle Crossing (Lobbs Hole) further upstream

<p style="text-align: center;">Basin Plan Implementation Agreement Tasks (refer note 2)</p>	<p style="text-align: center;">Timing</p>	<p style="text-align: center;">Summary of standards and processes for delivering tasks</p>	<p style="text-align: center;">Compliance Status (Yes, No, Partial) (Refer note 3)</p>	<p style="text-align: center;">Commentary (refer note 4)</p> <p>(Summary of Note 4: For ‘full compliance’, may provide a good example or commentary; for ‘no’ or ‘partial compliance’, must explain the situation, actions taken or planned to ensure compliance at a specified future date, and describe any third party impediments that hindered compliance)</p>
		<p>Salinity Management Strategy Operational Protocols).</p>		<p>of the Murrumbidgee River. The ACT is reporting salinity performance in October/November 2014. The ACT applies salinity targets in its water planning and management.</p> <p>The ACT through its new water strategy, Striking the Balance, and in particular its Basin Priority Project will be addressing water quality issues including measures to reduce salinity along the Murrumbidgee River.</p> <p>The ACT’s water utility treatment plant, Lower Molonglo Water Quality Treatment Plant, just above Halls Crossing is included in the performance of the salinity targets.</p> <p>The ACT has participated in the General Salinity Review of the Basin in 2014 and is also participating in Basin Salinity Management 2030 which has been established to advise on the development of the next and updated Basin-scale salinity management strategy.</p> <p>The ACT’s Basin Priority project is concerned with addressing water quality in the ACT to benefit the Murrumbidgee River and to improve salinity conditions. The project is now underway.</p>
<p>Task 32: Reporting requirements (Refers compliance status with sections 13.14 and 13.15 of the Basin Plan).</p>				
<p>Task 32.1 Produce a report on each Basin State’s Category B matter listed in Schedule 12.</p>	<p>By 31 October 2014.</p>	<p>2013-14 reporting year: Basin States will provide reports based on their existing data.</p>	<p>Yes</p>	<p>The ACT will be providing its annual salinity report to the MDBA and the independent Audit Group in October/November 2014.</p>

Table 2: Statement of reasons why watering not undertaken complying Basin Environmental Watering Priorities (BAEWP) for 2013-14 (Refer IA Task 20.2)

Section 8.44 of the Basin Plan (2012) requires that: If a person undertakes environmental watering other than in accordance with the Basin annual environmental watering priorities, that person must give to the Authority a statement of reasons why environmental watering has not been undertaken in accordance with the Basin annual environmental watering priorities (8.44(1)). The person must give the statement to the Authority as soon as practicable, but in any event within 4 months after the end of the water accounting period in which the environmental watering was undertaken (8.44(2)).

	Basin annual environmental watering (BAEWP) priorities for 2013–14	Please tick (x), where BAEWP not complied with	Statement of reasons why BAEP not followed
1	Northern Basin Wetlands: Improve the resilience of colonial waterbird populations by supporting breeding events and improving breeding habitat in the Northern Basin wetlands.		
2	Gwydir Wetlands: Improve the condition and maintain the extent of wetland vegetation communities in the Gwydir Wetlands (including Ramsar sites) by restoring hydrological connectivity and a flow regime that meets ecological requirements.		
3	Macquarie Marshes: Improve ecosystem resilience amongst wetland vegetation communities in the Macquarie Marshes including Ramsar listed sites.		
4	Lower Lachlan Wetlands: Improve ecosystem resilience amongst wetland vegetation communities in the lower Lachlan wetlands.		
5	Barwon–Darling River System: Improve habitat and provide opportunities for migration and reproduction of native fish in the Barwon–Darling River system by increasing flow variability and hydrological connectivity.		
6	Mid-Murrumbidgee Wetlands: Improve the condition of wetland vegetation communities in the mid-Murrumbidgee wetlands through a winter or spring fresh.		
7	Lower Goulburn River: Improve habitat and provide opportunities for migration and reproduction of native fish in the lower		

	Basin annual environmental watering (BAEWP) priorities for 2013–14	Please tick (x), where BAEWP not complied with	Statement of reasons why BAEP not followed
	Goulburn River through reinstating a variable flow regime which includes a large 'in-channel' spring/summer fresh.		
8	Mid-Murray River: Improve habitat and provide opportunities for migration and reproduction of native fish in the mid-Murray River, including the Edward–Wakool and other smaller anabranches, tributary creeks and low-lying wetlands throughout the region.		
9	Lower Murray River System: Improve vegetation condition in wetlands and floodplains and provide cues for native fish recruitment and movement in the lower Murray River system by enhancing in-stream flow variability.		
10	Coorong, Lower Lakes and Murray Mouth: Facilitate <i>Ruppia</i> recovery by ensuring appropriate flows into the Coorong; and maintain the connection between the Lower Lakes to improve the water quality in Lake Albert.		

Notes for Basin State SoA compliance

Note 1 – Statements of Assurance are at jurisdictional rather than agency level. This means that where assurance is provided by the lead agency of a Basin State, it is provided as a single response covering all relevant agencies within that State.

Note 2 – There are only a small number of obligations on Basin States for 2013-14. Coverage of assurance reporting will increase over time as further obligations arise. For example the Water Trading Rules commence on 1 July 2014 and will be reported in assurance statements for 2014-15 and beyond, the obligation on Basin States to develop long term environmental watering plans for each surface water resource plan area will be included in assurance statements for the in 2015-16. Water resource plans and Sustainable Diversion Limits become enforceable from 1 July 2019 and would be included in Statements of Assurance for 2019-20.

Note 3 - An obligation may require action at one of three levels, Basin Plan level, water resource plan area level or at the SDL resource unit level. The obligation level will impact on the assessment as, for example, a Basin State may have more than one water resource plan area and have differing compliance status between these areas, meaning that a Basin State is fully compliant where the obligations relevant to all water resource plan areas are met.

Where, in the opinion of the Basin State, an obligation has been fully met (for example, where an obligation is required to be met for all water resource plan areas and it has been met for all as discussed above) the answer is **'Yes'**. Where, in the opinion of the Basin State, an obligation has not been met to any degree (for example, where an obligation is required to be met for all water resource plan areas and it has not been met in any) the answer is **'No'**. Where, in the opinion of the Basin State, an obligation has not been fully met but has been met to some degree (for example, where an obligation is required to be met for all water resource plan areas and it has been met for some but not all) the answer is **'Partial'**.

Note 4 - Commentary is not required where the Compliance status is **'Yes'**; however, Basin States may provide commentary in these circumstances if desired. Where the 'Compliance status' is **'No'** or **'Partial'**, Basin States are asked to provide commentary on the details of the situation, the actions it has taken or plans to take that will ensure compliance at a future date and the date that compliance is expected to be achieved. The reporter should also describe any third party impediments out of their control which impact on their ability to comply with the obligation.

Note 5 - Statements of Assurance are voluntary reports to the community and other stakeholders provided to the MDBA by agreement, to enhance the transparency of the implementation of the Basin Plan and further promote voluntary compliance. There is no statutory requirement on a Basin State to produce a Statement of Assurance (SOA) and SOA do not underpin the application of statutory enforcement action that the MDBA may elect to take from time to time. To ensure the ongoing integrity of the assurance process, the MDBA may undertake random audits of Statements of Assurance, either as specific audits or as elements of other audits. Audits will be undertaken in accordance with the MDBA's Audit Policy.

Disclaimer

The publication of a Basin State's Statement of Assurance on the MDBA's website does not in any way indicate or imply that the MDBA agrees in part or whole with the statement. Nor does it mean that the MDBA has found the Basin State to be fully compliant with their obligations under the Basin Plan. The statement does not in any way act to reduce or alter the authority of the MDBA to enforce the Basin Plan where deemed appropriate.