

Annual Report Guidelines for Water Entities administering Riverworks Districts

Water Management Act 1999

Department of Primary Industries and Water

Water Resources Division

June 2009



Tasmania

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Role of this document:

Under section 182 of the *Water Management Act 1999* ('the Act'), every September a responsible water entity must provide the Minister for Primary Industries and Water with a written report on its administration of an riverworks district for the preceding 12 month period. These Guidelines have been developed to assist water entities in meeting their reporting requirements.

These Guidelines detail the minimum information requirements that must be provided in the Annual Report. The water entity must keep information and data to support the statements made in the report, which is to be made available upon request.

How to use this document:

These Guidelines have been prepared to assist a water entity in meeting its reporting requirements to show due administration of its riverworks district. The Guidelines are divided into six main parts.

- **Part A – Background** – details the legal requirements for the submission of the Annual Report.
- **Part B – Water Entity Details** – details the information that is to be provided regarding the water entity's establishment arrangements, and where the water entity is a trust established under the Act, the trust's administration.
- **Part C – Activities undertaken in Administering the District** – details the information that is to be provided regarding the activities undertaken in discharging its responsibilities as a responsible water entity.
- **Part D – Financial Statements** – provides guidance on the information that is to be provided regarding the water entity's finances.
- **Appendix A** – Dictionary of terms.

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Annual Report Guidelines for Water Entities administrating Riverworks Districts

GENERAL

The annual report should specify the following:

- Name and date of report, and period the report covers.
- Name of water entity and contact details.
- Name of riverworks district being administered.

PART A - BACKGROUND

1. Insert the following statement:

- This Annual Report has been prepared to comply with the requirements of section 182 of the *Water Management Act 1999* (the “Act”). It provides details on the water entity, the riverworks district, the activities undertaken in administering the riverworks district and a full financial statement. The document’s main purpose is to assist in showing due administration of the riverworks district by the responsible water entity for the preceding financial year.

PART B - WATER ENTITY DETAILS

1. Provide details of the water entity including:

- Type of entity and establishment arrangements (eg trust under the Act or company under the *Corporations Act 2001*).

2. Provide details of any –

- Land acquired in accordance with the *Land Acquisition Act 1993*, or land sold or otherwise disposed of belonging to the water entity, and a statement regarding compliance with the provisions of this section (*Powers to acquire land - s.183*).
- Powers exercised to enter land and undertake works, the works undertaken and a statement regarding compliance with the provisions of this section (*Powers to enter land and undertake works - s.196*).
- Powers exercised to undertake works near or through highways, the works undertaken and a statement regarding compliance with the provisions of

this section (*Powers to undertake works near or through highways – s.197*).

- Powers exercised to levy rates and a statement regarding compliance with the provisions of Division 5 (*Power to levy rates – s.201-203*).
- Requests for an employee to become an authorised officer (*Appointment of an authorised officer – s.237*).

3. If the water entity is a trust formed under the *Water Management Act 1999*, provide the following additional information (as a minimum)¹:

- Details of the trust election including date held and returning officer appointed, names and terms of members of the board elected, and the filling of any subsequent vacancies (Trust elections - s.211A).
- A statement of compliance with the requirements of the constitution of the trust and the *Water Management (Electoral and Polling) Regulations 2009* for the election and the filling of any subsequent vacancies (s.211 Constitution of trust) (Trust elections - s.211A).
- Details of the chairperson appointed (Membership and proceedings of trusts – Schedule 3).
- Dates of meetings held during the year (for easy reference to decisions made) and the Annual General Meeting (Membership and proceedings of trusts – Schedule 3).
- A statement of compliance with the requirements of Schedule 3 regarding the membership and proceedings of Trusts and the filling of any subsequent vacancies (Membership and proceedings of trusts – Schedule 3).
- Powers exercised by the trust under s.212 Power to borrow and a statement of compliance with the provisions of this section (Power to borrow s.212 - 214).
- Details of any employees or contractors appointed (including water ranger, secretary) (Appointment of employees s.216).
- Any requests to, or directions given by the Minister under Part 10 including Altering trust rules (s.206A(3)), Borrowing on overdraft (s.215), Paying remuneration to the chairperson (s.216(2)).
- A statement of compliance with the financial management arrangements detailed in sections 217, 218, 219 and 220.
- Any other specific requirement as detailed under the rules of the trust and/or establishment conditions.

¹ Note: Part 10 and Schedule 3 of the *Water Management Act 1999*, Regulation 29 of the *Water Management Regulations 2009* and the *Water Management (Trust Electoral and Polling) Regulations 2009* prescribe the establishment, membership and proceedings of trusts.

PART C ACTIVITIES UNDERTAKEN

Provide details on the activities undertaken by the water entity. If desired, provide maps and photographs of district and the activities undertaken.

1. Provide details relating to any of the following activities that were undertaken by the water entity in administering its riverworks district:
 - a) Removing, cutting and trimming vegetation and other matter in or on the bed and banks of watercourses and lakes, overhanging them or likely to fall into them and cause environmental harm or pose a risk to public safety or property;
 - b) Undertaking works in channels so as to stabilise streambeds and streambanks and mitigating against the adverse effects of flooding;
 - c) Protecting the banks of watercourses and lakes by the use of vegetation, riparian fencing and appropriate river engineering techniques;
 - d) Removing obstructions where appropriate technical advice has identified that those obstructions are contributing to flooding or streambank damage;
 - e) Changing the course of watercourses;
 - f) Controlling or regulating the flow of water in watercourses;
 - g) Raising or lowering the level of lakes;
 - h) Planting trees and other vegetation for the purpose of slowing down water running into watercourses and lakes and of protecting banks of watercourses and lakes;
 - i) Protecting areas of important natural values, such as native vegetation, threatened species, sites of geo-conservation significance, significant habitat and sites of historic, cultural or Aboriginal significance;
 - j) The maintenance, repair, control and management of watercourses and lakes, or of any works specified in this section or of the places where they are, or have been, carried out; and/or
 - k) Any other similar activity which may assist in giving effect to the objectives of the Act or in carrying out a water management plan.
2. Provide details of any outstanding activities or pending issues.
3. Provide details of any major activities proposed to be undertaken in the next period.

(Note: Where the water entity is administering more than one district, provide the above required details for each district separately).

PART D – FINANCIAL STATEMENT

Provide a full financial statement including the following:

1. **Financial statement** – including book of accounts.

2. **Auditor's report** – including auditor's qualifications and contact details.
 - Where the water entity is administering more than one riverworks district, financial statements are to be provided separately for each district.

APPENDIX A – DICTIONARY OF TERMS

- i. **“The Act”** – means the *Water Management Act 1999*.
- ii. **“Trust”** – means a board of trustees holding office under Division 1 of Part 10 of the *Water Management Act 1999*.
- iii. **“Water district”** – means a water supply district, irrigation district, riverworks district, hydro-electric district or drainage district created under Part 9 of the *Water Management Act 1999*.
- iv. **“Water entity”** – has the same meaning as defined in Section 3 of the *Water Management Act 1999*.
- v. **“Works”** – means a drain, outfall, bridge, culvert, channel, dam (including associated infrastructure), defence or other work of a water entity responsible for administering a water district or a water management plan and includes all machinery and appliances used, or intended to be used, for the purposes of any such district or plan but does not include a bridge over a natural watercourse if the bridge is on, or forms part of, a highway.