

Basin Plan Matter 19 (Compliance with Water Resource Plans) for water year 2023-24

Overview questions

Reporting context

- This template covers Basin State 2023-24 annual reporting obligations in relation to the Basin Plan Schedule 12, Matter 19 (Compliance with Water Resource Plans)
- Responses may draw from and direct to existing publicly available information by including hyperlinks to public reporting or websites which contain explanatory details
- The MDBA assumes everything provided in this template is public, and licensing would allow the information’s re-use unless specifically notified
- Reporting is due by 31 October 2024 to the Murray–Darling Basin Authority via AnnualSchedule12Reporting@mdba.gov.au

Matter 19 reporting questions	State agency response
<p>1. Is the state agency aware of non-compliance with the rules and/or obligations created by WRPs?</p> <p><i>Your response may include reporting on areas where the state agency is aware that entities regulated by the WRPs, including state agencies and Irrigation Infrastructure Operators, have not complied with the rules contained within WRPs. e.g. Internal assurance processes found operational procedures did not support provision X of the WRP.</i></p> <p><i>For compliance by water users, state agencies may reference their annual water compliance activity reporting published (via hyperlink). States should refer to the water compliance activity guidelines prepared under the Basin Compliance Compact and reporting under the Metrological Assurance Framework for the AS 4747 when developing water compliance reporting. Compliance and enforcement activities and responses per WRP area is preferred, to provide a clearer picture of where the non-compliance is occurring.</i></p>	<p>There are three elements to this question:</p> <p>1.1. Compliance by Department of Regional Development, Manufacturing and Water (DRDMW, the department), which administers the water resource plans, with their obligations under the water resource plans, including under state-based water plans and water planning instruments such as water management protocols.</p> <p>Queensland is not aware of any instances of non-compliance with the rules and obligations contained in the WRPs for the Queensland Murray-Darling Basin (QMDB).</p> <p>1. 2. Compliance by entitlement holders with rules in the state-based water plans and water management protocols and with any conditions on their water entitlements.</p> <p>Queensland references their 2023-24 End of Year report with regards to illegal water take or metering non-compliance. This data is published annually at the website Our role as a water regulator: compliance approach and principles Plans and reports 2023-2024 Annual compliance plan report.</p> <p>1.3. Compliance by Resource Operations Licence (ROL) Holders in managing water supply schemes in accordance with the licence conditions.</p> <p>The department works closely with resource operations licence holders to review and update their monitoring and reporting in accordance with the new Water Monitoring Data Collection and Water Monitoring Data Reporting standards to ensure accurate, relevant and timely data are collected and provided.</p>
<p>2. What level of confidence does the state agency have in compliance with the rules and obligations contained in WRPs?</p> <p><i>The purpose of the question is to note the state agencies’ view of its considered level (e.g. high, medium or low) of confidence and what that is based on. The state agency should provide the reasons or indicators to demonstrate how it establishes its level of confidence in compliance e.g. regular audits, performance reporting or systems.</i></p> <p><i>This is also an opportunity to mention other barriers and constraints which impede the state agency ability to achieve full compliance and therefore effect confidence.</i></p>	<p>Accurate and timely measuring, recording and reporting of water taken is essential for effective water resource management. The department’s key priorities for water resource management in 2023-2024 included state-wide revalidation of existing meters and validation of meters in new metered areas. A rolling risk-based program was implemented by the department through the Rural Water Futures Program (RWFP). An initiative from the RWFP included development of the Strengthened Queensland Non-urban Water Measurement Policy 2022 (the measurement policy) and implementation plan - supporting Queensland’s delivery of national commitments for the QMDB.</p> <p>Delivering on this, the department improved systems and service delivery to reform water resource management. The measurement policy improves the way water take is measured and reported in Queensland. Further reform included the <i>Water Legislation Amendment Act 2023</i> given effect through subsequent amendments to the Water Regulation 2016 in 2024.</p> <p>The improvements to water information and data that will be achieved through the strengthened measurement policy are a critical element to support Queensland’s RWFP. The RWFP is being delivered over multiple years to strengthen water measurement and compliance, improve business functions and operations, develop core system and data management capability, and deliver regulatory framework enhancements to improve sustainable water resource management.</p> <p>More information about the RWFP can be found at Rural Water Futures.</p> <p>Accordingly, the state has a high level of confidence in compliance with the rules and obligations contained in the three WRPs:</p> <ul style="list-style-type: none">• Condamine-Balonne (accredited September 2019)

	<ul style="list-style-type: none"> Queensland Border Rivers-Moonie (accredited September 2019) Warrego-Paroo-Nebine (accredited June 2017).
<p>3. How is the state agency ensuring there is compliance with the rules and obligations contained in WRPs?</p> <p><i>Seeking a description of the assurance, proactive measures or activities taken by a state to ensure compliance with the rules contained in the WRP. For example, state agency does X, Y and Z proactive activities, such monitoring programs, a risk assessment process including review of the effectiveness of controls, audits or verification of self-assessments.</i></p> <p><i>Reflect on the effectiveness of activities and current regulatory framework to achieve compliance and met objectives of the Basin Plan where relevant. Mention where the compliance activities indicated the need for changes in compliance approach.</i></p> <p><i>This is an opportunity to mention how the state agency determines level of risk and allocate resources, including how emerging issues are addressed and how low risk areas are managed compared to higher risk areas. This will help to explain why areas are being managed differently and manage perceptions that low risk areas are not effectively regulated.</i></p>	<p>Queensland has three water resource plans (groundwater and surface water) in the QMDB completed and accredited against the sustainability requirements of the Basin Plan. The department takes its role as a regulator seriously in ensuring water is managed fairly and responsibly.</p> <p>The Water Resource Management Regulatory Strategy 2022 – 2024 (the Regulatory Strategy) establishes our approach for the delivery of our regulatory functions and activities. It explains the principles underlying our regulatory approach, the tools we utilise and our compliance and enforcement pathway. The objectives and principles set out in the Regulatory Strategy sets the foundation for our annual compliance planning. The department's 2023-24 annual compliance plan (ACP) identifies activities that support the department's compliance approach, including compliance outcomes, performance measures, focus areas, activities, targets and measures.</p> <p>Each year, the department publishes an ACP which consolidates our compliance priorities. The plan can be accessed at Our role as a water regulator: compliance approach and principles Department of Regional Development, Manufacturing and Water (rdmw.qld.gov.au). The ACP supports the department in taking a risk-based, transparent and consistent approach to how we regulate Queensland's water resources. The 2023-24 ACP included three areas of focus which represent the high-risk behaviours and activities across all of our regulatory functions and align to our Regulatory Strategy. These focus areas include:</p> <ul style="list-style-type: none"> Improving the quality and timeliness of required information to the department Increasing our regulatory presence Putting a spotlight on certain types of non-compliant behaviour. <p>As a best practice regulatory agency, we communicate to regulated entities and the broader community about compliance and our response to non-compliance. The 2023-24 ACP outcomes for Focus Area 2 were to increase our regulatory presence as a department. This was done through utilising a variety of approaches to proactively communicate and engage with the regulated community and those that rely on the department to deliver our regulatory role.</p> <p>The department continues to improve transparency and the timeliness of communication of compliance activities and outcomes across all our regulatory areas. Through our focus on improving accessibility of information, we have educated a wider audience on the benefits of compliance and how to comply. The department is committed to increasing and improving our presence by taking a targeted and proactive approach to communicate to the regulated community in alignment with our regulatory objectives.</p> <p>We use a variety of tools to communicate with our regulated community, including-</p> <ul style="list-style-type: none"> providing information, resources and tools to be clear about the obligations for our regulated water community engaging to promote awareness and build capacity through site visits, meetings, workshops and events promoting and reinforcing good regulatory and business practices, including promoting the benefits of complying and the potential consequences of non-compliance. <p>Key outcomes reported publicly in the 2023-24 Annual compliance plan report include:</p> <ul style="list-style-type: none"> Accurate and timely submission of information has been variable in previous years and across regulatory areas. There has been improvement in some areas, and little to no improvement in others. Regular communication across a variety of channels supports compliance overall. Outcomes could be improved by more targeted and proactive messaging that aligns to regulatory objectives. Continuous improvement to policy and legislation, which requires an education strategy to increase awareness and voluntary compliance. A risk-based approach to responding to identified non-compliance is required to achieve effective and efficient behavioural change. <p>The Queensland Government has reported annually on compliance and enforcement actions undertaken in the Queensland Murray–Darling Basin area under the QMDB Compliance Compact. The reports detail actions taken during each water year including auditing activities, incidents investigated, compliance actions undertaken and timeliness of investigations. It has been a requirement under 1.2c of the QMDB Compliance Compact that we publicly report on</p>

	<p>compliance and enforcement actions by location and timeliness in which they are addressed. These annual reports can be accessed at Queensland Murray-Darling Basin Business Queensland.</p> <p>With the <i>Review of the Basin Compliance Compact 2021</i> and performance assurance to the Inspector-General of Water Compliance, Basin governments agreed to establish improved and consistent basin-wide public reporting on performance around water compliance. Compliance and enforcement actions undertaken in the Queensland Murray–Darling Basin during the 2022-2023 year have been provided as part of the Water Compliance Performance Reporting framework project. Data for the 2022-2023 year is yet to be published. Further discussion on the Water Compliance Performance Reporting framework project has been held in March 2024 and September 2024 at the Regulatory Leaders forum.</p> <p>During 2023-2024, the department proactively undertook:</p> <ul style="list-style-type: none">• 127 property audits of high priority water entitlements in the QMDB• 1,654 audits of self-meter readings within the QMDB to reconcile reported water use with volumetric entitlements . <p>To increase water entitlement holders’ compliance with submission times and accuracy of information in line with the measurement policy and our Focus Area 1 in the 2023-24 Annual Compliance Plan, the department contacted water entitlement holders in catchments required to have their non-urban water meters revalidated by 30 November 2023. In July 2023, entitlement holders were encouraged to “act now” by the department to undertake revalidation and submit validation certificates by the due date. Reminder letters and e-alerts were also sent, as well as direct engagement with industry associations and shed talk meetings. This was all supported by using social media campaigns and other media to support the broader messaging of requirements, to address questions and concerns.</p> <p>Where non-compliance is identified, the department will enforce the law to address identified non-compliance. Compliance tools used include advisory letters, warning notices, statutory notices, penalty infringement notices and, if appropriate, prosecution.</p> <p>The department issued 2 penalty infringement notices, 4 warning notices, 4 statutory notices and 30 advisory letters in the QMDB during 2023-24. These actions are across the department’s water management business in the QMDB area which includes non-urban water, quarry material and drilling non-compliances.</p> <p>Queensland officials continue to work with the Inspector-General of Water Compliance (IGWC) and to collaborate with other Basin jurisdictions to achieve the Basin Plan objectives. Queensland has provided input and support across several activities in the Murray-Darling Basin over the year, including:</p> <ul style="list-style-type: none">• Contributing to audits and reporting requirements as required by the IGWC• Contributing to the development of a Memorandum of Understanding schedule on water compliance collaboration in the Murray-Darling Basin• Participation in the regulatory leader’s forum and project working groups• Providing input to the IGWC on the development of standards and guidelines• Continued development of a hydrometric network and remote sensing program in the Northern Basin• Contributing to the terms of reference for the Independent Review of the IGWC• Submission to the Independent Review of the Inspector-General of Water Compliance• Participation in the IGWC Community perceptions working group and survey• Participation in the IGWC Performance Outcome Reporting Framework Project• Continuing to deliver on commitments under the Murray-Darling Basin Compliance Compact• Following up alleged reports of non-compliance of take of water under entitlements/authorisations (see Explanatory Note below)• Continuing to implement strengthened measurement with ongoing meter revalidation and new meter installations, and implementation of new water measurement requirements through legislation• Meeting obligations under the Basin Plan, for example s71 reporting, Schedule 12 reporting, long term water plans, annual environmental water priorities, etc. <p>Explanatory note: The department uses a range of methods to monitor for compliance against entitlements, including field and desktop audits, metering, and third-party notification. Further to this the department continues to invest in building our capability in intelligence tools, such as remote sensing, using satellite imagery for water storages across the state, and improved data analytics to support compliance monitoring and decision making. These activities support public confidence in how water is managed and protects the rights of all entitlement holders and the broader community.</p>
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	In addition, to develop improved compliance systems and outcomes, \$4.9 million has been provided to invest over four years to support the department's regulatory functions and responsibilities, including enforcement of the <i>Water Act 2000</i> .
<p>4. Have there been any amendments to the state instruments that affect the operation of the WRP or are referenced in the accredited text of the WRP, and are any anticipated for the near future? If yes and the MDBA has not been notified, please outline these amendments.</p> <p><i>Include amendments, drafting, repeals, proposed amendments to regulations that may change how and where to find rules which impact on the rules and obligations of the WRP E.g. State agency is drafting amendments to Water Act provision X or policy X including provisions affecting WRP sections X, Y, Z to improve water register transparency.</i></p>	<p>Operations manuals are referenced in the accredited text of Queensland's WRPs. They are statutory instruments, developed by the infrastructure operator and approved by the department, that include the day-to-day rules for managing supplemented (regulated) water.</p> <p>A minor amendment to Chapter 3 of the St George Water Supply Scheme Operations Manual was approved by the department on 10 June 2024. The amendment changes the way that water is distributed to water accounts when EJ Beardmore Dam in the Lower Balonne catchment is below its minimum operating volume. There is no change to the volume of water or how it may be taken so the amendment does not affect the operation of the Condamine-Balonne WRP.</p> <p>The department is currently assessing an application to amend the Upper Condamine Water Supply Scheme Operations Manual. The infrastructure operator proposes to change the calculation of the announced allocation for medium priority entitlements to better utilise water in Leslie Dam during dry periods, and to incorporate the cut-off rule that protects town water supply when the dam level is low. Approval of the amendment will be contingent on an application from the operator to retire 34 ML of entitlement from active use to ensure that there is no increase in take from the WRP area.</p>