

Queensland's submission

**Senate Select Committee on multijurisdictional management
and execution of the Murray–Darling Basin Plan**

23 September 2019

Summary

The Queensland Government welcomes the opportunity to provide a written submission on the management and execution of the Murray–Darling Basin Plan 2012 (the Basin Plan).

The Queensland Government:

1. Supports the Basin Plan and is committed to working with all relevant jurisdictions to implement the Basin Plan on time and in full.
2. Treats matters of compliance seriously and supports reporting water use in an open and transparent manner.
3. Remains committed to ensuring that Queensland’s water measurement and compliance frameworks are effective and uphold public confidence in water management across the state.
4. Remains committed to working with the Murray–Darling Basin Authority (MDBA) to improve the efficiency of implementation, with one important activity being to establish clear lines of communication and systems to track compliance actions to limit uncertainty concerning roles and responsibilities.

1. Water resource management in the Queensland Murray–Darling Basin

The Queensland Government supports the Basin Plan and is committed to working with all relevant jurisdictions to implement the Basin Plan on time and in full. In this context, the Queensland Government would like to acknowledge the MDBA’s ongoing implementation of the Basin Plan with the basin states. The Queensland Government continues to maintain a collaborative partnership with the MDBA.

The Queensland Government supports the Murray–Darling Basin water reforms and the objective to optimise social, economic and environmental outcomes. However, the Queensland Government understands the difficulty in balancing social and economic outcomes, particularly during times of drought.

1.1. Queensland Murray Darling Basin

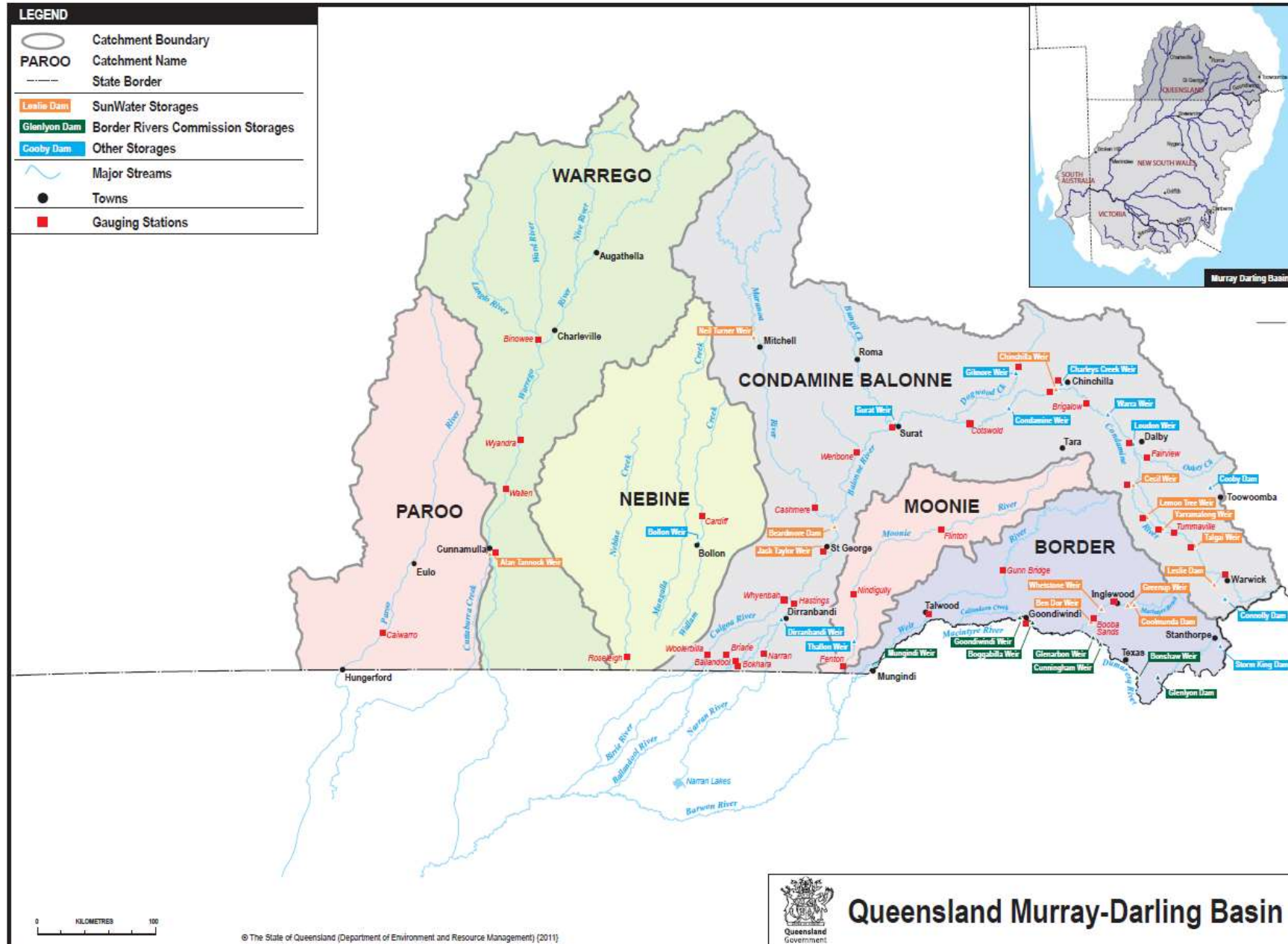
The Queensland section of the Murray–Darling Basin (Queensland basin catchments) includes the Border Rivers, Moonie, Condamine, Balonne, Nebine, Warrego and Paroo catchments (**Figure 1**).

River flows in the Queensland basin catchments are highly variable, characterised by long periods of no flow and large flood events. Recent climatic conditions have highlighted these extremes. Water planning and management practices differ significantly from southern areas of the Murray-Darling Basin (the basin) due to the ephemeral nature of these catchments and the proportionally fewer dams and weirs regulating the river. Water extraction in Queensland is more aligned to water harvesting from high flows into off-stream storages.

Rivers in the Queensland basin catchments flow across the state border into the Barwon and Darling rivers in the north west of New South Wales. The south-west Queensland geography and geomorphology means that significant volumes of water are absorbed by natural processes (such as inundation of wetlands, breakouts to the floodplain, evaporation, and seepage). This means that considerable portions of flows originating in Queensland basin catchments do not reach the Barwon and Darling rivers. For example, the mean annual flow at the Queensland/New South Wales border is around half the mean annual flow at St George in pre-development flow assessments.

These flows support important environmental sites within local catchments including the Narran Lakes wetland, the Lower Balonne floodplain, the Currawinya Lakes, and Paroo Overflow Lakes. These flows also sustain key riverine and floodplain ecosystems in the Barwon and Darling rivers.

Figure 1 – Map of the Queensland Murray–Darling Basin catchments



2. Responsibilities

Like all basin states, the Queensland Government implements components of the Australian Government's *Water Act 2007* and the Basin Plan. The Australian Government oversees Queensland's compliance under with *Water Act 2007* and the Basin Plan.

Queensland manages its water resources under the Queensland *Water Act 2000*. The *Water Act 2000* (section 42) allows the responsible Minister to prepare a water plan for any part of Queensland. Water plans must consider economic, social, cultural, and environmental outcomes, measures, objectives and strategies to sustainably manage the water resource (section 43). Together with the *Water Act 2000* and other legislative instruments, these water plans manage and guide compliance activities.

The *Water Act 2007* requires basin states to demonstrate how their water management meets the Basin Plan's requirements. The Basin Plan stipulates various criteria for state water resource plans (WRP) to comply with to receive accreditation from the Australian Government. Monitoring compliance also occurs through other mandatory reporting for matters such as environmental watering, water trading, water use and evaluation of implementing WRPs.

Queensland is proud to be the first state to have delivered all of our accredited WRPs. The Warrego-Paroo-Nebine WRP was accredited on 15 June 2017 and the Condamine and Balonne, Border Rivers and Moonie plan areas were accredited in September 2019.

A water plan, prepared under the Queensland *Water Act 2000*, is a key component of a WRP. They provide for the sustainable management of surface water (i.e. water in rivers and flowing over land) and groundwater resources in the Queensland basin catchments in a robust planning framework.

Water plans are based on the best available science and hydrologic studies, risk assessment, extensive consultation with water users and engagement with Aboriginal peoples within the Queensland basin catchments.

3. Management and administration

The Queensland Government has contributed to improving and streamlining the WRP assessment process. This was the result of Queensland's review of the assessment process for the Warrego-Paroo-Nebine WRP in conjunction with the MDBA.

When any material changes are made to components of the WRPs, basin states are required to submit their changes to the MDBA for reaccreditation. When a resubmission occurs, it is essential that the re-accreditation process facilitates adaptive management by remaining efficient.

3.1. Fit for purpose management

When managing the basin, a "one size fits all" approach is overly prescriptive and is inconsistent with good natural resource management. An outcomes-based approach, or fit for purpose, should be adopted and should be practical and proportionate to the risk being addressed.

The hydrogeological differences between the southern and northern basin translate into the need to vary management approaches and to also tailor how success should be defined and measured.

To illustrate, water trade does not occur within a single homogeneous market. Any assessment of Queensland's water market needs to account for the mostly unregulated water sources, the discrete

and disconnected trade zones, and less intensive agriculture in many parts, and how these factors directly influence market design and depth.

Any conclusions of market success and performance should acknowledge the inherent constraints on liquidity, and not based on the use of absolute measures that are compared to larger, connected markets with a much higher number of potential trade participants.

Where demand exists for interstate water trade, for example in the Border Rivers catchment, Queensland and New South Wales have arrangements in place to allow for this. However, no such arrangements exist in the intersecting streams, as there currently is no demand for interstate water trade. Queensland and New South Wales have agreed to monitor this situation for any evolving interest.

4. Measuring, monitoring and compliance

The Queensland Government treats matters of water compliance very seriously and supports reporting water use in an open and transparent manner. The Queensland Government commissioned an Independent Audit of Queensland Non-Urban Water Measurement and Compliance (Independent Audit), in addition to the Australian Government's Murray-Darling Basin Water Compliance Review (MDB Review), following intense media scrutiny on the management of non-urban water in the basin and subsequent allegations of water theft and corruption.

Queensland undertakes a wide range of natural resource management activities within the Department of Natural Resources, Mines and Energy (DNRME) portfolio and across the state. DNRME applies a risk-based approach to prioritising compliance matters across Queensland.

The Rural Water Management Program (RWMP) has been established in DNRME to drive more transparent and sustainable rural water management across Queensland. The RWMP is delivering better systems, policies and processes to give Queenslanders confidence that the State's water resources are managed fairly and responsibly. For more information on the RWMP see:

<https://www.dnrme.qld.gov.au/land-water/initiatives/rural-water-management/about-the-program>.

Establishing the RWMP was a necessary step for DNRME to take to lead and deliver the implementation of the Queensland Government's response to the independent audit. Key deliverables of the RWMP also deliver on agreed actions and Queensland's work program in the Murray-Darling Basin Compliance Compact (the Compact).

In response to the MDB Review, the MDBA developed the Compact in consultation with the each basin state. The Compact aims to ensure adherence to the rules that support fair and transparent water use and management in the basin. The Compact was endorsed by the Council of Australian Governments (COAG) in December 2018. For more information on the Compact see:

<https://www.mdba.gov.au/sites/default/files/Basin-Compliance-Compact-180702-D18-31184.pdf>.

The Queensland Government reports annually on progress in meeting its obligations under the Compact and this information forms part of the annual report published by the MDBA. The Queensland Government is committed to ensuring that water measurement and compliance frameworks are effective and uphold public confidence in water management across the state.

Schedule 12 of the Basin Plan outlines matters relating to social, environmental and economic monitoring and evaluation of the Basin Plan and its implementation, which must be reported on by jurisdictions. Basin States, such as Queensland, have certain annual reporting requirements, which have been fully complied with since reporting commenced for the 2013-14 water year.

In 2020 five yearly reporting requirements commence. MDBA, as the jurisdiction with the lead responsibility for Basin Plan evaluation, has not provided strong leadership on the five yearly reporting requirements or how they contribute to or complement MDBA's larger scale 2020 evaluation of the Basin Plan.

5. Areas of uncertainty

Issues arise about the level of involvement that the Australian Government has in Queensland's water compliance activity and the amount of compliance reporting and data required from Queensland. To ensure efficiency in the delivery of water business it is important that a clear understanding of the respective roles and responsibilities that will assist community understanding in this increasingly complicated space.

Queensland's approach is to work with the MDBA to manage this grey area of compliance responsibilities by establishing clear communication and systems to track compliance actions. A collaboration protocol has been developed to facilitate easier information sharing and coordination of activities in relation to Basin Plan compliance and may be amended to clarify matters around information sharing and privacy, as well as working together during compliance audits. The collaboration protocol is important for defining a range of roles and operational processes into the future.

If matters within the Queensland Government's responsibility are brought to the MDBA by the community it is important that the matters be referred directly to the Queensland Government, where legally appropriate. It is also important that when the MDBA provides notice of a potential compliance matter that it does so after making an assessment that the information is credible and valid, including sufficient information for Queensland Government to assess and as appropriate, investigate an allegation.

There are clear opportunities for the Queensland Government and the MDBA to work together in increasing awareness of the operation of the Basin Plan framework to achieve better social, economic and environmental outcomes. Further collaboration is essential to ensure that useful information continues to be delivered to basin communities wherever possible.

SUBMISSION ENDS.