



**CASE STUDY**

# Australia: Implementing water reform in Queensland



## Summary

Australia implemented a series of reforms to the water sector in the State of Queensland, including the use of a "whole of river basin" strategic plan approach within which local resource operation plans are prepared and implemented. The key lesson learnt is that an incremental approach, with water planning developing in "bite-sized chunks" allowed government to be flexible in response to changing circumstances.

## Background

A series of legislative and policy developments to reform the water sector in the State of Queensland, Australia were put in place over 1999-2001 (and ongoing), following Commonwealth (national) government water reform initiatives in 1996.

Prior to the reform process, the existing policies, legislation and water planning procedures had been proving inadequate for managing current water demands amongst competing users. The situation had been characterized by limited specification of water availability, allocation and use, disparate water laws, and few water planning procedures. There had been unworkable policies, legislation and water planning procedures, which had been inappropriate to both the emerging patterns of water demand and those in place at that time. Reform was urgently needed to address this growing concern for the deterioration of Queensland's rivers and the concerns of irrigators about the poorly defined water planning environment. Another critical need addressed by the reform process was to clarify people's perceptions of their rights and entitlements to water. These perceptions had arisen from past water planning procedures in Queensland and included the right claimed by

landowners to river water adjacent to their property and water which flowed over their property.

The measures include:

- Use of consultation across the stakeholder spectrum from high level of government through to farmers to help develop plans
- Preparation of draft policy papers then Bills used to drive process
- Preparation of supporting legislation for regulation of service providers, reform of water authorities; introduction of third party enforcement for offences, compliance notices, increased penalties
- Introduction of legislation to enshrine environmental flow requirements in the Development of Water (Allocation and Management) Bill
- Use of a "whole of river basin" strategic plan approach within which local resource operation plans are prepared and implemented
- Integration of the reforms with the local planning processes of Queensland.

### **Actions taken**

The initial decision to comply with Commonwealth Government requirements by 2001 was taken by senior officers of the Queensland Department of Natural Resources, as required by the agreement between Heads of Government in 1996. The Department used a series of planning meetings and inter- and intra-office memoranda to determine the objectives of the reform. The main purpose identified was to provide a framework for the management of water and setting priorities for future water allocation, for reversing, where possible, the degradation of ecosystems and for progressively establishing tradeable water allocations.

To meet these objectives, the State water agency undertook actions such as the development of a new Water Resources Act, Water Resources Plans and developed the government's role as a water provider through Sunwater, which operates under an "Interim Resource Operations Licence" (including infrastructure and constraints on operation, interim water allocations to be supplied, monitoring and reporting requirements).

Water Resource Plans were developed for each river valley, and they establish the balance between consumptive and non-consumptive needs, set Environmental Flow Objectives, set Water Allocation Security Objectives and establish regulatory control over overland flow water and sub-artesian groundwater in an area.

During the transitional time, water customers operate under "Interim Water Allocations", which replace old licences and agreement orders in council. Final allocations will replace the interim when planning is finalised. Standard supply contracts were to be established by 12/2000. A specific farm component was identified, through Land and Water Management Plans, which aims to provide certainty that water allocated by government will be used in a manner that does not cause degradation of land or water resources and provide individual landholders with an effective farm management plan which demonstrates that irrigation farming practices are sustainable, both on- and off-farm.

The actions for the water reform process were developed in-house by government agency staff and involved a high level of consultation with leading water industry sector players in Queensland. Both high-level consultation (Water Industry Peak Consultation Committee and a Director Generals' Water Reform Steering Committee) and local level consultation (public

meetings, internal meetings and submissions) were used to achieve water reform. This process involved the preparation of policy papers for discussion and enabled a high level of engagement by all levels of stakeholder.

The reform package uses a "whole of river basin" strategic plan approach within which local resource operation plans (local plans) are prepared. These regulate service providers; reform water authorities; include third-part enforcement for offences, compliance notices, increased penalties, and are linked to the Integrated Planning Act (the local planning act of the State of Queensland). The activity described here was initiated in the period 1999-2001, and is ongoing.

## **Outcomes**

The outcomes of the reform have been the implementation of a new water act with more clearly specified rights and responsibilities of water users, providers and resource managers in the State of Queensland. It also separated the regulating functions from water supply roles of agencies through a more transparent process which includes stakeholders in decision-making at all levels – at high levels and the regional and farm level. Furthermore, mechanisms (water resources plans) have been implemented which will provide better opportunities to improve the health of Queensland rivers by specifying environmental flow requirements. It is expected that it will be several years before the full effect of these new flow roles and arrangements will produce the desired results.

Planning is proceeding. The use of an incremental approach allowed government to adjust its planning procedures and frameworks for water planning according to stakeholder concerns and to needs generated by unexpected outputs arising from the development of different water allocation scenarios. The development of water resource plans was also carried out across the state, valley by valley, allowing more streamlined and more efficient procedures to be used after the initial plans were produced.

The state benefits through the clearer demarcation of roles and responsibilities and the water industry now has a more stable and more clearly-defined water planning environment in which to plan water resource developments, in both the irrigation industry and in urban water supply provision. Although the case is relatively new (the Acts have come on-line in the last 12 months) it seems, from their acceptance, that the process of developing water resource Plans and reforms will continue to be effective. The strength of the Queensland Department of Natural Resources and Mines lies in its flexible and adaptive management approach.

## **Lessons Learned**

An incremental approach, with water planning developing in "bite-sized chunks" allowed government to be flexible in response to changing circumstances.

The process would have been more streamlined if action had been taken earlier to separate regulatory functions from supply or service provision roles.

Furthermore, a clearer definition of roles and responsibilities should have been done earlier.

Water allocated to local governments should not mandate specific uses of allocated. It should rather limit itself to the allocation, and allow the local governments to specify how the allocated water is to be used .

**Corresponding Author**

Dr. Hooper, Bruce

**Corresponding Author Contact**

bruce.hooper@catchment.com

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**Supporting Materials**

Australia: Implementing water reform in Queensland

**Related IWRM Tools**

Preparation of a National Water Resources Policy, Basin Management Plans, Water Rights, The Rights of Rivers

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