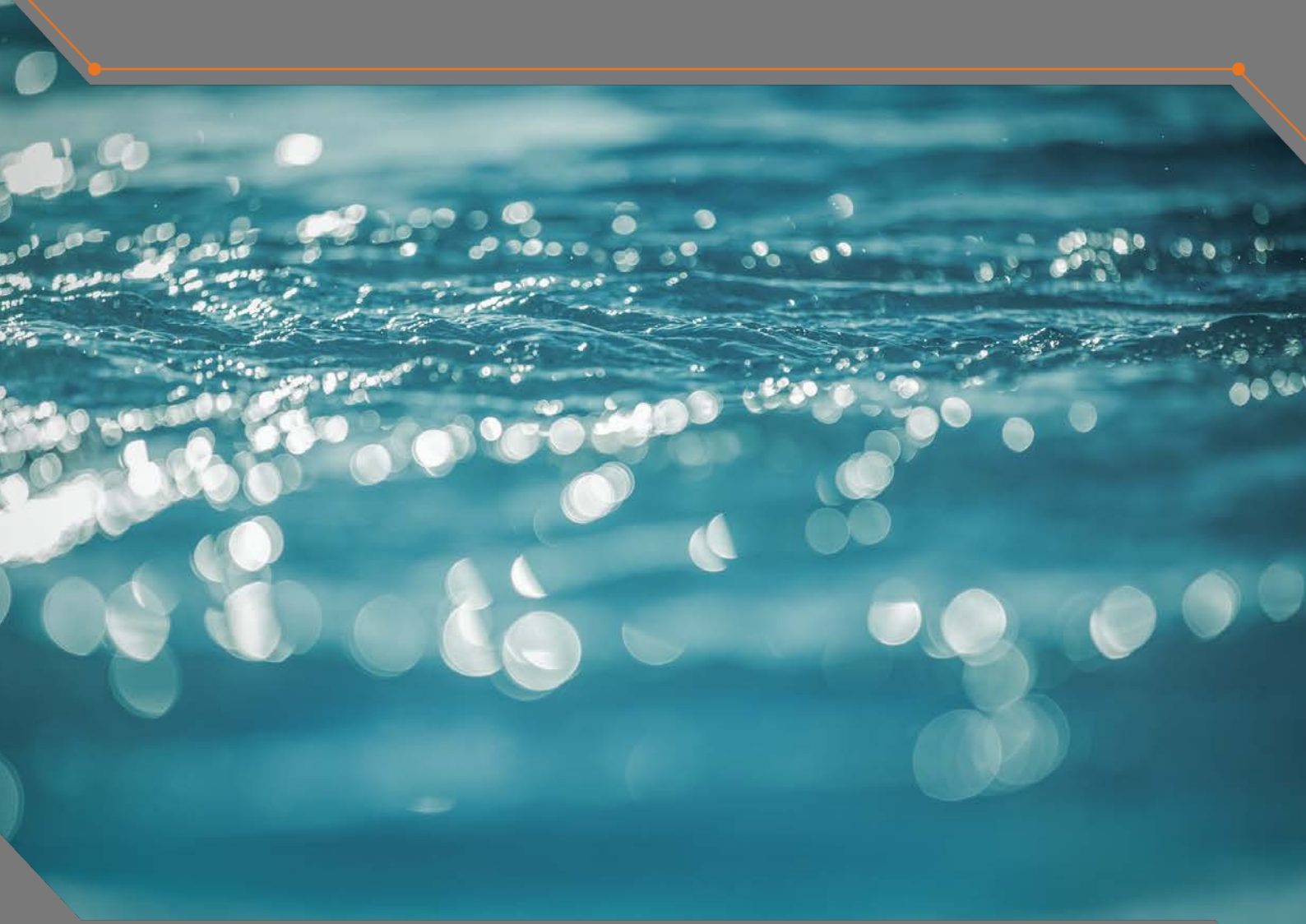


Annual Compliance Plan 2020–21

End of year report



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1.0 Our role as a water regulator

Queensland's water resources are vital for our economic, social, environmental, and cultural wellbeing and drive economic growth and job opportunities for our regional communities.

The Department of Regional Development, Manufacturing and Water's (DRDMW) role is to ensure that water is managed fairly and responsibly, to make best use of our water resources by delivering sustainable, safe, secure and affordable water to all Queenslanders. To achieve this, our department administers a range of laws that govern how water resources are accessed and used.

Individuals or entities accessing or using Queensland's water resources have a responsibility to know their obligations and to comply with the law. Our compliance approach is underpinned by the principle of early engagement and includes guiding, informing, enabling, monitoring and enforcing.

We aim to promote voluntary compliance through a range of educational activities aimed at building the capacity and capability of the community, including:

- providing information, resources and tools to be clear about the obligations for our regulated water community
- engaging to promote awareness and build their 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.

Where compliance is not achieved, we take a risk-based approach to decide how best to respond.

2.0 Compliance plan and end of year report

DRDMW's Annual Compliance Plan 2020–21 consolidates our proactive compliance priorities. The plan was developed under the former Department of Natural Resources, Mines and Energy and has been updated to include only the remaining functions under DRDMW following the Machinery of Government change.

The 2020–21 plan identifies the activities that support DRDMW to implement the compliance approach, including performance measures, focus areas, activities, targets and measures. The plan supports a risk-based, transparent and consistent approach to how Queensland's water resources are regulated.

The purpose of the end of year report is to summarise the outcomes achieved against targets stated in the plan.

3.0 Key highlights

A number of key focus areas guide us towards the benefits or changes we are aiming to achieve in our role as a water regulator. In line with the department's strategic direction for compliance, these focus areas include:

- Stakeholder support and engagement
- Proactive desktop and field audits in high priority areas and entitlements to check for compliance against conditions.
- Responding to non-compliance in a timely and efficient manner.

3.1 Stakeholder support and engagement

Our department aims to promote voluntary compliance through a range of activities which builds the capacity and capability of the community. We help the regulated community by providing information, resources and tools that make their regulatory obligations clear.

As part of the annual meter reading process, a number of communications were sent out throughout the year, including targeted written communication to metered entitlement holders. DRDMW also engaged more generally with all entitlement holders in the Murray Darling Basin area, informing the regulated community about compliance and enforcement work undertaken by the department during the 2020–21 year.

In the Lower Balonne, which is part of the Murray Darling Basin, we sent targeted communications to stakeholders after flow events occurred. We educated and informed our regulated community on how to comply with obligations under the flow event management rules during this period and where to find further information if needed.

Through our proactive auditing and monitoring program, 66 per cent of all water entitlement field audits included an educational component to inform and guide entitlement holders.

The department is committed to making information relevant and easily accessible. This year, the department published the 'Small dam safety guide: Information for Queensland small dam owners'. This guide provides information, including a checklist, to help stakeholders manage their small dams effectively.

In line with our key compliance principles of accountability and transparency, we seek opportunities to share information about the compliance and enforcement activities we undertake.

3.2 Proactive auditing

DRDMW has a proactive monitoring program to audit compliance against regulatory requirements. The monitoring program is determined based on factors, such as the risk to the water resource, taking into account data and learnings from the previous years. This year, proactive audits were undertaken to verify compliance against entitlement or reporting conditions. This included:

- All meter readings received by DRDMW were checked for compliance against water take.
- 350 field audits were conducted to check for compliance against the water entitlement conditions.
- 250 desktop audits of drill logs received against water entitlement and driller licencing conditions.
- 13 field audits conducted during the construction of water bores.
- 30 field audits to check against quarry material allocation notices conditions.
- 12 per cent of referable dams were audited against regulatory requirements.

When non-compliance is identified, DRDMW takes a risk based, proportionate approach in addressing the non-compliant behaviour.

3.3 Responding to non-compliance

Appropriate and timely responses to non-compliance provides the greater community with confidence in what we do as a water regulator.

For offences under the *Water Act 2000*, 98 per cent of cases of non-compliance were further investigated within 10 business days. While all cases are dealt with in a timely manner, more complex cases that require a significant amount of engagement may take longer to resolve. This includes cases that are likely to proceed to prosecution.

This year, all drinking water incidents were responded to within 24 hours of notification and assessed within the required statutory timeframes.

In Dam Safety, for all wet season preparedness reporting, all emergency actions plans were submitted and reviewed by 1 October 2020.

Tables 1 to 5 below outline in detail the outcomes of the 2020–21 Annual Compliance Plan.

4.0 Plan outcomes

Table 1: Water Regional Services (*Water Act 2000*)

Performance measure	Focus area	Activity	Target	End of year result against target
Decisions on compliance and enforcement action are made in a timely manner	Reporting, addressing, and case managing non-compliance	Respond to non-compliance in a timely and efficient manner	<ul style="list-style-type: none"> Allocate 95% of cases of non-compliance for further investigation within 10 business days Finalise 80% of cases of non-compliance in the 2020–21 water year within 9 months 	<ul style="list-style-type: none"> 98% of cases of non-compliance were investigated within 10 business days with 95% of cases finalised within nine months
Decrease in non-compliant behaviour	Water take and interference	Undertake proactive field audits for authorised water take and/or interference	Conduct 350 proactive field audits of authorised water take and/or interference and flow events	350 field audits conducted of authorised water take and/or interference.
		Undertake proactive desktop audits of self-read meter reads (water taken)	Audit 100% of meter reads received for compliance against authorised water take	100% of meter readings that were requested and received, were audited against their authorised water take.
		Educate water entitlement holders	Inform metered entitlement holders in targeted areas about compliance actions that have been undertaken in their water management area as a result of meter reads for water year 2019-20	Metered entitlement holders were informed about compliance actions through a number of ways including: <ul style="list-style-type: none"> Letters or emails to metered entitlement holders Stakeholder meetings Advisory committees
	Drilling	Undertake proactive desktop audits of drill logs	Audit 150 drill logs received for compliance against the minimum construction standards and conditions	254 drill logs were audited against the required standards

		Undertake proactive field audits of water bore drillers	Conduct 10 proactive field audits during the construction of water bores in areas where the risk to the resource is high	13 proactive fields audits were conducted during the construction of water bores.
	Quarry Material Allocation Notices (QMAN)	Undertake proactive desktop audits of QMAN monthly returns	Audit 95% of monthly QMAN returns for compliance against authorised allocation	99% of monthly returns were audited against their authorised allocation
		Undertake proactive QMAN field audits	Conduct 40 proactive field audits and inform allocation holders of outcomes	30 proactive field audits were completed during the 2020 – 21 year.

Table 2: Water Supply Regulation

Performance measure	Focus area	Activity	Target	End of year result against target
More than 75% of service providers agree that they understand regulatory requirements	Service provider support and educational program	<ul style="list-style-type: none"> Conduct workshops/forums/webinars Distribute e-alerts to service providers Present at industry forums 	<ul style="list-style-type: none"> Conduct 5 workshops/forums/webinars Distribute a minimum of 5 email communications Participate in at least 4 industry forums 	<ul style="list-style-type: none"> Three forums were held early 2021 in Brisbane and Cairns, including a cyber security forum held in Brisbane. Five email communications were sent out. Department participated in four industry forums.
Site assessments are conducted, outcomes reported and recommendations given to the relevant service provider once finalised	Safe drinking water assessments	<ul style="list-style-type: none"> Complete assessments and prepare reports Monitor service provider performance against report recommendations engage with stakeholders, including other government agencies to facilitate necessary support programs and service funding opportunities 	<ul style="list-style-type: none"> Conduct at least 3 site assessments Provide reports to service providers with recommendations within 30 business days of completing the relevant site assessment Follow up on actions taken by at least 5 service providers to implement report recommendations 	<ul style="list-style-type: none"> Two site assessments were completed. Completion of this target was delayed due to Covid restrictions. Recommendations were provided to the service providers within 30 business days of receiving the report from the contractor A number of follow up discussions were conducted regarding treatment plant operations and recommendations
All notifiable incidents actioned and resolved in accordance with legislative requirements	Drinking water incidents	Undertake assessment and compliance activities for drinking water incidents	Meet statutory timeframes set by the water supply regulator	All incidents were responded to within 24 hours of notification. All incidents were assessed within statutory timeframes
Service providers report against customer service key performance indicators 4.8a and 4.9a (bursts, leaks, breaks, chokes)	performance reporting	review performance reporting data submitted by service provider for 4.8a and 4.9a	Receive a complete data set from service providers required to report on customer service KPIs 4.8a and 4.9a by 1 December 2020	<ul style="list-style-type: none"> For 4.8 a, 75 service providers reported against KPI within the required timeframes with follow up required for 3. For 4.9a two service providers reported against KPIs.

Table 3: Dam Safety

Performance measure	Focus area	Activity	Target	End of year result against target
A decrease in non-compliant dam safety documentation	Stakeholder engagement	Undertake client and stakeholder engagement activities	<ul style="list-style-type: none"> conduct 1 dam owners forum conduct 10 specialised training programs/ educational workshops for dam owners 	<ul style="list-style-type: none"> The 2021 Dam owners forum was held with over 70 participants attending each forum session Ten specialised training programs was conducted for dam owners.
	Monitoring compliance	Undertake site audits to ensure compliance with regulatory requirements through identification of any shortfalls in the dam owner's dam safety management programs and areas of non-compliance with specific legislative requirements including dam safety conditions	Audit 10% of total regulated dams	13 site audits were completed which is 12% of referable dams
		Review and assess emergency action plans submitted to the regulator within legislative timeframes	Review and assess 100% of emergency action plans received	100% of emergency action plans received where reviewed and assessed.
		Review wet season preparedness reporting, submitted for 1 October 2020 at the start of the wet season	Receive reports from 90% of dam owners	100% of emergency action plans for 1 Oct wet season preparedness submissions where submitted
		Identify and appropriately address non-compliance	<ul style="list-style-type: none"> Ongoing monitoring of dam owner compliance, 100% of non-compliances identified Respond to 100% of non-compliant dam owners 100% of non-compliant dam owners adhere to documented non-compliance response plan 	<p>Monitoring of dam owners is ongoing and all non-compliant dams have a management plan in place</p> <p>All non-compliant dam owners have taken the necessary steps as per the plan to become compliant.</p>
Increased awareness of small dam owners	Compliance	Undertake field audits of priority dams identified	Complete assessments of 10 dams	Ten dam field audits have been completed from priority dam list.

Performance measure	Focus area	Activity	Target	End of year result against target
regarding regulatory obligations		and issue referable dam notices for those with confirmed persons at risk		
	Stakeholder engagement	Undertake client and stakeholder engagement activities	<ul style="list-style-type: none"> publish communication material for small dam owners by October 2020 include topic in specialised training programs and educational workshops for local government 	<ul style="list-style-type: none"> The Small Dam booklet: Information for Queensland small dam owners has been updated and published on the department website Content included in presentations provided by the department
Implement the Dam Safety Quality Management Framework Achieve ISO accreditation	Compliance	Ensure 100% of work practices are ISO:9001 2015 standard compliant	Achieve and maintain ISO:9001 2015 accreditation	ISO:9001 2015 accreditation achieved and renewed.
Ensure information and support tools are available to facilitate voluntary	Compliance	<ul style="list-style-type: none"> Distribute Dam Safety e-newsletter quarterly Review Dam Safety website content 	<ul style="list-style-type: none"> Issue 4 newsletters review and update website content by 31 March 2021 	<ul style="list-style-type: none"> Four Dam Safety e-newsletter distributed review and update of website content delayed due to machinery of government changes.
Ensure legislation remains appropriate and support tools are current	Compliance	<ul style="list-style-type: none"> Review Dam Safety Management guideline (incorporating Dam Safety Conditions) Review Acceptable Flood Capacity guideline 	<ul style="list-style-type: none"> Publish Dam Safety Management Guideline by 31 March 2021 (subject to Paradise Dam Commission of Inquiry actions) Publish Acceptable Flood Capacity Guideline by 30 June 2021 	<ul style="list-style-type: none"> Dam Safety Management Guideline has been published and is available on the department's website The Acceptable Flood Capacity Guideline has been updated and is now referred to as the 'Guidelines on safety assessments for referable dams'. The new guideline has been published and is available on the department's website.

Table 4: Economics and Governance

Performance measure	Focus area	Activity	Target	End of year result against target
Category 2 water boards are aware of their obligations under the <i>Water Act 2000</i> regarding Board appointments	Engage with category 2 water boards about compliance with board appointment currency	Undertake stakeholder engagement with category 2 water boards regarding compliance with board appointment currency	Engage with any category 2 water boards that have upcoming vacancies to explain their appointment obligations 12 months before their term of appointment expires	Two category 2 water authorities engaged 12 months and six months; this is 100% of those with upcoming vacancies.
River improvement trusts are aware of their obligations under the <i>River Improvement Trust Act 1940</i> regarding membership appointments	Engage with river improvement trusts about compliance with trust membership appointment currency	Undertake stakeholder engagement with river improvement trusts regarding compliance with trust membership appointment currency	Engage with 100% of river improvement trusts about their trust membership obligations at a minimum, 12 months and again at 6 months before their term of appointment expires	Two river improvement trusts have vacancies due within 12 months and staff have been advised of these vacancies and supported by the department in their process to select and nominate candidates for appointment.

Table 5: Strategic Compliance

Performance measure	Focus area	Activity	External target	End of year result against target
Water Division implements the DRDMW compliance approach (framework, strategy and plan)	Engagement and communication	Develop communication materials to support Water staff to understand, communicate and consistently apply DRDMW compliance principles and approach	Develop and release key messages and communication presentation for staff by 30 October 2020	Due to machinery of government changes and department restructure the focus of this target was shifted to focus on DRDMW.
Water compliance reporting drives continuous improvement – identify risks, opportunities, and priorities	Performance culture	Report on the DRDMW compliance plan	Publish a summary report on the DRDMW website within 3 months after the reporting period	End of year report published early January 2022.
Water staff have the capability and confidence to do their job well	Organisation and workforce capability	Develop and deliver technical training that meets the needs of the Water business and staff	Deliver 3 compliance-focused training courses by 30 June 2021 to build the regulatory capability of Water staff	Four training courses have been run so far in 2020 – 21. Resulting in 79 staff building their regulatory capability in the Water Divisions. These courses included: <ul style="list-style-type: none"> • DRDMW role of the department as a regulator eLearning course • Natural Resources authorised officer – Category 1 training • Natural Resources authorised officer – eLearning course • Natural Resources authorised officer – Category 2 training • Natural Resources authorised officer – Category 2 training
Water staff, customers and stakeholders understand our regulatory role and their obligations	Engagement and communication	Publish contemporary information about our regulatory role, including the compliance framework and strategy	<ul style="list-style-type: none"> • Review and update, as needed, information about the role as a regulator on the department's website at the start of each quarter • Provide resources for regional staff to educate and inform external stakeholders about Water's role as a regulator through existing stakeholder networks 	<ul style="list-style-type: none"> • Updates were made to the department's role as a regulator and will be updated again to reflect changes to the new Department of Regional Development, Manufacturing and Water • Education material has been developed to inform and educate metered entitlement holders of the outcome of the end of water year meter reading process, including what compliance action was undertaken.



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