

Module	QUEENSLAND WATER SUPPLY
Jurisdictions	QLD
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Module Scope

Does the organisation contribute to Queensland's water supply and sewerage services industry either as a bulk water entity that collects and provides bulk water in accordance with the Bulk Water Supply Code to service providers (for example, Seqwater), as a service provider that distributes water to the public (including local governments) or as a distributor-retailer that provides water and wastewater services within particular local government areas?

Is the organisation required to comply with the Queensland Water Supply Regulator, ensure the protection of fish habitats and cultural heritage, including any requirements pursuant to water plans and coastal plans, and to take reasonable and practicable precautions to prevent environmental harm including from stormwater and sewerage discharge?

Is the organisation required to be registered and licensed to provide water services to catchment areas, to obtain development approval prior to constructing new infrastructure to support water supply and services and to coordinate with disaster management groups to ensure effective disaster preparedness in respect of emergencies and dam management?

Module Application

The *QUEENSLAND WATER SUPPLY MANAGEMENT* module informs any organisation that contributes to Queensland's water supply industry to navigate their legal responsibilities. It outlines the obligations and regulations and how they apply to water supplying entities and service providers. The module also provides direction and guidance to these organisations about procedures and processes to implement that will ensure compliance with all obligations throughout the operational system.

The *QUEENSLAND WATER SUPPLY MANAGEMENT* module covers the core obligations of water entities and service providers as they relate to;

- Coastal, dam, and catchment management;
- South-East Queensland distributor-retailer and withdrawn council administration;
- Water and sewerage service provider administration, charges, infrastructure and connections;
- Water authorisations, recycled water, bulk water and drinking water;
- Transport of water treatment by-products;
- Stormwater and flood management;
- Emergency management;
- Management of recreational water activities;
- Reporting and record keeping; and
- Complaints management including investigations, dispute resolution and enforcement.

The module also covers the extent to which water industry regulation in Queensland is derived from the following legislation;

- The **Water Act 2000 (Qld)** which creates and categorises water authorities, governs bulk water supply activities and authorises the use of Queensland water;
- The **Water Supply (Safety and Reliability) Act 2008 (Qld)** which ensures the safe supply of drinking water and recycled water, the safe operation of dams, and oversees adequate emergency preparations;
- The **South-East Queensland Water (Distribution and Retail Restructuring) Act 2009 (Qld)** which establishes the distributor-retailers and withdrawn councils' system that provides water and sewerage services in the South-East Queensland region;
- The **Environmental Protection Act 1994 (Qld)** which requires all people and organisations in Queensland to take reasonable and practicable precautions to prevent environmental harm.
- The **Planning Act 2016 (Qld)**;
- The **Disaster Management Act 2003 (Qld)** establishes disaster management groups at local, district and state levels;
- The **Coastal Protection and Management Act 1995 (Qld)** provides coastal management policies that affect the activities of water entities and service providers;
- The **Energy and Water Ombudsman Act 2006 (Qld)** and the **Ombudsman Act 2001 (Qld)** together establish authorities with the power to investigate complaints made against water entities and service providers.

Other legislation covered by the module that in certain circumstances create obligations or responsibilities on water entities or service providers include;

- The **Aboriginal Cultural Heritage Act 2003 (Qld)**;
- The **Torres Strait Islander Cultural Heritage Act 2003 (Qld)**;
- The **Water Fluoridation Act 2008 (Qld)**;
- The **Stock Route Management Act 2002 (Qld)**;
- The **Local Government Act 2009**;
- The **Acquisition of Land Act 1967 (Qld)**; and
- The **Safety in Recreational Water Activities Act 2011 (Qld)**.

The management of Queensland's water supply sector is regulated by various government departments which each have the responsibility for administering particular pieces of legislation but due to the complex nature of water supply operations there are significant areas of overlap. The module covers the obligations of the regulators including what authority they have and how it is enforced;

- The **Department of Natural Resources and Mines** resolves licencing issues and reviews water allocations;
- The **Department of Energy and Water Supply** registers water service providers throughout Queensland. Responsibilities include the oversight of dam safety, drinking water quality and emergency preparedness;
- The **Queensland Water Supply Regulator** (the regulator), oversees the operations of water service providers. Takes actions designed to ensure the continuity of water supplies under threat;
- The **Department of Environment and Heritage Protection** investigates matters relating to the prevention of environmental harm and compliance with the administrative requirements of environmental legislation; and
- The **Department of Local Government, Infrastructure and Planning** administers the approval processes established by the Planning Act 2016 (Qld).

The varied entities and services providers that are complying with these obligations include;

- **Bulk water entities** which collect and provide bulk water to service providers for distribution;
- **Water authorities** which are statutory bodies that provide essential water services;
- **Local governments** are required to provide water and sewerage services directly to their ratepayers. The local governments that are former participants in the dissolved distributor-retailer sector are referred to as **withdrawn councils**; and
- **Distributor-retailers** provide water and wastewater services to the South East Queensland regions.

The module also covers specific issues relating to South East Queensland and the actual council areas that this area encompasses.

The *QUEENSLAND WATER SUPPLY MANAGEMENT* module provides comprehensive coverage of the legal obligations of entities involved in the Queensland water supply sector. It does not cover the procedures or processes to be followed by consumers or entities relying on the water supply sector in the event that the water supply provider commits a breach of these obligations.

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