
RIVER IMPROVEMENT TRUST (RIT) IN SOUTHEAST QUEENSLAND

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PURPOSE

In principle support is required from Redland City Council by the Chairman of the Council of Mayors, Lord Mayor Councillor Graham Quirk to participate in a proposal by the State Government to establish a River Improvement Trust in Southeast Queensland. As the matter is still progressing at the Ministerial level, Council is obligated to treat this matter in confidence.

BACKGROUND

The Council of Mayors through a Mayoral Waterways Taskforce was engaged in high level discussions with relevant State Government Ministers in response to a proposal by the State to establish a Greater Brisbane River catchment River Improvement Trust (RIT) and the introduction to Parliament of amendments to legislation.

The Water Reform and Other Legislation Amendment Bill, 2014 was passed by Queensland Parliament on 26 November 2014. One of the Bill's objectives is to support the transition of category 2¹ water authorities to other institutional forms and simplify the administrative requirements for both category 2 water authorities and river improvement trusts.

- Existing and new RITs to invest in a broader range of activities necessary to reduce sedimentation (and nutrients), improve water quality, decrease erosion impacts, remove weeds, revegetation riparian corridors.
- Reduce red tape for trusts in carry out activities, improve processes of operation and allow Boards to appoint expert subcommittees.

¹ The Department of Natural Resources and Mines (DNRM) is responsible for administration and oversight of category 2 water authorities, established under Chapter 4 of the *Water Act 2000*.

RITs were predominately established in agricultural production locations to benefit the community by aiding irrigation, straightening, de-snagging and removal of sand/sediment build up of waterways. Today these activities are not consistent with enabling healthy aquatic ecosystems and water quality.

Through the water reform legislative changes, RITs will provide the capacity to include – erosion control, bed and bank stabilisation works, riparian vegetation management, environmental weed removal and revegetation, protection of public infrastructure, flood mitigation, re-vegetation of highly degraded riparian zones, mapping and landholder education. These works are consistent with the objectives of Healthy Waterways, SEQ Catchments and local governments to halt and reverse the decline in the health of our waterways.

Concurrent with legislative reform, the Council of Mayors SEQ, established a High Level Agreement for the Management of Catchments in Southeast Queensland between key local government and non government groups with an interest in water and catchment management in Southeast Queensland. Signatories to the agreement are Council of Mayors SEQ, SEQwater, SEQ Catchments, Healthy Waterways, Urban Utilities and Unity Water.

The emphasis of RIT reforms is on heavy participation and control by Councils involved with each council being represented on the board of the RIT along with state ministers, possibly a federal minister (Environment) and external bodies to be decided. The RIT will be a governance mechanism to control the flow of money and direct the action supported by the science and planning work already underway.

To assist with future negotiations with State Ministers, Lord Mayor Cr Graham Quirk is now requesting “In Principle” support from Southeast Queensland Councils. Council will still be required to formally participate in the RIT once all the details are known and documentation is prepared and Parliament amending the necessary legislation.

ISSUES

Council of Mayors SEQ Driving the New Agenda

The Council of Mayors SEQ has drafted a Project Management Plan for the Resilient Rivers Initiative. The paper recognises that its waterways are unique in the Australian context as it is the only major Australian settlement built substantially on floodplains. The region’s open catchments support urban and economic growth through drinking and other water supplies, high-quality agricultural production, globally renowned tourism and leisure facilities, scenic amenity, and world-class fisheries.

This management plan also recognises the capacity of SEQ to continue to grow its population, its economy and employment, and its continued capacity to deliver more than its share to Australian economic growth, is directly linked to the capacity of its waterways to support this growth and maintain the quality of life for which the region is renowned. In short, the future growth of Australia’s most vital growth region will be determined by the decisions being made now, at all three levels of government, about our catchments.

Benefits for Redlands

Should the SEQ region RIT be established, amongst other roles, as the primary investing fund for significant on-ground works and payment of landholders to convert small portions of production land to 'natural assets and protection of infrastructure' uses, the benefits to Redlands could be:

- Access to a funding source to leverage with Council budgets to commence broader landholder engagement along whole sections of waterways currently in poor health and in priority catchments;
- Implement a pilot scale project to rehabilitate a whole tributary of a waterway up to 2km in length and evaluate the benefits of the pilot in order to upscale to a whole sub-catchment and catchment.
- A rural/urban landscape with connected corridors through significant re-vegetation of riparian corridor through revegetation of waterways and between large patches of reserve and remnant vegetation to protect wildlife movement and refuges. This can coincide with passive recreation, for example a "great walk" along and through the same corridors that attracts visitors to the Redlands to experience its natural environment;
- Potential to save Council millions of dollars in Wastewater Treatment Plant upgrades through nutrient off-setting in the catchments and undertaking landscape re-vegetation and re-generation in the right areas, whilst allowing rural activities to occur away from high sediment, erosion prone and riparian corridors.

Early Days for the Establishment of RIT in SEQ

There is still considerable discussion and agreement to be reached before a single RIT Board is established. The Council of Mayors, through its company secretary reported at the recent board meeting that the purpose of the RIT would be to channel funding and determine what is to be delivered in an open and transparent fashion. The RIT would be required to report to Parliament annually and as such there would be an operating cost.

Concerns amongst some COMSEQ members is that this may create another bureaucratic layer and complicate the original objective of keeping the dirt in the paddock and therefore the importance of future negotiations to keep the administrative arrangements simple and the project focused on priority actions in the priority catchments to deliver direct results to protect agricultural production and water security.

STRATEGIC IMPLICATIONS

The strategic benefits for Redlands are considerable as discussed above and are consistent with draft Corporate Plan direction for the natural environment – that Redland's waterways are healthy, the visitors' experiences of Redland's natural areas are enhanced, liveability for residents is improved through better access to and connectivity of Redland's natural areas, and opportunities to unlock the potential of public/private lands through low impact commercialisation.

Legislative Requirements

The Water Reform and Other Legislation Amendment Bill, 2014 amends many sections of the *River Improvement Trust Act 1940*. Several key changes are highlighted in this report.

River improvement trusts are created, changed, named or abolished by a regulation that is subordinate to legislation with powers residing with the Minister and Governor in Council. For example the Minister:

- may decide to create an RIT without receiving an application from one or more local governments, or decide not to recommend a RIT be established;
- is prevented from appointing councillors as members except under the constituent local government member provision;
- May appoint non-residents of the local government area under the non-councillor member provision;

The status of trusts are bodies corporate, has a seal and may be sued or sue in its own name. Similarly a trust may enter into contracts and otherwise deal with property. The updated legislation confirms that a trust is an independent body that does not represent the State.

Risk Management

Provided the proposed South East Queensland River Improvement Trust (RIT) primary focus is on being a funding body for large scale works to improve the health and water quality of SEQ waterways, there is no overlap with other regional bodies in south east Queensland. To avoid duplication of effort the RIT establishment, structure, board, membership and activities must be carefully considered and carefully implemented.

The RIT is different and separate from Healthy Waterways. The former is a trust to fund on-ground works, the latter is the monitor and science provider for waterways health in south east Queensland.

However membership in the RIT will require contribution of funds and these details are yet to be confirmed.

Financial

The RIT legislation amended section 14 to require that each trust and the constituent local governments must negotiate the agreed annual contribution by the local government to the trust. The Minister may decide the amount a local government must contribute to a trust in cases where both parties fail to agree on an amount.

People

There are no immediate issues that could impact Council's human resources.

Environmental

The water reforms and modernising of the *River Improvement Trust Act 1940*, benefits the environment allowing a greater scope of works to take place including catchment management function as it relates to land in or about rivers and streams, in and near stream works that influence the flow and ecosystem or natural function in the bed and banks of a river or stream, and the improvement of water quality in rivers and streams. Such works may employ a preventative strategy or a restorative approach where damage to the natural function is compromised and proposed works are aimed at reducing sediment loads or improving water quality.

Social

There are no immediate social issues that could impact Council's community.

Alignment with Council's Policy and Plans

There is positive alignment with the draft Corporate Plan direction for the natural environment – that Redland's waterways are healthy, the visitors' experiences of Redland's natural areas are enhanced, liveability for residents is improved through better access to and connectivity of Redland's natural areas, and opportunities to unlock the potential of public/private lands through low impact commercialisation.

CONSULTATION

Consultation took place with Redland Water regarding the potential benefit of a RIT to save Council millions of dollars in Wastewater Treatment Plant upgrades through nutrient off-setting in the catchments and undertaking landscape re-vegetation and re-generation. Future consultation and engagement with private landholders to get 'buy in' to RIT works would be considerable.

OPTIONS

That Council provide in principle support to establish a River Improvement Trust in Southeast Queensland and await further information before making any commitment: or

Council does not provide any support for the proposal at this time.

OFFICER'S RECOMMENDATION

That Council resolves to:

1. Provide in principle support to the Council of Mayors SEQ to the establishment of a River Improvement Trust in Southeast Queensland; and
2. Give further formal consideration to any participation in such a Trust when further information and details become available.