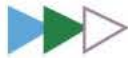


WR&OLA Bill 2014

Submission



QMDC comments on the Water Reform and Other Legislation Amendment Bill 2014

9 October 2014

Submission to:

The Research Director
Agriculture, Resources and Environment Committee
Parliament House
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Submitting organisation:

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These comments are presented by the Chief Executive Officer, Geoff Penton, on behalf of the Queensland Murray-Darling Committee Inc. (QMDC). QMDC is a regional natural resource management (NRM) group that supports communities in the Queensland Murray-Darling Basin (QMDB) to sustainably manage their natural resources.

1.0 Background

QMDC has made numerous submissions and deputations to both the Australian and Queensland Governments seeking improvement to legislation, policies, and planning to both, prevent or manage impacts on the water resources in the catchments of the QMDB. These submissions and deputations have raised issues integral to regional governance, community engagement, water use efficiency, water resource planning, the protection of watercourses and aquatic ecosystems, CSG water management, and floodplain management.

2.0 General comments

QMDC posits that our on-going work within the diverse catchments of the QMDB has allowed QMDC to access not only valuable scientific and technical information; but also the local knowledge and experience of the QMDB's rural and regional communities, including local businesses and industry on water management issues at a regional and state-wide level. We would argue that this Bill has failed to consider and implement important water management issues QMDC has repeatedly raised with regards to the overall delivery of water management strategies in the QMDB.



3.0 Specific comments

QMDC do not support the scope to amend allowable diversions for a plan area based on information provided by a developer or by a consultant engaged by a developer, or in the case of groundwater just because it is “necessary take”.

This extension of scope has significant risks. The major areas of risk are:

1. Departmental Natural Resources and Mines (DNRM) staff are no longer required or resourced to validate information coming from developers through re-running models.
2. Environmental considerations are reviewed by the Department of Environment & Heritage Protection staff. These staff, generally, have limited hydrological expertise, and limited access to DNRM expertise, owing to filters in hierarchy and because of DNRM constraints as per point 1 above.
3. Groundwater required take for mining purposes does not produce new water. Retrospective ‘make good’ actions cannot be undertaken to right impacted surface and groundwater systems. The systems have evolved over many years that renders current ‘make good’ provisions ineffective in long term, sustainable water resource planning. Make good arrangements should therefore at a minimum require the purchase and transfer of an allocation under the relevant Water Resource Plan (WRP).
4. All points above highlight the bias of processes towards resource industry developers. This undermines the extensive consultation over many years by the Queensland Government in the development of WRPs and Operational Plans, which allowed small operators, as well as large corporations, to have a legal capacity to participate in water resource planning decision making processes.
5. Independent assessment of likely or actual impacts has been removed, whilst agency review is limited or has been removed. The risks associated with this lack of overview and participatory process, are compounded when cumulative impacts are imminent, and independent cumulative assessments should be conducted as part of due process.
6. The deliberate removal of government responsibility for objective monitoring is unacceptable. The on-going lack of transparency in how the monitoring is to be undertaken and what data will be made available publicly further diminishes any responsive impact identification and remediation.
7. Expertise is urgently needed to assess groundwater impacts. This expertise needs to be independent and be able to account for landscape scale impacts that accumulate over time. This Bill does not allow for this. QMDC does not support groundwater rights being transferred to licensees. Water resources and their associated water dependent ecosystems should not be a privately owned corporate resource.

Produced by: Geoff Penton, Kathie Fletcher, Bob Walker & Paul Webb, 9 October 2014
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8. The Bill addresses multiple pieces of legislation that are generally un-related. These individual pieces of legislation have discreet objectives that are either un-related or in conflict with the objectives of this Bill. Additionally 'ecological sustainable development' should be articulated in this Bill as a core purpose where the use of water resources is needed for development activities.

4.0 Summary

QMDC does not support the *Water Reform and Other Legislation Amendment Bill 2014* because it risks over-allocation of resources, and allows the control of assessment and management of water impacts by corporate water users. QMDC's main concerns are:

- Poor assessment and monitoring processes.
- Lack of independent impact assessment of large scale projects.
- The deregulation of water use especially in light of cumulative impacts of increased development and climate variability.
- Weakening of mining water use regulation.
- Incompatibility of objectives contained within the Bill.
- The removal of 'ecologically sustainable development' as one of the purposes of the Act.