



The Research Director
Agriculture, Resources
and Environment Committee
Parliament House
BRISBANE QLD 4000

AREC@parliament.qld.gov.au

9 October 2014

**Re: Submission to the Water Reform and Other Legislation
Amendment Bill 2014**

Dear Sir or Madam,

Thank you for the opportunity to make comment on this bill.

1. Ecologically Sustainable Development.

Queensland Conservation Council (QCC) opposes the removal of Ecologically Sustainable Development Principles (ESD) from the Water Act. The removal of these principles contravenes Queensland's commitments to incorporate ESD principles in all planning and resource management decision making. It makes the Water Act inconsistent with other national and other jurisdictional water planning. It also contravenes commitments made to UNESCO that future development in the GBR Coastal zone will be ecologically sustainable.

The removal of ESD principles will also remove the decision-making framework vital to the implementation of good and consistent planning.

The Water Act does not contain any reference to the National Water Initiative to which Queensland is a signatory. The NWI is designed to ensure a consistent national water policy framework is implemented. It is inappropriate for Queensland to ignore, or not be directed by, the NWI.

2. Watercourses and Licences

Re-defining water courses will mean that many watercourses will be de-regulated and the need for water licences removed. This could have serious implications, remove identified management regimes and lead to an unsustainable take. Downstream users could be badly impacted.

There is no detail provided on criteria on how watercourses will be assessed, if they are to be re-defined.

There is considerable risk that riparian re-growth in the Burdekin, Wet Tropics and Mackay Whitsunday catchments will be cleared, if watercourses are re-defined. This could pose additional risk of sediment run-off into the GBR zone.

Water licences should not be converted to tradeable allocations until DNRW can prove that adverse impacts to water entitlement holders and environmental values will not happen.

3. Water Resource Plans

Water Resource Plans (WRPs) provide certainty to existing users and also determine the volume of unallocated water that can be used to support new economic opportunities. Unallocated water is reserved under a WRP for different purposes, which includes state significant projects, general use and to support Traditional Owner's economic aspirations. Unless applications for water development options only apply to unallocated water already identified, there is significant risk that existing water entitlement holders and environmental values will be adversely affected.

Any applications for water should only concern unallocated water and be within established regional water balances or where there is no WRP.

Proponents applying for water for development purposes must provide a fully costed proposal for any water infrastructure project.

All environmental impacts must be fully assessed by the Chief Executive considering applications.

The water resource planning and allocation section of the Water Act has already been revised and streamlined. There is considerable risk that further streamlining will simply reduce the Act's ability to manage water assets properly. This could lead to unsustainable use of water, over-allocation of groundwater, inability to respond to climate change impacts and contravention of government commitments to the NWI and the LTSP for the GBR.

4. Spring Management Strategy

The Precautionary Principle establishes that a lack of knowledge or data is not a reason to allow or approve a development application. Implications must be known and assessed first, prior to approval.

Due to the potential environmental and economic impacts, the proposal to amend s379 of the Act contained in the Bill should be rejected

5. Riverine Protection

When considering a River Protection Permit, the Chief Executive is required to assess environmental impacts such as habitat destruction, impeding aquatic species migration or increased land degradation. Yet applicants will not be required to provide environmental management plans.

Whilst a River Protection Permit may be withdrawn, it is likely that by that time damage has already been done. In this instance, permit holders must be liable for the full cost of any required rehabilitation.

6. River Improvement Trust

The River Improvement Trust (RIT) Act could be improved by basing catchments plans on existing regional NRM Plans. These catchment plans should incorporate water quality and environmental value objectives and management strategies, land erosion reductions and ecosystem protections and resource condition targets.

RIT's must prepare investment strategies that prioritise catchment improvement and establish Community Reference Panels.

7. Comprehensive Community Engagement

It is essential that all stakeholders and communities are engaged. We note that despite extensive dialogue with many stakeholder groups, there has been little or no engagement with the environment sector, indigenous or community-based organisations. As a result, none of these sectors views are expressed in the bill. In our view the passage of the bill should be delayed until this consultation and expressed views are incorporated into the legislation and notes.

QCC draws your attention to the detailed submission of WWF Australia and the submissions from many of our member organisations.



Toby Hutcheon
Executive director