

**From:** Mike Moller [mailto:manager@wbbec.org.au]

**Sent:** Friday, 15 September 2017 11:44 AM

**To:** Infrastructure, Planning and Natural Resources Committee <IPNRC@parliament.qld.gov.au>

**Cc:** Admin - Wide Bay Burnett Environment Council <admin@wbbec.org.au>;

**Subject:** Parliamentary Committee Inquiry into the Mineral, Water and Other Legislation Amendment Bill

Committee Secretary

Infrastructure, Planning and Natural Resources Committee

Parliament House

George Street

Brisbane Qld 4000

**re Water Act 2000 amendments**

Dear Sir/Madam,

The Wide Bay Burnett Environment Council Inc (WBPEC) wishes to make a submission to the Inquiry based on the following points:

**Clause 237 – Allows the temporary release of water that is not being used from a strategic water infrastructure reserve. This release is via the granting of a water licence for a period of up to three years, and may not be renewed, reinstated, relocated, amalgamated or subdivided. To ensure that adequate consideration is given to impacts of the release of this water:**

- Recommend amendment to clause 237 of the Bill to require consideration of the following matters when deciding to allow the release of unallocated water under new s40B of the *Water Act 2000*:
  - Environmental Values and Water Quality Objectives established under the *Environmental Protection (Water) Policy 2009*;
  - Government commitments under the Reef 2050 Long Term Sustainability Plan and Murray Darling Basin Plan;
  - Potential impacts to identified water related ecological assets and MSES/MNES/MLES; and
  - Cultural values of Aboriginal and Torres Strait Islander peoples.

**Clause 239 and 240 – In making a water plan, there is a new requirement to consider ‘the water-related effects of climate change on water availability’ and ‘the interests of any Aboriginal parties**

or Torres Strait Islander parties in relation to the water resources for the plan area.’ Climate change may have impacts on the quality of water resources, therefore WBBEC recommends that water planning also consider these impacts:

- Support the introduction of these two considerations in water planning.
- Recommend insertion of meaningful consultation requirements throughout the Water Act whenever ATSI interests might be affected by water related decisions.
- Recommended further amendment to Clause 239 (g) of the Bill to “*The effects of climate change on the **quality and availability of water resources**”.*

**Clause 246 – Provides the power to relocate a water licence. This process can be undertaken by a process under a regulation, water management protocol or water plan.**

- WBBEC recommends that for this section, and **throughout** the *Water Act 2000* there be more strict guidance as to the kinds of things that must be considered when managing where and how much water must be taken. For example, the ‘process’ for allowing relocation or granting of a water licence should always require consideration of the impacts of the water licence on other water users, including ATSI interests, and environmental impacts of the water take or interference from a certain water resource, as well as community submission and appeal rights around these decisions. Input by the community ensures that decisions are robust, accountable and well-informed.

**Clause 255 – Provides the Minister or Chief Executive with the power to take action to address any urgent water quality issues that might arise. For example, to direct the release of water from a dam to flush out a waterway. This is a significant power to affect water rights, but could be important to prevent environmental issues.**

- To ensure that all impacts of this urgent action are addressed prior to enactment, recommend amendments to s203C(a) to clarify that impacts to the ‘environment’ must include consideration of the following matters prior to directing urgent action to address a water quality issue:
  - the Environmental Values and Water Quality Objectives established under the *Environmental Protection (Water) Policy 2009* ;
  - Government commitments under the Reef 2050 Long Term Sustainability Plan and the Murray Darling Basin Plan; and
  - All terrestrial and marine receiving waters;

And also should include impacts to the interests of Aboriginal and Torres Strait Islander people.

**Clause 271 – Ensures that associated water licences (for groundwater take necessary to access resources by mining and gas) are able to be accessed by the public.**

- Support this provision to ensure transparency around associated water licences.

**Clause 276 – Amendment of sch 4 (dictionary) – introduces definition of ‘environment’ into the Water Act**

- WBBEC supports the inclusion of a definition of ‘environment’ which draws on the *Environmental Protection Act 1994* (Qld) section 8, as a robust definition of the various components of an ‘environment’.

Yours sincerely,

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