



WWF-Australia
Level 1, 17 Burnett Lane
Brisbane QLD 4000

The Secretary
State Development, Natural Resources and
Agricultural Industry Development Committee
Parliament House
George Street
Brisbane QLD 4000

Email: SDNRAIDC@parliament.qld.gov.au

Date: 27th February 2018

Re: Submission to the Mineral, Water and Other Legislation Amendment Bill 2018

Dear Sir or Madam,

WWF-Australia welcomes this opportunity to provide the following comments and recommendations regarding the Mineral, Water and Other Legislation Amendment Bill 2018 (the Bill). As it is our main area of interest, this submission is focused on the proposed amendments to the *Water Act 2000* contained in the Bill.

Comments and recommendations

While we broadly support the proposed amendments to the *Water Act 2000* contained in the Bill, we believe the Water Act's ability to sustainably manage Queensland's water resources will be greatly enhanced by adopting the recommendations outlined below.

1. Temporary release of water from strategic water infrastructure reserves (Clause 241)

To ensure that unforeseen adverse social, economic and environmental impacts do not occur, we recommend that the chief executive must also be required to consider under s40B of the Water Act what the potential effect of using water from strategic waters infrastructure reserves for consumptive purposes will have on:

- Environmental Values and Water Quality Objectives established under the Environmental Protection (Water) Policy 2009
- Government's commitments to protect the Great Barrier Reef under the reef 2050 Long Term Sustainability Plan
- Aboriginal and Torres Strait Islander people's cultural values

Recommendation

Amend clause 241 of the Bill to include the above dot points under s40B of the Water Act.

2. Considering the effects of climate change on water resources (Clause 243)

WWF-Australia fully supports the greater recognition and consideration of the effects that climate change will have on the availability of Queensland's water resources.

Under the current methodology, the modelling that informs the development of water planning instruments is based on historic rainfall and stream flow data that has been collected over the last 100 plus years.

As climate change is predicted to significantly alter future rainfall patterns, there is a substantial risk that the availability of water over the life of a water plan will be considerably less than how much water has been available for consumptive purposes in the past.

Given the current modelling does not consider the potential effects of climate change on the future availability of water, requiring the effects of climate change on the state's water resources to be explicitly considered will ensure that water planning instruments will take into account and are able to address the emerging risks to water users and the environment from climate change.

Along with considering the effects of climate change on the availability of water, we recommend that the effects of climate change on water quality should also be explicitly considered when water planning instruments are prepared. As experienced in the Murray Darling Basin during the early 1990's, reduced flows in waterways resulting from altered rainfall patterns caused by climate change can reduce water quality and create the required conditions for large blue-green algal outbreaks to occur, which can cause a wide range of adverse social, economic and environmental impacts.

While the adverse impacts that can occur to water quality from releasing industrial, agricultural and other types of contaminants to waterways and marine receiving waters is managed under the *Environmental Protection Act 1994*, the effects of climate change on water quality is not currently managed under any state or commonwealth legislation.

As the most effective way to reduce the effects of climate change on water quality is to ensure that adequate flows are maintained in waterways during critical periods, the *Water Act 2000* is the only existing piece of legislation with the ability to ensure that enough water is maintained in watercourses during periods of prolonged low flows to enable the effects of climate change on water quality to be mitigated.

Recommendations

Under Clause 243 of the Bill, amend draft s42 (2) (g) of the Act to read "*the effects of climate change on the quality and availability of water resources*".

Under Clause 244 of the Bill, include under draft s60(2) (c) of the Act:

- (iii) water quality

3. Considering Aboriginal and Torres Strait Islander people's interests (Clause 243)

WWF-Australia fully supports greater recognition of Aboriginal and Torres Strait Islander people's interests in the management and use of Queensland's water and other natural resources.

To provide increased clarity and greater certainty, we recommend that a clearer definition of what Aboriginal and Torres Strait Islander people's interests are under water planning instruments is included in the Water Acts dictionary, which should be developed in consultation with Aboriginal and Torres Strait Islander people.

Recommendation

Include a clear definition of what Aboriginal and Torres Strait Islander people's interests are under water planning instruments in the Water Act's dictionary.

4. Direction to take action to address urgent water quality issues (Clause 259)

WWF-Australia fully supports the introduction of powers into the Water Act to enable the Minister or chief executive to direct action to be taken to address urgent water quality issues. To provide greater clarity and certainty and also to ensure that potential adverse social, economic and environmental impacts are avoided, we recommend that the water quality definition under new section 203A (2) of the Water Act be amended to include the impacts that water quality issues may potentially have on:

- the cultural values of Aboriginal and Torres Strait Islander people,
- the Environmental Values and Water Quality Objectives established under the *Environmental Protection (Water) Policy 2009*,
- governments water quality commitments under the Reef 2050 Long Term Sustainability Plan and the Murray Darling Basin Plan and,
- Fresh and marine receiving waters

Recommendation

Amend clause 259 of the Bill to include the above in s203A of the Water Act.

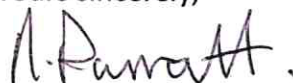
Conclusion

As they will considerably improve Water Act's ability to sustainably manage Queensland's water resources, we urge the Committee to endorse the above mentioned recommended amendments to the Mineral, Water and Other Legislation Amendment Bill 2018.

WWF-Australia would appreciate the opportunity to discuss the abovementioned and other matters related to the Bill with the Committee.

Please do not hesitate to contact me should you require any clarification or further information regarding the matters raised in this submission.

Yours sincerely,



Nigel Parratt

Water and Catchment Liaison Officer

WWF-Australia

