



Speech by

Steve Wettenhall

MEMBER FOR BARRON RIVER

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WILD RIVERS AND OTHER LEGISLATION AMENDMENT BILL

Mr WETTENHALL (Barron River—ALP) (4.46 pm): In rising to participate in the debate on the Wild Rivers and Other Legislation Amendment Bill 2006 I would like to address the amendments to the Water Act 2000 with particular regard to water-saving measures such as those recently introduced by the Queensland Water Commission.

The Water Act provides for the Queensland Water Commission to introduce water restrictions in south-east Queensland if there is a water shortage that could threaten supply. We all know that Queensland is currently experiencing the worst drought on record. The Queensland Water Commission introduced level 4 water restrictions across 12 councils within south-east Queensland on 1 November 2006. The commission was established in June 2006 with the support of the state government and the local councils across south-east Queensland.

Prior to the establishment of the commission, the restrictions program was managed by the South East Queensland Water Corporation. The restrictions program extends back to May 2005 when level 1 conditions were first imposed. Since the restrictions started in May 2005, south-east Queensland residents have embraced a wide range of water-saving measures with around 300 million litres a day less town water being used now than before May 2005. Most of those savings have come from cutting back on outdoor water use.

The south-east Queensland level 4 restrictions maintain many of the same measures as level 3, but now heavily focus on the non-residential sector which is made up of government premises, business and industry. It is worth noting that the Water Act 2000 has been adequate for achieving savings in outdoor water use, in particular within the residential sector. However, some elements of the Water Act require clarification to better provide for restrictions to be applied to indoor water use and to the non-residential sector.

There are six issues I wish to bring to the attention of the House. The first is the ability to provide for an exemption to a restriction. This amendment provides greater flexibility and certainty for the Queensland Water Commission to respond to the range of circumstances that may arise when imposing restrictions across categories of water use or restricting particular groups of customers. Business or industry seeking exemptions must approach its relevant water service provider or council to seek this exemption. The commission has delegated its powers to the councils in this regard to assist it and its customers to find the best possible solutions for saving water. An example is the exemption a business can seek to obtain from a requirement to reduce water use by 25 per cent if it prepares and implements an approved water efficiency management plan. This amendment will make it explicit that an exemption to a restriction can be granted.

The second issue relates to the power to prohibit water use. The ability to prohibit certain types of water use is clearly a very important element of a restriction. The legislation provides clarity that a restriction can include a prohibition of water use.

The third issue relates to penalties. This bill provides for an increase in the maximum penalty for breach of a restriction by a non-residential customer to 1,665 penalty units. This maximum penalty will now

be eight times greater than the maximum penalty for a residential customer. Non-residential customers can use significantly higher volumes of water and produce an income from that water use. The previous maximum penalty for a breach of a restriction was inadequate for non-residential customers that are high-water users.

The fourth issue relates to the definition of a 'customer'. The legislation provides an expanded definition of 'customer' for the purpose of water restrictions. That is necessary to clarify that restrictions can be applied to the customer who is using water, regardless of whether the customer is the property owner or the occupier.

The fifth issue relates to the enforcement of water restrictions. In a severe drought, restrictions on outdoor water use may not be sufficient. However, currently, if restrictions or water savings apply inside premises, monitoring is complex and would be difficult to implement on a large scale. This bill provides a mechanism to assist the Queensland Water Commission or the water service provider to monitor compliance with restrictions that relate to water efficiency inside premises. The amendments allow a water user to demonstrate evidence of compliance by providing documentation such as a certificate from a licensed plumber or a statutory declaration stating the premises comply with the requirements of the restriction. Residents still retain the right to provide access to an authorised officer to inspect premises.

Finally, the sixth issue relates to the transitional provisions of the bill. To remove any doubt, the legislation includes transitional provisions for water restrictions previously made by the Queensland Water Commission and water service providers. This validates the application of those restrictions as if they had been applied after the commencement of this legislation.

The Queensland Water Commission's level 4 restrictions for south-east Queensland are a responsible approach to saving water in the current drought and for the long term. The commission consulted widely with local government, peak industry groups and state agencies on the draft measures. After listening to concerns raised, the commission made changes to the measures before finalising the restrictions to ensure they represented a balanced and practical response to the drought.

These amendments to the Water Act will provide a sound basis for water-saving measures to be introduced, implemented and monitored in any part of the state as needed. As a result, the ability of the Queensland Water Commission and water service providers to respond to serious droughts will be enhanced. I commend the bill to the House.