

Water Amendment (Long-term Average Sustainable Diversion Limit Adjustment) Bill 2012

Introduced into the House of Representatives on 20 September 2012

Portfolio: Sustainability, Environment, Water, Population and Communities

1.2 This bill amends the *Water Act 2007* to allow the long-term average sustainable diversion limit (SDL) set by the Murray-Darling Basin Plan to be adjusted within clearly defined limits without invoking the formal Basin Plan amendment process.

1.3 The bill will allow an adjustment mechanism to be included in the Basin Plan in a way which will aid confidence and transparency in the operation of such a mechanism. The bill sets out the broad parameters for the mechanism, how it is intended to operate and introduces transparency in the process, requiring any use of the mechanism to be reported formally and publicly to the Parliament.

Right to an adequate standard of living and right to health

1.4 The statement of compatibility states that the bill engages and promotes the right to an adequate standard of living in article 11 of ICESCR and the right to health in article 12 of ICESCR. Both these rights have been interpreted to encompass the right to water.

1.5 The committee considers that the bill does not appear to raise any human rights concerns and the statement of compatibility is adequate.