

Senate Standing Committee on Environment and Communications
Legislation Committee
Answers to questions on notice
Environment portfolio

Question No: 285
Hearing: Budget Estimates
Outcome: Agency
Programme: National Water Commission
Topic: 2011 ASSESSMENT OF THE NATIONAL WATER INITIATIVE REPORT
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Question Type: Spoken

Senator Rhiannon asked:

Senator RHIANNON: In the report, you note:

Exemption mechanisms continue to operate in some jurisdictions, and further work is required to manage dewatering and the cumulative effects of mining activities.

Can you tell us whether this has been progressed and how it is going?

Ms Olsson: It has been progressed by a number of jurisdictions. The detail will be in the triennial assessment. I would risk making an error if I tried to outline the processes now. We could take that on notice and give you a response to the different processes. They vary quite substantially between jurisdictions.

Senator RHIANNON: It would be good if you could take that on notice. In the same report, recommendation 8 states:

The Commission urges states and territories to review their existing mining and petroleum regulatory arrangements to ensure that water resource impacts are addressed explicitly, and that those extractive activities are fully integrated into NWI-consistent planning and management regimes.

Can you also report on how progress is going with regard to this?

Ms Olsson: Yes. I will also take that on notice, because it varies between jurisdictions. A number of jurisdictions have made a lot of progress in this area since 2011.

Answer:

Most jurisdictions now have entitlement and planning arrangements for mining operations that are broadly consistent with the planning and entitlement principles under the National Water Initiative. For example, mining operations in Queensland, New South Wales, Tasmania, Victoria, South Australia and Western Australia are legislatively required to obtain a water access entitlement or licence to take water, though entitlements for dewatering may not designate volumetric limits.

There remain some exceptions. For example, in the Northern Territory, mining and petroleum operations are not required to obtain water access licences under water legislation and as such are not explicitly accounted for within the water planning framework. In Queensland, tenure holders under the Queensland *Petroleum and Gas (Production and Safety) Act 2004* are currently provided with 'underground water rights' which are not volumetrically controlled and are outside of the *Water Act 2007* and its water planning process. Management arrangements have been put in place through amendments to the Queensland *Water Act 2000* to manage impacts using 'make good' arrangements for impacted bore owners, monitoring and impact management strategies for springs.