Review of Water Act 2007

Comments

# QMDC's comments on the 2014 Review of The *Water Act 2007*

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**Submission to:**

Water Act Review Secretariat
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These comments are presented by the Chief Executive Officer, Geoff Penton, on behalf of the Queensland Murray-Darling Committee Inc. (QMDC). QMDC is a regional natural resource management (NRM) group that supports communities in the Queensland Murray-Darling Basin (QMDB) to sustainably manage their natural resources.

## 1.0 Background

QMDC has made numerous submissions and deputations to both the Australian and Queensland Governments seeking improvement to legislation, policies, and planning to both, prevent or manage impacts on the water resources in the catchments of the QMDB. These submissions and deputations have raised issues integral to regional governance, community engagement, water use efficiency (WUE), water resource planning, the protection of watercourses and aquatic ecosystems, CSG water management, and floodplain management.

QMDC posits that our on-going work within the diverse catchments of the QMDB has allowed QMDC to access not only valuable scientific and technical information; but also the local knowledge and experience of the QMDB's rural and regional communities, including local businesses and industry on water management issues at a regional and state-wide level. We would argue great value could be added to the Basin Plan should the Review consider the importance of the QMDB to the overall delivery of water management strategies in MDB.

QUEENSLAND MURRAY-DARLING COMMITTEE

## 2.0 General comments

QMDC is heartened by the ongoing level of commitment from the Commonwealth Government to coordinate sustainable management of the Murray-Darling Basin. Significant progress has been made in improving science, policy and multi-tiered legislation to manage flows across the Basin in an auditable and coordinated manner.

MDBA and CEWH have made significant efforts to include and inform stakeholders from a variety of organisations in the ongoing implementation of the Basin Plan and of Environmental Watering Plans.

## 3.0 Specific comments

3.1 QMDC has concerns that the Plan and ongoing related activities have two significant limitations:

1. There remains an ongoing generic approach to many of the activities which does not consider the uniqueness of the Northern Part of the Basin in terms of environmental, social and economic implications of flow management options; and

2. The Basin Plan and supporting funds are very much focussed on flows. Particularly for the Northern Basin a lot of research has been undertaken in the last 20 years to confirm and understand the interplay of numerous pressures and drivers on aquatic ecosystem. The objectives of the *Water Act* need to be explicit in the overall outcomes for river health.

The 2nd Sustainable Rivers Audit Hydrology was one of several measures used to assess aquatic ecosystem function. In the Northern Basin Hydrology was not the lowest scoring theme for any valley yet the programs funded by the MDBA to achieve outcomes for aquatic ecosystem health in the Northern Basin are heavily dominated by hydrology considerations. The Table below is an excerpt of SRA2 scores for valleys in the Northern Basin (http://www.mdba.gov.au/sustainable-rivers-audit/assets/pdf/MDBC%20SRA%20Report.pdf Table 3 p.69)

The assumptions and assets used to ascertain Sustainable Diversion Limits are also being presented as preferred sites for assessing overall performance of the Plan. QMDC would suggest that this is not an objective approach to monitoring the overall achievement of the Plan objectives (even if it is a reasonable approach for monitoring the SDL objective of the Plan).

Owing to there being no cost-benefit mechanism to evaluate different flow and non-flow related options for enhancing aquatic ecosystem function in valleys or collectively across the Basin, results in a systemic constraint on meeting the objectives of the *Basin Plan*.

In our opinion non flow related issues are possibly the primary constraints impeding the improvement of aquatic ecosystem function, river health within QMDB valleys.

In relation to Terms of Reference 1.a).i), QMDC asserts it is important that the review of the *Water Act's* achievement of objectives includes the consideration of non-flow related works in union with or even in lieu of some suggested SDL adjustments (with associated buyback costs) in evaluating whether the first Basin Plan outcome to ensure "… that Basin water resources are used in a way that optimises economic, social and environmental outcomes…" is met.

Chapter 5 of the Plain English summary of the proposed Basin Plan Management objectives and outcomes
http://www.mdba.gov.au/what-we-do/basin-plan/development/pes-pbp/contents/ch05

More recognition needs to be given to the function of regulated flows in aquatic ecosystem function. Although reduced flows and unseasonal flows may have some detrimental effects on aquatic ecosystem function, they also have some benefits. Due to the increased reliability of in-stream flows, it is understood that riverine waterholes provide some drought refuge function that may have been provided by off-stream wetlands in natural conditions. With this in mind, management of non-flow related issues in regulated reaches may allow in-stream wetlands to provide ongoing drought refuge services with limited or even with zero environmental flows.

3.2 Other related issues to consider

QMDC believe the following key points are also important to consider during the review:

- The Queensland State Government may reduce the water quality requirements and aquatic ecosystem considerations under the *Water Act 2000* Qld this would suggest the Australian Government needs to ensure overall riverine health and water quality are covered by the Act's objectives.
- Localism is still early days. The review should look to highlight progress – but also limitations - of the practical engagement of stakeholders in both the Basin Plan and the Aquatic Environmental Management (currently limited to environmental watering) process.

3.3 Environmental benefits

Examples of works that could have significant environmental benefit include:

- Carp management can achieve as much as any enhanced water delivery in the regulated reaches for native fish but managing Carp cannot currently equate to a purchased environmental water allocation.
- Temperature pollution mitigation at Glenlyon Dam could allow current irrigation water releases (and environmental water releases) to have enhanced environmental value but no Megalitre value can be assigned to temperature pollution works so they are not being seriously considered
- Fish passage works could allow longitudinal connectivity for native fish (and could also enhance Carp management capacity) but there is no mechanism under the *Basin Plan* as is stands to assign a ML equivalent to fish passage works thus reducing the SDL reductions whilst achieving equivalent aquatic ecosystem benefits.

- NRM works are reducing the pollutant loads in streams but funding for such works is limited.
- Buyback and WUE work in the Lower Macintyre system would reduce the imminent risk of landscape salinity in this area and provide better delivery efficiency for water intended for environmental purposes in the Barwon-Darling. However, there does not appear to be any capacity to give higher priority to WUE or other buyback in this area under the *Basin Plan.*
- Fish passage works in the Narran have the capacity to enhance system ecosystem function in the Lower Balonne and Narran system with water currently only targeted at the Narran Lakes for birds.
- Fish passage works and associated offsets in the Narran and elsewhere can also have water security outcomes for grazing enterprises enhancing social economic and environmental outcomes.

## 4.0 Recommendations

4.1 That there is a cost-benefit mechanism to evaluate different flow and non-flow related options for enhancing aquatic ecosystem function in valleys or collectively across the Basin.

4.2 That recognition is given within the Act's objectives to overall riverine health and environmental outcomes.

4.3 That the Act's objectives enable the scope to address a range of issues relevant to riverine health not just hydrology and flow activities.

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For further information, contact QMDC on (07) 4637 6200 or visit www.qmdc.org.au