

STATE DEVELOPMENT AND REGIONAL INDUSTRIES COMMITTEE

REPORT NO. 34, 57th PARLIAMENT ON THE

WATER LEGISLATION AMENDMENT BILL 2022

QUEENSLAND GOVERNMENT RESPONSE

INTRODUCTION

On 12 October 2022, the Honourable Glenn Butcher MP, Minister for Regional Development and Manufacturing and Minister for Water introduced the Water Legislation Amendment Bill 2022 (the Bill) into the Queensland Parliament.

The Bill was subsequently referred to the State Development and Regional Industries Committee (the committee) for detailed consideration.

On 9 December 2022, the committee tabled its report no. 34 in relation to the Bill.

The Queensland Government response to recommendations made and clarification on points raised by the committee are provided below.

RESPONSE TO RECOMMENDATIONS

Recommendation 1

The committee recommends the Water Legislation Amendment Bill 2022 be passed.

Government Response

The government notes and thanks the committee for the recommendation.

Recommendation 2

The committee recommends that the Department of Regional Development, Manufacturing and Water continue to monitor cost implications and transition time needed to implement strengthened requirements as supporting regulations and guidelines are finalised and rolled out.

Government Response

The government notes and accepts this recommendation. The Department of Regional Development, Manufacturing and Water (the department) will report annually on the progress of implementation of the strengthened measurement requirements. Annual reporting will consider the timeframes for implementation and the capacity for industry to meet increased demand for meters and authorised meter validators. The department will continue to engage with Irrigation Australia to ensure industry is able to respond to these needs appropriately.

The department is committed to the use of pattern approved meters in line with its strengthened water measurement policy and the national standard for non-urban water meters. Recognising the practical challenges with non-urban water metering in Queensland,

implementation of this requirement will be staged, taking into consideration evidence of the cost and appropriateness of available pattern approved meters for measuring water take.

The department is completing further work on the costs and decision framework associated with the strengthened measurement requirements, particularly for installing large pattern approved meters. This work will ensure that costs for water users have been considered and that clear benefits can be delivered. The outcome of this work will inform the decision criteria and potential timeframes for requiring large pattern approved meters to be installed.

The requirement for water users to use pattern approved meters will be reviewed at least annually with any changes to these requirements published on the department's website and incorporated into Queensland's water meter standard.

The department will continue to consult with the Water Engagement Forum and regional industry groups in relation to timing and costs. This will assist the department to ensure its implementation strategy is balancing the need to strengthen water measurement and minimising costs for water entitlement holders.

Recommendation 3

The committee recommends that the Department of Regional Development, Manufacturing and Water provide the Water Engagement Forum with exposure drafts of regulations and standards in advance of implementation; and that a review of regulations be conducted after a period of no more than five years.

Government Response

The government notes and accepts this recommendation.

The department has developed detailed information about the proposed Water Regulation amendments and provided this to the Water Engagement Forum (WEF). A working draft of the Water Regulation amendments will be provided to the Water Engagement Forum for feedback. WEF feedback will be considered prior to finalising the Water Regulation amendments.

As subordinate legislation, the Water Regulation is subject to review and re-make every 10 years. The Water Regulation is due to be re-made by 2026. This means a review of the water measurement aspects of the regulation can be conducted as part of the broader regulation review, within the next three to four years. With the department also reporting annually on the progress of implementation, if issues with the regulation are identified the department can consider further amendments to address these matters.

Recommendation 4

The committee recommends that the Department of Regional Development, Manufacturing and Water develop and publish a clear framework that specifies how reported data will be collected, used, distributed and published.

Government Response

The government notes and accepts this recommendation. The department will ensure the collection, use and storage of data meets Queensland Government data standards and *Information Privacy Act 2009* requirements. The department will ensure that data standards are published and clearly outline which data will be made publicly available.

MATTERS RAISED BY THE COMMITTEE TO NOTE

Comment relating to justification of breach of fundamental legislative principles

The committee raised the issue that it is not appropriate for matters relating to notification, tabling and disallowance and scrutiny by a portfolio committee to be put forward as elements in justification for a breach of fundamental legislative principle.

Government Response

The government notes this comment from the committee.

Comment about the availability of draft regulation

The committee made a general comment that if available, it would be helpful for a draft regulation to be available for review at the same time as the Bill so that all parties have a better understanding of the full impact of the proposed legislation.

Government Response

The government notes and supports this comment from the committee. The department has developed a more detailed information paper about the proposed Water Regulation amendments and provided this to the Water Engagement Forum (WEF). A working draft of the Water Regulation amendments will be provided to the Water Engagement Forum for feedback. WEF feedback will be considered prior to finalisation of the drafting of the Water Regulation amendments.

Comment about the potential limitation of public participation rights

The committee made a comment in support of the department actively considering the need for additional means of publication, addressed as appropriate, particularly where matters impact regional, remote and First Nations communities.

Government Response

The government notes and supports this comment from the committee. While the proposed amendments support the Queensland Government's adoption of a digital first policy for the publication of documents and information, the department will ensure publication of information and documents continues in a way most appropriate for the target audience, giving due consideration to the principals within the *Human Rights Act 2019*.