

Portfolio Committee No 4. – Industry

Report on the online questionnaire

Inquiry into the Constitution Amendment (Water Accountability and Transparency) Bill 2020, the provisions of the Water Management Amendment (Transparency of Water Rights) Bill 2020 and the Water Management Amendment (Water Allocations – Drought Information) Bill 2020

As part of its inquiry into the Constitution Amendment (Water Accountability and Transparency) Bill 2020, the provisions of the Water Management Amendment (Transparency of Water Rights) Bill 2020 and the Water Management Amendment (Water Allocations – Drought Information) Bill 2020, Portfolio Committee No. 4 – Industry launched an online questionnaire to facilitate individuals' participation in the inquiry.

The committee received 29 responses to the questionnaire. These responses will inform the committee's views throughout the inquiry.

This report summarises the views expressed by participants and provides samples of those views. Sample comments have been chosen to best represent the variety of views expressed by the participants.

Questions asked

The questionnaire comprised five main questions. Questions 2, 3 and 4 were presented in a multiple choice format where participants were able to choose from the options of 'Support', 'Neutral / Undecided' or 'Oppose' in respect of each of the three bills. The remaining questions were open-ended and asked participants to provide:

- the reasons for their position on the bills
- any other comments to explain their views.

The questions are reproduced at Appendix 1.

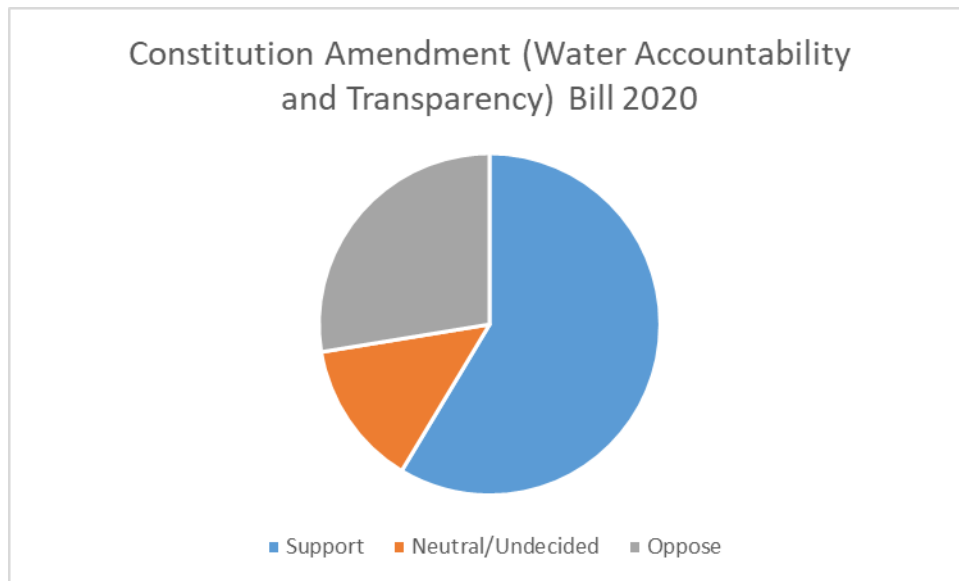
Responses to questions

Positions on the Constitution Amendment (Water Accountability and Transparency) Bill 2020

The majority of participants (17 responses out of 29, or 59 per cent) supported the bill. As shown by the responses reproduced below, participants fully supported increased transparency around water interests.

Eight respondents (28 per cent) opposed the bill.

Four participants (14 per cent) were neutral or undecided.



Samples of comments in respect of these views are set out below.

Support for the bill

Participants noted that increased transparency around water issues leads to increased public confidence in decisions about water.

- "It is in the interests of Members of Parliament to have their water investments made public ... transparency concerning politicians' water holdings will improve public trust, currently at an all-time low concerning water matters."
- "It is good governance when Members of Parliament declare their interests."

Opposition to the bill

Multiple participants stated a belief that Members of Parliament were already required to disclose water interests. Beyond this there was little further comment.

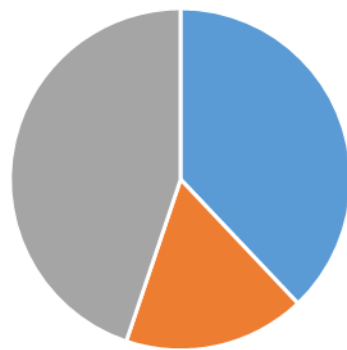
Positions on the Water Management Amendment (Transparency of Water Rights) Bill 2020

Responses resulted in almost equal support for and opposition to this bill. A slightly larger proportion (13 responses, or 45 per cent) opposed the bill, citing insufficient protection of private information as the reason.

A comparable number of participants (11 responses, or 38 per cent) supported the bill in the interests of greater transparency about water holdings.

Five (17 per cent) participants were neutral or undecided.

Water Management Amendment (Transparency of Water Rights) Bill 2020



■ Support ■ Neutral/Undecided ■ Oppose

Samples of comments in respect of these views are set out below.

Support for the bill

This question prompted comments in support of greater transparency. In addition, supporters of this bill expressed a desire for the legislation to go further in relation to who should be able to hold water licences:

- "We encourage efforts to increase water market transparency."
- "Making ownership of water transparent will assist through public pressure to identify who is profiting from water trade and who is genuinely using water to benefit agriculture."
- "Owners of a water access licence should be able to be found in a similar way to the property register where a title search can be done on the property in question or in this case the water access licence."
- "All licences held by non-farming entities (should) be rescinded."
- "The public needs to know which foreign entities own water rights in Australia with a view to making such foreign ownership illegal."

Opposition to the bill

Those participants who opposed the bill consistently expressed concerns around the management of private information. Some responses stated that the current Access Register provides sufficient information to the public.

- "I am concerned that [the bill] will require the provision of personal information such as name and address details for licence holders, which will then be widely available. This may lead to unnecessary pressure on people who could be targeted by activists."
- "We have serious misgivings about the apparent failure to provide any protection to the privacy of personal information, potentially enabling manipulation of individuals."

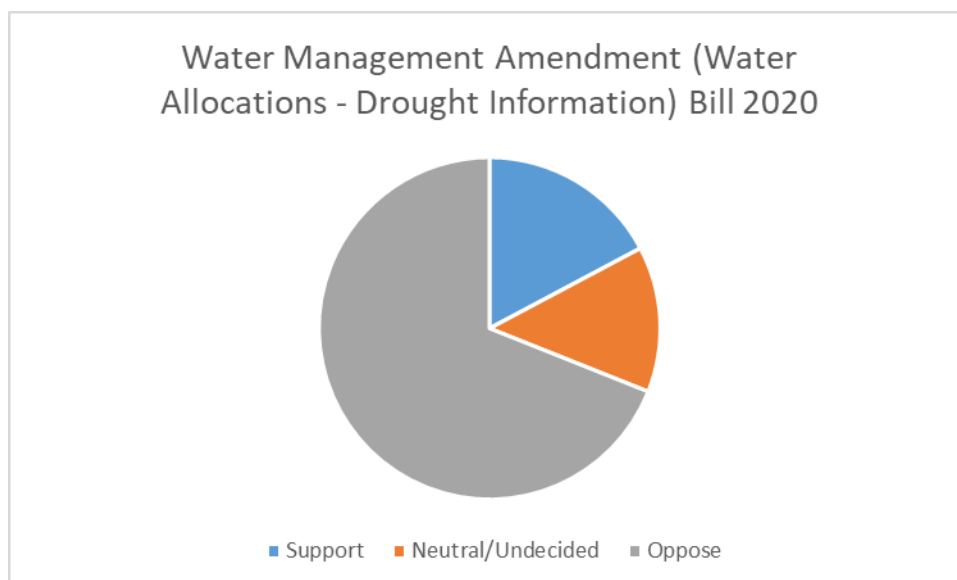
- "The current registers provide sufficient information for the public to determine water licence holders and water trading."

Positions on the Water Management Amendment (Water Allocations – Drought Information) Bill 2020

A considerable majority of participants (20 responses, or 69 per cent) opposed the bill. Comments consistently stated that the current resource assessment arrangements are sufficient to manage risk of drought, and that a uniform approach to preparing water sharing plans will not meet the unique needs of each region.

A small number of participants (5 responses, or 17 per cent) supported the bill, emphasising the importance of recognising the impact of drought on water availability and allocation.

Four participants, or 14 per cent were neutral or undecided.



Samples of comments in respect of these views are set out below.

Support for the bill

Participants supporting this bill emphasised the importance of recognising the impact of drought on the availability of water, stating that the drought of record must be considered in relation to water allocation.

- "If general security (licence) holders get less water, that is because there is less water ... if general security users are the priority, do something to redress the balance, but do not pretend that the droughts between 2004 and 2020 did not happen."

Opposition to the bill

Participants opposing the bill argued that using the drought of record as a benchmark in preparing water management plans is excessive, and that water plans should address specific needs in each unique region. Several responses also stated that the current monthly resource assessment provides sufficient time for risk mitigation should another drought occur.

- "I am concerned that managing ... for what may be an extremely rare event (will result) in a significant reduction in the volume of water available for general security licence holders, leading to further reductions in irrigated production and a wider impact on the regional economy."
- "We don't plan for a health pandemic every month, so why plan for a record drought every month? Better to have risk management strategies, policies and infrastructure in place that help reduce and manage the risk if and when it is realised."
- "Legislating the same requirement across all valleys is unnecessary and inappropriate. It is not a 'one size fits all' issue and if there is a local issue in a valley it should be addressed in that valley."
- "(The bill) will have a real (potentially unintended) effect on the reliability of water entitlement without any benefit for security of water for human needs or the environment ... If implemented this legislation would reduce production and incomes in rural communities."

Final comments

In response to the final question, approximately one third of participants responded to reiterate their position on the bills. Additional comments addressed the consultation process:

- "We feel that these bills are proposed without the expected levels of consultation and explanation to water users, who are the only people in this matter who have something to lose."
- "The bills should be deferred until water users are more fully informed of the pros and cons."

Conclusion

The online questionnaire process was a valuable tool to seek the views of interested stakeholders on the significant issues raised in the terms of reference. In addition to this input, the committee sought more detailed written submissions from organisations and individuals with specialist knowledge in the field.

The material gathered will inform committee members' views as the inquiry progresses and feed into the inquiry report.

The committee notes that questionnaire participants cannot be considered to represent a statistically valid, random sample of views on the bill. The participants were self-selected in choosing to respond (in the same way that submission authors are self-selected) and should not be considered to be a representative sample of the population.

Appendix 1: List of questions asked

Questions

1. Please enter your contact details.

Name:

Email address:

Postcode:

2. What is your position on the Constitution Amendment (Water Accountability and Transparency) Bill 2020?

a. Support

b. Neutral / Undecided

c. Oppose

3. What is your position on the Water Management Amendment (Transparency of Water Rights) Bill 2020?

a. Support

b. Neutral / Undecided

c. Oppose

4. What is your position on the Water Management Amendment (Water Allocations – Drought Information) Bill 2020?

a. Support

b. Neutral / Undecided

c. Oppose

5. In relation to the previous question, please explain your position on the bills.

500 words – free text box

6. Do you have any other comments on the bills?

250 words – free text box