

## LEGISLATIVE ASSEMBLY

### WATER (RESOURCE MANAGEMENT) BILL

(Amendments to be moved by Mr Thwaites)

1. Clause 11, page 11, lines 27 to 29, omit all words and expressions on these lines and insert—

"(1) The Minister may, by instrument, appoint a panel of persons to consider comments made under section 22E(f) on a draft Strategy, and the persons appointed to the panel must be persons who have knowledge of or experience in the matters that the panel is to consider."
2. Clause 11, page 13, after line 30 insert—

"(3) A review under this section must determine whether or not the timelines and targets in the implementation plan of the Strategy being reviewed have been met."
3. Clause 11, page, 14 line 1, omit "(3)" and insert "(4)".
4. Clause 11, page 14, line 7, before "A report on" insert "(1)".
5. Clause 11, page 14, line 8, after "Strategies" insert "and on any current draft Strategies".
6. Clause 11, page 14, after line 9 insert—

"(2) A report under sub-section (1) must—

  - (a) specify the measures being taken to implement the Strategy;  
and
  - (b) identify the priorities that apply to actions required by the implementation plan."
7. Clause 11, page 14, lines 14 to 18, omit all words and expressions in these lines and insert—

"The Minister must cause a program of the preparation of long-term water resources assessments to be commenced—

  - (a) by the end of 12 years from the commencement of section 14 of the **Water (Resource Management) Act 2005**; and
  - (b) after that, by the end of the twelfth year in each consecutive 15 year period, where the first such period commences immediately after the fifteenth anniversary of the commencement of section 14 of the **Water (Resource Management) Act 2005**."
8. Clause 11, page 16, after line 27 insert—

"(4) The Environment Protection Authority must ensure that the report under sub-section (3)(a) is made within the period specified by the

Minister, which must be not later than 4 months after the draft assessment is submitted to the Authority under sub-section (1).".

9. Clause 11, page 17, line 1, omit "**Publication**" and insert "**Consideration and publication**"
  10. Clause 11, page 17, after line 2, insert—

"(1) The Minister, after considering the report of the Environment Protection Authority under section 22N, may—

    - (a) endorse a long-term water resources assessment; or
    - (b) endorse a long-term water resources assessment with any amendments the Minister considers appropriate; or
    - (c) refuse to endorse a long-term water resources assessment."
  11. Clause 11, page 17, line 3, before "As soon as practicable" insert "(2)".
  12. Clause 11, page 17, after line 20 insert—

"(3) If a long-term water resources assessment has not been completed within 12 months of the publication of a notice under section 22M(a) for that assessment, the Minister must, on publication of the assessment, publish reasons for the delay in the preparation of the assessment."
13. Clause 11, page 19, line 10, before "In conducting" insert "(1)".
14. Clause 11, page 20, after line 6 insert—

"(2) The Minister must ensure that any review under section 22P—

  - (a) that is conducted as a result of a long-term water resources assessment commenced under section 22K(a) is conducted in such a manner as to be completed not more than 14 years and 6 months after the commencement of section 14 of the **Water (Resource Management) Act 2005**; and
  - (b) that is conducted as a result of a long-term water resources assessment commenced under section 22K(b) is conducted in such a manner as to be completed 6 months before the end of the 15 year period in which it commenced.

(3) Failure to comply with sub-section (2) does not affect the validity of the review or of any action the Minister takes under the review, including, but not limited to any action under section 33AAB."
15. Clause 11, page 20, lines 8 to 10, omit all words and expressions on these lines and insert—

"(1) The Minister, by instrument, must appoint a panel of persons to consider comments made under section 22R(f) on a draft review, and the persons appointed to the panel must be persons who have knowledge of or experience in the matters that the panel is to consider."
16. Clause 11, page 20, after line 28 insert—

"(8) A panel appointed under this section must ensure that its report under sub-section (3) is made within the period specified by the Minister which must be not later than 6 months after the panel is appointed under sub-section (1).".

17. Clause 11, page 22, line 6, omit "'.'.

18. Clause 11, page 22, after line 6 insert—

**'22V. Program of implementation of review**

(1) Within 6 months of the publication of a notice under section 22T(2)(c) the Minister must determine a program of implementation of the review and publish a statement of the actions required to implement that program.

(2) If, as part of a program of implementation of a review, the Minister determines to qualify rights under section 33AAB, the Minister must set out notice of that determination in the statement published under sub-section (1).".

19. Clause 14, page 23, line 18, omit "insert" and insert "substitute".

20. Clause 14, page 24, line 8, omit "33AA" and insert "33AAA".

21. Clause 14, page 24, line 28, omit "33AB" and insert "33AAB".

22. Clause 14, page 25, lines 5 to 10, omit all words and expressions on these lines and insert—

"(2) A permanent qualification of rights to water under sub-section (1) must not take effect in relation to an area or water system—

(a) within 15 years of the commencement of section 14 of the **Water (Resource Management) Act 2005**; or

(b) if such a permanent qualification has taken effect in relation to that area or water system within the preceding 15 years.".

23. Clause 14, page 25, line 11, omit "33AC" and insert "33AAC".

24. Clause 14, page 25, line 28, omit "33AA" and insert "33AAA".

25. Clause 14, page 26, line 8, omit "33AA" and insert "33AAA".

26. Clause 18, page 27, line 23, after "43A" insert "of the **Water Act 1989**"

27. Clause 24, page 32, line 22, omit "(2)" and insert "(1)".

28. Clause 24, page 32, lines 24 to 27, omit all words and expressions on these lines and insert—

"(1) The Minister may, by instrument,".

29. Clause 24, page 33, after line 11 insert—

"(2) The Minister may allocate an environmental entitlement under sub-section (1) for the purpose of—

(a) maintaining the environmental water reserve in accordance with the environmental water reserve objective; or

- (b) improving the environmental values and health of water ecosystems, including their biodiversity, ecological functioning and water quality, and the other uses that depend on environmental condition."
30. Clause 24, page 33, line 14, omit "sub-section (1)" and insert "section 48B".
31. Clause 24, page 34, lines 2 to 4, omit all words and expressions on these lines and insert—
- "(1) The Minister may, by instrument, appoint a panel of persons to consider submissions made under section 48D(2) on the request, and the persons appointed to the panel must be persons who have knowledge of or experience in the matters that the panel is to consider."
32. Clause 24, page 35, line 14, after this line insert—
- "(g) any relevant Sustainable Water Strategy that has been endorsed under section 22G(1);"
33. Clause 24, page 35, line 15, omit "(g)" and insert "(h)".
34. Clause 38, page 64, line 10, omit "64GA" and insert "64GB".
35. Clause 41, page 97, lines 5 to 15, omit all words and expressions on these lines and insert—
- "(4) Before giving notice, under sub-section (8)(b), of a determination that is proposed to be made, the Minister must—
- (a) appoint a consultative committee; and
  - (b) consult with the consultative committee before preparing the determination.
- (5) The Minister must ensure that, as far as is reasonably possible, the membership of a committee under sub-section (4) is comprised of persons that the Minister reasonably believes represent the interests of persons that are likely to be affected by the making of the determination.
- (6) Before making a determination under sub-section (4), the Minister must appoint a panel of persons that have relevant knowledge or experience to report on the determination.
- (7) The provisions of section 22F(2) to (7) (with such modifications as are necessary) apply to a panel appointed under sub-section (6).
- (8) Before making a determination under sub-section (1), the Minister must—
- (a) give notice that the determination is proposed to be made to any Authority that has responsibilities in the area that will be affected by the determination; and

- (b) publish a notice in a newspaper circulating generally throughout the State that the determination is proposed to be made and publish such a notice in a newspaper circulating generally in the area that will be affected by the determination, being a notice inviting public comment by a set date; and
  - (c) consider any comments made in response to notices under paragraph (a) or (b) by the set date; and
  - (d) consider any comments made by the panel appointed under sub-section (6); and
  - (e) make any appropriate changes to the determination that is proposed to be made."
36. Clause 51, page 107, line 13, omit "**64AA**" and insert "**64AAA**".
37. Clause 51, page 107, line 15, omit "**64AA**" and insert "**64AAA**".
38. Clause 54, page 118, lines 20 to 22, omit all words and expressions on these lines and insert—
- "(b) consult with those persons or bodies that the Authority considers represent the interests of persons who are likely to be affected by the recommendation and then prepare draft objectives and make the draft objectives available for inspection by the public for at least 2 months after their preparation;"
39. Clause 54, page 122, line 28, before "comply with" insert "consult with those persons or bodies that the Authority considers represent the interests of persons who are likely to be affected by the recommendation and".
40. Clause 57, page 149, line 15, omit "33AC" and insert "33S".
41. Clause 57, page 149, line 25, omit "33AC" and insert "33S".
42. Clause 60, page 175, lines 33 to 35, omit all words and expressions on these lines and insert—
- "(1) The Minister may, by instrument, appoint a panel of persons to give advice under section 161G(2) on an adopted reconfiguration plan, and the persons appointed to the panel must be persons who have knowledge of or experience in the matters that the panel is to give advice on."
43. Clause 62, page 190, line 15, omit "for".
44. Clause 71, page 219, line 4, after "Part 11" insert "of this Act".
45. Clause 71, page 236, line 6, omit "33AT" and insert "33S".
46. Clause 71, page 236, line 14, omit "33AT" and insert "33S".
47. Clause 71, page 239, line 19, after "Part 13" insert "of this Act".
48. Clause 71, page 239, line 28, after "Part 13" insert "of this Act".
49. Clause 71, page 242, line 21, after "**Part 4**" insert "**of this Act**".
50. Clause 71, page 242, line 26, after "Part 4" insert "of this Act".

51. Clause 71, page 242, line 31, after "**Part 4**" insert "**of this Act**".
52. Clause 71, page 243, line 13, after "Part 4" insert "of this Act".
53. Clause 71, page 243, line 16, after "**Part 4**" insert "**of this Act**".
54. Clause 71, page 243, line 32, after "Part 4" insert "of this Act".