

Senate Standing Committee on Environment and Communications
Legislation Committee
Answers to questions on notice
Department of Sustainability, Environment, Water, Population and Communities
April 2012

Topic: National Water Commission
Amendment Bill 2012

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or Written Question:

1. In its submission (Submission No 6), the South Australian government notes that the NWC may have a role within the *Water Act 2007* to audit the effectiveness of the implementation of the Basin Plan and water resource plans. The SA government states that this should be a requirement of the National Water Commission Amendment Bill 2012.

Can you comment on this proposal.

2. The SA government also states that the Commonwealth has publicly stated that the NWC will evaluate the Commonwealth's management of environmental water while there is no specific provision for this in the bill. The SA government suggests that this function should be made explicit in the legislation.

Can you comment on this proposal.

3. Can you comment on the South Australian government's suggestion that the NWC should be required to submit its annual work plan and activities to COAG water committees on an annual basis?
4. In its submission, the CSIRO suggests that knowledge brokerage should be an express function of the NWC. Can you comment on this suggestion?

Answer:

Questions 1 and 2. Part 3 of the *Water Act 2007* requires the NWC to complete audits of the effectiveness of the implementation of the Basin Plan at least every five years, and to provide a report of its audit to the Minister, relevant State Ministers and the Murray-Darling Basin Authority. This function is conferred on the National Water Commission through subsection 7(1)(f) of the *National Water Commission Act 2004*. The Water Act requires that the Commonwealth Environmental Water Holder must manage Commonwealth environmental water holdings in accordance with the Basin Plan.

As stated in paragraph 34 of the Explanatory Memorandum, new paragraph 7(1)(j) in the Amendment Bill reproduces the current section 7(1)(f), and will continue to confer the audit function on the NWC.

The Department of Sustainability, Environment, Water, Population and Communities does not consider it necessary to make further legislative provision for these matters.

Question 3. As stated in the second reading speech, it is envisaged that the NWC will formally engage with Council of Australian Governments (COAG) subcommittees on at least an annual

basis, including regular advice on its activities. Reporting and consultation will be handled through normal COAG processes. The Department does not consider it necessary to make this a legislative requirement.

Question 4. The Standing Council on Environment and Water is expected to consider this year a National Water Knowledge and Research Platform which will include mechanisms for the improved coordination of water-related research.