

Constitution Alteration (Water Resources) 2019

On 13 September 2019, the Senate referred the Constitution Alteration (Water Resources) 2019 to the Senate Select Committee on the Multi-Jurisdictional Management and Execution of the Murray-Darling Basin Plan for inquiry and report by **1 November 2019**.

The committee's consideration of the bill is proceeding in parallel to its [main inquiry](#).

The committee welcomes submissions that address the bill. The committee would appreciate submissions by **6 March 2020**, but is able to receive and consider submissions provided after that date.

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To the Senate Select Committee on the Multi-Jurisdictional Management and Execution of the Murray-Darling Basin Plan.

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Dear Senators,

Dated - 4 February 2020

My Submission follows and is not confidential.

I have lived and worked in the Murray Valley Irrigation District all of my working life and fully understand the necessity of adequate water for domestic and farming needs.

I wish to comment on the Bill, and have the Senators take note, of my opposition to the proposed alteration to the Commonwealth of Australia Constitution Act 1900 as listed in the following paragraph -

If passed, this proposed alteration to the Commonwealth of Australia Constitution Act 1900 (the Constitution) would put before the Australian people the question of whether the Constitution should be amended to give the Commonwealth Parliament the power to make laws to manage Australia's water resources on a nationally consistent basis for the benefit of all Australians while ensuring protection of the environment.

Section 100 of the Australian Constitution clearly indicates the respective States and residents have rights to water and I quote -

Nor abridge right to use water. *100. The Commonwealth shall not, by any law or regulation of trade or commerce, abridge the right of a State or of the residents therein to the reasonable use of the waters of rivers for conservation or irrigation.*

The proposed alteration to the Commonwealth of Australia Constitution Act 1900 would tend to centralise more Power in the hands of the Commonwealth of Australia and I believe this is unacceptable. To quote Lord Acton "Power tends to corrupt and absolute Power corrupts absolutely". I do not believe Members of Parliament and Senators are an exception to this observation. This is not meant to be a disparaging assessment of political representatives other than to say, "We are all human with attendant weaknesses"

It is acknowledged that bushfires, floods, and other catastrophes, do not recognise State boundaries. But it should also be recognised that each State is a diverse entity in itself with wide-ranging climate and terrain within its borders which should make the respective States better able up cater for its residents than a 'one size fits all' approach we can expect with Commonwealth control.

I submit that voluntary co-operation between the Commonwealth and the States should be the goal sought, rather than centralising control to make way for a 'big stick' approach to vexing water issues.

I will not support any push for a referendum on this issue and will actively oppose any change to the Australian Constitution.

Yours Sincerely,

Louis Cook