

Senator McKenzie asked:

The EPBC Act defines a 'water resource' as:

(a) surface water or ground water; or

(b) a watercourse, lake, wetland or aquifer (whether or not it currently has water in it); and includes all aspects of the water resource (including water, organisms and other components and ecosystems that contribute to the physical state and environmental value of the water resource).¹

However, the bill does not identify which water resources would be matters of national environmental significance.

Do you know which water resources would be deemed to be matters of national environmental significance? That is, water resources in which geographic locations would be MNES (for example, the Great Artesian Basin, the Murray Darling Basin)?

Answer:

We don't believe that "matters of significance" can be applied at this point as a concept to only particular water resources. Given current construction, we think it would apply to all sources. Pursuant to our previous evidence, the Committee and, indeed, the Parliament must give further attention to the term "matter of significance". Whilst it remains entirely subjective, it will continue to cause uncertainty.

Andrew Gregson

Chief Executive Officer

NSW Irrigators Council

¹ See EPBC Act 1999, s 528 and Water Act 2007, s 4.