

**From:** Dalton Dupuy  
**To:** [EPSC EPSC](#)  
**Subject:** Water Legislation Amendment Bill 2018  
**Date:** Wednesday, 26 September 2018 3:22:49 PM

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Economic Policy Scrutiny Committee  
Re: Water Legislation Amendment Bill 2018

This submission is being made by the NT Greens from H.Dalton Dupuy, Convenor

I want to thank the committee for an extension to the deadline and for the opportunity to contribute to your deliberations. Water matters because it is a communal resource and essential to life on this planet. The foundation of this submission is based on four principles; 1) primacy of the environment, 2) innate rights of Aboriginal People, 3) sound fiscal/environmental management and 4) treating users equally.

The environment must take precedence over any and all commercial, mining, petroleum and agricultural activities. It is obvious to everyone that without a healthy environment there can only be limited human endeavours and a very restricted future. Therefore, we must put environmental needs paramount.

Reserves of water must be set aside for our First Nation People for their consideration. Water is part of native title and as such must be honoured by giving our First People their water rights for communities, for their homelands and for their natural areas at their discretion.

All water allocations must allow for reserves and sustainable supply. That sustainability must be part of the Water Act. Over allocation of water leads to environmental destruction, loss of habitat, a seriously diminished future and suffering for all life. Establishing and maintaining reserves is like a superannuation programme, it prepares for the future and some uncertainty. Intelligent allocation based on sustainable supply is like only spending what we can afford. Good fiscal process. (A small aside, engineers and hydrologists in the USA measured the water flow for three years in the Grand Canyon of the Colorado River in the late 1920s. They then allocated half to the environment and split the remainder among the bordering states and Mexico. They failed to recognise that the three year period upon which they based their allocations, flows were double the norm. And most years since, the river never meets the sea and the jurisdictions are constantly embroiled in very expensive and painful disputes.)

All users must be treated equally as a baseline. If someone uses water, they pay for it. If anyone discharges waste, they pay for it. If anyone does the wrong thing, eg, water theft, environmental harm, et al they forfeit their license and are penalised. The treatment of users for water supply and waste management must be equal. I pay my water bill and take responsibility for the amount that I use. Everyone, every company, every endeavour needs to, at least, be treated equally. Arguably, there is a point that commercial endeavours should pay more because they are profiting from a communal resource.

There are two other points,  
I refer to Sect.7(2) where the exemption for mining and petroleum is not removed.  
Agriculture, mining and petroleum endeavours must be at least equally or possibly more accountable than the rest of us.

The Scientific Enquiry for the proposed hydraulic fracturing (for the exploration and production) of shale gas has in part prompted the review and amendment of the Water Act.

Territorians have been clear that they are opposed to this form of gas mining. Despite public opposition the NT government has proceeded to lift the moratorium. And now water must be protected from mistake, misadventure and/or environmental felony. And that means the amendments to the Water Act and all the of the recommendations from the Scientific Enquiry are implemented without exception or diminution.

I grew up in the desert and I know how precious water is; it is not a commodity. It is a thing of beauty, a gift of life, an essential part of us and as such must be valued more dearly than any gem, precious metal or certainly unneeded gas.

Respectfully and with thanks,

H. Dalton Dupuy,

NT Greens

