

17 April 2019

Secretary, Economic Policy Scrutiny Committee
Department of the Legislative Assembly
GPO Box 3721
DARWIN NT 0801

Lodgement via email: EPSC@nt.gov.au

Dear Secretary

Comments on *Water Legislation Miscellaneous Amendments Bill 2019* (Serial 81)

The Minerals Council of Australia Northern Territory Division (MCA NT) welcomes the opportunity to provide comment on the Northern Territory Government's *Water Legislation Miscellaneous Amendments Bill 2019*.

The MCA is the peak industry organisation representing Australia's exploration, mining and minerals processing industry, nationally and internationally, in its contribution to sustainable development and society. The MCA's strategic objective is to advocate public policy and operational practice for a world-class industry that is safe, profitable, innovative, and environmentally and socially responsible, attuned to its communities' needs and expectations.

Within this context, the MCA NT has advocated, through submissions on every Northern Territory Government draft policy, strategy, discussion paper and draft legislation, for policy and regulatory settings based on and commensurate with risk and developed via *bona fide* consultation with our organisation and members of Territory-based mining companies.

MCA member companies are signatories to *Enduring Value – the Australian Minerals Industry Framework for Sustainable Development* and have a long standing commitment to the effective and responsible management of Australia's water resources.

Although the minerals industry is a comparatively small user of water nationally (2.9 per cent), the industry can be a significant water user at the local or regional level, and the availability and security of supply is a critical business risk for the minerals sector.¹ Minerals operations face a wide variety of other water management challenges, including use and treatment of unacceptably-poor quality water, mine dewatering and the management of excess water. For these reasons, the MCA NT acknowledges the critical importance of a sound regulatory framework to effectively manage risks to the sustainable use of the Territory's water resources.

Within this context and the Government's election commitment to greater regulatory transparency, the MCA NT understands and supports the objectives for which the *Water Legislation Miscellaneous Amendments Bill* has been drafted, i.e. addressing technical irregularities and administrative

¹ Australian Bureau of Statistics 2610 – Water Account Australia, 2012-13

inefficiencies that have been identified in the administration of the *Water Act* and associated Regulations. The amendments are likely to improve procedural efficiencies with consequential reduction of current costs and/or timelines (e.g. Clause 5 removal of requirement to circulate notices in NT-wide newspaper and instead allowing publication in local newspaper only).

The MCA NT also welcomes the proposed relaxation of 'the prescriptive nature of the membership of the Drillers Qualification Advisory Committee' (Clause 11) that recognises that adequate representation of relevant expertise can be achieved through ensuring that the Committee as a whole has the required knowledge and experience rather than imposing requirements on the skills/expertise of individual members.

Other clauses are required to provide for transitional arrangements that provide practical guidance for current licence-holders, and these are included in the Bill.

In relation to the Committee's four questions, our response is as follows:

- The Assembly should pass the Bill
- The Bill can be passed as written
- The Bill appears to have sufficient regard to the rights and liberties of individuals
- The Bill appears to have sufficient regard to the institution of Parliament.

Should you require further information or clarification, please do not hesitate to contact me directly on 08 8981 4486.

Yours sincerely



Drew Wagner

Executive Director