

20 May 2020

Water Policy - Rural Water Use Strategy
Water and Marine Resources Division
DPIPWE
GPO Box 44
HOBART 7001

Email: water.policy@dpipwe.tas.gov.au

Dear Sir or Madam

Rural Water Use Strategy Position Paper

Thank you for the opportunity to provide a submission on the Rural Water Use Strategy Position Paper (Position Paper).

The Local Government Association of Tasmania (LGAT) is incorporated under the *Local Government Act 1993*, our functions being:

- (a) To protect and represent the interests and rights of councils in Tasmania;
- (b) To promote an efficient and effective system of local government in Tasmania; and
- (c) To provide services to member councils, councillors and employees of councils.

The views and opinions expressed in this submission are representative of the Local Government sector, having been developed in consultation with Member councils. LGAT fully supports councils who have made individual submissions to the consultation process and in turn, supports the content and opinions expressed within those submissions.

The Position Paper notes that the Rural Water Use Strategy

“will guide the State’s future water management arrangements to ensure integrated, fair and efficient regulation and compliance of the State’s water resources to deliver sustainable outcomes.”.

The responsibilities for river restoration and riparian management is an important part of this integrated system and has been an area of concern for the Local Government sector for many years. At the LGAT 2018 Annual General Meeting the following motion was passed:

“That the State Government to take greater responsibility for the management of streams.”

In support of the motion, the following comments were made:

“Over a number of years successive State Governments have reduced the resources applied to the overall management of streams (rivers etc) and increasingly relied upon Local Government to take responsibility to address stream management issues as they arise and to play the lead role on addressing problem areas and locations.

Through discussions with the Water & Marine Resources Division of DPIPW it is clear that they are relying on Local Government to enforce and regulate works through planning schemes. Specifically they have advised in one instance that they are only interested in unauthorised levee bank works.

Philosophically it could be argued that streams are an important piece of infrastructure which is transporting a tradeable commodity (water) which the State Government is more than happy to regulate access to and charge accordingly, but are unwilling to actively participate in the management of the infrastructure.”

We would further note that the Blake flood review into the Tasmanian Floods of June and July 2016 found that the issue of waterways was not well defined. To date there has been little tangible action from DPIPW in relation to both guidance and also improving and clarifying policies and legislation related to waterways. If not addressed, this issue will continue to hamper the sustainable development of the State’s water resources.

In relation to the specific recommendations within the Position Paper, the following proposal is included as part of Goal 2:

Work with industry and the Local Government Association of Tasmania to enhance the knowledge and understanding of the potential for downstream developments to cause changes to upstream dam risk ratings and to ensure

that these potential changes are adequately considered in the planning process for new developments

It is not possible or legal for councils to consider “any impact a downstream development may have on upstream dam risk rating” unless the State Government amends the Tasmanian Planning Scheme to allow them to do so. In their role as a Planning Authority, councils can only consider those matters outlined in their planning scheme and nothing more. It is recommended that DPIPWE engage with the Planning Policy Unit of the Department of Justice and the Minister for Planning in relation to the above proposal, as councils have no power to act under the current legislative regime.

If you have any questions or would like further information, please do not hesitate to contact dion.lester@lgat.tas.gov.au or via phone on (03) 6146 3740.

Yours sincerely



Dr Katrena Stephenson
CHIEF EXECUTIVE OFFICER