KEEPING QUEENSLAND'S COMMUNITIES SAFE

Australian Federal Election Manifesto 2025

The Queensland Water Directorate
(qldwater)

The Queensland Water Directorate ***(qldwater)*** is the central advisory and advocacy body within Queensland's urban water sector working with its members to provide critical urban water and wastewater services which are safe, secure, and sustainable.

This Election Manifesto for the 2025 Australian Federal Election outlines key policy positions that ***qldwater*** and its members wish to advance and we invite all political candidates and parties to adopt these positions as formal political policy.

The priorities for Queensland's Urban Water Sector from the Federal Government include;

1. Extend National Water Grid Funding to assist urban water service providers deal with the impending infrastructure cliff (impacting both drinking water and wastewater assets) and ensure all Australian communities meet the United Nations Sustainable Development Goal 6.

2. Urgently amend access rights to water towers and other critical water infrastructure, for telecommunication providers, to ensure the delivery of safe drinking water to communities and to protect water assets from damage.

3. Ban the importation and use of products containing PFAS-group chemicals by the end of 2026, including products not covered by the Industrial Chemicals Environmental Management Standard (cosmetics, personal care products, food packaging, clothing). Rather than requiring water service providers (who are passive receivers of these pollutants), to upgrade treatment technology to protect community health and the environment from these chemicals.

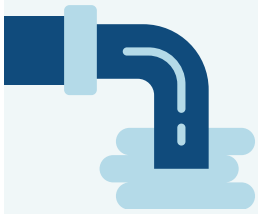
4. Make urgent changes to Disaster Recovery Funding Arrangements to include urban water assets as critical community infrastructure, so to assist with their priority restoration during times of disaster.

5. Provide government funding support for students to access a wider range of training providers, including independent Registered Training Organisations (RTOs). This is particularly important since TAFE Queensland ceased delivering the National Water Package in May 2022.

Water is a key connector and enabler, supporting all sectors of the economy, infrastructure, prosperity, health, and environmental and social endeavors. Taking into account climate change, we need to consider the water-needs of our growing communities, emerging environmental challenges and opportunities, and increasing regulatory obligations.

Queensland's urban water sector provides safe, secure and sustainable urban water to communities and critical water users. In providing these essential services, the urban water sector owns and operates sewer lines, water and wastewater treatment plants, pump stations, dams, reservoirs, and a range of other critical water technologies/infrastructure.

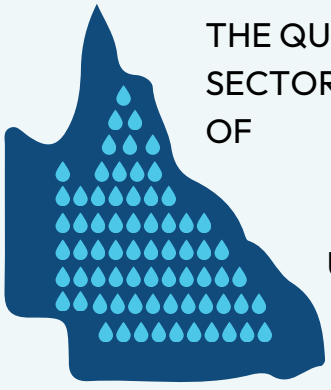
370 WATER SUPPLY SCHEMES



265 SEWAGE SCHEMES

2,118,050 DRINKING WATER CONNECTIONS

SERVICE **1,943,244** SEWAGE



THE QUEENSLAND SECTOR IS COMPRISED OF **73** **URBAN WATER SERVICE PROVIDERS**

DIRECTLY EMPLOYING APPROXIMATELY **7,000** PEOPLE

qldwater represents all 73 urban water providers in Queensland – the 69 local council water service providers, two council-owned statutory authorities in south-east Queensland and the two state-government owned corporations.

Statutory Protection for Wastewater Service Providers Against Claims for Contaminants of Emerging Concern

Why?

It is unreasonable to hold wastewater service providers responsible for pollution where pollutants are outside their control. Wastewater treatment plants (WWTPs) provide a critical public service.

WWTPs treat wastewater from domestic, industrial, trade waste and landfill sources. The treatment is designed to remove organic carbon, nitrogen, phosphorus, and pathogenic microorganisms. Treated effluent biosolids can be beneficially used, and the treated water can be used as recycled water or released to the environment.

WWTPs are unable to control much of the wastewater that enters their systems. Contaminants of emerging concern such as the persistent contaminants PFAS and microplastics contaminate the wastewater and are not destroyed by standard WWTP processes. This means that persistent contaminants may pass into the treated water or biosolid streams.

Currently, the law does not adequately hold those benefiting from the use of emerging and persistent contaminants to account for their pollution. Rather, the regulatory burden of management and future liability is placed on end-of-line entity WWTPs, especially for PFAS contaminants where incoming environmental and health regulations have extremely low limits.

Future protection of the community and the environment from contaminants of emerging concern can only be achieved by stopping them before they get into the community. Restricting persistent contaminants like PFAS at the importation stage (source control) is the most effective way.

Incoming regulation of PFAS through the Industrial Chemicals Environmental Management Standard (IChEMS) framework is not an adequate source control mechanism for PFAS.

- IChEMS does not cover the importation of articles or chemicals that are covered by other regulations such as the Therapeutic Goods Administration, Australian Consumer Law and Australian Pesticides and Veterinary Medicines Authority.
- IChEMS limits for "unintentional" PFAS contamination are much higher than incoming guidelines values for PFAS under the PFAS National Environment Management Plan 3.0 and the Australian Drinking Water Guidelines.
- The IChEMS Schedule 7 listing of PFAS only covers a small proportion of the more than 10,000 PFAS compounds that are to be banned by incoming regulation in the European Union.

Without improved regulation of PFAS imports Australia risks becoming a dumping ground for products that do not meet import standards elsewhere.

How?

The Australian Government must introduce appropriate and immediate **bans on PFAS** in all products as has been introduced in other jurisdictions globally, and to close the gaps in the incoming IChEMS PFAS restrictions.

Statutory amendments to:

- Exclude end of line users that provide critical public services from being considered a *polluter.*
- Exempt WWTPs (and their networks) from civil liability for the release of emerging and persistent contaminants such as PFAS, where operational compliance is consistent with the general environmental duty or environmental authority.
- Exempt WWTPs from civil liability for biosolids containing trace amounts of emerging and persistent contaminants, including PFAS, where activities are in compliance with local regulation.

Provide greater government financial assistance to:

- Water and sewerage service providers to upgrade their infrastructure to manage contaminants of emerging concern.
- A person or business whose property is affected by PFAS or other emerging and persistent contaminants from wastewater infrastructure.

Fund more research on cost effective soil and water remediation systems relating to emerging and persistent contaminants, especially PFAS. Developed remediation technologies must consider both currently regulated contaminants and contaminants that are likely to be regulated in the future.

Work with the insurance industry so PFAS contamination is reasonably considered in risk assessments and underwriting processes, where PFAS-related claims are not excluded from policies and premiums remain affordable.

Urban Water Infrastructure and Asset Management Funding

Why?

Water is a connector and enabler, yet stable and consistent investment in water supply and water treatment infrastructure to homes and businesses has been fragmented and has not been considered/treated as essential by some state and federal governments.

Chronic underinvestment in asset renewals in the urban water sector has been exacerbated by competitive grants schemes focussed on new infrastructure which necessitate council owned water utilities having a pipeline of "shovel ready" projects to take advantage of short delivery timelines.

Councils and water authorities without the capacity (technical or financial) to undertake integrated planning activities for their assets are trapped in a cycle of reactive asset maintenance and repair, which increases budgetary pressures and reduces the capacity of council to undertake proactive urban water infrastructure renewal.

Due to the underinvestment in infrastructure many Queensland Water Service Providers (WSPs) stand on the edge of an infrastructure cliff, and many communities are judged to be at a serious risk of not being able to continue to provide safe drinking water for their residents.

This risk is particularly high in Frist Nations communities and puts Australia at a significant risk of not meeting its international pledges under the United Nations Sustainable Development Goal 6.

An inability to meet current and future demands for new, replacement and upgraded urban (and industrial) water infrastructure will have a negative and defining impact on the number of domestic dwellings built as well as impacting a range of sectors including energy, tourism, agriculture, and resources; and including, but not limited to, capital raising.

Building new, and improving existing, water infrastructure should be a national priority to safeguard the nation at this time of unprecedented growth and to manage the risks associated with climate change. Infrastructure by its nature needs to be rebuilt, expanded, upgraded, retired and replaced.

How?

National Water Grid Funding

- ***qldwater*** seeks a commitment to the ongoing funding and support of the National Water Grid Investment Framework and that the extent of the funding is increased commensurate with the current demand and risk.
- ***qldwater*** seeks a commitment within the National Water Grid to support Water Service Providers to undertake planning and business case work to ensure better planning for appropriate infrastructure solutions.
- Given the critical risks to the environment there is a need to expand eligibility criteria to broaden the scope to include wastewater infrastructure.
- The scope of suitable infrastructure funded by the National Water Grid Fund should be expanded to include elements such as metering, asset condition analysis and include non-infrastructure solutions such as asset management and training for critical personnel.
- The scope of the framework should include funding for significant upgrades to existing infrastructure to manage population growth and increasing regulatory requirements.

Disaster Recovery Funding Arrangements

Queensland is a vast state with great variations in climate. It is also Australia's most disaster-prone state, with climate change fuelling more intense bushfires, floods, cyclones, storms and heatwaves.

Disasters, particularly floods, can cause significant damage to urban water infrastructure resulting in public health issues including:

- impacts to the drinking water supply; and
- untreated wastewater spilling into the community.

Utilities can lose power, assets can be damaged, and working conditions can become dangerous. Costs to repair or upgrade this critical infrastructure are significant and are made more costly and difficult in extreme circumstances.

The Disaster Recovery Funding Arrangement (DRFA) provides joint Commonwealth and State government funding, providing financial assistance to help communities recover from eligible disasters.

Reconstructing infrastructure to current standards following a disaster does not ensure resilience for communities or essential water infrastructure.

This is acknowledged through the Betterment Program, which supports rebuilding infrastructure to higher, more resilient standards. ***qldwater*** recommends increasing financial investment and broadening the eligibility criteria for the Betterment Program to enhance resilience against future disasters.

Key changes that are urgently needed for disaster funding in Queensland are;

- Water and wastewater service in Queensland are a non-commercial activity delivered by Councils. Currently, water and wastewater infrastructure are ineligible for DFRA funding without a submission which attests to the non-commercial service arrangement. Except for the large commercial service providers in the Southeast (UnityWater and Urban Utilities), no Council in Queensland recovers commercial returns from its water assets. As such, urban water assets should be treated like all other essential public infrastructure under DRFA, with their full restoration funded (in response to destruction through a disaster event).
- ***qldwater*** working with the Queensland Government and water utilities in Southeast Queensland has, in recent disaster events, activated a Mutual Aid Cell (MACC). The MACC co-ordinates resources from larger water utilities and larger councils to support emergency response and recovery activities at the request of impacted council. Over the past two years the MACC has seen up to 50 operational and engineering staff mobilised from larger utilities to support impacted utilities. Current DRFA guidelines makes it impossible (or extremely difficult) for these costs to be claimed by the support Utilities. Using the collaborative power of the water sector is the best way to expedite response and recovery. The funding guidelines and bureaucracy regarding this matter need urgent policy attention from the Government.

Funding for managing Contaminants of Emerging Concern

Water Service Providers (mostly small councils in Queensland) cannot shoulder the financial burden of addressing and managing PFAS risks alone and will require funding support from State and Federal Government.

Queensland's Water Service Providers support evidence-based standards for safe drinking water. However, changes to standards and more politically/publicly-based changes to regulator attitudes is adding substantial testing, reporting and ultimately capital investment that WPSs simply cannot fund.

qldwater calls on the Federal Government to provide additional funding for urban Water Service Providers (who are passive receivers) to manage Contaminants of Emerging Concern.

Address Workforce and Skills Deficits

Why?

Trained technical and operational staff within Water Service Providers are essential to ensure the provision of safe and secure drinking water supplies to communities; and that investments made in infrastructure and assets are optimised.

Contextualised workforce development opportunities, tailored to all levels of the workforce, are essential to attract new entrants and to facilitate meaningful career progression for those already in the sector. While a training system that is relevant to sector requirements and supports the needs of the new and current workforce is critical, our existing and future workforce must develop new skills to ensure the sector maintains public safety and wellbeing and is sustainable into the future.

Water operators bear huge responsibility for the provision of safe drinking water to community. Infrastructure is not a solution in isolation and infrastructure assets will not operate to full design life without ongoing and professional operation and maintenance.

There has been a systemic failure to continuously reskill workforces across the urban water sector, exacerbated by budgetary and funding conditions, council amalgamations and increasing infrastructure age.

The sector has not been recognised as significant or important despite the critical services (clean drinking water and sanitation) it delivers. A contributing issue is that the urban water sector is significantly underrepresented under the current Australian and New Zealand Standard Classification of Occupation (ANZSCO) and, as such, has been omitted from traditional labour market analysis. As a result, there is a lack of accurate information across Australia relating to the critical workforce required for the urban water sector.

qldwater worked with the Australian Bureau of Statistics (ANZSCO) to address these omissions and, in late 2023, successfully secured the addition of two new specialisations to the list, those of 'Dam or Reservoir Operator' and 'Water or Wastewater Networks Operator'. The occupation of Trade Waste Officer was also added to the classification in this revision.

In the absence of critical data from the Australian Government, ***qldwater*** undertakes a biennial workforce survey and the Queensland sector has invested in undertaking skills analysis as well as unique workforce and skills development programs. As such, Queensland holds distinct and mature data sets and experiences.For information we reference the following recent reports:

- Urban Water Industry Composition Snapshot Report 2022 - Which quantifies workforce characteristics and risks, vacancy rates for critical occupations, vacancy duration, and other trends.
- Queensland Water Skills Survey 2024 - Which summarises key workforce and training barriers for the sector along with a series of recommendations.

Key observations from workforce surveys indicate:

- High vacancy rates are prevalent across the sector, especially for water treatment plant operator positions – in direct contradiction to ABS data for Queensland.
- An aging workforce across many critical roles.
- Vacancies are protracted with 45% of water operator positions being vacant for greater than 13 months.
- 79% of water operators and supervisors have at least a Certificate III in Water Industry Operations.
- There is a requirement to develop a coherent system to assess and address identified capability and expertise gaps of urban water service providers (this was also recommended by the Queensland Audit Office's 2024 Managing Queensland's Regional Water Quality report).

We note that vacancy rates reported in these documents are significantly lower than the actual staffing rates required. Council amalgamations across Queensland in 2008 dramatically reduced the numbers of full-time equivalent staff members (FTEs) that water businesses could employ. As a result, water businesses have significant overtime commitments.

How?

Urgent inclusion of operation-critical urban water occupations into Core Skills Occupation List (CSOL) specifically:

- Water Treatment Plant Operator
- Wastewater Treatment Plant Operator
- Trade Waste Officer
- Dam or Reservoir Operator
- Water or Wastewater Network Operator
- Civil Engineer – Water and Wastewater

We understand that the CSOL is a single consolidated list, informed by labour market analysis and stakeholder consultations by Jobs and Skills Australia (JSA) that provides access to temporary skilled migration for 456 occupations. However, there is no accurate or contemporary labour analysis for the Australian urban water sector.

The best available workforce information in Queensland is ***qldwater***'s biannual skills survey which has been implemented by the sector since 2006.This information has been provided to BuildSkills Australia but they have not incorporated this intelligence into their forecasts for the sector. As a result, it is the strong position of ***qldwater*** that the information that the Government is receiving through BuildSkills Australia is not an accurate assessment of the skills shortages being experienced in the urban water sector.

Solutions to manage the current workforce and training deficits will take time. It is essential that urban water operations personnel are not only well trained but also competent. The urgent addition of the requested skilled occupations to the CSOL will assist the sector to address the current and severe workforce and skills risks that we are experiencing as a critical utility sector responsible for the delivery of safe and secure water, and sanitation to our communities.

Comprehensive review of Occupational Skills Classification Assessment

qldwater advocates for a national review of the Australian and New Zealand Standard Classification of Occupations (ANZSCO) and Occupational Skills Classification Assessment (OSCA) for water and wastewater operators, as the current classification does not adequately reflect the skillsets, competencies, and experience gained by workers trained under the National Water Training Package (NWP). Water and wastewater operators require specialised technical knowledge, regulatory compliance expertise, and operational experience to ensure public health and environmental safety. However, the existing OSCA classification undervalues their professional competencies, which negatively impacts workforce recognition, career progression, and skilled migration pathways. A comprehensive review is necessary to align OSCA classifications with the actual skill requirements of water and wastewater operators, ensuring that these roles are recognized at an appropriate level within Australia's workforce and skilled migration frameworks.

Amend the National Skills Agreement

Under the current National Skills Agreement, current funding is tied to TAFE Queensland for delivery, yet TAFE Queensland does not offer the National Water Package (which delivers essential training for the sector).

qldwater calls for government funding support for students to study with a broader range of providers namely, independent Registered Training Organisations (RTOs), to assist the government to meet it's target of 80 per cent of Australians holding a postschool qualification by 2050. The Federal Government's ambitious targets for a highly trained and educated population over the next three decades will require significant investment and a rethink of provider types. Students should be financially supported to study at the provider of their choice, including with private providers, to ensure Australia can train the growing student cohorts of the future.

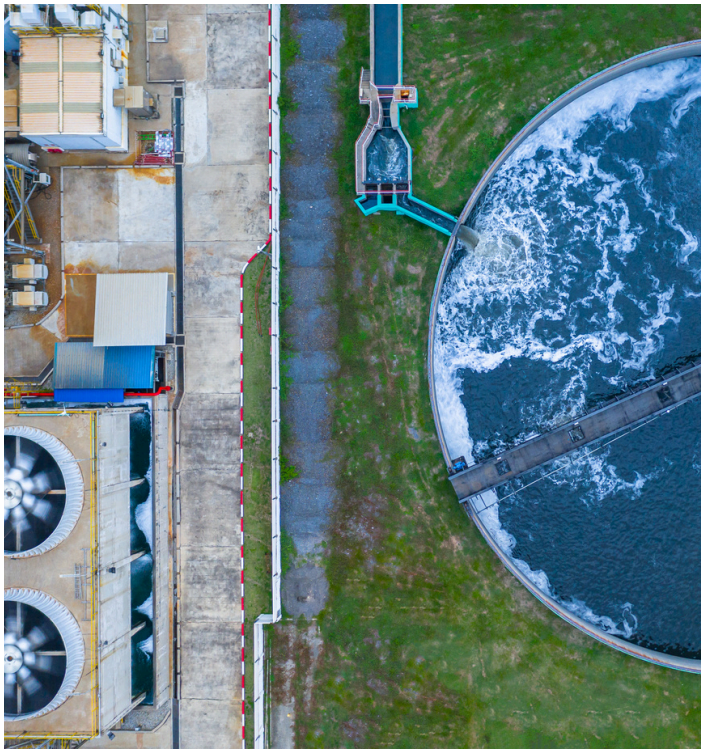
This support should also include the mechanisms devised and employed for other sectors where TAFE Centres of Excellence will be developed. The urban water sector should have access to the same funding opportunities for not only training, but all facilities associated with delivery of that training.

Federal funding must be allocated to maintain and update the NWP to ensure training content keeps pace with evolving industry needs, including new treatment technologies, climate resilience, and stricter environmental regulations. Regular investment in the NWP will support industry-aligned curriculum updates, hands-on training facilities, and expanded access to independent RTOs, ensuring a consistent national standard and addressing critical workforce shortages. A coordinated funding model should enable flexible training pathways, short courses, and Recognition of Prior Learning (RPL) programs, allowing both new entrants and existing workers to upskill efficiently. Without sustained funding, the sector risks a growing skills gap and a reliance on an ad hoc approach to funding skillsets.

Increased Certainty for RTOs
Training subsidy is critical for the urban water sector in Queensland. RTOs need to be approved to access and deliver training under Government subsidy programs; without that Government approval, access to the training market is limited.

The process for approval to the system needs to be simplified for all RTOs (existing or new entrants as detailed above). Critically the periods for approval need to be lengthened from their current annual review, to provide greater certainty to RTOs.

This will facilitate investment in training businesses, better encourage RTOs to remain in the market and so improve the quality of training available into the future.



Amendments to the Environment Protection and Biodiversity Conservation Act 1999

Why?

The growing population is driving the delivery of critical urban water infrastructure and growing capital delivery programs.

The current *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)* processes add unnecessary financial risk to projects and unacceptable delays in the delivery of time-critical infrastructure. Assessment timeframes are not consistent with infrastructure requirements, impacting infrastructure and delivery agreements, and often resulting in interim solutions to manage the delay. Interim solutions are typically expensive and often do not provide beneficial environmental or social outcomes (see Case Study).

Case Study: Bayliss Road Trunk Sewer Extension Project – Construction 2024/2025.
The Bayliss Road Trunk Sewer Extension project was required to service development growth within the Bayliss Road pump station catchment. The approved scope included approximately 1900 m of DN225 to DN450 gravity main, as illustrated in the Figure below (black line).

Due to delays in achieving EPBC decision, Logan City Council had to find an alternative way to ensure sewerage services (essential to public and environmental health) to approved development. This resulted in a temporary tankering solution at Council's (and the community's) cost. Interim solutions, such as this, often result in:

1. Significant capital and operational costs providing no long-term benefit to the community.
2. An increased risk of wastewater overflow to the environment. Common factors which increase this risk include:
   - Delivery and management of an interim solution by a third party (such as a developer).
   - Illegal dumping of construction wastewater.
   - Poorly constructed reticulation sewers which allow significant amounts of infiltration into the sewer.
   - Limited storage capacity in the reticulation network.
   - Protracted project delays.
3. Negative impacts to the local community such as: disruption associated with the installation and removal of temporary infrastructure, and, increased traffic, noise, dust and nuisance during operation.
4. Reputational impacts and legal disputes

Interim solutions typically require temporary infrastructure to be constructed, causing environmental disturbance and utilising resources, for assets with a short functional life that then need to be disposed of.

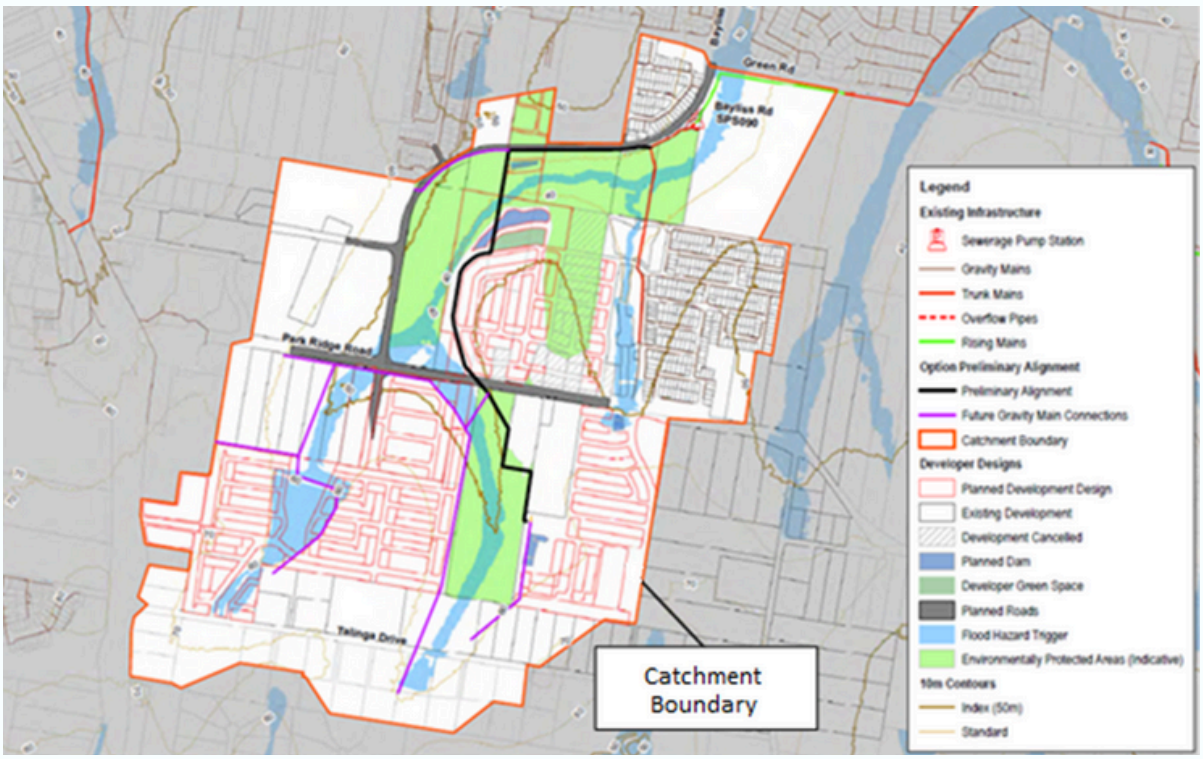


Figure 1. Bayliss Road Trunk Sewer Extension Project

The Samual Review highlighted the need for single-touch assessment rather than requiring both state and federal approval for projects, with different arms of government operating by different rules. This duplication and administrative clunkiness still exists and adds costs and complexities to simple, but critical, infrastructure projects required to manage growing populations and provide essential services to developments crucial to addressing Australia's housing crisis.

Such infrastructure projects are broadly accepted by the Department of Climate Change, Energy, the Environment and Water (DCCEEW, the Department) to include repairing and maintaining existing infrastructure for urban utilities for water and sewerage that would not generally be expected to have a significant impact on a matter of national environmental significance, unless there is a substantial expansion or modification of these utilities. [1]

[1] Significant impact guidelines 1.1 p33.

How?

Industry Exemptions (in urban and metro areas)

- Liaise with the Waste Management (Sewerage) and Transport – Water Industry (Sewerage and Water Industry) to develop a specific Industry Code, [2] separate to a National Environmental Standard, [3] for exemption purposes.

[2] Howsoever named
[3] This could be reviewed once National Environmental Standards are developed specifically to deal with the industries - Waste Management (sewerage) & Transport – Water

- The code could address a wide range of matters including post work management such as:
  - on-site mitigation measures for the removal of vegetation including the use of nesting and roosting boxes
  - site-specific vegetation and fauna management strategies, detailing how they address localised impacts (such as micro-siting of pipelines around large habitat trees).
  - consider MNES protected matters and outline specific measures for their protection and mitigation (such as rehabilitation and reinstatement of construction zone for below-ground pipelines)
  - bushfire management
  - weed management
  - erosion and sediment management
  - rehabilitation; and
  - outline offset requirements, ensuring that offsets align with a performance-based framework. This could be achieved through a defined Performance Outcome (PO) and Acceptable Outcome (AO) structure. Where a PO/AO cannot be achieved, then an alternative outcome that is robust and measurable as a performance-based solution could be used to meet objectives of the Exemption Code.
- A Proponent from the Sewerage and Water Industry could apply to the Minister for an exemption under the *EPBC Act.* The action, such as the expansion or upgrade of infrastructure, would not require assessment and approval as it would be conducted in a particular manner (i.e. in compliance with the code) whereby potential significant impacts would be avoided or minimised by the specified mitigation measures.
- This method would provide transparency and certainty while reducing administration for both the Proponent and Department in circumstances where water and sewerage services are critical.

Industry Specific Referral Guidance

- Provide greater detail as to what is considered 'urban development' and a 'substantial expansion or modification' of a water or sewerage facility delivering a critical service as EPBC Referral Guidance for the Sewerage and Water Industry.

Pre-referral meeting

- Adequately resource the Department with experienced technical officers.
- Provide improved clarification for when a referral is triggered. There is a need for improved guidance during Pre-referral meetings on whether an EPBC Act Referral is required, (in a way that does not add administrative burden and resource-intensive processes to pre-referral meetings).
- Provide a technical lead to provide clarity whether a referral is necessary
    - For example, separate teams have provided advice at Pre-referral meeting and assessment of applications, leading to conflicting interpretations, assumptions and outcomes. A Technical Lead would be able to distil complex views and provide a concise opinion to the Proponent which provides certainty to the Sewerage and Water Industry.
- Improve co-ordination between teams involved in pre-referral, assessment and delegate processes to ensure a more stream-lined approach (avoid silos of project moving through the Department). For example, an assessment officer presence at the pre-referral stage would enhance clarity and provide more informed, constructive feedback, ultimately reducing the need for further validation/information requests at later stages.

Referral

- Adequately resource the Department so that referrals can be reviewed and timely answers given. While the assessment is limited to 20 business days, the current validation queue is adding months to timeframes.
- Communication from the Department. Proponent has the ability to stop the clock during assessment phase.
- If the Department reaches a different outcome to the proponent, this should be a mandatory trigger for further communication by the assessment officer.
- Limitation on number of requests for information (RFIs).

Assessment duplication

- Further streamline administrative arrangements associated with environmental assessments accredited to Queensland's assessment processes.
- Consider accrediting development assessments undertaken under the *Planning Act 2016 (Qld)* whereby planning schemes that reflect regional plan provisions where environmental values are mapped and modeled but do not require an environmental impact statement.
- Otherwise, address duplication between state and federal legislation and agencies, specifically in future regional and bioregional planning.

Commitment to the establishment of National Environmental Standards for Matters of National Environmental Significance

- Provide a timeframe (deadline) for the development of the National Environmental Standards.

Assessment

- Adequately resource the Department so that better technical advice can be given generally around the types of mitigation measures the Department is likely to find acceptable.For example, mitigation measures are for Matters of National Environmental Significance (MNES) protected matters specifically, it may be beneficial to establish guidance with general best practices for issues like erosion and flooding.
- Explore a framework similar to the Queensland Government's High Risk Species Management Program which could help provide a structured approach to managing MNES, providing an industry standard / best practice for performance and acceptable outcomes (mitigation measures).
- Adequately resource the Department so that more informal communication between the Department with the Proponent can occur during the 20-day assessment phase and where, if need be, that communication is followed up by one Request for Information.
- Permit the Proponent to suspend the assessment period while it provides further information to the Department outside the Request for Information process.
    - For instance, if there is difference between the Proponent assessment outcome and Department assessment outcome.
- Limit the number of *Requests for Information* that the Department can issue, as excessive requests lead to increased costs (e.g., consultancy fees) and substantial delays to program schedules.
    - Adequately resource the Department with experienced technical staff so that there is greater consistency across assessment and teams. For instance, one information request sent to a member was concise over two-pages, whilst another information request was extensive over 27 pages for similar projects, impacts and MNES.
- The assessment should be confined by the 'scope of the species' on the day of validation and not a continuous moving phase (new species continually added by the Dept during the assessment phase until the approval is issued).
- Reconsideration request process is heavily constrained by legislative criteria, requiring proponents to pass multiple steps, such as demonstrating there is substantial new information about the impacts of the action, then undergoing assessment of that information.
    - The criteria upon which a revocation and substitution of a decision can be made should be broadened to incorporate a judicial fairness element, particularly where the Proponent may argue that relevant considerations have not been fairly balanced.
    - 'Substantial new information' is a high threshold. 'Relevant new information' is a fairer threshold.

Offsets

- More flexibility with offset areas and methods to address limited land availability in *urban areas* and avoid conflicting land-use outcomes (i.e., project example highlighted challenges in finding suitably sized properties that align with impact criteria and meet offset requirements).
    - Develop a collaborative and transparent tool (more so than the current ad hoc discussions with the Department) whereby a Proponent from the Sewerage and Water Industry can signal their intention to provide offsets and the Minister give preliminary assurances the land is appropriate. This would encourage those within the Sewerage and Water Industry to confidently land bank in anticipation of future works and to deliver an outcome prior to the impact. This should minimise effects on the protected matter resulting from offset time delays.
    - Provide greater guidance about the extent to which Advanced Offsets could reduce the overall offset requirements for Sewerage and Water Industries. This is likely to result in better planning and environmental outcomes.
    - Where the expansion or upgrade of *critical* infrastructure occurs in *urban areas* and where a matter of national significance is impacted, but where suitable land is sparse on which to provide direct offsets, allow compensatory measures, such as research, compensation gains, or funding that will support local environments, to comprise, as of right, a greater component (say, 25%) of the offset.
    - For critical water and sewerage infrastructure, allow the activity to commence during investigation and identification of potential offset locations phase before the offset is secured.

Statutory Protection for Public Drinking Water Supply and Public Health

Why?

Water infrastructure provides a critical public service through the continual provision of safe and reliable drinking water supply to the public, critical sectors of the economy (including but not limited to small business) and firefighting capability.

Water infrastructure has been significantly impacted from deficiencies in the regulatory legislation surrounding the telecommunication installations under the powers and immunities framework and in general under the *Telecommunication Act 1997 (Cth) (Telco Act)*.

Competing legislation
There are conflicts associated with a Water Service Provider's (WSP's) ability to meet its legislative obligations and statutory functions and the ability to control (including maintaining and operating) critical water infrastructure due to the impacts associated with telecommunication equipment. Carriers are under competing legislative obligations to deploy telecommunication equipment and to specifically seek out public utility sites (such as critical water infrastructure) due to their typographical height locations) to do so. Carriers are also required to provide uninterrupted service and coverage which often conflicts with the operations of critical water infrastructure. WSPs have limited rights to object under the *Telco Act* and urgently require an unfettered statutory first right to refuse carrier access to deploy telecommunication equipment on its site or in proximity of critical water infrastructure (which may be located off-site - for example, bulk water pipelines operating under high pressures).

Operational challenges
The installation of telecommunications equipment on critical water infrastructure and sites has presented additional operational challenges and safety concerns for WSPs and increases the risk to water quality (and public health), worker safety (including exposure to electro-magnetic emissions radiation and the ability to de-energise sites so work can be carried out safely and in a timely manner). A failure to risk assess and recognise these dangerous life safety and workplace safety risks, has the real prospect of loss of life, serious injury, with workplace safety inquiry and subsequent prosecutions for WSPs. At first instance, carriers should be required to collocate with other carriers or provide separate /independent structures to house telecommunication equipment with an independent mains power supply source rather than impacting critical water infrastructure.

Accredited standards and MFPs
There are engineering concerns caused by overcrowding of installations of telecommunication facilities and a lack of engineering certification both pre and post installation of carrier equipment (including above ground and buried installations). Water infrastructure (such as public drinking water supply towers, reservoirs, tanks and pipelines) are treated as generic facilities with no limited rights to object. WSPs do not support the waiver of installation certificates as is proposed. It is essential that professionally accredited standards are provided so the full impact of intended telecommunication installations can be understood, including to the public drinking water quality due to the public health requirements and obligations owed to the public to ensure safe and reliable drinking water. It is unreasonable for WSPs to take on engineering or construction risk.

Multi-Function Poles (MFPs)
Many of these critical water infrastructures were designed and constructed before the commencement of the *Telco Act* and do not support role out of MFPs proposed for implementation which will exacerbate issues for water service providers. In Queensland, there are several examples of critical water infrastructure being structurally compromised by telecommunication contractors installing infrastructure and water structures not supporting the loads associated with installations.

Industry Code
The application of the Industry Code proposed for implementation is premised for commercial buildings and is application is unsuitable for use for critical water infrastructure.

Dam walls and weirs that act as bridges (and roadways)
proposed telecommunication facilities being attached to bridge structures are likely to interfere with operations of WSPs. Many of bridge structures have load restrictions and are prone to flooding in heavy rain events. Therefore, the placement of telecommunication facilities and cables on bridge structures is a safety and security risk for WSPs. Carrier cabling will hinder required maintenance/upkeep for operators of critical water infrastructure.

Redundant/unknown facilities
Current legislative protections for landowners under the *Telco Act* are inadequate to ensure carriers attend to upkeep or removal of redundant facilities or outdated technologies (such as 2G and 3G) at the end of life and restore water assets impacted by their installations (both buried and underground and removal of asbestos hazardous material). The removal of unknown facilities without owner consent is an offence under section 474.6 of the *Criminal Code Act 1995 (Cth)*, this is problematic for water service providers where consent cannot be obtained as the owner is either unknown or telecommunication equipment has not been labelled with owner's details. Noting that a public water supply to many thousands of people, critical health facilities and other essential services require immediate response and repairs, and it is unconscionable to consider that the response is delayed by the codified risk of Federal Criminal Code sanctions unrelated to public health. To facilitate the timely removal of redundant and unknown telecommunication equipment in particular where an emergency/natural disaster event occurs or to carry out maintenance/repairs to critical water infrastructure, WSPs (and their personnel, workers, agents) require an express exclusion from being held liable for tampering or interfering with the Carrier's Equipment under section 474.6 of the *Criminal Code Act 1995 (Cth).*

Objecting/Compensation
The grounds for objecting and compensation available to landowner/asset owners under the powers and immunity framework are an inadequate remedy and does not provide the necessary protection for WSPs. The financial burden for managing carriers and telecommunication installation is often placed on WSPs. These costs are often not budgeted for and impact the end user/customer.

Upgrades to critical water infrastructure impacted
Many sites of WSPs are limited in area and consist of ageing assets, many reaching end of life. Many operational water sites will need to carry out upgrades. They will also have to consider planning/population increases, housing shortages, limited room on sites and time and costs implication of dealing with carrier equipment affixed to critical public drinking water infrastructure. There have been many water projects delayed and costs escalated because of carrier reluctancy to shut down their infrastructure to facilitate these processes.

Commonwealth legislated critical infrastructure security obligations
There are conflicts between critical infrastructure security obligations, owed by WSPs who are responsible for critical infrastructure (to prevent "material risks" by the requirement to develop, adopt and maintain critical infrastructure risk management plans applying to critical infrastructure assets along with codified "physical security obligations" and mandatory annual reporting which includes attestations from boards and their equivalents), under the *Security of Critical Infrastructure Act 2018 (SOCI Act)* and land obligations owed to telecommunication carriers under the *Telco Act*. WSPs will not be able to control the material risk and physical access security obligations required under *SOCI Act*, and will likely be automatically in breach which is an unacceptable position. There will also be voids in compliance and conflicts.

How?

Statutory amendments to:

- allow WSPs to exercise an unfettered first right to refuse carrier access to deploy, install and operate telecommunication equipment from their infrastructure/sites including high-level water towers, reservoirs, tanks and pipelines)
- exclude water infrastructure from the ambit of the MFPs
- exclude water infrastructure from the ambit of the Industry Code or codify public drinking water critical infrastructure in a separate category with appropriate protections to maintain safe and secure delivery of public drinking water services.
- exclude WSPs (and their personnel, workers, agents) from the operation of s 474.6 of the Federal Criminal Code to facilitate the timely removal of redundant and unknown telecommunication equipment in particular where an emergency/natural disaster event or maintenance to critical water infrastructure is required
- codify the procedure for removal of redundant and unknown equipment
- make it mandatory for carriers to provide pre and post engineering certification with regards to their installation and associated impacts to critical water infrastructure and exclude the waiver of installation certification
- make it mandatory for carriers to collocate with other carriers or provide separate /independent structures to house telecommunication equipment with an independent mains power supply source rather than impacting critical water infrastructure (subject to the first right of refusal)
- allow WSPs the right to charge carriers and recoup reasonable costs associated with carrier installations and business interruptions
- remove conflicts under the *Security of Critical Infrastructure Act 2018*

Collaborate with the Australian Government to make no further amendments to the powers and immunities framework until the above measures are implemented including the considerations of EME and public health concerns.

Work with the water industry to resolve conflicts under the *SOCI Act* and *Telco Act*. Any conflict should be resolved in the order of priority where the asset owner/landholder has primacy at all times.

Collaborate with Safe Work Australia to consider safety concerns and with Engineers Australia and the Institute of Public Works Engineers to consider engineering safety matters.

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