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Submission to Inquiry into the *Water Amendment (Restoring our Rivers) Bill 2023*

Introduction

The Inland Rivers Network (IRN) is a coalition of environment groups and individuals concerned about the degradation of the rivers, wetlands and groundwaters of the Murray-Darling Basin. It has been advocating for the conservation of rivers, wetlands and groundwater in the Murray-Darling Basin since 1991.

Member groups include the Australian Conservation Foundation; the Nature Conservation Council of NSW; the National Parks Association of NSW; Wilderness Australia; Friends of the Earth; Central West Environment Council; and Healthy Rivers Dubbo.

IRN was an instigator and promoter of the *Revive Our Rivers* campaign launched in 2020 to *buyback more water, restore natural flows, invest in regional communities*. We commend the recognition of these objectives and subsequent legislative action.

IRN welcomes the opportunity to submit comments on the *Water Amendment (Restoring our Rivers) Bill 2023* (the Amendment Bill). We applaud the Federal Government for proposing changes to the *Water Act 2007 (Cwth)* to assist in the implementation of the Basin Plan to achieve better ecological outcomes for Australia's largest river basin.

Key areas of support for the Amendment Bill

1. Purchase of water licences to achieve environmental outcomes

IRN has been a strong advocate for the purchase of water licences through the water market to achieve the necessary reduction of over allocation across the Basin.

This is the most effective way to recover real water for environmental benefit with best value for investment of public money.

We strongly support the lifting of the 1500 GL cap on water purchase for river health and the levelling of the playing field under a free water market policy.

2. Recovering 450GL for river health

IRN strongly supports the inclusion of the 450GL recovery target under law. This volume is highly necessary to bring Basin Plan outcomes towards the minimum needed for maintaining ecosystem health and resilience in a drying climate. The 2750 GL of extra water for the environment decided in the Basin Plan was a bare minimum, and in fact much lower than the amounts recommended by scientists.

3. Constraints management

It is critical that key constraints for environmental water delivery be resolved as quickly as possible. IRN supports that the Water for Environment Special Account can be used to fund both water and land purchase. The purchase of easements to allow overbank flow to water important floodplain and wetland ecosystems should be a priority for Basin Plan implementation. Overbank flow onto floodplains rejuvenates the floodplain with nutrients and water. This should be viewed as a benefit for both the environment and agriculture.

4. Improved compliance

IRN supports the measures to widen the powers of the Inspector-General to enable his office to monitor water use and to ensure that the required actions are delivered within the extended timeframe.

5. Regional adjustment support

We strongly support the inclusion of transitional assistance funding to support adjustment to changing circumstances in Basin communities that are overly reliant on the irrigation industry. We consider that assistance to diversify local economies and improve services will provide better social and economic security for regional communities.^{1,2}

6. Water markets

IRN supports the introduction of measures to improve the transparency and integrity of water markets, based on key recommendations from the Water Market Reform Roadmap of October 2022.

Trading rules should ensure environmental consequences are considered and preference environmental improvement. Adverse environmental consequences are likely to result from some long-distance movements of licences changing the timing, qualities and volumes of flow in river channels.

Downstream transfer of licences to order and take regulated flow mean higher cold flows further down rivers at times of naturally warm, low flow. This is bad for ecosystems as well

¹ Grafton, R.Q. and Wheeler, S.A., 2018. Economics of water recovery in the Murray-Darling Basin, Australia. *Annual Review of Resource Economics*, 10, pp.487-510.

² Beer, A. (2015). Structural adjustment programmes and regional development in Australia. *Local economy*, 30(1), 21-40.

as increasing operational "losses". Upstream transfer in regulated water sources could be environmentally beneficial.

IRN supports the removal of tagged trading rules in the Southern Basin from the Basin Plan.

Strengthening the Amendment Bill

7. Assurances for achieving the 450GL

Any flow targets to be accounted towards the 450 GL need to be specified in the Amendment Bill. The extension of the timeframe until 2027 must include legal assurance that the 450 GL will be recovered by that deadline. Ecosystems in the lower reaches of the Basin's rivers, and the people who depend on the health of these river reaches, have been seriously impacted while waiting far too long for full implementation of the Basin Plan.

8. No extension of time for SDLAM infrastructure projects

The accounting for the 605 GL offset for the SDLAM projects must be rigorous and transparent during the reconciliation process up to June 2024. In particular, measures to recover the expected shortfall of 190-315 GL must be clearly stated.

IRN does not support the proposed extension of time to 2026 to complete SDLAM infrastructure projects. The Ecological Equivalence Model was based on all projects being completed. This has not been achieved and needs to be reconciled through scientifically rigorous methodology.

9. Compliance with deadlines

All actions and projects within the Basin Plan will require strong regulations with clear milestones, reporting requirements and effective penalties for failure to deliver, such as Commonwealth funding payments withheld. It is essential that all deadlines leading to the extended final dates are rigorously enforced, with no possibility of further extensions.

10. Cultural Flows

The Amendment Bill completely fails to include any provision for securing cultural flows to First Nations peoples or ensuring effective engagement with their local representatives on regional management of flows or preparation of water resource plans.

11. Connectivity

Lateral, horizontal and vertical connectivity for environmental flows must be ensured through specific rules in Water Resource Plans (WRPs) to connect flows across the Basin. Some current and proposed WRPs have rules that fail to protect the flows needed, for example for adequate connectivity between rivers and their floodplain ecosystems, or for recharge of groundwater, or of pools in drier periods. Current water sharing rules within the WRPs submitted by NSW for Northern Basin rivers are grossly inadequate in failing to protect the inflows to the Barwon River that are needed to achieve connectivity within the Barwon-Darling and Lower Darling systems.

The Water Act should ensure that WRPs approved as part of the Basin Plan include rules that recognise and enhance connectivity within surface water sources, between surface water sources, and between surface and groundwater sources across the Basin.³

For more information about this submission contact:

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³ Wohl, E. (2017). Connectivity in rivers. *Progress in Physical Geography: Earth and Environment*, 41(3), 345–362