



*Submission to the Department of Climate Change,
Energy, Environment and Water on:*

*Consultation on the draft principles of a National
Water Agreement.
Discussion Paper*

By:

*Gwydir Valley Irrigators Association Inc
September 2024*



Table of Contents

1	Summary and Purpose	2
2	Overall Recommendations	4
3	Draft principles of National Water Agreement – general comments.....	5
4	Analysis of principles of critical concern.	6
4.1	Objective 1: The safe and secure supply of sufficient water quality and quantity to sustain our natural environments, Culture, economic prosperity and communities.	6
4.2	Objective 2: Investment in major water infrastructure that is effective, strategic and transparent.	7
4.3	Objective 3: A water management framework, underpinned by national and international human rights principles, which takes into account recognises and protects Aboriginal and Torres Strait Islander Peoples’ cultural, spiritual, social, environmental and economic water interests and values.	7
4.4	Objective 4: The robust and coordinated use of science, data and cultural knowledge underpins evidence-based decision making in water management.....	8
4.5	Objective 5: Sustained community trust and confidence in government, water agencies, water managers and users.	9
4.6	Objective 6: Environmentally sustainable water planning and management that is interconnected, adaptive and responsive to climate change and other circumstances.....	9
4.7	Objective 7: Water management frameworks that facilitate the judicious and efficient use of water.....	10
5	General Comments.....	11
6	Background.....	12
7	About the GVIA.....	13
7.1	Our region	13
7.2	Our region’s hydrology and geomorphology	15
7.3	What we do	16
7.4	Contacts	17

I Summary and Purpose

The Gwydir Valley Irrigators Association (GVIA) is the representative body for water entitlement holders in the Gwydir Valley and welcome the opportunity to provide our feedback to the Department of Climate Change, Energy, Environment and Water (DCCEEW) for consideration in reply to their Consultation on the draft principles of a National Water Agreement (NWA), Discussion Paper from the perspective of our region.

This document aims to represent the concerns, views and experiences of our members. Each member reserves the right to express their own opinion and is entitled to make their own submission.

The GVIA and our members, are members of the NSW Irrigators Council and National Irrigators Council and we support the submissions made by both those organisations.

We support the original aims of a nationally compatible market, regulatory and planning based system of managing surface and groundwater resources for rural and urban use that optimises economic, social and environmental outcomes. We note that the establishment of water access entitlements (water rights) and planning arrangements to manage competing demands, are central to delivering these objectives.

We however are frustrated by the continued minimal open transparent engagement with all Australians now and during the development stages of the draft principles included in the NWA. Additionally, we are concerned that 20 years of challenging water reform across Australia has been disregarded. The National Water Initiative (NWI) was a foundation document that worked towards delivering a balanced approach to water management across Australia. It has made significant progress to address overallocation with the Murray Darling Basin (MDB) water take now well below Sustainable Diversion Limits (SDL). The NWA needs to move beyond over allocation acknowledging that it is no longer the major challenge impacting the health of our rivers, and address means to optimise outcomes from water for environmental, cultural, social and economic objectives.

The organisation agrees that it is important to future proof the foundations of Australian water management and planning and address gaps through modernisation. We however are concerned by the manner in which changes are being rushed through, and do not believe many of the principles are either appropriate to be included in a National Water Agreement or are fit-for-purpose as they have not been appropriately analysed nor discussed transparently with the state jurisdictions or those directly impacted by the principles.

There are over 300 principles yet no detail on specific policy mechanisms, or actions intended. We do not support jurisdiction's signing the NWA until the action plans and policy mechanisms are detailed and understood.

We are also concerned about the change in language from an initiative, which is, an act or statement intended to solve a problem, to an agreement, a formal decision about the future action which is made by two or more groups. There is however confusion as to the binding nature of the principles, and the NWA more broadly. It is our understanding that the principles are intended to form part of the NWA (replacing 'actions' in the NWI) making up the bulk of the NWI/NWA contents, which is what jurisdictions proposed to agree to do. There need to be clarity around the binding nature of the agreement and full understand from the states as to the expectations and costs associated with agreeing to the NWA.

Given the DCCEEW are proposing to formalise the decisions it is imperative that there is significant time allocated to ensure complete transparency and understanding of each of the principles presented.

We believe that the federal government must firstly identify, research, trial and consult across the whole community in the process of developing modern solutions to issues faced by society now and into the future. There is no justification for the rushed untested principles being put forward currently.

Irrigated Agriculture should be considered an integral stakeholder in water management in Australia, yet it is scarcely mentioned in the NWA. This is disappointing as it is a key player in the sustainability of regional communities, regions that are home to many Aboriginal and Torres Strait Islander people, which the NWA is proposing to integrate into water management.

2 Overall Recommendations

Given the issues detailed in this submission, the GVIA make the following overall recommendations to provide clarity and confidence to stakeholders that the foundations of the existing NWI are recognised, and that all non-government stakeholders' views and values are equally considered and that no single group is given priority. There is a need for more opportunities for broad stakeholder engagement on the development of the renewed NWI so all stakeholders can be part of the reform journey.

- 1. The NWA requires significant further work before it can be fit-for-purpose to be practically adopted into an intergovernmental agreement for jurisdictions to sign and implement. This further work will require significant ongoing engagement with state jurisdictions and stakeholders, as well as further research on 'solutions' to address clearly articulated problem-definitions.*
- 2. Only when the NWA is a first-class, solutions-focused and evidence-based blueprint with collective support and action plans have been completed, should it be brought to jurisdictions for signing.*
- 3. The revision of the NWI must acknowledge the established, nationally consistent water entitlement system and the rights held by entitlement owners, whether individuals, companies, or governments across the nation and that ownership, does not change the character of that entitlement or conditions of use with all owners treated equally. By maintaining the current structure, current water holders accept that water rights are recognised, respected and valued ensuring that the NWI maintains certainty and integrity.*
- 4. The timeframe for implementation must be extended. As such a centrepiece document to Australia's systems of water management, getting it right must be a priority over simply getting it done to meet election timeframes.*
- 5. The over 300 principles are overly complex. There is a need to streamline the principles in the NWA to avoid repetition and duplication, this will remove inconsistencies and complexity.*
- 6. The NWA must be adjusted to ensure that the objectives and principles enhance the critical importance of water property rights, their existence, security and persistence as being foundational to any new NWA as they were for the NWI*

7. *The inclusion of many principles go outside the scope of water management, they instead should be part of much larger constitutional and institutional reform conversations to be addressed properly and transparently, with proper process respecting Australia's democratic values and engages all Australian peoples. Remove the fundamental constitutional issues from the NWA.*

3 Draft principles of National Water Agreement – general comments.

The National Water Initiative¹ (NWI) 2004 has played a crucial role in shaping the future of water management in Australia. In doing so, it has reshaped many regional communities and irrigation industries, particularly when considering the impacts experienced to achieve sustainable levels of take.

The original National Water Initiative (NWI) conceived from the 1994 COAG meeting took almost ten years to complete and involved significant two way consultations with state jurisdictions and stakeholders to shape principles, research possible innovative approaches and develop a roadmap which has set the blueprint for water reform in Australia since it was signed in 2004.

The draft principles presented in the NWA discussion paper have not been subject to the same best-practice, evidence-based, and cooperative basis that resulted in the success and general support of the original NWI. The NWA principles lack consideration of existing water rights and their value to Australians to produce food and fibre. In fact, many principles go outside the scope of water management, they instead should be part of much larger constitutional and institutional reform conversations to be addressed properly and transparently, with proper process respecting Australia's democratic values and engages all Australian peoples. The Australian Government appears to be trying to solve fundamental constitutional issues via a water management intergovernmental agreement, this is not appropriate.

Overall, the NWA continues to be centred on past issues, such as addressing overallocation, a critical issue in 2004 and hence the centrepiece of the original NWI. Since then, we have seen significant reforms including the \$13 billion Murray Darling Basin Plan, and as a result, the most recent MDBA annual water take report shows that water use across the Basin was 23 per cent below the 2022-23 Sustainable Diversion Limits (SDL)². The NWA presents an opportunity to actively engage in optimisation of water management for better environmental, cultural, social and economic outcomes.

In supporting modernised objectives, the GVIA request confirmation from the Australian Government that any modernised objectives will not undermine the certainty of existing water rights. For example, we expect the Australian Government to demonstrate that there are no required changes to water planning decisions as part of the renewed agreement, or that the updated framework, does not require additional layers of decision making from the Australian Government or other bodies.

¹ <https://www.agriculture.gov.au/sites/default/files/sitecollectiondocuments/water/Intergovernmental-Agreement-on-a-national-water-initiative.pdf>

² [Annual Water Take Report 2022–23 \(mdba.gov.au\)](https://www.mdba.gov.au/annual-water-take-report-2022-23)

We recognise that there are still actions needed to achieve some of the objectives of the NWI, and that the Productivity Commission has identified gaps which should be incorporated into the modernisation of the NWI. Further to this we support the modernisation of the NWI in line with the Productivity Commission's recommendations including.

- optimise economic, environmental, social, and cultural outcomes through best practice management of Australia's water resources. This process will provide certainty for investment, water users, the environment, and Aboriginal and Torres Strait Islander people.

The detailed objectives, outcomes, and principles as well as actions included in the NWI are important to provide clarity of intent and direction for all involved and outline the trade-offs to be managed into the future.

4 Analysis of principles of critical concern.

It is essential that all objectives and principles (referred to as actions in the NWI) are clearly defined, quantifiable, realistic, repeatable (for consistency), and time-bound, in order to track progress, see advancements, and report on outcomes. Stakeholders as well as jurisdiction's need visibility of the intent of the objectives, outcomes and principles and how they may practically be implemented. The following points highlight some of the principles which we believe are not appropriately articulated to provide the intended nationally compatible market, regulatory and planning based system of managing surface and groundwater resources for rural and urban use that optimises economic, social and environmental outcomes. Our comments are also essential to secure water access entitlements (water rights) for all, a fundamental component to deliver these outcomes.

4.1 Objective 1: *The safe and secure supply of sufficient water quality and quantity to sustain our natural environments, Culture, economic prosperity and communities.*

New Water Service Provision:

- **New:** Secure and resilient water supplies for irrigated agriculture remain a priority. Service levels are determined in collaboration with farming communities, and are aimed at protecting property right security, and optimising productivity within legal limits.
- **1.12:** Urban and rural water supply planning strategically considers the water needs of all sectors, such as energy, irrigation, health, the environment and industry, including new and emerging water uses, and The impacts of these uses upon water availability and quality are considered, as are the benefits these uses provide to communities living in both urban and rural Australia.

Release of Unallocated Water, and Full Utilisation of Available Water.

- **New Principle:** Recognising the need to efficiently use scarce water resources, jurisdictional plans will be altered as necessary so that use under access rights meets long-term extraction limits.
- **1.25:** ~~Consideration is given to making unallocated water available for Aboriginal and Torres Strait Islander Peoples, which contributes to their access to, management and/or ownership of water for Cultural, spiritual, social, economic and environmental values, in line with the National Agreement on Closing the Gap.~~

Comment: We believe unallocated water is an essential resource which should be protected for use in times of extreme drought to support the well being of all Australians.

- **1.26.** Alternative ways of meeting water demand, such as through water trading, ~~making use of the unused parts of existing water access rights~~, or by increasing water use efficiency, should be explored before unallocated water is released.

4.2 Objective 2: Investment in major water infrastructure that is effective, strategic and transparent.

- 2.1.4: include an assessment of options, including consideration of meeting investment objectives through all potential water supply and **non-volumetric non-infrastructure** options, and demonstrate that the proposed approach is the most effective means of achieving the objectives.

Comment: Non-infrastructure options could be miss interpreted, non-volumetric is a clearer description.

- 2.7: Where additional access to water is created through infrastructure. **Any creation of new rights needs to be considered against the impacts to other users, such as reliability impacts before** consideration is given to making this unallocated water available **to the market** for Aboriginal and Torres Strait Islander Peoples as new water rights, ~~which contributes to their access to, management and/or ownership of water for Cultural, spiritual, social, economic and environmental values in line with the National Agreement on Closing the Gap.~~

4.3 Objective 3: A water management framework, underpinned by national and international human rights principles, which takes into account ~~recognizes and protects~~ Aboriginal and Torres Strait Islander Peoples' cultural, spiritual, social, environmental and economic water interests and values.

We support approaches that work together to improve outcomes for all in our communities and allowing processes that address the gaps of the first NWI, including improved engagement in water planning arrangements with Aboriginal and Torres Strait Islander People. It is important that these processes are enabled without creating uncertainty for the frameworks established under the NWI, we are concerned that many of the draft principles create uncertainty and could become divisive.

Many of the principles in this section go outside the scope of water management, and require much larger constitutional and institutional reform to address properly and transparently, with proper process that respects Australia's democratic values and engages all Australian peoples.

In a democratic society, all people must be considered equally, and our natural resources managed accordingly for all Australians. The Racial Discrimination Act 1975 says: "It is unlawful for a person to do any act involving a distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of any human right or fundamental freedom in the political, economic, social, cultural or any other field of public life."

Aboriginal and Torres Strait Islander Peoples must be part of the conversation with a seat at the table to share their perspectives and values associated with water management. However, preference and priority based on racial grounds is highly problematic and should not form part of this agreement.

- ~~3.2: Acknowledge that aboriginal and Torres straight islander people's never ceded lands and waters ownership and holistically managed lands and waters for more than 65,000 years, including during dynamic ever changing climate challenges.~~

Comment: This statement raises foundational questions of land and water sovereignty and should not be included in the document.

- ~~3.3: Waters in all their forms~~ are acknowledged **by Aboriginal and Torres Strait Islander Peoples** to be a living entities, which are interconnected with lands and move freely between water landscapes, including upstream, downstream, and between surface and groundwater.

Comment: recognising water as a 'living entity' is more than just a symbolic recognition, as it has been associated with a change to the legal framework where applied globally, as it becomes recognized as 'legal personhood' (therefore capable of bearing rights and duties). This potentially means a very significant change to the legal framework. The details of those intended rights, duties, powers and governance structures have not been detailed. Our preference is for this principle to be removed.

- ~~3.5: Aboriginal and Torres Strait Islander Peoples have internationally renowned, enduring and sustainable water rights, including⁶ access to, management and/or ownership of water for cultural, spiritual, social, environmental and economic purposes in line with the National Agreement on Closing the Gap.~~
- ~~3.7: Water management recognises and incorporates~~ **takes into account** Aboriginal and Torres Strait Islander Peoples' cultural rights and interests in water management, ownership and governance. This ~~recognition~~ is underpinned by declarations at a national and international level, and has regard to the principles of free, prior, and informed consent.
- ~~3.12: In good faith,~~ **recognising the system of property rights built under the 2004 National Water Initiative,** efforts are made to remove barriers in water management frameworks impeding the access to, management and/or ownership of water by Aboriginal and Torres Strait Islander Peoples.
- ~~3.13: Water management frameworks embed~~ **take into account** the interests and values of Aboriginal and Torres Strait Islander Peoples, and the Cultural, spiritual, social, economic and environmental outcomes to be achieved.

4.4 *Objective 4: The robust and coordinated use of science, data and cultural knowledge underpins evidence-based decision making in water management.*

- 4.1: Sustainable water planning and management is supported by evidence-based decision making, innovation and continuous improvement that uses: Sustainable water planning and management is supported by evidence-based decision making, innovation and continuous improvement that uses:

- 4.1.3: Aboriginal and Torres Strait Islander Peoples' knowledges, sciences and research

Comment: All information must be rigorously assessed against it's merits, rather than on who it comes from, and strongly scrutinised to ensure accuracy and no bias.

- 4.14: Aboriginal and Torres Strait Islander Peoples' knowledge and traditional knowledge systems are brought together with other information and considered **an equal as** part of the evidence base in decision making, **ensuring that all information presented from all sources is assessed on it's merits.**

- 4.5 Objective 5: Sustained community trust and confidence in government, water agencies, water managers and users.
- 4.6 Objective 6: Environmentally sustainable water planning and management that is interconnected, adaptive and responsive to climate change and other circumstances.

GVIA are concerned that the NWA has failed to recognise that climate variability is factored into water management through the water allocation process, and as such our water resources are already being managed for climate variability on an ongoing basis. This importantly applies to all water users, not just some. Adjusting to climate variability both wetter and drier, will need to be holistically applied and not focused simply on rebalancing water shares.

- **6.1.1:** Manage the risks and opportunities of lower water increased climate variability availability and the need to balance or rebalance between for both environmental and consumptive uses, recognising that 'non-volumetric' solutions are valid and appropriate.
 - **6.1.2:** Describe how water will be is already being managed to take account of climate variability within a planning period, and how water planning approaches may need to adapt over time to respond to potential longer-term climate impacts. 'Non-volumetric' solutions are valid and appropriate.
 - **6.3.1:** Secure ecological outcomes by describing the environmental and other public benefit outcomes for water systems and defining the appropriate water management arrangements to achieve those outcomes. 'Non-volumetric' solutions are recognised as valid and appropriate for achieving ecological outcomes under increasing climate variability.
 - **6.3.2:** Resource security outcomes by determining the shares in the consumptive pool, and the rules to allocate water during the life of the plan, and the policy-settings that best optimise the productive use of consumptive water.
 - **6.5:** A precautionary approach is taken to allocation for resources with high uncertainty, informed by the risk appetite of those likely to be impacted by any associated decision-making. Adaptive planning cycles will incorporate revision of water plans and planning instruments, and flexible water allocations that are informed by seasonal and inter-annual water availability as future climate conditions occur. Flexible water allocations recognise both the risk appetite of licence-holders, as well as the system of property rights built under the 2004 National Water Initiative.
 - **New under 6.7:** Enhance the security and commercial certainty of water access entitlements by clearly specifying the statutory nature of those entitlements³;
 - ~~6.7.4: maintaining and enhancing strong longitudinal and latitudinal waterway connectivity and hydrological connectivity of surface and groundwater systems, where relevant.~~
- Comment:** Remove until greater understanding of "connectivity" is developed or add clarifying points to reflect that "connectivity" cannot always be managed especially in ephemeral rivers.
- ~~6.8.2: Water coproduction should be avoided where it will not be used to achieve environmental and other public benefit outcomes.~~

³ 25)i) from NWI

- **6.13:** Water planning contributes to Aboriginal and Torres Strait Islander Peoples' enduring access to, management and/or ownership of water for Cultural, spiritual, social, economic and environmental purposes, ~~including consideration of allocating new water rights in undeveloped systems to Aboriginal and Torres Strait Islander Peoples in the water resource area, including holders of native title and other land or water rights.~~
- **6.21.1:** Held environmental water rights that ~~ensure~~ **contribute to** the sustainable allocation and management of water resources to achieve environmental outcomes **including** by providing sufficient flows to support aquatic habitats, wetlands, riparian zones and other critical ecological functions.
- **6.23:** The most effective and efficient mix of ~~water recovery~~ solutions to achieve environmental, **social and cultural** outcomes is determined through measures including:
 - ~~6.23.6: Selection of measures primarily based on cost effectiveness, and with a view to managing socio-economic impacts.10~~
 - **New under 6.23: Options that achieve environmental outcomes without the need for further water recovery.**
- **6.35.2:** A precautionary approach is taken to assessing and managing the potential interception impacts on **the rights of other licence-holders in the system, as well as** achieving environmental and other public benefit outcomes of relevant water plans, or objectives in relevant water planning strategies.
- **6.35.4:** Water planning and water plans include processes to monitor and manage interception activity to ensure they meet the identified sustainable levels of extraction, **without creating third-party impacts for any other licence-holders operating in the same system**

4.7 Objective 7: Water management frameworks that facilitate the judicious and efficient use of water

- 7.5: Water access entitlements or licences will also: **be recognised as a property right, akin to property rights to land.**
- ~~7.8: Water resources with significant connectivity specify water access entitlements and licences in a manner that takes into account the interactions between those resources. Groundwater resources specify water access entitlements and licences in a manner that takes into account lag effect.~~

Comment: The barriers to connectivity (i.e. in ephemeral rivers) must be taken into consideration if managing for connectivity. This is a knowledge-gap and should not be included.

- ~~7.12: The following risk assignment framework is intended to apply to future reductions in the availability of water for consumptive use, that are additional to those identified for the purpose of addressing known overallocation and/or overuse.~~

Comment: Revert to the original NWI wording; **46: The following risk assignment framework is intended to apply to any future reductions in the availability of water for consumptive use, that are additional to those identified for the purpose of addressing known overallocation and/or overuse in accordance with pathways agreed under the provisions in paragraphs 41 to 45 above.**

New: 7.12.1 Where governments intend to reduce the availability of water for consumptive use for any purpose, reductions to the reliability of entitlements are to

be avoided, with preference to water purchases from willing sellers in respect of the water property right.

- ~~7.15.1: water access entitlement holders to bear the first 3% reduction in water allocation under a water access entitlement~~

Comment: We believe there needs to be further investigation of the 3% figure before it is included in a modernised agreement, as there has been significant changes to the water market since 2004, and 3% may not be appropriate.

- 7.15.2: State/territory governments and the Commonwealth Government to share one-third and two-thirds respectively reductions in water allocation under water access entitlements ~~of between 3% and~~ **up to 6%.**
- 7.16: ~~When a government makes a permanent reduction or has not previously provided for a water allocation which becomes less reliable, the government is to bear the risks arising from changes in government policy (for example, new environmental objectives). In such cases, governments may recover this water in accordance with the principles for assessing the most efficient and cost-effective measures for water recovery (as per outcomes under objective 6).~~ **Governments are to bear the risks of any reduction or less reliable water allocation that is not previously provided for, arising from changes in government policy (for example, additional environmental objectives). In such cases, governments may recover this water in accordance with the principles for assessing the most efficient and cost-effective measures for water recovery⁴.**

Comment: Market based mechanisms are a preferred option to recover additional water as this supports the water property right and minimises the need to socialise impacts. There is no support for ongoing reductions in the consumptive pool through reduced reliability, nor reduced size of the consumptive pool without mitigation and compensation.

- **New:** The parties agree that no water entitlements will be eroded or compulsorily acquired as a result of implementation of this Agreement, or other purposes.
- **New:** The parties recognise that erosion of a water entitlement from changes to government policy is a form of compulsory acquisition of property and subject to just terms.

5 General Comments

The GVIA support the analysis and comment on the seven objectives as detailed in the National Irrigators Council and the NSW Irrigators Council submissions to the DCCEEW Discussion paper – seeking views on a future National Water Agreement.

The Intergovernmental Agreement and the creation of the National Water Initiative facilitated significant improvement in the management of Australia's water resources. This is especially so in the Murray Darling Basin where there has been recovery more than 2,100 GL of water for the environment. This significant progress has brought a sustainable balance to the Murray-Darling Basin but has had significant impacts on regional communities across the basin.

⁴ 50 from NWI

The NWI provides a foundation for efficient and sustainable water resource management. Water planning has established transparent processes for determining how the volume of water available in a system is shared between consumptive users (people and businesses) and the environment, so that there is a sustainable balance between consumptive and environmental uses. There are opportunities to make further improvements as we continue to increase the productivity and efficiency of water utilisation. We must ensure that any ongoing reform provides equality and balance for all and does not create inequalities. Reform must remain committed to the original aims of a nationally compatible, market, regulatory and planning based system of managing surface and groundwater resources for rural and urban use that optimises economic, social and environmental outcomes.

The GVIA has welcomed this opportunity to provide this submission to the DCCEEW Consultation on the draft principles of a National Water Agreement discussion paper.

6 Background

The Gwydir Valley Irrigators Association (GVIA) is the representative body for water entitlement holders in the Gwydir Valley.

Environmental water management is not new in the Gwydir Valley, we have had environmental water in one form or another since the construction of Copeton Dam in the late 1970's⁵, long before the 1994 Council of Australian Governments (COAG) water reform framework and the 2004 Intergovernmental Agreement on a National Water Initiative⁶ (the Agreement). Our region experienced rapid growth in the environmental portfolio from 2008 onwards with the purchase of licences by the NSW and Commonwealth Governments. This significantly altered behavioural assumptions and influenced how the system operates, it has impacted what environmental and economic outcomes can be achieved and how the community is affected by the sharing of water resources. The reform was difficult as regional communities such as those of Collarenebri and Moree were forced to adjust to a region with less water, and less capacity to recover from droughts, following the Government's entry into the water market with a no regrets policy, and no plan in place. The impacts of the reforms are still evident in these communities.

The Murray Darling Basin Plan⁷ was finally agreed in 2012. The Gwydir has had more environmental water recovered than required by the Murray Darling Basin Authority modelling and legislation. There is an additional 5,000 megalitres of water owned by Government's above the legislated amount for our region⁸. As such objective 4 of the Agreement, "*complete*

⁵ Refer to the section About the GVIA or visit our website for more information www.gvia.org.au/thegwydirvalley/thegwydirvalley.

⁶ <https://www.agriculture.gov.au/sites/default/files/sitecollectiondocuments/water/Intergovernmental-Agreement-on-a-national-water-initiative.pdf>

⁷ The Murray Darling Basin Plan.

⁸ The Gwydir Valley has met the legislative requirements of the Murray Darling Basin Plan of 42,000 megalitres of LTDLE entitlement for local/instream environmental outcomes and a further 7,600 megalitres for shared contribution to the northern basin. The NSW and Australian Government's hold

the return of all currently overallocated or overused systems to environmentally sustainable levels of extraction” has been more than achieved. Yet we face ongoing policy and rule changes to further erode objective 1 of the Agreement “*clear and nationally compatible characteristics for secure water access entitlements*”.

Australian irrigation farmers operate under strict regulations and compliance mechanisms. Irrigated agriculture in Australia employs world leading practices in water management. Industry has extensively adopted and embraced new technologies and knowledge to ensure we are consistently growing more with less water. The average water productivity of Australian cotton for 2001 to 2021 is 1.08 bale/ML. This is 2.25 times the global average⁹.

Part of the success of the Australian irrigated agriculture sector can be attributed to national water policy leadership in the National Water Initiative (NWI). Whilst not without its challenges, and some inconsistency in policy approaches by Governments, inconsistencies that create gross inequities between communities trying to achieve the objectives of the Agreement and the outcomes of the 2012 Murray Darling Basin Plan, the NWI has played a critical role in securing access to water resources and promoting efficient water usage.

The NWI has encouraged the implementation of water efficiency practices, water trading systems, and addressed the concerns of over allocation through environmental flow requirements, all of which are essential for the long-term sustainability of irrigated agriculture. These factors mean we lead the world in both farming practices and produce quality.

The process moving forward will need leadership from all levels of government and must recognise that compromise by all, not just some, will be needed and that there are limitations to what we can achieve and these need to be acknowledged or addressed.

We welcome the opportunity to provide further input if required.

7 About the GVIA

7.1 Our region

The Gwydir Valley Irrigators Association (GVIA) represents more than 450 water entitlement holders in the Gwydir Valley, centred around the town of Moree in North-West New South Wales. Our mission is to build a secure future for members, the environment and the Gwydir Valley community through irrigated agriculture.

The Moree Plains Shire region alone is highly dependent on agriculture and irrigated agriculture for economic activity contributing over 72% of the value of gross domestic product (cotton is around 60%), employing 20-30% of the population and accounting for almost 90% of exports from the Shire¹⁰.

The 2011 agricultural census estimates that the total value of agricultural commodities for the Moree Plains Shire region was \$911,951,079 up from \$527,744,851 in the 2005-06 census.

54,600 megalitres LTDLE entitlements^{Error! Bookmark not defined.}. Based on IQQM long-term modelling and the volume of water purchased for the environment

⁹ [Benchmarking water productivity of Australian irrigated cotton – 2021 results \(nsw.gov.au\)](https://www.nsw.gov.au/benchmarking-water-productivity-of-australian-irrigated-cotton-2021-results)

¹⁰ Cotton Catchment Communities CRC Communities and People Series 2009

This is an estimated 7.83% of NSW’s total agricultural production from a 1,040,021Ha principally used for agricultural crops¹¹.

Changes in water availability either through climate or government policy has a direct impact on the productivity of the region and the local economy. Analysis by the Murray Darling Basin Authority highlighted this relationship during the northern review and revealed that for both Moree and Collarenebri social and economic indicators declined through 2001 to 2011 including education, economic resources and disadvantage, resulting in an estimated 200 jobs lost due to the implementation of the Basin Plan in the region¹².

The Gwydir is characterised as having low water reliability with most water held as general security water with a reliability of 36% (that means entitlement holders could expect in the long-term just over a third of their entitlement can be accessed). Supplementary water entitlement is somewhat more reliable with 55% but accounts for less than a quarter of the total volume. Groundwater reliability is considered 100% but there is less than 30,000ML available. Floodplain harvesting licences were issued in 2022, significantly reducing access for the region, and contribute almost a quarter of the water use in the region over the long term. However, access is episodic, in line with moderate to major floods.

Table 1: Summary of Water Reform

Year	Program	Volume of entitlement
1970	Creation of replenishment flow	5,000ML
1995	Murray-Darling Basin 1993/94 Interim Cap established to limit future growth in access	
1996	Voluntarily reduced their general security reliability by 5%, by establishing the original Gwydir Valley Environmental Contingency Allowance (ECA) of general security equivalent water.	25,000ML General Security
2004	Gwydir Regulated River Water Sharing Plan further reduced reliability by 4%, primarily through increasing the ECA and enhancing its use and storage provision. Rules created for the WSP also reduced access, particularly to supplementary flow previously known as high flow.	20,000ML General Security

¹¹ 2010 2011 Agricultural Census Report – agdata cubes, 71210D0005-201011 Agricultural Commodities, Australia

¹² Refer to the Murray Darling Basin Authorities Socio Economic condition reports, Social and Economic Analysis of the Moree Community, 2009. Cotton Catchment Communities CRC

[630-nbr-community-profile-moree-hr.pdf \(mdba.gov.au\)](https://www.mdba.gov.au/sites/default/files/publications/630-nbr-community-profile-moree-hr.pdf)

<https://www.mdba.gov.au/sites/default/files/publications/630-nbr-community-profile-collarenebri.pdf>

Year	Program	Volume of entitlement
2006	Lower Gwydir Groundwater Source Water Sharing Plan reduced groundwater entitlements from 68,000 megalitres to 28,700 megalitres.	39,300ML Groundwater
2008 +	NSW State Government has purchased general security entitlement as well as supplementary for wetlands recovery programme.	17,092ML General Security 3,141ML Supplementary
	NSW Government infrastructure works	1,249ML High Security
	Commonwealth buy-back program.	88,133ML General Security 20,451ML Supplementary
2016	Commonwealth infrastructure programs.	4,508ML High Security 1,392ML General Security
2022	Licencing of Floodplain Harvesting in the regulated and unregulated water sources	24.8% reduction equating 10.4 GL long-term take
TOTALS		5,757 High Security 156,617ML General Security (including ECA) 23,592 ML Supplementary

The total volume of water available to be accessed by water entitlement holders has been reduced significantly over time due to reforms as outlined in Table 1: Summary of Water Reform. Entitlements owned for environmental purposes totals more than 186,000ML, which includes an Environmental Contingency Allowance of 45,000ML. The NSW and Commonwealth environmental water managers are now responsible for 28.5% of high security entitlement, 29% of general security entitlement and 13% of supplementary entitlement for environmental use. As a result of water reform, only approximately 19% of the total river flows are available for diversion for productive use¹³. This equates irrigators holding 575,000ML from regulated entitlement (high security, general security and supplementary water) and 28,000ML available from groundwater aquifers.

Environmental water was held in the Gwydir prior to the first Water Sharing Plan. Environmental water is primarily used to contribute waterbird and fish breeding events, to maintain the condition and extent of the internationally recognised Gwydir Wetlands. As the environmental water portfolio has grown, so has the application and use of environmental water.

7.2 Our region's hydrology and geomorphology

The Gwydir River is an inland terminal river network classified as “distributary” network by the Murray Darling Basin Commission during water sharing plan development. The rivers

¹³ Based on IQQM long-term modelling and the volume of water purchased for the environment

become a series of branching channels that distribute flows across large areas especially during floods (MDBC, 2007a). This distribution of water represents the watercourse areas of Gwydir Wetlands. There are four parcels of internationally recognised land within the Gwydir Wetlands listed under the Ramsar Convention on Wetlands (MDBA, 2010c).

This natural geomorphology means the Gwydir River under natural conditions would have a very low ability to contribute to surrounding catchment inflows. The State of The Darling Interim Hydrology report puts the average percentage flow of the Darling River from the Gwydir River to be 12%, although updated estimates have this percentage between 8- 7% as reported in the Independent Assessment of the 2018-19 Fish Deaths in the Lower Darling. The low contribution, which is consistent with other terminal wetland systems, is a result of most of the water within the system flowing naturally towards the terminal wetlands and watercourse.

The natural hydrology has been altered via modification of the river and operations with an increase in end-of-system connectivity. This channelisation and re-regulation occurred throughout the last century to initially deliver regular stock and domestic water supplies to users and then to deliver irrigation water more efficiently. Flows are now “regulated down the Mehi, Moomin and Carole, which [can] join up with the Barwon River”. However, even with these modifications there remains limited capacity to securely move water through these systems with channel constraints limiting the daily flows. River channel limitations are below 1000 megalitres per day on the Mehi and 300 megalitres per day on the Gil Gil creek, these are the two main regulated systems that contribute to the Barwon River. The relative contribution of the Gwydir is low, and highly variable from year to year.

7.3 What we do

The GVIA’s mission is to build a secure future for our members, the environment and the broader Gwydir Valley community through irrigated agriculture, we do this together by making every drop count in the river or the aquifer, on-farm, for the environment, or for our community¹⁴.

GVIA members hold entitlements within the Gwydir regulated and un-regulated surface water areas, in addition to groundwater resources. All of which are managed through water sharing plans, which have been progressively developed since early 2000.

The GVIA organisation is voluntary, funded by a nominal levy, cents/megalitre on regulated, unregulated and groundwater water entitlement. The levy is paid and supported on average by 85% of the eligible entitlement (excludes NSW and Commonwealth entitlement).

The Association’s primary activities revolve around negotiating with government at a Federal, State and Local level to ensure equality and the rights of entitlement holders are maintained and respected. The core activities of the Association are funded entirely through the voluntary levy, the Association does however undertake programs and projects to maintain and improve the sustainability of members on-farm activities, which can be funded by government or research corporations.

¹⁴ For more information, see our corporate video on <https://vimeo.com/177148006>

The Association is managed by a committee of a minimum 11 entitlement holders and employs a full-time executive officer and a part-time administrative assistant, as well as hosting a Project Officer funded through the Cotton Research and Development Corporation, the Gwydir Valley Cotton Growers Association and the GVIA.

7.4 *Contacts*

Gwydir Valley Irrigations Association

ABN: 49 075 380 648

100 Balo St (PO Box 1451)

Moree, 2400

Ph: 02 6752 1399

Mobile: 0427 521 498

Email: gvia@gvia.org.au

Chair: Jim Cush

Executive Officer: Louise Gall