



# National Irrigators' Council

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Committee Secretary  
Senate Rural and Regional Affairs and Transport Legislation Committee  
PO Box 6100  
Parliament House  
Canberra ACT 2600

Dear Dr Thomson

Thank you for the opportunity to make a submission to the Committee's consideration of the *Water Amendment Bill 2018*.

The National Irrigators' Council (NIC) supports this Bill.

The Bill implements an agreement made between the Government and the Opposition that, in essence, allows the previously disallowed Northern Basin Amendment to the Basin Plan to be re-made by the Minister. The instrument, should it be remade, would then be a disallowable instrument.

While the Bill does not need to consider the merits of the Northern Basin amendment, it is important to give some context as to why the outcome of the Northern Basin Review should be able to be reintroduced without being subjected to a further period of review and consultation.

When the Basin Plan was agreed by the Parliament in 2012 it recognised that not enough was known about the Northern Basin and that it would be necessary to review the requirements with a view to achieving a triple bottom line outcome of healthy rivers, healthy communities and a continuing capacity to produce food and fibre.

As a result, the Murray Darling Basin Authority conducted an extensive process over several years to investigate the proposed Sustainable Diversion Limits for the Northern Basin in the context of achieving environmental improvements and reduced impact on communities. This process included extensive community consultation and scientific assessment both at an environmental and socio economic level. This research was undertaken independently with peer review.

The outcome of the Northern Basin Review resulted in recommendations for modifications to the Basin Plan to alter the proposed recovery amounts based on new SDLs and to introduce so called 'toolkit' measures. Toolkit measures are important complementary measures to improve the health of the river system.

NIC believes the 'toolkit' measures are critical to achieving a healthy river system. They include among other things measures to improve conditions for native fish passage and breeding, and measures to protect environmental flows. NIC has long argued that improving the health of rivers is more than just flows.

The overall assessment carried out by MDBA and verified independently, indicated that overall the proposed changes would actually improve the environmental outcomes of the Plan but without causing future socio economic harm to communities which, the reviews concluded, had already seen a significant negative impact.

Irrigators did not get all they wanted from the Northern Basin Review. In particular, communities in the North felt that they had already been required to give up enough water and there should be no further recovery. Despite this, we recognised that an extensive process had been undertaken and that the recommendation was an overall improvement over the original Basin Plan.

Unfortunately, the Senate disallowed the instrument implementing the recommendations in February this year.

The disallowance caused considerable dismay to irrigation communities in the Northern Basin. Many felt that they had been let down by the Parliament, having spent many years engaged in a demanding process. Given the extensive process and the constructive engagement of communities, it would not be fair (or a reasonable use of resources) to expect the communities to be subjected to the full process again.

At the time, the Labor Opposition made it clear that they did not oppose a Northern Basin amendment along the lines put forward by the Government, but they required a number of issues to be addressed and assurances to be given.

Government has since addressed those issues, and commitments were included as a part of statements made by the Government and the Opposition prior to the introduction of this legislation.

This legislation is targeted to enable the Government to meet the agreements it has made on the Basin Plan. Critically, it is a part of an agreement that keeps the Basin Plan on track.

The Basin Plan was an historic compromise in 2012; it provided the opportunity after more than a century of wrangling to put in place an agreement between all the Basin States to restore the health of the river while at the same time enabling continued food and fibre production and healthy communities. Like any compromise, it is not perfect but the alternative – of no Plan – would be a disaster for our most important river system and most significant agricultural production area.

It has been disappointing to see some activist groups attempting to rewrite history and pretend that the Northern Basin Amendment was not something included in the original plan. Unlike some of those groups NIC does not seek to pick and choose only the parts of the plan we like and pretend the other parts are not legitimate.

The NIC supports this legislation and urges the Committee to recommend approval by the Parliament. We would be happy to elaborate on these matters if required.

Yours sincerely

**Steve Whan**  
**CEO**

**25 May 2018**