

Statement: Water management in the Northern Murray-Darling Basin April 2023.

It should not take mass fish kills and undrinkable water to bring attention to the crisis of water mismanagement and neglect in NSW. The current situation enables the death of our rivers, lakes, creeks and springs, and causes water and food insecurity.

Poor water management causes water and food insecurity

On the confluence of the Namoi and the Baawan rivers, the Walgett Aboriginal community has relied on the river for drinking water and fishing as a major food source. Now, the rivers are dirty and dying. The community experiences extreme levels of water and food insecurity as evidenced in the Food and Water Security Surveys undertaken by WAMS and DEG with UNSW research partners¹.

River water is not fit to drink and river food is no longer available. So Walgett's drinking water usually has to be sourced from the Great Artesian Basin and has sodium that is consistently around 15 times the level recommended for people with hypertension and almost twice the accepted level for palatability in the Australian Government's Drinking Water Guidelines.

The community is now forced to buy water from the supermarket. Not everyone can afford this. We know some in our community are going to bed at night thirsty and hungry.

Urgent actions are needed. The Dharriwaa Elders Group is calling for the NSW Government to:

1. Achieve the Objects and Principles of the Water Management Act 2000

Water management should ensure that the Objects and Principles of the Water Management Act 2000 are achieved, in particular to recognise and foster the social and economic benefits to the State that result from the sustainable and efficient use of water, including benefits to culture and heritage, and benefits to the Aboriginal people in relation to their spiritual, social, customary and economic use of land and water.

2. Engage genuinely with the Walgett Aboriginal community-controlled organisations

Dharriwaa Elders Group is calling for the NSW Government to improve Walgett's water security and quality, with contributions from local, state and national agencies as well as drinking water experts. Walgett Council must be supported to build its capability to deliver a sodium level that is 20mg/L to town and Namoi and Gingie Villages, and operate a sustainable RO waste disposal solution; undertake regular, transparent water quality testing for pesticides and water chemistry.

Solutions to the water situation at Walgett must be developed with the Walgett Aboriginal Community-Controlled Organisations² (ACCOs). Water management agencies should be required to negotiate with Walgett ACCOs.

3. Reinstate numeric extraction limits in legislation, in line with the Murray-Darling Basin Cap

Significantly more water can now be taken for irrigation in NSW than was allowed under the Murray-Darling Basin Cap in 1995 and the Basin Plan in 2012. This is predominantly due to new floodplain harvesting licences issued by the previous NSW Government.

¹ https://www.dharriwaaeldersgroup.org.au/images/downloads/WalgettReport_A130223b_web.pdf

² Consistent with quote a Closing the Gap and Premier's Priorities

It is the opinion of Bret Walker SC (South Australian Royal Commissioner into the Murray-Basin Plan) that the increase in the limits is unlawful and could be subject to legal challenge.

The NSW Water Sharing Plans no longer include a numeric extraction limit, or the method used to calculate that limit. There is now no quantified extraction limit in legislation to ensure that water extractions are controlled and compliance can be enforced.

Floodplain harvesting licences, that allow water take greater than historically agreed limits, must not be issued in the Namoi valley, and should be revoked where they have already been issued.

All water extractions must be reduced to the legal limits.

There must be an audit trail linking the Murray-Darling Basin Cap with the legislated extraction limit.

4. Reinstate and preserve baseflows and end of system flows

No upstream water extractions should be allowed until baseflows and end of system flows are achieved throughout the Baawan-Baaka and their tributaries. The levels should be based on Aboriginal knowledge and Western science.

5. Undertake an annual independent audit of water management

There must be independent annual audits, consistent with the Australian Auditing and Assurance Standards, of:

- water availability and water extractions,
- water recovery and cap factors,
- the effectiveness of water efficiency infrastructure 'savings',
- the extent to which the Cap and sustainable diversion limits (SDLs) are being complied with by Basin States,
- the effectiveness of the environmental water portfolio in delivering environmental outcomes,
- the protection of environmental water,
- the footprint of water use for irrigation, including water storages such as dams.

6. Effective deterrence for water theft

Penalties for water theft are inadequate - fines are far less than the value of the water stolen and the crops grown. Penalties for water theft should be a deterrent, not a cost of 'doing business.' Penalties associated with water theft could be committed to outcomes for healthy rivers.

7. Water for Aboriginal communities

Aboriginal people own very little water. Opportunities to participate meaningfully in water management are rare. A way to remedy this is for Aboriginal individuals, and their local representative organisations to own and have management control of significant volumes of water.