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## Commonwealth Water Act 2007 Review

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The National Parks Association of NSW Inc (NPA) welcomes the opportunity to comment on the Commonwealth Water Act 2007.

NPA, formed in 1957, is a community based organisation with over 10,000 supporters from rural, remote and urban areas across the state. NPA promotes nature conservation and sound natural resource management. We have a particular interest in the protection of the State's biodiversity and its supporting ecological processes, both within and outside of the formal conservation reserve system. We promote connectivity conservation, for example, through our involvement in the Great Eastern Ranges Initiative. Our interests extend to protection and management of the heritage values of natural and cultural landscapes.

In addition to its interest in environmental and heritage conservation and management, NPA conducts numerous outdoor recreational activities and is one of the largest [bushwalking organisations](#) in NSW.

The Association has long taken an active interest in water and wetland issues, recognising the critical importance of water resource management in sustaining the health of catchments that underpin the wellbeing of our communities across the State and beyond.

NPANSW and its equivalent organisations interstate, linked through the National Parks Australia Council, note particularly the importance of natural water regimes for the viability of our national park and other protected areas. A number of the protected areas have been recognised under the Ramsar Agreement for their internationally important wetland values. The Coorong, at the mouth of the Murray Darling system, is one of the icon indicator sites under the Basin Plan. The Macquarie Marshes, a particular focus of interest for the NPA for many years exemplify the importance of flooding of the lower reaches of one of the major river valleys within the Murray Darling system. The role of the Commonwealth through the Water Act is now importantly contributing to improved supply and timing of water flows in this and other valleys through the work of the Commonwealth Water Holder and the Murray Darling Basin Authority.

The NPANSW has participated in many forums during the development phase of the Basin Plan, a much needed overarching approach to address the declining health of Australia's

Murray Darling river basin. The need to return a greater volume of water, in a more natural flow pattern, while also meeting the needs of the community within and beyond it, is evident. This depends on maintaining the momentum through a national, overarching approach as provided for under the 2007 Commonwealth Water Act.

With respect to this first review of the 2007 Commonwealth Water Act, the Association submits in summary that:

1. The key objects of the Act need to be maintained. The legislation was innovative and importantly sets the framework for the Murray Darling Basin Plan which is yet to be fully implemented;
2. The independent functions of the Commonwealth Environmental Water Holder (CEWH) and the Murray Darling Basin Authority (MDBA) are critical to the success of the Plan and must be retained;
3. The delivery of the Basin Plan, while not within the timeframe expected by the review, is on track in the consideration of constraints management, environmental watering strategy and the development of water resource plans;
4. The consideration of social and economic impacts of the Basin Plan were built into the model to develop the environmentally sustainable level of take (ESLT), therefore these issues have been adequately addressed. Cultural flows are important and need to be more clearly defined;
5. The achievement of the Sustainable Diversion Limit (SDL) will be severely impeded by any cap on water buybacks and the proposed SDL adjustment mechanism;
6. The proposed environmental equivalence test for supply measures in the SDL adjustment mechanism has environmental trade-offs and will not achieve the objectives of the Act;
7. The removal of the National Water Commission has direct implications for Part 3 of the Act. An independent audit mechanism is required for the Act to achieve its objectives;
8. Section 106 of the Act should be amended to strengthen the transparency around trading decisions of the CEWH. The requirement for the use of all trade to result in environmental improvements must be retained.



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Chief Executive Officer  
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