

THE BASIN PLAN

Gwydir Alluvium Water Resource Plan Consultation Report

Schedule C

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Gwydir Alluvium Water Resource Plan Consultation Report

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More information

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Acknowledgments

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Aboriginal acknowledgement

The New South Wales Government proudly acknowledges the Aboriginal community of NSW and their rich and diverse culture and pay respect to their Elders past, present and future.

The NSW acknowledges Aboriginal people as Australia's First Peoples and the Traditional Owners and Custodians of the lands and waters, practicing the oldest living culture on earth.

We acknowledge that the people of the Gomeroi Nation hold a significant connection to the lands in which the Gwydir Alluvium falls upon.

The Gwydir Alluvium holds great areas of spiritual, cultural and economic importance to the first nation people and NSW recognises the connection of the water to the people of these nations to the water.

We recognise the intrinsic connection of Traditional Owners to country and acknowledge their contribution to the management of the Gwydir Alluvium landscape and natural resources.

The NSW Department of Industry understands the need for consultation and inclusion of Traditional Owner knowledge, values and uses in water quality planning to ensure we are working towards equality in objectives and outcomes.

The NSW Department of Industry is committed to continue future relationships and building strong partnerships with our First Nation People.

We thank the Elders, representatives of the Gomeroi Nation and the Aboriginal community who provided their knowledge throughout the planning process.

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1 Introduction

1.1 The role of the consultation report

Consultation with stakeholders and the community is at the forefront of the development of New South Wales (NSW) Water Resource Plans (WRPs). Consultation has been undertaken for each of the 22 surface water and groundwater WRPs being developed by NSW. The purpose of this report is to describe the consultation that was undertaken as part of the development of the WRPs. Specifically, this report will detail the public consultation, both broad and targeted that took place within the Gwydir Alluvium WRP area in order to further the development of the Gwydir Alluvium WRP and inform changes to the Gwydir Alluvium Water Sharing Plans (WSPs).

1.2 The Basin Plan 2012 (Water Act 2007)

The Basin Plan provides a coordinated approach to managing Basin water resources across Queensland, NSW, ACT, Victoria and South Australia. In NSW the plan came into effect following the signing of Inter-governmental and National Partnership Agreements in 2014. As lead agency, Department of Industry Water (NSW Department of Industry) are working together with agencies including Office of Environment and Heritage (OEH) to implement the plan. It requires NSW to develop WRPs for each area within the Murray-Darling Basin. The development of each WRP is guided by the requirements set out in Chapter 10 of the Basin Plan. Consultation and the views of local communities are an integral part of the preparation and development of WRPs and the following requirements of the Basin Plan are assessed in relation to consultation.

10.07 Consultation to be demonstrated

(1) A water resource plan prepared by a Basin State must contain a description of the consultation in relation to the plan (including in relation to any part of the plan), if any, that was undertaken before the State gave the plan to the Authority under subsection 63(1) of the Act.

10.26 Planning for environmental watering

(1) A water resource plan must provide for environmental watering to occur...
(2) For the purposes of subsection (1), the water resource plan must be prepared having regard to:
(b) the views of local communities, including bodies established by a Basin State that express community views in relation to environmental watering.

10.53 Consultation and preparation of water resource plan

(1) A water resource plan must be prepared having regard to the views of relevant Indigenous organisations with respect to the matters identified under section 10.52...

1.3 Gwydir Alluvium WRP Area

The Gwydir Alluvium Water Resource Plan covers groundwater within the main alluvial deposits associated with the Gwydir River from approximately 20 km downstream of Copeton Dam, continuing north-west through Bingara to Biniguy through to approximately 45 km west of Moree.

The Gwydir Water Resource Plan includes two SDL resource units, the Lower Gwydir Alluvium and the Upper Gwydir Alluvium. The boundaries of these SDL resource units reflect those of the corresponding groundwater sources managed under NSW water sharing plans.

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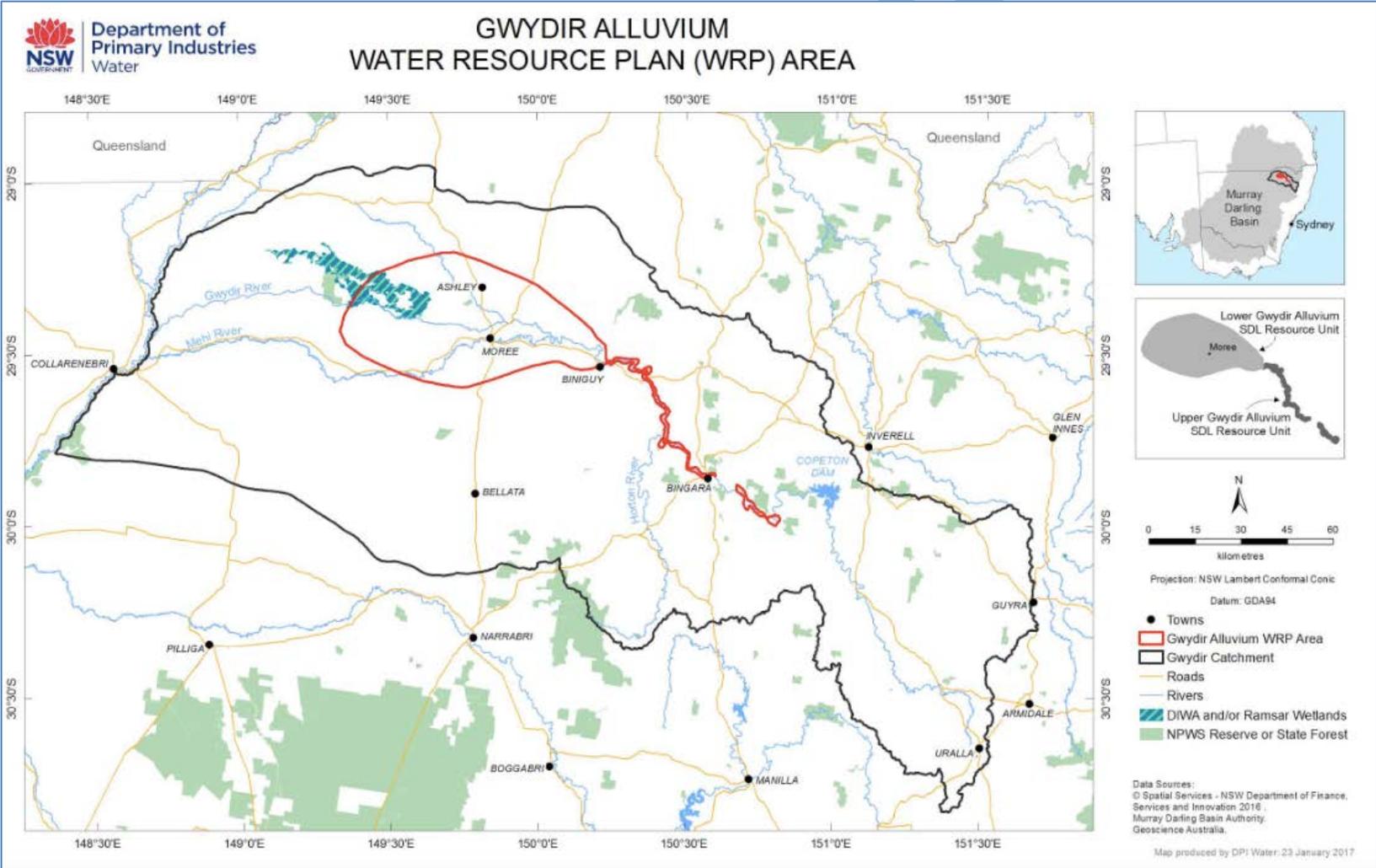


Figure 1. GW15 Gwydir Alluvium Water Resource Plan Area

2 Consultation

2.1 Broad public consultation

Stakeholder consultation is an essential part of the development of NSW WRPs and was undertaken throughout the development of the Gwydir Alluvium WRP. The general public and stakeholders had opportunity to provide comment during the early phase of WRP development through the Status and Issues phase (Section 2.1.1) and then again in the later stages of WRP development during the public exhibition phase (Section 2.1.2).

2.1.1 Status and issues phase

The Gwydir Alluvium WRP Status and Issues Paper (NSW Department of Industry) was released for public comment on 17 February 2017. This can be viewed at www.industry.nsw.gov.au/water/plans-programs/water-resource-plans/status

Four public submissions on this paper were received and within these submissions 39 issues were raised. Issues raised in submissions were logged on the Submissions Database System. This system was developed specifically for capturing comments made to NSW Department of Industry during targeted consultation, as formal written submissions following public exhibition, and by the stakeholder advisory or other panels.

An Issues Assessment Report was prepared by NSW Department of Industry for internal and inter-agency analysis, as well as for consideration of the Groundwater Stakeholder Advisory Panel. The Issues Assessment Report informed decisions for option prioritisation leading into the Strategy and Rule Development Phase of WRP development.

2.1.2 Public exhibition phase

The Water Sharing Plan for the Gwydir Alluvial Groundwater Sources 2018 and draft Gwydir Alluvium WRP were released for public comment on 5 November 2018. They can be viewed at industry.nsw.gov.au/draft-gwydir-alluvium-wrp.

During this phase NSW Department of Industry will communicate with stakeholders in a number of ways.

- Stakeholder specific consultations
- Public information sessions (early evening sessions)
- NSW Department of Industry website
- Submission email address
- Telephone number for inquiries
- Have Your Say website
- One-on-One consultations (where appropriate)
- Emails to stakeholders
- Local media – media releases
- Social media – tile advertising
- Local press advertising

NSW Department of Industry will accept submissions on the draft WRP and amended WSP. Supporting documents have been made available to provide context and background information.

Public submissions received on the draft WRP and amended WSP will be prioritised and any new issues progressed for further consultation with the Groundwater SAP.

2.2 Targeted Consultation

Targeted consultation has been undertaken for groundwater WRPs through a Groundwater Stakeholder Advisory Panel (SAP). The SAP consists of representatives of key stakeholders and government agencies. Their role is to provide a forum where draft elements of the WRP could be reviewed, and the various interests and views put forward and discussed to promote common understanding. The SAP was the focal point for targeted consultation for this plan.

2.2.1 NSW Groundwater SAP

The Groundwater SAP, established in August 2017 takes its membership from the following stakeholder groups or interests:

- NSW Department of Industry
- Office of Environment and Heritage (OEH)
- Murray Darling Basin Authority
- Seven regional representatives of the NSW Irrigators Council
- NSW Nature Conservation Council
- Murray Lower Darling Rivers Indigenous Nations (MLDRIN)
- Northern Basin Aboriginal Nations (NBAN)
- Inland Rivers Network
- NSW Minerals Council
- Local Government NSW

The SAP Terms of Reference can be viewed here (<https://www.water.nsw.gov.au/water-management/water-resource-plans/Groundwater-SAP-terms-of-reference.pdf>). Broadly, they are an advisory panel that have been charged with helping to identify issues, examine options, and provide NSW Department of Industry with feedback and advice throughout the development of WRPs.

The number of SAP meetings held as part of the Groundwater WRP development and the issues that were discussed at these meetings can be seen in Table 1.

Table 1: Groundwater WRP SAP Meetings

| SAP Meeting (Number & Description) | Location | Date |
|---|-------------|-------------------|
| SAP Meeting 1: - <ul style="list-style-type: none"> • Introduction to the SAP and the Terms of Reference • WRP Process – Road Map • Status and Issues • Resource Descriptions • WRP Evaluation Report • Risk Assessment • The Way Forward | Sydney, NSW | 08 September 2017 |

| | | |
|--|-------------|------------------------------|
| <p>SAP Meeting 2: -</p> <ul style="list-style-type: none"> • Resource Descriptions and Risk Assessment - update • Sustainable Diversions Limits and Long Term Average Annual Extraction Limits • Entitlements • Groundwater Dependent Ecosystems • Issues assessments • Consultation strategy | Sydney, NSW | 31 October 2017 |
| <p>SAP Meeting 3:-</p> <ul style="list-style-type: none"> • Water Renewal Task Force • Modelling • IR Guideline • Indigenous Consultation • Compliance with LTAAEL • Permitted Take (MDBA) <ul style="list-style-type: none"> SDL Compliance Groundwater Amendments Disallowance • Permitted Take • Issues Assessment Report • Risk Assessment Feedback Report | Sydney, NSW | 14 March 2018 |
| <p>SAP Meeting 4:-</p> <ul style="list-style-type: none"> • GW WRP development...The road ahead • SDL/LTAAEL Amended Policy Proposal • Annual Permitted Take/SDL Compliance • Recharge/Specification Environmental Water • GDE Policy Proposal • WSP Policy Proposals; <ol style="list-style-type: none"> 1. Local Impacts Management, 2. Distance Rules, 3. Account Management Rules, 4. Trade, 5. Contamination Sources 6. Connectivity • WSP/Split Merge Process | Sydney, NSW | 17 May 2018 |
| <p>SAP Meeting 5:-</p> <ul style="list-style-type: none"> • Lachlan Alluvium Water Resource Plan • Lachlan Alluvium Water Sharing Plan • Lachlan Alluvium Water Quality Management Plan • NSW Groundwater Environmental Monitoring, Evaluation and Reporting Plan • Account management Rules, Carryover and Available Water Determinations • Aboriginal Engagement / Cultural Water for the Ngemba Billabong | Sydney, NSW | 15 th August 2018 |
| <p>SAP Meeting 6:-</p> | Sydney, NSW | TBA |

2.2.2 Gwydir Valley Irrigators Association

The Gwydir Valley Irrigators Association (GVIA) requested more detailed explanation on a number of issues presented at the Groundwater SAP. This information was presented to the GVIA through written correspondence on the 4 September 2018.

The correspondence followed up on previous issues discussed with groundwater users and other stakeholders, specifically:

1. Long term average annual extraction limit compliance;
2. sustainable diversion limit compliance and the proposed NSW permitted take method;
3. groundwater dependent ecosystems, and
4. Gwydir specific trade management zones.

GVIA also outlined a number of issues they would like to be presented during public exhibition including a general resource status update, permitted take, groundwater dependent ecosystems and available water determinations.

2.2.3 All SAP

NSW Department of Industry convened two All SAP workshops during the course of WRP development. Both workshops were held in Sydney, the first on 11 – 12 December 2017 and the second on 5 – 6 June 2018. Attendees included representatives from all WRP SAP committees and key NSW government agencies including the MDBA and CEWO. The first All SAP workshop covered three main topics:

1. NSW Government's response to recent reviews and how the NSW Department of Industry will approach its responsibilities within the Murray-Darling Basin
2. Key NSW policy issues requiring resolution in order to progress WRP development
3. How SAPs and agencies can work together to deliver the water resource plans over the next 12–18 months.

The second All SAP workshop covered seven main topics:

1. State-wide planning assumptions
2. The WRP including the LTWP, Risk Assessment and Water Quality Management Plan
3. MDBA compliance framework
4. Water Renewal Taskforce update
5. First Nation engagement and cultural water
6. Northern Basin Floodplain Harvesting and Northern watering event and Southern Basin SDL Adjustment Mechanism and Pre-requisite Policy Measures
7. Groundwater policy update

2.3 First Nation Consultation

The Gwydir Alluvium WRP area is located within the traditional lands of, and is significant to, the Gomeroi Nation and traditional owners. NSW Department of Industry has spent time engaging and consulting traditional owners of the Gomeroi people to identify and record objectives and outcomes in regard to Aboriginal spiritual and cultural values and uses within the Gwydir Alluvium WRP area.

Consultation with traditional owners was undertaken using a nation-based model. NSW Department of Industry facilitated the gathering of cultural information from traditional owners. The reports including the development of cultural objectives, values and uses is attached in Attachment A.

2.3.1 Face to Face Interviews

A series of face-to-face interviews were undertaken with Senior Traditional Owners (TOs) from the Gomeroi Nation in March 2018. Senior TOs who participated in the face-to-face interviews were drawn from three separate categories – grassroots, Native Title applicants and suggestions from other interview participants. In total, these Senior Traditional Owners represented 8 different family groups, represented over 12 320 different people and spoke for a broad range of communities and different areas of Gomeroi Country. These interviews assisted in formulating the discussion undertaken in the workshops held in April 2018.

2.3.2 Workshops

Following on from the face-to-face interviews First Nation consultation workshops were held in Tamworth, Walgett, Moree and Tingha in April 2018 with the Gomeroi Nation.

A total of 31 participants, including 30 Gomeroi Traditional Owners, attended workshops.

Common themes were used to guide discussion in the workshops. These were established during the face-to-face interviews and included:

- Water is life
- Healthy Country and people
- Cultural continuity and revival
- Custodianship and jurisdiction
- Compensation and redress
- Management and control
- Communication and partnerships

2.3.3 Consultation Outcomes

The report on the outcome of the consultation with the Gomeroi Nation is included at Attachment A of this Consultation Report.

While the Report has been made available, the text for accreditation currently within the WRP is a 'placeholder' and reflects the generic Aboriginal objectives gleaned from discussions with Aboriginal people and groups to date. This will be updated ahead of the completion of the WRP based on Attachment A.

This report aims to demonstrate that:

- The WRP was developed in a way that had genuine regard to objectives and outcomes in respect of social, spiritual and cultural values and uses of the water resources by Traditional Owners.
- Consultation with relevant Indigenous organisations was undertaken.

In addition to consulting with Traditional Owners, NSW consulted with several organisations (e.g. native title, LALCS) Murdi Paaki working group, MLDRIN and NBAN. This demonstrates that:

- The consultation had regard to the views of relevant Indigenous organisations with respect to inclusion of Indigenous representation in the preparation and implementation of the plan.

- The consultation had regard to the views of relevant Indigenous organisations with respect to Indigenous social, cultural, spiritual and customary objectives, and strategies for achieving these objectives.
- The consultation had regard to the views of relevant Indigenous organisations with respect to encouragement of active and informed participation of Indigenous people.
- The consultation had regard to the views of relevant Indigenous organisations with respect to risks to Indigenous values and Indigenous uses arising from the use and management of the water resources of the water resource plan area.
- The consultation has regard to the views of Indigenous people with respect to cultural associations with the groundwater resources of this WRPA.

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Attachment A – Gomeroi First Nations Consultation

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