

THE BASIN PLAN

Murrumbidgee Alluvium Water Resource Plan Consultation Report

Schedule C

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Murrumbidgee Alluvium Water Resource Plan Consultation Report

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More information

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Aboriginal acknowledgement

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.

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

We acknowledge that the people of the Barapa Barapa, Muthi Muthi, Nari Nari and Wiradjuri Nations hold a significant connection to the lands in which the Murrumbidgee Alluvium fall upon.

The Murrumbidgee 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.

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

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.

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 Barapa Barapa, Muthi Muthi, Nari Nari and Wiradjuri Nations and 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 Murrumbidgee Alluvium WRP area in order to further the development of the Murrumbidgee Alluvium WRP and inform changes to the Murrumbidgee Alluvium Water Sharing Plan (WSP).

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, the 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 Murrumbidgee Alluvium WRP Area

The groundwater resources of the Murrumbidgee Alluvium include the main alluvial deposits associated with the Murrumbidgee River, including its tributaries and anabranches from the Jugiong area at its eastern extent to Balranald at its western extremity. They also include the alluvial deposits of the internally draining Lake George catchment which occur to the south of Lake George.

The Murrumbidgee Alluvium Water Resource Plan area (GW9 – Murray-Darling Basin reference number) is composed of four SDL resource units as shown in Figure 1. The boundaries of these SDL resource units reflect those of the corresponding groundwater sources managed under the *Water Sharing Plan for the Murrumbidgee Alluvial Groundwater Sources 2019*.

- *Lake George Alluvium (GS21)* corresponds to the Bungendore Alluvial Groundwater Source. Lake George is the drainage point for 10 major tributaries which were isolated from the Murrumbidgee floodplain by uplift on the western side of the Lake. Alluvium accumulated beneath Lake George and across the basin floodplain in the Cenozoic (Pleistocene) as basin and valley fill interbedded clay, sand and gravel sediments. These are approximately 45-50m deep around the town of Bungendore.
- *Mid Murrumbidgee Alluvium (GS31)*, this corresponds to the Gundagai (comprised of the Jugiong and Tarcutta Management Zones), Kyeamba, Wagga Wagga and Mid Murrumbidgee Zone 3 Alluvial Groundwater Sources. The groundwater sources commence in the east as two narrow branches of alluvium, following the Murrumbidgee River from 10km south east of Jugiong and the Tumut River 10km south of Tumut. From the junction, it extends west along the confined valleys of the Murrumbidgee River, Tarcutta Creek and Kyeamba Creek, gradually broadening to a maximum width of approximately 25 km before narrowing at Narrandera - the boundary of the groundwater unit. The unit is composed of Cenozoic alluvial sands and gravels and is divided into two main aquifer systems. The younger system, the Cowra formation, extends to approximately 40m deep and is underlain by the Lachlan formation which extends to approximately 90m deep, reaching a maximum depth of 170m at Narrandera.
- *Lower Murrumbidgee Alluvium Shallow (GS28a) and Lower Murrumbidgee Alluvium Deep (GS28b)*, correspond to the Lower Murrumbidgee Alluvial Groundwater Source Shallow and Lower Murrumbidgee Alluvial Groundwater Source Deep with the former directly overlying the latter. These units are within the Murray Basin and widen sharply from Narrandera in the east to a maximum width of approximately 170km before tapering to 30km west of Balranald where sediments are approximately 400m deep. The groundwater source boundary is identified by colour change in the sediments. The Shallow groundwater source is approximately 40m deep within the yellow/brown sands and clays of the Shepparton formation. The Deep groundwater source is in the older sediments of the Calivil Formation and the Renmark Group and is comprised of white sands and white/grey clays.

MURRUMBIDGEE ALLUVIUM WATER RESOURCE PLAN (WRP) AREA



Figure 1. Murrumbidgee 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 Murrumbidgee 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 Murrumbidgee Alluvium WRP Status and Issues Paper (NSW Department of Industry) was released for public comment on 13 April 2017. This can be viewed here (https://www.industry.nsw.gov.au/_data/assets/pdf_file/0011/157358/Murrumbidgee-GW-WRP-SIP.pdf).

Nine public submissions on this paper were received and within these submissions 86 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 Murrumbidgee Alluvial Groundwater Sources 2019* and draft Murrumbidgee Alluvium WRP were released for public comment on 5 November 2018. They can be viewed at industry.nsw.gov.au/draft-murrumbidgee-alluvium-wrp

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

- Stakeholder specific consultations
- Public information 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

The 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 is 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 Murrumbidgee Groundwater Inc.

On the 14 September 20-18, NSW Department of Industry provided Murrumbidgee Groundwater Inc. with an outline of proposed water sharing plan changes for groundwater plans in the Murrumbidgee for inclusion in discussions at their annual general meeting on 25 September 2018. This information was provided via written correspondence for dissemination amongst their members at the meeting. The Department of Industry provided a follow up teleconference with office holders within Murrumbidgee Groundwater Inc. on 26 September 2018 to further discuss and clarify issues post the annual general meeting.

The following issues were the main focus of these follow up discussions:

1. Long term average annual extraction limit compliance
2. Sustainable diversion limit compliance
3. Murrumbidgee specific trade management zones.

Murrumbidgee Groundwater Inc. also outlined a number of issues they would like to be presented during public exhibition including exploring various options for LTAAEL/SDL compliance mechanisms and the impact this has on different users and explanation of hydrogeological assessment with respect to new approvals and trades.

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 Murrumbidgee Alluvium WRP area is located within the traditional lands of, and is significant to, the Barapa Barapa, Muthi Muthi, Nari Nari and Wiradjuri Aboriginal Nations and traditional owners. NSW Department of Industry are spending time engaging and consulting traditional owners of the Barapa Barapa, Muthi Muthi, Nari Nari and Wiradjuri people to identify and record objectives and outcomes in regard to Aboriginal spiritual and cultural values and uses within the Murrumbidgee Alluvium WRP area.

Consultation with traditional owners is being undertaken using a nation-based model. NSW Department of Industry is facilitating the gathering of cultural information from traditional owners. The reports including the development of cultural objectives, values and uses are currently being prepared.

2.3.1 Face to Face Interviews

A series of face-to-face interviews are being undertaken with Senior Traditional Owners (TOs) from the Barapa Barapa, Muthi Muthi, Nari Nari and Wiradjuri Nations during September and October 2018. Senior TOs who are participating in the face-to-face interviews are drawn from three separate categories – Grassroots, Native Title applicants and suggestions from other interview participants. In total, these Senior Traditional Owners represented more than 400 people in different family groups and spoke for a broad range of communities and different areas of Barapa Barapa, Muthi Muthi, Nari Nari and Wiradjuri Country.

These interviews assisted in formulating the culturally appropriate discussion undertaken in the workshops being held in October and November 2018 across the Murrumbidgee Alluvium WRP area.

2.3.2 Workshops

Following on from the face-to-face interviews First Nation consultation workshops will be held in Narrandera, Tumut, Albury, Wagga Wagga, Darlington Point, Balranald, Hay and Deniliquin for the Barapa Barapa, Muthi Muthi, Nari Nari and Wiradjuri Nations.

Common themes will be used to guide discussion in the workshops. These are being established during the face-to-face interviews and may include:

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

2.3.3 Consultation Outcomes

NSW is yet to complete this consultation.. Following consultation, a more detailed discussion of the objectives and outcomes for Aboriginal values and uses developed through this consultative process will be included in the Wiradjuri, Barapa Barapa, Muthi Muthi and Nari Nari Nations Consultation Reports as Attachments A to D of Schedule C. Organisations including NSW Aboriginal Land Council, Local Aboriginal Land Councils, native title groups and other relevant Aboriginal organisations will also be consulted.

These reports aim 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.

NSW will not be seeking Commonwealth accreditation of this plan until the Aboriginal consultation is completed.

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Attachment A – Barapa Barapa First Nations Consultation

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Attachment B –Muthi Muthi First Nations Consultation

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Attachment C –Nari Nari First Nations Consultation

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Attachment D –Wiradjuri First Nations Consultation

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