

Water Act Review Discussion Paper Webinar

28 July 2026

Emma SOLOMON

Good morning everyone. My name is Emma Solomon and I'm from the Department of Climate Change, Energy, the Environment and Water. We have our webinar today on the Water Act Review discussion paper. We're just having a couple of tech issues so that Geoff Leeper, our independent reviewer, can join, but I will just start us off today. So first of all, I would just like to acknowledge the traditional owners of the lands and waters from which we are joining from today. I'm in Mildura, which is the lands of the Latji Latji people, and I would like to pay my respects to them and acknowledge the important role that they have played caring for country, land and water, over many, many millennia in Australia, in the basin and beyond.

I'm really pleased to welcome you to today's webinar and grateful for your interest in this important review. The purpose of today's session is to provide an overview of the Water Act review discussion paper, outline the key areas being explored through the review, and explain how stakeholders can participate in the consultation process. Engagement with stakeholders is a critical part of the review, and so we're keen to hear a broad range of perspectives from across Australia, including from basin communities, industry, environmental organisations, First Nations peoples, state and local governments, researchers and members of the public. Your experiences and insights will play an important role in informing the review's findings and recommendations.

I'd like to introduce the panel supporting today's webinar. So Geoff, of course, will join us in a moment as the independent reviewer, but very pleased to have online Vanessa O'Keefe, our deputy reviewer. Vanessa has over 30 years of experience in water policy and science. And I might just pass over to Vanessa to introduce herself. Thank you.

Vanessa O'Keefe

Yeah, hi Emma and hi everybody else. Can't see you, but I'm glad so many people have joined today. As Emma said, I've been in the water industry now for more than

30 years, not saying how many more. And half of that in the public sector and the other half as a consultant. Most recently in the public sector, I was the executive director in New South Wales, responsible for water policy planning, and at one stage science and implementation. Now I'm back out of the public sector into consulting. In my consulting life, I've really focused on advising governments on water policy, governance, regulatory frameworks, both in Australia and Asia and the Pacific. So pretty keen, pretty embedded in water policy, both nationally and from a state perspective, and very keen to help Geoff with this review. So yeah, glad to be involved and thank you.

Geoff Leeper

And talk about making an entrance.

Emma SOLOMON

Thanks very much, Vanessa, and welcome, Geoff. So Geoff, we've just kind of started and we're up to the introductions of the panel. So Vanessa has just introduced herself and we were just about to pass to Dr. Teagan Shields.

Vanessa O'Keefe

Hey, Geoff.

Geoff Leeper

Okay. Okay, if I go first, Teagan, or would you like to? Okay. Apologies, everybody. My Teams froze and I finished up having to reboot my computer. I'm Geoff Leeper. I've been appointed recently as the independent reviewer for the Water Act Review 2007. I acknowledge the Wurundjeri people as the traditional owners of the lands from which I'm joining this conversation and I pay respect to their elders past and present and their continuing connection to country, lands and water. I'm very pleased to have been appointed to this role.

I am not deeply experienced in water, which is why it's fabulous that Vanessa's here and Teagan's here from a First Nations advisory point of view. I had a long career in government. I will know some people on this call. Everyone seems to have bumped into me somewhere. I spent 14 years as a deputy secretary in the Commonwealth around Indigenous housing, Commonwealth state housing agreements, disability

agreements. I've done a bit in the Commonwealth state space and also some regulatory work, and my last full-time job was sitting in charge of the tax office, which is in effect a regulatory compliance function, but we won't go there. I've been doing my own consulting work for 10 years, and I guess what I've learned is that if you don't know the subject matter, it doesn't always matter. You can dig your way into something.

So, you know, acknowledging that I don't have a deep background in water, I still am confident that we can make a really good effort on a statutory review of the Water Act and going into governance and things and how fit the Act is going forward. So that's my brief interview, I suppose, and sorry that I wasn't here at the get-go. I might ask Teagan if that's OK to introduce herself, if that's right, Teagan.

Teagan Shields

Thanks, Geoff. Hi, everyone. Good to see you today. Also want to start by acknowledging country and the country that you're joining us from. Especially wanted to acknowledge our senior knowledge, our senior water knowledge holders and the depth of knowledge that they have and resilience they bring to this space is invaluable. So my name is Teagan Shields.

I'm an Arabana woman. My background is fisheries and aquaculture, thrown in with a little bit of high school science teaching, done a masters in marine science and management, and I've just done a PhD looking at two-way science. Really honoured to be a part of this process and be part of the team reviewing the Act. So thank you.

Geoff Leeper

Thanks, Teagan. Emma, you've obviously introduced yourself and Kristie McTernan is here from the Comms area of the Water Policy Division as well. And you'll hear from all of us during the presentation this morning.

So housekeeping and agenda. We'll start with an overview of the Water Act review and the discussion paper that was issued now a week and a half ago.

Emma will step us through the focus areas and the questions for consideration in the discussion paper that we think will help stakeholders to prepare their submissions. I will say at this point, if anybody or any organisation has made a submission to the

Basin Plan Review and they've consented for that to be shared with the Water Act Review, we have it and we can see it already. So, if that assists people in their response load, please bear that in mind. We'll have an update on the dedicated First Nations consultation activities that have been undertaken in the past couple of months in support of the review. And we'll also outline the broader consultation processes and the next steps from here.

There will be time for questions and answers, and we'll do our best to address as many questions as we can in the time available.

Our objective today really is to help your stakeholders better understand the review, the issues being considered in the discussion paper and the opportunities that are available in the consultation process. But just to a couple of housekeeping matters, we are recording this webinar and hopefully given the numbers of people we've got, nearly three times as many as we had on Friday with all those technical difficulties, we might post this version up onto the web as the kind of final copy. If you could keep your microphones muted, please, that would be great. And you can type questions any time. If you can see at the top of the screen there, there's take control chat and there's a Q&A button. You can type your questions into the Q&A section there.

And we have a team of people looking at those and we'll try and aggregate them and bring them forward for the panel's discussion as we go through. So, I'd like to hand over with those kind of brief comments in mind, I'd like to hand over to Emma as the Branch Head of the Water Markets and Regulatory Policy Branch at the Department of Climate Change, Energy, the Environment and Water.

And Emma will take us through the discussion paper at a broad level. Thanks, Emma.

Emma SOLOMON

Thanks very much, Geoff. Glad you made it. And good morning, everyone, again. So, before I get on to the content of the discussion paper, I'll just give an overview of the review process and the key milestones over the coming months. The review

commenced earlier this year, and a significant amount of work has already been done to support the review including targeted First Nations engagement activities and considerations of insights from other water policy and reform processes, such as the Basin Plan Review.

On 17th of July, the discussion paper was released, marking the beginning of the public consultation phase of this review. And that consultation will continue until the 31st of August. During this period, stakeholders can provide feedback through the Have Your Say platform and attend targeted engagement activities.

Following this initial public consultation, the independent reviewer will consider the feedback received and prepare a draft report, which is expected to be released by early November 2026 for a second phase of public consultation. This is an important part of the process and will provide stakeholders with an opportunity to comment on the review's emerging findings and recommendations before they are finalised. And then the final report will be provided to government by the 28th of February next year.

And now to the discussion paper for the Water Act Review itself. So under the Act, the Water Act Review must examine the operation of the Act and the extent to which the objects of the Act have been achieved, and identify opportunities under the Act to promote the principles set out in the United Nations Declarations on the Rights of Indigenous Peoples, Called UNDRIP.

The discussion paper has been developed to help stakeholders engage meaningfully in the review by outlining the context, the issues being considered and the questions on which we are seeking feedback. It highlights focus areas and provides guiding questions to shape input on the future direction of the Act.

These focus areas reflect statutory requirements of the review, the terms of reference, and the major issues that have emerged through recent water policy reviews and stakeholder discussions. Together, they cover matters such as First Nations outcomes and UNDRIP, governance and institutional arrangements, Water resource plans, environmental issues, social and economic issues, water security, water quality, water information, alignment with the National Water Agreement, and recent water market

reforms. The paper builds on insights and themes from the Basin Plan reviews, helping to reduce duplication and align both reviews.

So as Geoff mentioned, if you consented to your basin plan review submission being shared with the department, we now have it. So you don't need to make the same submissions twice, although of course you're welcome to do so. A dedicated First Nations consultation paper has been developed to support respectful and meaningful engagement with First Nations peoples.

And just some additional important context for the review is that the vast majority of the Water Act relates to water resources in the Murray-Darling Basin, with the exception of water information. And the Commonwealth's role in water doesn't override the primary role of states and territories in water management. Including things like water allocation.

I'll now go on to the discussion paper questions. The paper contains a series of questions for consideration to support informed engagement and help stakeholders prepare submissions. They are not intended to limit discussion, but rather to guide consideration of the key issues within the review scope.

The first question goes directly to the core purpose of the review, whether the objects of the Act have been achieved and how well the Act has operated over nearly two decades. The next two questions relate to the specific requirement of the review to consider opportunities to improve First Nations outcomes and promote the principles contained in UNDRIP. These are both important considerations and are reflected in both the discussion paper and the dedicated First Nations consultation paper which has been released.

The last question focuses on governance and institutional arrangements. We are seeking feedback on whether the current framework supports accountable, efficient and transparent decision making, and whether there might be opportunities to improve how Commonwealth institutions operate under the Act. Across all of these questions, we are interested in hearing what is working well, where stakeholders see challenges, and where opportunities might exist to strengthen the framework into

the future.

The questions on this slide focus on several of the key mechanisms established under the Act and some of the outcomes they are intended to support.

The first question relates to water resource plans, which are the key mechanism for implementing the Basin Plan at a catchment level. The review is seeking views on whether water resource plans are effective and fit for purpose.

We are also seeking feedback on how environmental water can be used most effectively to achieve environmental outcomes, particularly in the context of climate change.

The next question explores opportunities to support social and economic outcomes, including for First Nations. The Water Act recognises the need to optimise environmental, social and economic outcomes, and the review is interested in understanding stakeholder views on how effectively these objectives are being supported.

The last question on this slide focuses on water security and community resilience. Water security has emerged as a significant issue across a number of recent reviews and discussions, particularly again in the context of climate change and increasing demand for water. The review seeks views on whether the current arrangements remain appropriate to address these challenges.

So this is the last set of questions in the discussion paper. And the first question considers water quality. We're seeking views on whether the current arrangements under the Water Act are appropriate to respond to current and future challenges in relation to water quality.

The next question focuses on water information, which is the only element of the Act with national operation rather than operating solely in the Murray-Darling Basin. Reliable evidence and data are critical for transparency, evidence-based decision making and effective water management. The review is considering whether existing water information arrangements remain fit for purpose, particularly in responding to

future challenges.

The final question here considers opportunities for the Water Act to align with the objectives in the new National Water Agreement, noting that elements of the current National Water Initiative have already been incorporated.

The discussion paper includes information on recent water market reforms that are currently being implemented. While the review won't undertake a detailed examination of those provisions, they relate to a new water market subject in the Act and is relevant to the review, so submissions on this aspect are welcome.

Again, there is no expectation that stakeholders respond to every question. We encourage participants to focus on the issues most relevant to their experience and expertise and to raise any other matters they consider important to the operation of the Act.

A central component of the review is ensuring First Nations voices are heard and meaningfully considered. To outline the dedicated First Nation consultation activities undertaken to date, I'd now like to hand over to Dr. Teagan Shields, the Reviewer's First Nations Advisor.

Teagan Shields

Thanks, Emma. Hi, everyone. Even though my name says Victoria Parks, I am Teagan Shields. I'm just going to give you a little bit of update in terms of what we've been doing. So during May and July 2026, we've been facilitating consultation sessions with Aboriginal and Torres Strait Islander peak organisations and representative bodies.

These consultations have focused on identifying opportunities to promote the principles of UNDRIP or the United Nations Declaration of the Rights of Indigenous People. These consultations have reached participants from every jurisdiction and have involved approximately 230 individuals through the face-to-face sessions. We've also had virtual meetings and received written submissions and phone calls. More than 300 peak organisations were invited to participate. My job now is to feed what we heard through these consultations to Geoff, so that the voices of Aboriginal

and Torres Strait Islander people are meaningfully reflected in the final report to the Minister.

One of the key challenges that we discussed through these consultations was how to practically apply the UNDRIP principles in terms of the context of the water legislation. UNDRIP sets out really important principles such as self-determination, participation in decision making, respect for and protection of culture, and non-discriminatory functions. These principles establish clear outcomes that we should be striving for, but they don't provide detailed instruction on how governments, water managers or institutions should be implementing them in practices.

In many ways, it's like telling your kid to be nice and kind. We understand the intent, but we still need to determine what actions, behaviours and systems are required to make it happen. That's why these consultations focused on identifying practical opportunities under the Water Act to promote the principles of UNDRIP.

To support these discussions, consultations were structured around five key themes, which were shared decision making and governance, recognition of rights and self-determination, protecting cultural and spiritual water and water places, better outcomes for communities, particularly in the context of climate change and water, and accountability and complaints processes.

Particularly encouraging outcome from the consultation was the consistent feedback that we received across the country, including in the basin and outside of the basin.

A What We Heard report has now been drafted as a record of this consultation and it's with the peak Aboriginal and Torres Strait Islander bodies for their review.

We've also hosted a What We Heard seminar, which Geoff attended, which summarised those key themes and perspectives raised by the peaks.

While the First Nations consultation phase is critical, it's not the end of the conversation. And a key message from all Aboriginal and Torres Strait Islander participants is the importance of that continuing engagement in the broader national

dialogue.

The national discussion paper on Have Your Say is an important opportunity to ensure Aboriginal and Torres Strait Islander people's perspectives will continue to inform the discussions on water security, climate resilience, water planning and the long-term reform of the Water Act.

Ultimately, our consultations have demonstrated that Aboriginal and Torres Strait Islander people are not simply seeking recognition. They're seeking practical pathways to implement the principles embodied by UNDRIP and to ensure those principles are reflected in how water is governed, managed and protected now and into the future.

I'm going to pass on to Kristie now. She's going to talk about stakeholder engagement and governance.

Kristie MCTERNAN

Hello, everyone. So great to see so many of you online and able to access the session today. Today's webinar is one of a number of opportunities that stakeholders will have to learn about the review and participate in the consultation process. In addition to this webinar, stakeholders can engage through the Have Your Say consultation platform, and through targeted stakeholder discussions being conducted throughout the consultation period. We encourage stakeholders to participate in whichever way works best for them, whether that be lodging a formal submission, responding to consultation questions, or by participating in one of our engagement activities.

When our draft report is released by November 2026, there will be a second round of consultation, and at this time, stakeholders will get to have their say again. Next slide, please.

We recognise that stakeholders engage in consultation in very different ways, so we try to make participation as flexible as possible.

The easiest way to get involved is through the Reviews Have Your Say page. You can access it directly through the QR code on this page or through the Water Act Review web page. There's no single way to participate. You can choose to upload a written submission, respond directly to consultation questions online or do both.

We encourage stakeholders to engage in whichever way best suits their circumstances and the issues that they'd like to raise. I'll repeat what Emma said earlier. It's important to note that you do not have to answer the questions that are contained in the discussion paper.

The questions are intended as a guide for discussion only and to help to inform your submissions. Stakeholders are welcome to focus on the issues that are most relevant to them and their experiences.

For those who prefer to provide information in a different format, the consultation platform also allows for the upload of supporting documents and multimedia files such as audio and video. We want to hear from a broad range of voices, including individuals, organisations and communities, and stakeholder groups from across Australia.

Submissions will remain open until 11.59pm Australian Eastern Standard Time on Monday the 31st of August 2026. This gives stakeholders time to review the discussion paper and prepare their feedback. I encourage everyone participating today to contribute.

Whether your submission is a detailed technical response or simply focuses on the issues that matter to you the most, your input will help inform the review's consideration of the Water Act and its operation and where there are opportunities for improvement.

Next slide, please. If you'd like more information about the review, the best place to start is the Water Act Review website. It contains key documents, including the terms of reference, the discussion paper, consultation materials, and information about engagement activities. It also links through to the Have Your Say page where you can

make your submission.

You can also contact the review team directly at wateractreview@dcceew.gov.au if you have questions about the review or the consultation process.

For First Nations people, organisations and communities, we have a dedicated First Nations engagement e-mail address available to support participation in the review. That e-mail address is firstnationswater@dcceew.gov.au.

We'd encourage everyone participating today to visit the website, review the consultation materials, and consider making a submission before the 31st of August. With that, I'll hand back to Geoff for our Q&A.

Thank you.

Geoff Leeper 24:18

Thanks, Kristie. Just before we turn to Q&A, in the month of August, we're also doing a fairly reasonable amount of outreach. At the moment, we're running roundtables focusing on the needs of the agriculture sector, water sector, environments, First Nations, academics, local government and legal.

So key focus areas for those stakeholders. I'm required under the terms of reference to consult with the states and territories. And at the moment I've got meetings, initial meetings booked with the NT, South Australia, the ACT, Tasmania and Western Australia. And so we'll be doing all of that through the course of August as well, just to provide an opportunity for those stakeholders to hear from us and make comments ahead of their formal submissions.

So we've now provided an overview of the Water Act review, the discussion paper, the key focus areas being examined, and the ways in which stakeholders can contribute to the review. So we'd now like to open the session for questions through this Q&A function.

If anybody was online on Friday, we did it a different way. So, Kristie, I might ask for a bit of help steering the traffic here. But today, you know, we really wanted to make

sure that stakeholders understand the review, the issues in the discussion paper, and how they can participate in the consultation process. So we really welcome questions on the review scope, the focus areas we propose, the questions for consideration, or even the consultation process more broadly. We won't be responding to individual submission positions or speculating on the review's findings. To be frank from my chair, it's way too early for that. But we're very happy to clarify aspects of the review if needed to make sure participants have the information that they need to engage effectively.

We did have a number of questions on Friday, so I think, Kristie, we're proposing to work through those again, and it's open for other questions and answers as well. I'll start checking that tab now that I've finished chattering.

So, let's see what we've got for people who want us to respond to here. There's now, I'm if I am I starting at the top, Kristie, 'cause if I am, I'm starting with Tom's starting with Tom's question, or am I scrolling?

Kristie MCTERNAN

Scroll down to, there's one from administration officer, I'm not sure who that's for, but we've got, are you going to take into account the social and economic impacts on rural communities and staple food production for our nation?

Geoff Leeper

I'll have it go, but Vanessa and Emma, please come in. I mean, the terms of reference, I think, and Emma's outline of the approach here makes it very clear that social and economic impacts are a key focus for this review. Rural communities, particularly those in the Murray-Darling Basin, will be part of that as well, acknowledging that those critical decisions around water allocations and things are not in the scope for this review, being responsibilities of the states and territories in consultation with the authority. There is probably something for us to explore perhaps around critical human water needs as part of the review framework.

So that may be something that we can pick up. But please be assured, social and economic impacts on all communities are a key focus for the review. Emma or Vanessa, please come in if you would like to add anything. No? Okay. Thank you.

Dugald. Dugald's got a question about, do we have access to all the AGS legal advices about the Act?

Emma SOLOMON

Great.

Geoff Leeper

I'm going to throw this one to Emma, having just arrived.

Emma SOLOMON

Yeah, thanks for that question. So, it's not intended to release all the department's legal advices, that's subject to legal professional privilege, but what we can commit to is being as transparent as possible around all the issues that are relevant to the Water Act review and be transparent about how we're analysing issues and ultimately how the independent reviewer determines issues.

Geoff Leeper

Thanks, Emma. We've got a question for Tom O'Malley. What does water information management mean in question 10? I think, as Emma outlined, whilst the Water Act is fundamentally focused on the Murray-Darling Basin, there is an overarching water information management function, which is effectively national and is a function for the Bureau of Meteorology.

My personal view on this stuff is that, as with any information, it's absolutely critical that it be drawn from sources so that the information itself is trusted, so that people actually have a conversation about what the information means, as opposed to arguments about whether the information is right. Now, if that's something that our review can contribute to, I'm certainly very happy to take that on. But that's the fundamental thing there, I think, Tom, is national water information management. So, and that's probably why, amongst other things, NT, Tasmania and WA probably want to engage with us, I think, around some of these issues. Now, I'm just refreshing for new posts as well.

Emma SOLOMON

And I'll just add that that relates to the role of the Bureau of Meteorology under the Act.

Geoff Leeper

Yeah, okay. So a question from Claire Stephenson. I hope people don't mind if I mention their names, but they're logged in this way. To help people know which way to provide a submission, can we show what the survey questions are and can people submit more than once if they decide to answer the survey and then to upload a submission? Christy, I might ask, if you don't mind, if we can help people out there.



Kristie MCTERNAN

Sure. So just to the questions, they are the questions that Emma discussed earlier in the presentation. So we've had them up on screen. They are available in the discussion paper. They're also in the discussion paper snapshot. And they are available when you click through to make a submission as well. So you can see them there and you can free text into those questions if you'd like.

Yes, you can submit more than once. You can put in a submission as an upload as well as answer those questions in free text. If you have any issues at all with using our consultation page, please don't hesitate to reach out to us at wateractreview@dcceew.gov.au.

Geoff Leeper

Thanks, Kristie. Teagan, there's a question from Warwick from the National Farmers Federation. Will the recommendations from you be included in the draft report? Maybe we should both respond to this. I hope for you to go first if you want to, but...

Teagan Shields

You can go first, Geoff.

Geoff Leeper

Okay, I mean, there's only one draft report, Warwick. So whatever recommendations Teagan makes, if they're included in the draft report, and I don't mean that in a conspiratorial way, but if they're included in the draft report, it's because it's my view as the independent reviewer that they need to be included. So Teagan will be

providing input, as she said, based on the consultations that she's undertaken, and I will treat those things with the utmost seriousness, as I will other elements of inquiry around the review.

Teagan Shields

And I think further to that, we've made a commitment around the What We Heard report, which I spoke to, which is at Nations Groups level at the moment for feedback, that that will be published. And so that's not the recommendations, that's just what we've heard in terms of the issues.

Geoff Leeper

Thanks, Teagan. There's a question from Perin there, Perin Davey, how do we get involved in the industry roundtables? Amber, is it something you can help with, please?

Emma SOLOMON

Sure. So the industry roundtables, we have invited some of the peak stakeholder organisations to participate. So if you haven't been invited, but you think you should, please e-mail us and we'll see what we can do.

Geoff Leeper

I think from memory, I haven't counted them up, but there's more than 60, I think, stakeholder organisations that we're engaging with through August, just to make sure the discussion paper gets enough air as well. Question from Graeme Kruger. Thank you, Graeme. There's no reference to the Constitution and how the review of the Water Act will ensure alignment.

It is certainly not my intention to recommend to the government that they change the Constitution around the separation of powers to do with water and Commonwealth responsibilities. I think that would probably be unhelpful. So I think it's best if I work within the framework of the Constitution and not assume anything beyond that point. I hope that's a helpful response. Robert Munday, how will you distinguish or draw a line between reviewing the Act and evaluating programs that operate under the Act? Emma, I think the answer here is that we're reviewing the Act to test its effectiveness against the objects as listed. I don't think we're actually

formally evaluating programs that operate under the Act. And I see Emma's confirming that with a sideways nod. I might take this point just to mention, I mean, what I'm asked to do here is with Vanessa and Teagan is effectively do a capstone review. And by that I mean the review of the Water Act needs to take into account in its final report the Basin Plan Review, the Productivity Commission report that's expected around the 6th of September. There's been a recent statutory review of the Inspector General of Water the final report of which I understand it should be available soonish. There's a snowy water thing, there's the water for the environment special account reconciliation, there's a sustainable diversion limit monitoring reports and things. All of those are things that we will take into account without redoing the work.

So it's important that people understand it's we're not trying to re-litigate things that have been worked through under all of those headings. Emma, is that OK? You wanna add anything?

Emma SOLOMON

No, that's great. And just really noting that the Murray-Darling Basin Authority has undertaken the basin plan evaluation and have the ongoing review. And of course, that is something that the Water Act review will need to consider.

Geoff Leeper

OK, the next one from Jessica Freame is the Murray-Darling Basin Agreement, which is Schedule One of the Act within scope for the review. I mean, you have some brilliant words on this, I think, which I won't try and repeat.

Emma SOLOMON

Sorry, so I'll just, thanks Geoff, I'll just say that the Murray-Darling Basin Agreement is a long-standing intergovernmental agreement between Victoria, Queensland, New South Wales, South Australia, the ACT and the Commonwealth and is something that can actually only be amended with the unanimous agreement of all parties.

So while it is definitely a schedule of the Act, it is a very special part of, has special arrangements to amend it. And it's been addressed in the terms of reference so far that it says that it is only within the scope of the review to the extent that it interacts

with the Act. So if there's a material interaction with some of the material provisions in the Act, then it can be considered, but it's not certainly not a focus of the review.

Geoff Leeper

Thanks, Emma.

Okay, next one's from Lou Gall. With regard to water security, to what degree are we able to consider the possible increase in demand for water from data centres or other industries? Emma, you've got a data centre expert lined up to answer this one, I think. I might throw it to you if you don't mind.

Emma SOLOMON

Sure, thanks. So, I'll just introduce Mateusz from the department and he works in our National Water Area and is working on the data centres. Thanks, Mateusz.

Geoff Leeper

Mateusz, yeah.

Mateusz JAKUBASZEK

Thanks, Emma and Geoff. I think broadly, any water intensive industries were required to operate within their licensing agreements, whether that's through urban facilities and the contracts they sign there or in regulated spaces through the licensing arrangements through state and territory governments or or what are the appropriate methodologies there. And that will continue to apply across the board, I believe, even with the recent announcement from the PM about standards for AI and data centre water use.

Geoff Leeper

Thanks, Mateusz. Very much appreciated. Question from Julia Liu. Is the definition of environmentally sustainable level of take within the scope of the review and if so, will it be assessed as part of the objects and considerations? I think, Emma, this one probably sits within the remit of the Murray-Darling Basin Agreement more so than the Water Act. Would that be?

You're on mute, sorry.

Emma SOLOMON

Ah.

Yes, so that is the Murray-Darling Basin Authority is looking at whether the sustainable diversion limit fits, meets the environmentally sustainable level of take. Of course, the definition of environmentally sustainable level of take is within the act. So both reviews will play a role in relation to that important concept.

Geoff Leeper

Okay, I hope that answers it. A question from Geoff Kendall. Why isn't someone from agriculture on the review panel and why isn't the nation's future food security being considered? Well, we are engaging with the agriculture sector, as I indicated, amongst a range of other stakeholder groups. I'm not sure about the second part of the question in future food security. I mean, part of what we have to consider here is how well the current Water Act, which is now coming up 20 years old, is fit for purpose for what's really forecast to be a quite changing climate out to 2050. And the Basin Plan outlook from last year makes it very clear that the outlook, particularly in the Basin, is hotter and drier.

So I think those kinds of things, those kinds of factors have to be weighed in hand, as it were, when looking at how the Water Act is structured and what its objects and things need to be going forward.

Hiruni, is there a plan to integrate findings from parallel review processes? I think I've answered this one in the sense that my review needs to be informed by recommendations from these other reviews. I don't know yet whether I'm going to agree with all the recommendations, and I can't promise that I would do so, but I will certainly be informed by it.

The critical question is, if they've just done a big review of something and prepared a report, it's really for me to be informed by that and their recommendations rather than go down and relitigate things. So that would be, I guess, my answer there.

I've got one more. I think at the moment, to what extent will this review benefit or assist non-Murray-Darling Basin states and is there any scope for rewriting or extending the objects of the Act beyond Murray-Darling?

This is something we'd love to hear from people on. At the moment, the Water Act really only has that single national function around water information. It is otherwise fundamentally focused on the Murray-Darling. There are 12 water basins in Australia. If I've read the map correctly, only four of those are jurisdiction, a single jurisdiction water basins.

The other eight are multi-jurisdiction water bases. So threshold question, if you've got a framework for the Murray-Darling, are there seven other water basins that also need to be thought about in that way? I'm interested in people's views on that. There are other parts of the country where water security is going to be a challenge under climate change, and so is that something the Act needs to consider? I'm really happy to hear people's views.

Zara, thank you. Hi, thanks for the update. Excited to have made it into today's webinar. Well, at least I hope you got in quicker than me, Zara. So we met with Zara yesterday and Warwick as well, just for a conversation around the discussion paper.

Your questions around timing and how the Water Act review will incorporate changes to the basin plan, which should only be recommended in December.

I think, Zara, that's why our November paper will be a draft. I don't know yet whether we'll have access to, under embargo, access to where the basin plan revision is going, but otherwise we'll be working through January and February to make sure that the review of the review that I'm leading is consistent with and informed by the Basin Plan.

I guess I'm in trouble if they don't make December, but at the moment there's nothing to suggest that they won't. But I think, yes, that's why we're doing a draft report and then working through to a final by the end of February.

I'll just pause there in case there are other questions. We've still got 15 minutes if people have other things they would like to raise. Yep.

Kristie MCTERNAN

Geoff, we might just move to the questions that didn't get answered on Friday when

we were having technical difficulties. So I can read those out if you like, as a few of them are in my patch. So the first one was, with the draft report being released in November, what time frame will submissions be due for post its release. You'll have at least six weeks at that point as well to put in submissions for the draft report and we will be holding more consultation at that stage.

Is there a calendar of state and stakeholder group targeted consultation so that stakeholders can register their interest to be invited?

You can go on our website and there is a place where you can actually register to get updates about Water Act Review and about other water processes as well. So you can go in there and sign up. You can always reach out to the Water Act Review inbox, as I've mentioned, and ask for information and we can get that to you.

So then we also had a couple of questions here that we received via e-mail. So the Water Act only exists because of external affairs powers, e.g. international agreements. In the objects of the Act, the relevant international agreements have been relevant to the use and management of water, basin water resources.

Therefore, why haven't our international free trade agreements been prescribed? And will you update the prescribed agreements and include all our FTAs relevant to all uses and management in the basin? I think that's probably one for Emma or Geoff.

Geoff Leeper

Emma, you go, if you're happy, that's fine.

Emma SOLOMON

So, yeah, thanks. So, while the Water Act itself refers to specific international agreements, the Water Act does not derive its validity solely from the External Affairs power.

In fact, when the Water Act was made, Parliament expressly provided that the Act relies on at least nine separate constitutional sources of legislative authority, including trade and commerce, corporations, communications, external affairs, incidental powers, among others. And it's common practice for the Commonwealth

legislation to rely on a number of heads of power. The Water Act is no exception. So whether additional international agreements should be prescribed in the future is ultimately a matter for government and Parliament.

Of course, it is open for the review, the reviewer to consider these issues. I would just note that the terms of reference really are, is the Act meeting its objects, including the integrated and sustainable management of basin water resources. which is the focus of the act itself.

Geoff Leeper

Thanks, Emma. Kristie, have you got more? There's a couple more in our feed, but...

Kristie MCTERNAN

There are two here, but they don't...these are more about New South Wales water than water act. Emma, did you want me to go to them or?

Emma SOLOMON

So we did receive a couple of questions relating to the actions of New South Wales government in water matters that are not relevant to the Water Act. So it's probably not appropriate for us to comment in these circumstances. So yeah, we can move on to other questions. Thanks.

Geoff Leeper

Okay, I've got a couple more in the feed here. So there's one there about Water Act alignment with the National Water Agreement. Yet at this stage, the final version is not publicly available and not signed by the states. So yeah, I think that's at the moment, that's factually correct. I'm advised that the Commonwealth appears to have reached a position where it will be happy to execute the National Water Agreement at the moment, there are no state or territory is in the same position.

I think the intention is that the Water Act going forward ought to be aligned with and support the National Water Agreement in the same way as the 2007 Act was informed by and intended to support the National Water Initiative. But Lou, your points were made. Until there's actually an executed National Water Agreement, this is something we're going to have to stay agile about.

Geoff Leeper

The quick question from Peter there about water security and security of water to enable delivery, which he's calling conveyancing water. Will that be considered alongside water sharing plans in the Water Act review? I'm going to take advice on this one, Emma. I'm sorry. I'm going to ask you if you can help or Vanessa.

Emma SOLOMON

Vanessa, happy for you to answer, but I'd probably point to the basin plan review in relation to this one as well.

Vanessa O'Keefe

And I guess, yeah, state sharing, state sharing arrangements and water resource plans, I think it's probably not part of this part of this review.

Geoff Leeper

Yep, OK.

I've got, now Dugald, you've asked about questions that have been emailed, so I think we've answered that one.

Hongzhang, there's a question about the Water Act mainly focusing on water security in the Murray-Darling Basin while water information is collected nationally. Are we looking at whether the Act could support a broader national role around water security outside the basin?

I think I addressed this with the previous question. If that's something that people think is important, please put it into your submissions and it becomes part of our consideration. We really want to know, amongst other things, are the current objects of the Water Act and the way it's structured and focused appropriate going forward as a piece of Commonwealth legislation.

Still got a couple more minutes, but I'll take advice, Kristie, on if you want me to do the windup. We'll see. I can't see many more questions coming through.

Kristie MCTERNAN

Yeah, look, if we haven't got any more questions, please quickly put them in the chat if you have got anything, but I think barring that, we can wind up.

Geoff Leeper

Okay, well let me say, and thank you everybody for joining us today, and I'm really pleased to see that hopefully you will manage to stay on for as long as you wanted to. The Water Act's been in operation, as I said, for nearly 20 years, and it's played a significant role in shaping water management across the Murray-Darling Basin and supporting national water information arrangements.

So this is a timely review, I think, and really based around projections of the future path of climate and some of those challenges. There are things around water management today that weren't present following the millennium droughts, and those things need to be taken into consideration. Climate resilience, First Nations interests and issues, information to support decision making.

There will be a lot of perspectives to be considered, and I'm very conscious of that as an exercise in stakeholder engagement. So it's really important that we hear from you. If you've got a view, we need to hear it so we can take it into account. So thank you very much for both attending today, for the questions that you've made.

Vanessa O'Keefe

Yes.

Geoff Leeper

and hopefully we've been able to answer. Any contribution you can make through the submission process will assist us in preparing the draft report and then the final report early in 2027. So thank you very much for your time, your engagement and your commitment to the future of water management in this country and we look forward to hearing your views.

Thanks, everybody.

Emma SOLOMON

Thanks, bye.

Geoff Leeper

Thank you.