

AUSTRALIAN WATER

ASSOCIATION

Water Act Review 2026

Australian Water Association (AWA) Submission

31 August 2026

Final Submission lodged online to: <https://consult.dcceew.gov.au/water-act-review>

To the Water Act Review team,

AWA is pleased to provide our initial submission to the Water Act 2007 (*Cth*) Review. AWA welcomes the opportunity to discuss this submission further.

Yours sincerely,



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Our key recommendations

This submission focuses on getting the fundamentals right. The evidence base for Australian water policy reform is already substantial with more than 1,000 submissions to the Murray-Darling Basin Plan Review and over 100 submissions to the Productivity Commission's National Water Reform Inquiry. The issue is no longer a lack of information, scientific evidence or stakeholder input, it's about governance.

The water sector has consistently engaged in review processes and many of the themes raised throughout this submission have been discussed for decades. The opportunity presented by the Water Act Review is to **strengthen the legislative foundations needed to implement reforms that stakeholders and successive reviews have been calling for.** The recommendations presented in this submission are closely aligned with the direction of the proposed National Water Agreement, particularly its stronger recognition of climate resilience, adaptation and the increasing influence of climate change on water availability, ecosystem condition and water security (DCCEEW, 2026). Embedding these principles within the Water Act would help ensure they become enduring features of Australia's water governance framework rather than remaining solely policy aspirations.

It is time for the Water Act Review to help establish stronger foundations for these enduring reform priorities. The recommendations outlined in this submission represent practical changes that could be enacted through the Water Act to support more resilient water governance, improve accountability, strengthen environmental stewardship, advance First Peoples outcomes and secure Australia's water future.

1. Explicitly recognise climate resilience and adaptation
2. Recognise intergeneration equity within the Objects of the Act
3. Shared decision making for First Peoples communities at the scale necessary for lasting change
4. Using national water information to make trade-offs explicit and governable
5. Integrate water, land use and catchment planning
6. Expand consideration of diversified water supplies

The Australian Water Association – a collective of water professionals

The Australian Water Association (AWA) welcomes the opportunity to make a submission for the Water Act 2007 (*Cth*) Review. AWA is Australia's largest peak body for the water sector – representing over 6,000 members across utilities, government agencies, engineering, urban design and planning, science, research, academia, energy, resources, manufacturing, mining and agriculture.

AWA aims to leverage its broad and diverse membership to advocate for a sustainable water future, where water is recognised as enabling infrastructure that underpins Australia's key priorities, including economic productivity and development, climate resilience, environmental integrity, social wellbeing, intergenerational equity, and progress towards Closing the Gap. AWA acknowledges that First Peoples have sustainably managed water for tens of thousands of years through traditional custodianship, and that genuine recognition of the cultural, social and spiritual values of water is critical to achieving equitable, resilient and enduring water outcomes for all Australians.

Our approach to this submission

The Water Act 2007 provides the legislative foundation for many of the principles established through the National Water Initiative and subsequent national water reforms. As such, this review presents an important opportunity to consider how the Act can evolve to support the next generation of water reform. This submission amplifies the insights contained within the [National Policy Forum 2026 Outcomes Paper](#), as well as our recommendations from three successive submissions to the [National Water Reform Inquiry 2026](#). We have also drawn from technical evidence across presentations, papers and case studies from our national conference program. AWA has also reviewed and incorporated technical evidence presented through presentations, papers and case studies from our national conference program relevant to:

- The operation and future direction of the *Water Act 2007*;
- Water management practices and reforms across Murray-Darling Basin jurisdictions;
- First Peoples economic, environmental, social, spiritual and cultural outcomes;
- National water information, monitoring and decision-support systems; and
- Emerging approaches to water security, climate resilience and sustainable water management.

We need to amend the objects of the Water Act

The Water Act has established a national framework for managing shared resources within the Murray-Darling Basin through improved water planning, environmental water management and national reforms to water information. However, the objects of the Act reflect the context in which it was developed, during a period dominated by the Millennium

Drought and a strong focus on restoring sustainable diversion limits and recovering environmental water.

Water has and continues to underpin economic productivity, community wellbeing, environmental stewardship, cultural outcomes, climate resilience and long-term intergenerational equity. While these benefits are increasingly expected of Australia's water systems, they remain inadequately recognised within existing governance, policy and regulatory frameworks. Without reform, water systems cannot be expected to sustainably deliver these outcomes into the future (AWA, 2026a; WSAA, 2026). The primary challenge facing the water sector is no longer a lack of scientific evidence or technical knowledge. Rather, we are facing a governing crisis which leads to a struggle in the appropriate balance and delivery of the competing values of water.

AWA therefore recommends that the objects of the Water Act be expanded and modernised to better recognise the contemporary role of water in Australian society and provide a stronger legislative foundation for the delivery of safe, secure and sustainable water services.

1. Explicitly recognise climate resilience and adaptation

AWA recommends that the Objects of the Water Act be amended to explicitly require water management that supports climate resilience. Suggested wording within the Objects of the *Water Act* (2007):

"Ensure the management of water resources in a manner that supports climate resilience and adaptation."

The Water Act was developed in response to the Millennium Drought and established an enduring framework for managing Murray-Darling Basin water resources in the national interest. Since its introduction, climate change has become one of the most significant challenges affecting Australia's water resources. Climate variability, changing hydrological conditions, prolonged droughts, more intense flood events, and declining inflows will increase competition for water.

Successive Productivity Commission reviews have consistently identified climate change as one of the most significant long-term risks to Australia's water security and water management frameworks (PC 2021; PC 2024). This priority is reflected in the proposed National Water Agreement (DCCEE 2026); however, the timing and extent of its implementation depend upon the adoption of the NWA by each state and territory. The Water Act Review therefore presents an opportunity to embed climate resilience directly within the primary legislation governing Australia's national water framework. Explicit recognition of climate resilience within the Objects of the Act would provide a stronger statutory foundation for future water reform, and better align legislation to:

- 1) Establish adaptive management approaches that respond to changing environmental and climatic conditions;

- 2) Strengthen the legislative basis for climate-independent water supplies, including recycling, reuse, managed aquifer recharge and other supply diversification approaches (further explored in Section 2.3); and
- 3) Support improved groundwater resilience and integrated management of surface and groundwater systems.

2. Recognise intergenerational equity within the objects of the Water Act

AWA recommends that the Objects of the Water Act be strengthened to explicitly recognise intergenerational equity and the responsibility of current decision-makers to sustainably manage water resources, infrastructure and environmental assets on behalf of future generation. Suggested wording within the Objects of the *Water Act (2007)*:

"Ensure the management of water resources in a manner that protects the interests of future generations through the sustainable stewardship of water resources, ecosystems and associated infrastructure."

Water management decisions made today will have consequences that endure for decades. Decisions regarding environmental condition, water allocation, water security and infrastructure investment all influence the capacity of future generations to access safe, secure and sustainable water resources. Australia can draw examples from international precedents, including the *Well-being of Future Generations (Wales) Act 2015*, which places a legal duty on public bodies to consider the long-term consequences of their decisions and to act in a manner that protects the wellbeing of future generations.

The concept of intergeneration equity presents a unique opportunity to promote the principles of long-term stewardship that requires decision-makers to consider whether today's actions are transferring avoidable costs, risks or degradation to future communities.

3. Shared decision making for First Peoples communities at the scale necessary for lasting change

Currently, the Act requires decision-makers to "take account" of Indigenous spiritual, social, environmental and economic matters (Object (fa)). This language reflects an earlier phase of water reform which focused primarily on consultation.

AWA recommends that the Objects of the Water Act be strengthened to facilitate the implementation of First Peoples self-determination, shared decision-making and First Peoples-led water governance at the scale necessary to enact lasting change.

Specific wording and amendments must be developed with First Peoples.

The First Peoples' Water Engagement Council (FPWEC) Policy Framework identified more than a decade ago that Aboriginal people were systemically underrepresented in water planning processes and lacked equitable access to the consumptive pool needed to support economic development (FPWEC, 2012). Through decades of advocacy and landmark statements including the Echuca Declaration (2007), the Garma International Aboriginal Water Declaration (2008), and the Mary River Statement (2009), Water Resource Plans increasingly reflect the discourse around Cultural Flows. The Commonwealth's Aboriginal Water Entitlements Program represents an important step towards restoring water ownership and governance opportunities for First Peoples, and models for First Peoples co-management of water systems have been developed (see Box 1).

However, without water policy reform there is a risk that successful initiatives remain isolated examples rather than standard practice. The Water Act Review presents an opportunity to shift from recognition towards implementation by establishing legislative objectives that support the widespread adoption of First Peoples-led governance arrangements, cultural water management initiatives, shared decision-making models and pathways to economic participation. This would enable successful approaches to be replicated at the scale required to achieve lasting change.

THE NARI NARI AND THE GAYINI WETLANDS (NNTC & CEWH, 2026)

In 2023, the Nari Nari Tribal Council (NNTC) and the Commonwealth Environmental Water Holder (CEWH) entered into a ten-year partnership agreement that formalised a shared commitment to improving cultural and environmental outcomes through environmental water management. The agreement supports Nari Nari leadership and decision-making regarding the ongoing cultural and ecological management of Country and embeds Traditional knowledge within environmental watering programs.

The partnership has delivered tangible outcomes. Environmental watering informed by Nari Nari knowledge has contributed to large-scale waterbird breeding events, including more than 98,000 nests recorded in 2022, and has supported the recovery of the threatened Southern Bell Frog to pre-Millennium Drought levels. The partnership has also supported dedicated First Peoples participation in environmental water planning, monitoring and delivery through the establishment of a First Peoples environmental water officer position.

The partnership demonstrates how First Peoples leadership, environmental water management and ecological restoration can be successfully integrated. The partnership has delivered measurable environmental outcomes, strengthened First Peoples participation in water governance and created a mechanism for ongoing cultural stewardship of Country. AWA considers that the challenge for future water reform is not establishing whether such models are effective but creating the legislative settings necessary to make partnerships of this nature commonplace across the Basin.

Box 1 – The Nari Nari and the Gayini Wetlands

4. Using national water information to make trade-offs explicit and governable

AWA recommends that the Water Act strengthen the role of national water information in supporting transparent, evidence-based and accountable decision-making.

Major planning decisions under the Act should clearly identify: the expected benefits and outcomes, the expected costs and risks, and the implications across environmental, economic, social and cultural values of water.

A recurring theme throughout AWA's National Policy Forum, National Water Reform submissions, Basin review processes and Water Act stakeholder engagement has been the lack of transparent mechanisms for navigating competing demands on water resources. Existing governance frameworks do not clearly explain how trade-offs are being made, who is affected by those decisions, or how negative impacts will be mitigated.

There is a stronger role for water information to fill these gaps, given Australia's significant investment in national water information systems. Under the Water Act, the Bureau of Meteorology is responsible for collecting, managing and disseminating national water information, maintaining water accounts and producing forecasts on future water availability (Coulton et al., 2023). Improved water information, modelling, digital systems and emerging technologies can quantify long-term environmental outcomes, improve assessment of social and cultural values, evaluate water security risks under future climate scenarios and compare alternative management pathways to support transparent decision-making.

The Water Act Review also presents an opportunity to reconsider national accountability arrangements. AWA has previously advocated for the re-establishment of an independent national oversight function, like the former National Water Commission, to provide long-term accountability, monitor reform implementation and ensure that national water information informs decision-making rather than merely reporting outcomes.

AWA proposes that the Water Act establish a consistent framework for identifying, assessing and communicating trade-offs during water decisions. Through leveraging existing water information processes and increasing accountability for major water decisions, the Basin Plan can govern trade-offs in water uses more deliberately. Furthermore, the legislative requirements of water information reporting can be used to better inform decision making.

5. Integrate water, land use and catchment planning

AWA recommends that the Water Act strengthen requirements for integrated planning across water, land use, infrastructure and environmental management to ensure water is considered early in decisions that shape future growth, development, community resilience and environmental outcomes (AWA 2026b, AWA 2026c).

Water continues to be treated as a downstream servicing issue rather than a foundational consideration in planning and development decisions. AWA members consistently identify institutional fragmentation as one of the largest barriers to delivering environmental and

public benefit outcomes. The Water Act Review presents an opportunity to strengthen governance frameworks to enable collaboration and improve accountability.

Often, the responsibility for water often sits across multiple organisations, including water utilities, local government, planning authorities, environmental or public health regulators; and state and Commonwealth agencies. While environmental, social and economic objectives are often broadly supported, implementation can be hindered by fragmented funding arrangements, overlapping responsibilities and unclear accountability.

6. Strengthen consideration of diversified water supplies

A recurring theme throughout AWA's National Water Reform submissions is that Australia's future water security cannot rely solely on traditional rainfall-dependent sources. Climate change is increasing uncertainty in water availability, reducing the reliability of historical planning assumptions and placing growing pressure on existing surface water and groundwater resources. While the Water Act has successfully established mechanisms for managing water resources within the Murray-Darling Basin, future reform should recognise that resilience is increasingly delivered through diversified water portfolios rather than individual sources alone.

AWA recommends that planning frameworks established under the Water Act explicitly recognise the role of diversified and climate-independent water supplies in supporting long-term water security, environmental resilience and community wellbeing. Diversified water supplies must consider recycled water and purified recycled water (Romain & Wu, 2023), and policy and regulatory settings need to be amended to accelerate this process. As demonstrated across parts of the Murray-Darling Basin, groundwater systems are increasingly vulnerable to the impacts of climate change, including changing hydrological conditions and declining baseflows (Evans & Hanson, 2025), emphasising a necessity of a broader suite of resilience measures. Managed aquifer recharge, water banking and other alternative supply approaches will continue to play an important role, but future water security will require a circular approach to water management that considers the productive use of every available water source ([Circular Australia, 2026](#)).

Conclusions

The *Water Act 2007* has delivered some of the most significant water reforms in Australia's history. Through the establishment of Basin-wide planning, environmental water management, water information systems and improved governance arrangements, the Act has played a critical role in safeguarding the Murray-Darling Basin and advancing the objectives of the National Water Initiative.

However, Australia's water challenges are growing. Climate change, increasing competition for water resources, population growth, environmental degradation, ageing infrastructure and necessary improvements to First Peoples co-management in water necessitate a revised, stronger legislative framework. The opportunity presented by this Review is to embed those solutions within Australia's primary water legislation and better align with the proposed principals of the renewed National Water Agreement. Contained within this submission were

practical amendments to the Water Act that would strengthen its capacity to deliver enduring outcomes through:

- modernising the Objects of the Act to recognise climate resilience, intergenerational equity, First Peoples self-determination and the many values of water;
- improving planning and decision-making processes, including stronger consideration of trade-offs, integrated planning and diversified water supplies;
- strengthening accountability, reporting and governance arrangements so that water information is better used to support transparent and evidence-based decision-making; and
- creating legislative settings that enable successful approaches already emerging across the sector to be implemented at the scale required to achieve lasting change.

AWA will continue to advocate for water to be recognised as critical, given it underpins economic prosperity, environmental integrity, cultural wellbeing, climate resilience and future community development. Future generations should inherit healthy rivers, resilient communities and water systems that have been thoughtfully maintained and renewed, rather than deferred challenges and growing risks.

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