

DRAFT WESTERN DAVENPORT WATER ALLOCATION PLAN SUBMISSION WRITING GUIDE AND SAMPLE LETTER

Why are we talking about the Western Davenport Water Allocation Plan?

The Northern Territory Government has released the [Draft Western Davenport Water Allocation Plan 2023-2033](#) (WDWAP) for public consultation. **Submissions are due Sunday 14 May.**

The water plan applies to the area 100km south of Tennant Creek, it includes Iytwelepenty / Davenport Ranges National Park, the remote community of Ali Curung and Singleton Station.

This plan is a hostile anti-democratic document which represents a radical departure from good science and good governance. We unpack this further below.

What is a water allocation plan?

The WDWAP is a ten year statutory document that is declared under the *Water Act 1992* (NT). Under the Act, water licences need to be issued ‘in accordance with the water allocation plan’ of the region they are based in. This gives water allocation plans a lot of power.

Water allocation plans (WAPs) in theory are intended to assist governments and the community to determine water management and allocation decisions to meet productive, environmental, cultural and social objectives i.e. how much water can be used, by whom and with ‘X’ determined and understood impacts. The WAP process is complemented by a water advisory committee which includes diverse membership and expertise.

Nationally, WAPs are to be transparent, evidence-based, involve community input and secure ecological values by describing and mitigating environmental, cultural and social impacts.



What is ALEC's position on the plan?

ALEC advises the strongest possible opposition to this plan. We are calling for the plan to be scrapped. The plan does not and will not protect ecological or cultural values. The NT already has some of the weakest water laws and governance arrangements in all of Australia. Rather than strengthening the water management system, this plan removes hard fought environmental protections



What are ALEC's major concerns?

1. Allocates too much water

The root problem with this water allocation plan is that it allocates too much water for extraction. The “sustainable yield” of 81.5 GL/year is twice the amount of water used in Darwin every year, a city of 140,000 people. It is simply too much to be extracted from the Central Plains zone.

The modelling shows that after 50 years under the most likely extraction scenario the water table will draw down by:

- more than 20m over a stretch of land close to 40km in length
- more than 5m over a stretch of 100km.

Every time the NT Government talks about how much water there is in the Western Davenport region, they underplay the significant impacts that will occur on the surface from this level of extraction. The 2011 plan recommended a far low sustainable yield of 27 GL/year for the Central Plains zone.

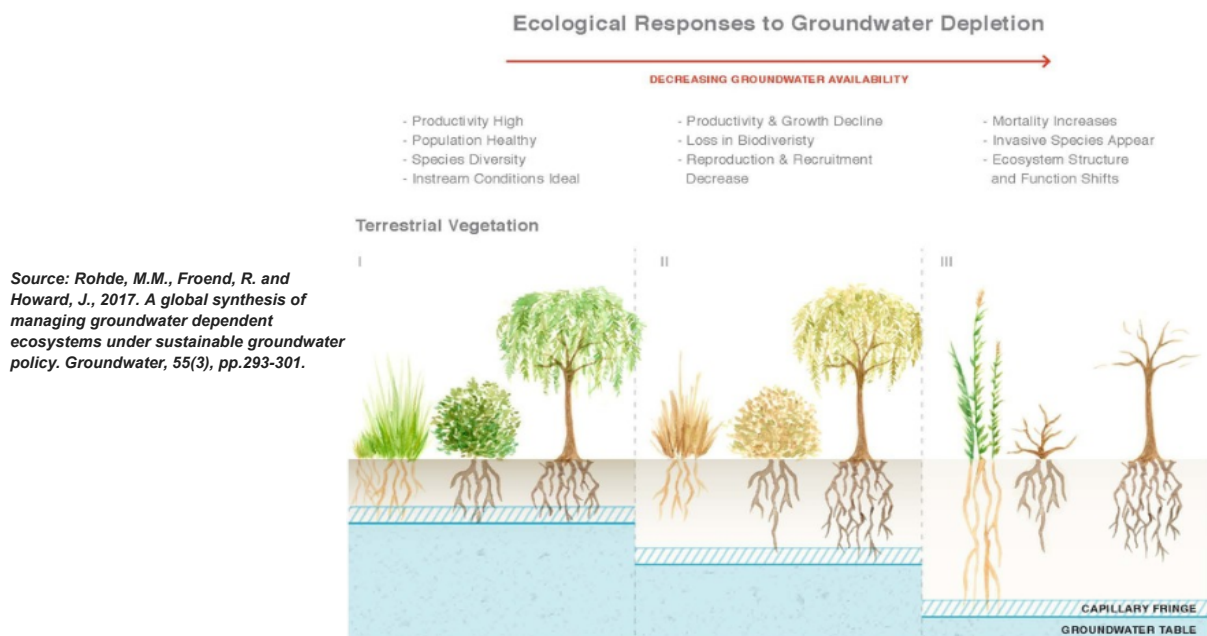
2. Destroys groundwater dependent trees, soaks, springs and swamps

The Draft WAP promotes a radical approach to the management of trees, soaks, springs and swamps that rely on groundwater below the surface. These ecosystems often carry significant cultural values.

This plan allows 30% of the big trees in the landscape that rely on shallow groundwater below the surface to be destroyed (p.4 see at risk species). It does this by embedding a [*Guideline: Limits of acceptable change to groundwater dependent vegetation in the Western Davenport Water Control District*](#) (GDE Guideline) into the plan, whilst permitting this GDE Guideline to be updated at any time without consultation. The 30% rate of destruction has no scientific basis and will result in catastrophic regional environmental outcomes.

This will result in at least a 100 kilometre stretch of groundwater dependent vegetation to be damaged or destroyed. This is further than the distance from Mparntwe/ Alice Springs to Stuarts Well Roadhouse

Globally, trees, soaks, springs and swamps are recognised for their value as ecological refuges, specialised habitat and areas of high cultural importance. The overwhelming effects of evaporation in arid areas means surface water is rare and short-lived. Shallow groundwater is therefore one of the most reliable sources of water. These groundwater dependent trees and soaks in arid and semi-arid zones truly are rare and unique parts of the landscape.



3. Based on bad science

Through Freedom of Information it is known that the GDE Guideline has no scientific basis. It relies upon research from the savanna and southeastern Australia which has no relevance to groundwater dependent vegetation and the arid zone. Bad science risks destroying groundwater dependent vegetation across a 100km stretch of the Western Davenport region.

Common sense tells us these GDEs are more resilient to severe dry periods because they are underpinned by a steady source of shallow groundwater. Taking away this life blood means the refuges we need for climate change resilience will be lost. This risk is completely ignored in the plan.

Further, the plan also ignores the Department's own report [*The Risk of Salinity due to irrigation development in the Western Davenport basin*](#), which states that the 'predicted salinity increase has very significant implications for the long-term viability of irrigated agriculture' and that large parts of the region are at 'high risk' of salinisation which could destroy the water and land resources.

Groundwater dependent vegetation at risk



4. The plan has been gutted and is toothless

The plan has been gutted of meaningful content. The plan proposes to split the [Draft Western Davenport Water Allocation Plan](#) into three documents:

1. Draft Western Davenport Water Allocation Plan 2023-2033 (Statutory WAP);
2. Draft Western Davenport Water Allocation Plan 2023-2033 Background Report;
3. Draft Western Davenport Water Allocation Plan 2023-2033 Implementation Actions

The structural problem is that *Water Act* 1992 only applies to the Statutory WAP, which will be the only plan which is to be gazetted.

Cynically, the statutory WAP has been gutted of any meaningful content that gives assurance or guidance as to how water is to be taken safely. This includes a failure to have objectives that protect ecological and cultural values, the removal of considerations of risk and uncertainty out of the statutory WAP, the removal of the implementation and monitoring plans from the statutory WAP and the removal of the adaptive management framework out of the statutory WAP.

The Water Controller in making water licensing decisions does not need to consider the Background Report or Implementation Actions, and these may be varied. What remains is an empty document that backflips on commonsense and hard fought protections for ecological and cultural values.

5. The plan is anti-democratic and ‘prevents future opportunity for litigation’

The gutting of the Draft Water Plan has an even more sinister and anti-democratic objective. The Northern Territory Government has been explicit that the new structure that guts the water plan has been developed to ‘prevent future opportunity for litigation’. This was publicly published in the Western Davenport and Ti Tree Water Advisory Committee [meeting minutes on 3 October 2022 \(p.6\)](#).

As outlined above, most of the important and key information has been taken out from the statutory WAP. This removes key safeguards which allow for water licence decisions to be legally challenged.

If this plan is declared, it will be extremely difficult to challenge water licence decisions in the NT Supreme Court

Preventing decisions made by the Government from being challenged in the courts is anti-democratic and undermines a key pillar of our Westminster system of government. This is outrageous!

6. Water Advisory Committee did not endorse the plan

This plan was not endorsed by the Western Davenport and Ti Tree Water Advisory Committee (WAC). The WAC has been explicit in their opposition to the plan in all its published minutes. The WAC has diverse membership representing Aboriginal, horticultural, environmental, remote community water supply, independent scientists and community interests and included, NT Farmers representative, the Central Land Council and ALEC. This may be the first WAC in NT history to explicitly not endorse a water plan.

Shockingly, the DEPWS consultation on this plan fails to mention that the entire WAC did not endorse the plan. This is despite the [October minutes and leaked documents outlining the WACs opposition](#).

7. The GDE Guideline is dodgy

Through Freedom of Information it is known that the development of the Guideline and its 30% rule:

- was largely developed in 1 week in February 2020 where no draft was produced.
- was based on a quick google scholar search;
- has no scientific basis. None of the research that was referred to was relevant to the arid zone and groundwater dependent vegetation. Land clearing guidelines for non-groundwater dependent vegetation in the savanna is not comparable, nor are vegetation retention thresholds from south-eastern Australia;
- Was deliberately not put to the WAC for consideration by the Department, despite this group developing the previous water allocation plan;
- Was only scrutinised by one stakeholder, which was the industry representative (Fortune Agribusiness) who would benefit from the development of the GDE Guideline;
- When formally finalised by the Department, it was sent to Fortune Agribusiness the day the GDE Guideline was signed off by the Department CEO. This was five months before the GDE Guideline was made publicly available on the Department's website.



Action request

1. Withdraw the Western Davenport Water Allocation Plan;
2. The objective "Meet the environmental water requirements of water dependent ecosystems" which has been watered down from the last plan must be reinstated.
3. Scrap the GDE Guideline and its 30% destruction rule;
4. The Estimated Sustainable Yield in the Central Plains Groundwater Management Zone must be substantially reduced. It must demonstrate that all groundwater dependent ecosystems water requirements' can be met and that the same amount of water will be available to future generations;
5. Water Advisory Committee, Traditional Owners and custodians must support the final plan.



Sample Letter

Dear Minister Moss

Briefly introduce yourself

E.g. I am a resident of Mparntwe and value resilient arid zone landscapes and following the advice of custodians

I am seriously concerned that the Draft Western Davenport Water Allocation Plan poses a significant and unacceptable impact to the environment.

What are your concerns with this proposal

I am writing to ask that the Draft Western Davenport Water Allocation Plan be withdrawn. The current plan should be scrapped to protect ecological, cultural, social and economic values that rely on groundwater across the Western Davenport Water Allocation Plan region, now and into the future. I request this as this plan is a radical departure from effective water resource management.

I implore you to develop a plan that is based on evidence, does not sacrifice groundwater dependent ecosystems, is enforceable and is supported by the Ti Tree Western Davenport Water Advisory Committee.

I request that the Western Davenport Water Plan be withdrawn and re-started for the following reasons:

1. The estimated sustainable yield is too high and allocates too much water;
2. The plan will destroy groundwater dependent trees, soaks, springs and swamps;
3. The plan threatens to destroy significant cultural values;
4. The plan is based on bad science:
 - a. Destroying 30% of groundwater dependent trees has no scientific basis. These species are the lifeblood of the arid zone, where surface water is rare;
 - b. The role groundwater dependent trees play in a changing climate has not been considered;
 - c. Salinity impacts have been completely dismissed despite the Department's own report concluding that there is high risk of salinity impacts, threatening the future viability of agriculture in the region
5. The plan is anti-democratic and 'prevents future opportunity for litigation';
6. The three-part structure should be scrapped;
7. The plan was not endorsed by the Water Advisory Committee;
8. The plan embeds the GDE Guideline which is highly problematic and must be scrapped altogether.

Your Name

Uploading your submission

Send your submission to waterresources@nt.gov.au, CC Lauren Moss: minister.moss@nt.gov.au

What else can you do?

- ★ Support Traditional Owners and custodians during this campaign
- ★ Write a submission - submissions are due [Sunday 14 May](#) (see sample letter above)
- ★ Complete the '[have your say survey](#)'
- ★ Voice your concerns and call Water/ Environment Minister Lauren Moss - (08) 8936 5532
- ★ Voice your concerns and call Chief Minister Natasha Fyles - (08) 8936 5500
- ★ Voice your concerns and drop in on MLA Chansey Paech
- ★ Voice your concerns and drop in on Federal Government MP for Lingiari Marion Scrymgour
- ★ Talk, talk, talk. Tell your friends and family about what is happening in the NT
- ★ Support [ALEC](#). We rely on community support to keep our doors open.

