WENTWORTH GROUP
OF CONCERNED SCIENTISTS

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Submission to the Independent Review of the Inspector-General of Water Compliance
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The Wentworth Group of Concerned Scientists welcomes the opportunity to provide feedback on the role and effectiveness of the Inspector-General of Water Compliance (IGWC). The establishment the Inspector-General was an important step toward strengthening integrity, transparency and accountability in the implementation and governance of the Basin Plan.

A growing body of evidence indicates that current water policy arrangements are not delivering intended outcomes. Findings from the Wentworth Group's *observed vs expected flows* analysis (Wentworth Group 2020), alongside peer-reviewed research on the non-achievement of Environmental Water Requirements (Sheldon et al. 2024) and an assessment of the state of the Murray–Darling Basin (Colloff et al. 2024), point to persistent gaps between policy intent and on-ground outcomes. Collectively, this evidence highlights the need for legislative changes for a stronger, more effective independent compliance regulator to ensure commitments are delivered.

This submission outlines key reforms to enhance the role of the Inspector-General, including expanded powers, improved transparency, and a stronger role in auditing and accountability across Basin Plan implementation.

Overall, the establishment of the IGWC represents an important reform. However, without strengthened powers, expanded mandate and improved transparency, the ability to deliver independent oversight will remain limited. The reforms outlined in this submission provide a practical pathway to enhance the effectiveness of the IGWC and restore confidence in Basin Plan governance, compliance and outcomes.

1. Stronger powers for the IGWC to compel states to fulfil their legislative or contractual obligations.

Despite the signing of the Murray–Darling Basin Compliance Compact by Basin states and the Australian Capital Territory in 2018, there remains a consistent failure of some states to meet their obligations under the *Water Act* 2007 (Cth) and the Basin Plan. Commonwealth intervention to compel states to comply remains inadequate. Examples demonstrate the problem, including:

- Non-compliant Water Resource Plans, with the Murray–Darling Basin Authority (MDBA) reticent to step in to address the failure of New South Wales to deliver all Water Resource Plans to a standard appropriate for accreditation. There are also insufficient pathways within the Basin Plan to remedy this issue, currently the only option is for the MDBA to write the plan on behalf of the state.
- Constraints relaxation projects have not progressed well. The Commonwealth has not explored the full range of potential legal options to address the lack of progress by Basin governments to deliver constraints relaxation projects in line with the Murray-Darling Basin Constraints Management Strategy and the Constraints Relaxation Roadmap (MDBA 2024).
- Failure to deliver supply measure projects under SDLAM by the Commonwealth Government to ensure states genuinely deliver equivalent outcomes to environmental water.

A more effective framework of intervention would provide a series of graduated and enforceable responses where jurisdictions are incentivised to deliver outcomes and/or are penalised if they fail

to deliver. Dis-incentives should be removed, for example, the Commonwealth is currently prevented from enforcing SDLs where there is no accredited water resource plan in place.

Recommendation 1: The Wentworth Group recommends strengthening the mandate and powers of the IGWC to aid and enforce compliance of states.

2. The IGWC should act as an independent, public reporting authority.

To build trust and confidence in Basin governance, there is a need for regular, independent and transparent reporting on progress. The IGWC is well positioned to provide this function by delivering periodic public assessments of matters that do not currently fall within the remit of other agencies such as the MDBA or the Commonwealth Environmental Water Holder. This function might include:

- Setting the standards for government agencies on reporting on progress of Basin Plan implementation;
- Holding MDBA and other agencies to account on meeting quality standards and providing improvement advice where standards fall short;
- Reviewing the effectiveness of governance and institutional arrangements for Basin Plan implementation and recommending improvements

This approach would provide a consistent, authoritative source of information for governments, stakeholders and the broader community.

Recommendation 2: The Wentworth Group recommends that the IGWC be empowered to report annually and publicly on quality standards for reporting on Basin Plan implementation across jurisdictions, including progress toward Basin Plan objectives.

3. Expand the mandate of the IGWC to include system-wide auditing and enforcement.

The current mandate of the IGWC is limited in scope and does not fully reflect the broader need for independent oversight across Basin Plan implementation.

There is a clear opportunity to expand the role to include:

- System-wide auditing of water sharing arrangements and compliance processes;
- Oversight of governance arrangements across jurisdictions;
- Enforcement of key obligations where gaps currently exist.

For example, the mandate of the IGWC should be extended to cover the Snowy and upper Murrumbidgee rivers affected by the Snowy Hydro Scheme.

The Snowy Scheme is integrated with water management across the southern Basin and involves the same jurisdictions. However, despite Commonwealth ownership of Snowy Hydro, there is currently no appropriate independent regulatory body responsible for overseeing compliance with environmental water obligations under the Scheme.

There is also evidence that key environmental provisions of the 2002 Snowy Water Inquiry Outcomes Implementation Deed have not been fully met (Bender et al. 2022). This issue highlights a governance gap in monitoring, compliance and enforcement (McGuire and Pittock 2025).

Extending the mandate of the IGWC would provide a practical and efficient mechanism to address this gap by ensuring independent oversight of obligations within a consistent Basin-wide framework.

Recommendation 3: The Wentworth Group recommends that the mandate of the IGWC be extended to cover broader annual auditing and enforcement functions across Basin Plan implementation, including key intergovernmental agreements and the Snowy and upper Murrumbidgee systems, with responsibility to monitor and enforce compliance with the Snowy Water Inquiry Outcomes Implementation Deed.

4. Establish a robust, independent and transparent annual auditing framework

The Wentworth Group considers current Basin Plan arrangements lack a consistent, independent and publicly transparent auditing framework for water accounting and compliance, as well as financial expenditure. While elements of water auditing exist across jurisdictions, they are not applied in a co-ordinated or independently-verified manner. This deficit weakens confidence in water management decisions, compliance outcomes and system integrity. A revised approach is required to ensure water accounting and SDL compliance are subject to independent verification, with results reported publicly in a consistent and transparent manner. The IGWC is well placed to perform this role, provided its mandate and capabilities are expanded accordingly.

Recommendation 4: The Wentworth Group recommends the establishment of a Basin-wide, independent and publicly-reported annual auditing framework for water accounting, SDL compliance and expenditure, with the IGWC playing a central role in its delivery.

5. The IGWC requires stronger powers to access data and verify compliance

The Wentworth Group notes that the IGWC currently does not have the authority to compel the MDBA to provide underlying data, models and assumptions used to determine Sustainable Diversion Limit (SDL) compliance and related matters. As a result, the IGWC must rely on MDBA reporting without the ability to independently verify accuracy of models.

This limitation directly constrains the effectiveness of the role. Independent oversight cannot be achieved where access to critical information is restricted.

Evidence provided to the Senate Estimates Environment and Communications Committee reinforces this concern where the IGWC noted that SDL compliance assessments are undertaken by the MDBA, and that while enforcement powers exist for non-compliance, there are “opportunities for significant improvement in transparency and accountability” in reporting processes (Commonwealth of Australia 2025, p. 85).

Without access to underlying data and modelling, the IGWC cannot adequately assess compliance or provide assurance to governments, stakeholders and the public.

Recommendation 5: The Wentworth Group recommends that the IGWC be granted explicit powers to compel the MDBA and other relevant agencies to provide all underlying data, models and methodologies used in SDL compliance assessments and related matters.

6. Strengthen data sharing and coordination between regulatory bodies

Effective auditing and compliance require coordinated access to data across Commonwealth and State agencies. Currently, data sharing between key bodies—including the MDBA, IGWC, and State regulators such as the New South Wales Natural Resources Access Regulator—is limited and inconsistent.

Improved data sharing would enhance the ability of the IGWC to undertake comprehensive audits and identify systemic issues.

Recommendation 6: The Wentworth Group recommends strengthening formal data sharing arrangements between Commonwealth and State regulatory bodies to support integrated and effective auditing by the Inspector-General.

7. Shift to a performance-based accountability framework for Basin Plan implementation

The Wentworth Group considers that Basin Plan implementation would benefit from a stronger performance-based delivery and assurance framework.

Such a framework should include:

- Clear, measurable and auditable performance indicators;
- Incentives tied to delivery of outcomes (penalties where necessary);
- Regular independent auditing of progress and compliance;
- Transparent public reporting of jurisdictional performance.

The IGWC should play a central role in assessing and reporting on the performance of Basin governments against agreed commitments.

Recommendation 7: The Wentworth Group recommends the introduction of a performance-based delivery and assurance framework for Basin Plan implementation, with the IGWC responsible for independent auditing and public reporting.

References

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