



National Irrigators' Council

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Water Access Entitlements Register Consultations Working Group
Foreign Investment and Trade Policy Division
The Treasury
Langton Crescent
PARKES AT 2600
ForeignInvestmentConsultation@treasury.gov.au;

Dear Sir/Madam

Re: National register of foreign ownership of water access entitlements

The National Irrigators' Council (NIC) appreciates the opportunity to provide feedback regarding the Australian Government's proposal to establish a national register of foreign ownership of water access entitlements.

NIC is the peak body representing irrigators in Australia, supporting 27 member organisations covering the Murray Darling Basin states, irrigation regions and the major agricultural commodity groups. Council members collectively hold approximately 7,000,000 megalitres of water entitlement.

We contend that if the purpose of a national register of foreign ownership of water access entitlements is to assist decision makers and the broader Australian community to understand the level of foreign ownership of water access entitlements, then the Government must ensure that any regulatory burden involved in complying with a proposed register, must sit with the foreign person and the cost of ensuring compliance with the register, with the Commonwealth. There must be no additional regulatory burden on irrigation businesses in general and specifically irrigation delivery schemes (irrigation companies) who are already captured by significant regulatory obligations. Additional regulatory burden on business only serves to impose further disinvestment in regional areas, who are in many cases already looking to lessen their input costs to remain competitive

While it is appreciated that the focus of the consultation paper is on the individual, the Government must ensure that the language and definitions used in the drafting of the proposed legislation achieves the goal of a register for individuals and does not inadvertently capture irrigation companies. Legislation is a blunt instrument and the Government must ensure that it has no unintended consequences and that it is sensitive to the complexity of water ownership and delivery in Australia.

Irrigation companies are currently subject to considerable Government reporting requirements that add major costs to their organisations. These include multiple state and federal requirements, many of which are duplicative and involve a complex process of data collection, collation, analysis and presentation, requiring the employment of multiple, full time dedicated staff to meet these regulatory requirements. This places a significant cost burden on irrigation companies, who are seeking to reduce their input costs to improve their business sustainability. These costs are ultimately passed on to irrigators who are repeatedly bearing the cost of regulation 'for the greater good'; any additional regulatory requirements in the form of a register of foreign ownership of water access entitlements, would be a perverse outcome.

The NIC recommends that the responsibility for the collection of information required by the Government regarding the ownership of Water Access Entitlements, and any associated costs should lie with the Government.

We appreciate the opportunity to respond to the consultation paper and both the NIC and our members are willing to provide any further information required, particularly in understanding and addressing the diversity of water ownership in Australia.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tom Chesson', with a long horizontal flourish extending to the right.

Tom Chesson
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