The ethics of water management: the role of independent experts and civil society in upholding – and reforming – the law

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An independent community legal centre specialising in public interest environmental law

'Invalid' Code immediately remade
EDO NSW reacts to the events whereby the land-clearing Code was declared invalid in Court and immediately remade, plus NSW Regional Forests Agreement and much more...

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What tools do lawyers have to protect the marine environment and achieve justice in administrative law? Solicitor Belinda Rayment and marine scientist Jess Morris discuss.

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Today’s presentation

1) Four Corners episode ‘Pumped’
2) Why did it happen?
3) Outcomes
4) Ethics
5) River Lore, Water Lore
1) Four Corners episode ‘Pumped’

- Allegations of non-compliance
- Allegations that investigations into non-compliance were shut down
- Allegations of misconduct by senior bureaucrats
- Cultural issues within government vis-à-vis compliance
2) Why did it happen?

- Concern about legality of Basin Plan implementation
- No parity re. community consultation and access to information – tipping point Northern Basin Review
- Legal pumping of environmental water.
- Concern re. Barwon-Darling Water Sharing Plan
- No action re. compliance and enforcement.

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EDO NSW engaged by client
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Evidence that led to civil enforcement case in NSW Land and Environment Court
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Four Corners
3) Outcomes

- Inquiries, reviews, reports
- Independent Commission Against Corruption – ongoing investigation
- South Australian Murray-Darling Basin Royal Commission
- Legislative changes in NSW
- Prosecutions
4) Ethics

- Civil society – 4th pillar of democracy
- EDO NSW and experts acted where government would not
- Open standing provisions
- Not a substitute for government acting in public interest
5) River lore, water law
Thank you
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