



MID MURRAY COUNCIL SUBMISSION

MURRAY-DARLING BASIN ROYAL

COMMISSION

16 April 2018

- (1) Whether the Water Resource Plans defined by the Act and Basin Plan (which are to include the long-term average sustainable diversion limits for each Basin water resource) will be delivered in full and in a form compliant and consistent with the Basin Plan by 30 June 2019.**

The Mid Murray Council strongly considers that the Nationally Agreed Water Resource Plans defined by the Act and Basin Plan must be implemented in full and in accordance with the specified deadlines. It is considered that the health of the River Murray was very evident during the devastating millennium drought of 2006 – 2010 where South Australia suffered through the effects of acid sulphate soils, very high salinity levels, riverbank collapse and sustained pressure on native species and habitats. The Mid Murray Council is responsible for over 220km of the Murray River from Cadell to Caloote, including a number of River towns. Therefore, it is considered that it is imperative that the Nationally Agreed Water Resource Plans are delivered in full and on time.

Ensuring that the Nationally Agreed Water Resource Plans are delivered in full and on time will benefit agribusiness, tourism, a healthy environment, ensure economic drivers and desirable social outcomes for River communities. River communities are dependent on ensuring water flows for their social outcomes and community wellbeing.

- (2) If any Water Resource Plans are unlikely to be delivered in full and in a form compliant and consistent with the Basin Plan, the reasons for this.**

The Mid Murray Council considers that there is no valid reason, given the expiration of time to implement various measures and strategies by the States, for non compliance with the Basin Plan. Whilst it is understood there have been various actions taken by the New South Wales Government to address issues with water management and compliance, Council is yet to fully be convinced that such actions will be on an ongoing and sustained basis and that the New South Wales Government will meet the Nationally Agreed Water Resource Plans and requirements.

- (3) Whether the Basin Plan in its current form, its implementation, and any proposed amendments to the Plan, are likely to achieve the objects and purposes of the Act and Plan as variously outlined in ss.3, 20, 23 and 28 of the Act, and the 'enhanced environmental outcomes' and additional 450 GL provided for in s. 86AA(2) and (3) of the Act, respectively.**

The Mid Murray Council considers that the Basin Plan is imminently able to be delivered in full and on time. It is understood that the Murray Darling Basin Plan includes the enhanced environmental outcomes and additional 450GL provided for in the Act for the benefit of the River Murray, its wetlands, floodplains, flora and fauna. This water is crucial for South Australia, as well as restoring the Rivers long term health.

- (4) Whether the underlying assumptions in the original modelling used to develop the objects and purposes of the Act and the Basin Plan have been sufficiently adjusted for the impact of improved technologies.**

It is considered that improved technologies will assist in ensuring all States are able to comply with the Nationally Agreed Water Resource Plans and indeed the 3,200GL of water flow for the benefit of the River Murray.

- (5) If the Basin Plan is unlikely to achieve any of the objects and purposes of the Act and Basin Plan and/or the 'enhanced environmental outcomes' and the additional 450 GL referred to above, what amendments should be made to the Basin Plan or Act to achieve those objects and purposes, the 'enhanced environmental outcomes' and the additional 450 GL?**

The Mid Murray Council considers that the 450GL referred to is able to be implemented in accordance with the Basin Plan to achieve its objectives and purposes. It is strongly contended that all States and Agencies must ensure that the Plan is able to be delivered, compliant and consistent with the Murray Darling Basin Plan.

- (6) Any legislative or other impediments to achieving any of the objects and purposes of the Act and Basin Plan and/or the 'enhanced environmental outcomes' and additional 450 GL referred to above, and any recommendations for legislative or other change if needed.**

The Mid Murray Council considers that nationally there should be an independent Regulator to ensure compliance and consistency in the implementation of the Nationally Agreed Water Resource Plans for the Murray Darling Basin Plan. There is still not full confidence in the New South Wales Natural Resources Access Regulator. That is, in New South Wales, established on the recommendation of the Matthews Report to take over the enforcement of water regulation in New South Wales that compliance and enforcement will be undertaken on an ongoing basis, so that implementation of the Plan can continue. Whilst the Murray Darling Association had provided this Regulator with a list of actions to be taken to improve compliance and build trust, it is contended that there is still not sufficient trust that such actions will continue to be implemented and regulated.

- (7) The likely impact of alleged illegal take or other forms of non-compliance on achieving any of the objects and purposes of the Act and Basin Plan, and the 'enhanced environmental outcomes' and the additional 450 GL, referred to above.**

The Mid Murray Council considers that a National Independent Regulator is the best model to ensure overall consistency and compliance by all States for the Nationally Agreed Water Resource Plans and the Murray Darling Basin Plan implementation.

- (8) In relation to any found instances of illegal take or work, whether appropriate enforcement proceedings have been taken in respect of such matters and if not, why.**

Where instances of illegal take or work have occurred and whether appropriate enforcement proceedings have been undertaken in respect of such matters should be highlighted and a recommendation made as to the best model to ensure continued compliance and implementation of the Nationally Agreed Water Resource Plans and the Murray Darling Basin Plan. Where there are proven instances of such illegal take or work, publicity should be given as to what actions have been taken.

- (9) Whether, in any event, the enforcement and compliance powers under the Act are adequate to prevent and address non-compliance with the Act and the Basin Plan, and any recommendations for legislative or other change if needed.**

The Mid Murray Council considers that there should be recommendations for legislative or other changes as necessary to ensure National compliance and consistency. This would ensure that there is a Nationally improved compliance system, regain trust of all States and Agencies and ensure the National Agreed Water Resource Plans are delivered in full and on time.

- (10) Whether monitoring, metering and access to relevant information (such as usage data) is adequate to achieve the objects and purposes of the Act and Basin Plan and the 'enhanced environmental outcomes' and additional 450 GL referred to above.**

The Mid Murray Council considers that there should be at least an Annual Report by the National Regulatory Body regarding compliance by the States, irrigators and others, so that there is improved compliance and trust with the regulatory system. Such measures could include improved technology in relation to monitoring and measuring. However, it is considered important that there is transparency, accountability and at least annual reporting on adherence to compliance with the Nationally Agreed Water Resource Plans.

- (11) Whether water that is purchased by the Commonwealth for the purposes of achieving the objects and purposes of the Act and Basin Plan and/or the 'enhanced environmental outcomes' and the additional 450 GL referred to above will be adequately protected from take for irrigation under water resource plans, and any recommendations for legislative or other change if needed.**

It is considered that the enhanced environmental outcomes and the 450GL are adequately protected by the CEWH.

- (12) Whether the Basin Plan in its current form, its implementation, and any proposed amendments to the Plan, are adequate to achieve the objects and purposes of the Act and Basin Plan, the ‘enhanced environmental outcomes’ and the additional 450 GL referred to above, taking into account likely, future climate change.**

Irrespective of any potential future climate change, the Mid Murray Council considers that it is imperative for South Australia to secure reliable and good quality water supplies that support healthy and productive industries, build community resilience, support our diverse ecosystems as well as agribusiness, tourism and the River communities.

- (13) Any other related matters.**

Mannum is situated on the Murray River and is the principle town of the Mid Murray Council which is responsible for the largest section of the Murray River in South Australia, and potentially of any Council in Australia. The Mid Murray Council respectfully requests consideration be given to the holding of a hearing for the Murray-Darling Basin Royal Commission at Mannum. Facilities exist for this to occur.

Russell Peate
Chief Executive Officer
Mid Murray Council