

**OFFICIAL**



Government of South Australia  
Murraylands and Riverland  
Landscape Board

**Murraylands and  
Riverland Landscape  
Board**

**Unit 5-6, Level 1 Sturt  
Centre,  
2 Sturt Reserve Road  
Murray Bridge SA 5253**

**PO Box 2343  
Murray Bridge SA 5253**

**Tel 08 8532 9100  
MRequiries@sa.gov.au  
landscape.sa.gov.au/mr**

Document Reference Number: 23\_034

Australian Government Productivity Commission

**By email: [basin.plan.2023@pc.gov.au](mailto:basin.plan.2023@pc.gov.au)**

20<sup>th</sup> November 2023

**Interim Report - Implementation of Murray-Darling Basin Plan by the Productivity  
Commission 2023**

Dear Commissioner

Thank you for the opportunity to provide a submission on the interim report on the implementation of Murray-Darling Basin Plan by the Productivity Commission 2023. The Murraylands and Riverland Landscape Board (the landscape board) has the responsibility for managing the region's landscapes and takes an active role in being a conduit and connector to bring together the efforts of all levels of government, industry, key stakeholders, First Nations and communities.

The landscape board have reviewed the interim report in collaboration with the board's community based Water Advisory Committee, which has membership from a range of stakeholders from across the SA Murray-Darling Basin. This response offers the collective views of these stakeholders along with the landscape board.

The interim report has captured most of the key concerns that we raised in our submission to the review in July 2023. We note the report highlighted the potential for negative impacts from water recovery on regional communities and the call for early and appropriate responses and support from government. We would reiterate our concerns especially for irrigation networks, and that this should be considered in focusing early on water recovery programs that limit this impact and achieve environmental outcomes. That said we support the call for early consultation with regional communities on their individual needs with clear and transparent release of modelling and outcomes.

The separation of Constraints projects from Supply projects is strongly supported, and it is suggested that these should also have a clear implementation plan, with consequences for non-delivery or failure to meet deadlines. It is suggested that the Enhancing Environmental Flows Project could be re-categorised from Supply to Constraints. A key area that needs to be included in Constraints is a review of all operating protocols for upstream storages and river structures, to re-visit outdated triggers which are at times barriers to delivering small flood flows to key wetland and floodplain targets.

The Landscape Board support that a clear plan must be outlined for the reconciliation of the 605 GL and 70 GL offsets across the northern basin and SDLAM, and how the shortfall of up to 315 GL will be made up. A clear outline for the delivery of the balance of the 450 GL is also warranted. Even though a review of the water market was out of scope of this review, it is suggested that governance in the water market needs to be addressed to ensure future water demand can be met without environmental, economic or social damage. It is suggested that a study could be undertaken which compares the social and economic impacts of water trading alongside the social and economic impacts of water recovery under the Basin Plan.

**OFFICIAL**

Lastly, the Landscape Board reiterates the allocation of cultural flows for First Nations communities and meaningful involvement in regional water resource management is long overdue and should be given high priority.

Please find our collective responses in Attachment 1 to the specific information request questions posed by the Productivity Commission in the interim report asking for more feedback.

For further information regarding this matter, please contact Melissa White, Manager, Water Resources within the Murraylands and Riverland Landscape Board

Thank you for this opportunity and I trust this information is of assistance.

Yours sincerely

Andrew Meddle

**General Manager, Murraylands and Riverland Landscape Board**

**Enc: Attachment 1 – Response to information requests posed in the interim report on the review of the Murray-Darling Basin Plan 2023**

**Attachment 1 – Response to information requests posed in the interim report on the review of the Murray-Darling Basin Plan 2023**

**Information request 2.1**

The Commission is considering the merits of establishing a new corporate Commonwealth entity to address the anticipated water recovery shortfall.

The independent entity would initially adopt the existing Australian Government responsibility for water recovery, with a commercial approach to program delivery in closer partnership with Basin entitlement holders and irrigation networks. It would operate at arm's length from government and be in place for a fixed time period.

The Commission invites views on the merits and the design of the entity, including:

1. the likely strengths and weaknesses of a government owned corporate entity compared to current arrangements
2. the role of the Ministerial Council in providing high level direction to the entity
3. the scope of its functions, including whether it should have a role implementing supply, constraints easing and toolkit measures
4. the entity's guiding principles, such as ensuring value for money and minimising community impacts from water recovery

**Feedback**

An independent entity with clear reporting requirements would be of benefit in establishing separation from government agencies and increasing transparency of completing and accounting for the recovery of the 3200 GL equivalent environmental water. Support for a separate government entity is on the basis that the organisation has sufficient autonomy, flexibility and agility to establish community specific programs that deliver a positive or neutral socio economic outcome for the communities where that water or equivalent environmental water is recovered. Ideally, the organisation would be given the legal power to deal direct with entities, rather than through a Basin State jurisdiction if the community wishes for that to occur.

We would not like to see the organisation politicalised and this would need to be accounted for in its setup.

Given the delays in some states in progressing projects its clear there needs to be something that can push these on more effectively, there isn't a firm view whether this should be via an external organisation or whether this body should be limited to the oversight of project assessment and funding allocation and monitoring.

The establishment of greater arm's length from government should not abandon the general guiding principles of good management. That said it should take a holistic view of the total impact in assessing the best way forward e.g., a direct purchase might be cheaper standalone but when coupled with adjustment funding to offset negative impacts an alternative project may have been a better option.

**Information request 4.1 Reporting on compliance and other arrangements**

The Commission invites comments on whether Basin state governments should continue to be required to report on compliance with their water resource plans (Murray–Darling Basin Plan, Schedule 12, Matter 19), and on any other ways the reporting arrangements for water resource plans should be improved.

**Feedback**

Reporting systems to date have allowed state governments to report failure to deliver on outcomes and deadlines without penalty. The most important reform should be the inclusion of enforceable penalties and clear schedules for delivery of projects.

Whilst it is always important for Basin States to provide transparent reporting on key compliance matters, any streamlining of reporting is supported.

**6.1 Embedding climate change science into the Basin Plan framework**

The Commission is considering whether the Water Act 2007 (Cth) places sufficient emphasis on the application of climate change science to the development and implementation of the Basin Plan. For example, should section 21 of the Water Act, which is about the general basis on which the Plan is made and updated, be amended to make clear and explicit that the best available science about the impact of climate change on water availability, including climate projections, is part of the scientific knowledge on which the Plan should be based?

**Feedback**

The landscape board found that stakeholders had mixed views on this question. Overall there is support that more needs to be done in understanding, adapting and talking through what climate change means for the Basin and its communities, but whether Basin Plan development and implementation can already be achieved using climate change science without embedding it within the Water Act needs further discussion. Due to the slight differences in responses, we have provided all stakeholders responses here:

- It is absolutely critical that the impacts of climate change be factored into the Basin Plan. The predicted effect of climate change is that there will be even less water available in the future, so the Water Act needs to ensure that this unpalatable factor of not enough water is addressed effectively and built into the 'environmentally sustainable level of take'.
- The Basin Plan development and implementation has been a mix of science, models, facts, and compromise. Depending on where you sit in the landscape you will have a view on which of those is the most important and which has taken precedence in the current situation, we find ourselves. The community needs to continue to have the range of discussions around what we would like a Basin Plan to achieve and how this should occur and not fix ourselves into one specific view.
- Section 21 of the Water Act 2007, sets a very balanced basis for the Basin Plan to be developed that, if applied well, will "protect and restore ecosystems..."(s21(2)(b)), and "promote the wise use of all the Basin water resources" (s21(3)(a)). Accredited Water Resource Plans should provide for variability in inflows and allocations under variable inflow scenarios. This provides certainty and stability and informs the relevant community covered by that Plan. Climate change science can already be considered in developing the plan. Increasing the emphasis on climate change science (which may result in more extreme inflow patterns) does not add any value and has the potential to increase uncertainty for communities.

### **7.1 Options to improve water quality and availability in the northern Basin**

The Productivity Commission invites participants to comment on whether the Murray–Darling Basin Plan should do more to improve water quality and ensure critical human water needs are met in the northern Basin. What options should be considered by the Murray–Darling Basin Authority in the 2026 Basin Plan Review?

#### **Feedback**

SA has traditionally received regular water from the Darling, together with unregulated water that provides the much needed over bank flows in SA. There is community and industry concern that the Northern Basin water recovery is insufficient and that the quality of Darling water received in SA will continue to decline. This will negatively impact SA irrigators, communities and environmental outcomes. The Lower Darling has been experiencing increasing periods of no or low flows, reduced connectivity to the Murray, increased blue-green algae and frequent, globally publicised, mass native fish deaths. Additional water recovery in the Northern Basin (or equivalent environmental water) to address these poor environmental outcomes appears to be necessary. Policy constraints in river management rules also appear to be contributing to the poor environmental outcomes. A holistic Basin management approach is needed to achieve good environmental outcomes.

It is suggested that all tributary rivers in the Basin should have minimum flow reserves, sufficient to maintain ecosystems, water quality and town water supplies. This may require a review of the original sustainable diversion limits, also now taking into account the effects of climate change.

Additionally, previous consultation on water planning and management in the SA River Murray with First Nations who have always highlighted that water quality is an issue both from a cultural and ecosystem health perspective. First Nations would like more to be done to improve water quality, not only in the northern but also the southern basin.