

ATTACHMENT A

RGA Commentary on the Recommendations from the PC's Last Review.¹



RECOMMENDATION	RGA COMMENTARY
<p>1. A process should be developed to return any identified over-recovery to consumptive uses (p. 36).</p>	<p>This has not occurred – and is something that should be dealt with as a matter of urgency.</p>
<p>2. Ensure that water recovery aligns with environmental requirements (p. 36).</p>	<p>We've lost sight as to whether or not this is occurring. We're aware that only certain types of outcomes are achievable without system constraints being addressed. We also understand that final modelling needs to take place to determine if what we thought would occur in 2012 has actually played-out in real-time. In addition, we now have a further decade of information about how to use environmental water efficiently; and we need to understand how our recent flood years have met requirements, potentially reducing the need for further recovery from the consumptive pool.</p>
<p>3. Assistance to communities should have clear objectives and selection criteria, and be subject to monitoring and evaluation (p. 37).</p>	<p>To our knowledge, there's been no assistance of this kind provided to communities. Over the life of the Plan, the Commonwealth has remained fixated on water recovery, or delivery of projects in lieu of water recovery. There has been no strategic thinking – whatsoever – about the future of communities where water has been removed, what they actually want for their own futures, and what processes and structures would best support this. Early on, after the change of Federal Government, we were promised co-design. This has never been delivered, not in a single Basin community.</p>
<p>4. Basin Governments should resolve governance and funding issues for supply measures, including risk sharing arrangements (p. 38).</p>	<p>Sadly this has not occurred, and we are fast running out of time. At this point, the public has no idea – whatsoever – about the future of the majority of supply measures within the current package. Given the threat of additional water recovery becomes real in five months, this is unacceptable.</p>
<p>5. Basin Governments should be open to the possibility of extending the 30 June 2024 deadline (p. 38).</p>	<p>This is effectively a 'no brainer'. It absolutely needs to happen to ensure that good projects are delivered, and communities are not unfairly exposed to additional water recovery as a consequence of government inaction. We also believe this can be done without the need for legislative change, and without triggering the reconciliation provisions under the Basin Plan. We discuss this in detail on page 5 of Attachment B to this submission.</p>
<p>6. Reconciliation should be undertaken in a way that: <i>accommodates projects to be delivered in realistic timeframes</i> (p. 39).</p>	<p>This is critical, and is a process that Basin Governments must provide for well before the current reconciliation trigger date of 31 December 2023. This is the only way to ensure good projects have the time needed to proceed, and communities aren't unfairly hit with unnecessary water recovery.</p>

¹ [Overview - Inquiry report - Murray-Darling Basin Plan: Five-year assessment \(pc.gov.au\)](https://www.pc.gov.au/inquiry/murray-darling-basin-plan/five-year-assessment)

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<p>7. The Murray-Darling Basin Authority (MDBA) should comprehensively update and publish modelling to confirm the ‘enhanced environmental outcomes’ that can be achieved with additional water recovery. The MDBA should also model the benefits of additional environmental water within existing delivery constraints (p. 41).</p>	<p>These are critical pieces of work that have not been undertaken. As noted above, when compared to the Basin Plan’s 2009 baseline, the southern Basin in particular has experienced six years of record-breaking, above-average flows. No work has been done to assess how these flows may have already met the ‘enhanced environmental outcomes’ the Commonwealth is seeking, hence negating the need for additional water recovery. Detailed analysis by the Victorian Government when the Basin Plan was first proposed² also warrants revisiting. It suggests that as a result of existing delivery constraints, there’s little difference in the outcomes that can be achieved between 2400 GL of held water and 3200 GL. Given the length of time that will be needed to materially address delivery constraints across the Basin, this must be a factor in any remaining water recovery task.</p>
<p>8. The Commonwealth should develop a strategy for achieving the outcomes at Schedule 5 of the Basin Plan. The strategy should (p. 41): (i) minimise adverse socio-economic impacts; (ii) plan for a range of constraints scenarios; (iii) phase recovery efforts so they align with new information; and (iv) outline processes to ensure ongoing engagement with local communities and industries.</p>	<p>Arguably this work should have been done back in 2012, so communities always knew exactly where they stood in relation to the 450 GL. Given our comments above, it also makes no sense for this recovery to take place in the absence of constraints lifting. Our position on the 450 GL is clear: (i) it’s fundamentally unachievable; and (ii) it should not take place unless accompanied by neutral or improved socio-economic outcomes. Beyond this, it’s reprehensible that the threat of the 450 GL has been hanging over our heads since May 2022, with no advice on how it will be done.</p>
<p>9. The Commonwealth should implement a regional-level monitoring and evaluation program to identify (over time) which regions are subject to substantial socio-economic impacts from additional water recovery (p. 42).</p>	<p>Once more, communities would have benefitted from this kind of considered work over the full 10 years of the Basin Plan’s implementation. In addition, the value of such a program would undoubtedly have come from a co-designed approach, where the purpose was to assess potential impacts and then work directly with communities to devise ways to avoid them. All regional communities are different, yet they are all robust, resilient, innovative and responsive in their own unique ways. What cuts them down is poor, opaque government policy. That is the case here. We do not know where we stand, because no one will tell us precisely what they want, how they want to do it and when it will be done. This creates an impossible task for business owners and communities. We can’t co-design anything to mitigate impacts if government doesn’t know what it wants.</p>
<p>10. Review of the Water for the Environment Special Account (WESA) should assess the benefits and costs (and feasibility) of other approaches to achieving the Account’s outcomes. The Commonwealth should use this review to: <i>determine whether there is a need to amend the Schedule 5 outcomes, or adjust the water recovery strategy to pursue those outcomes</i> (p. 42).</p>	<p>An approach like this is fundamental to all good public policy. Ten years on from the Basin Plan’s inception, the blunt instrument of ‘more water’ is no longer the most appropriate tool for achieving all Basin environmental outcomes. We provide specific consideration of this, and examples, on pages 3 and 6 of Attachment B to this submission. We believe the work under this PC recommendation should be undertaken as a matter of urgency.</p>

² [Microsoft Word - Final - V5 Final with Ltrs.doc \(water.vic.gov.au\)](#), p. 81.

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<p>11. An evaluation should enable assessment of the utility of Water Resource Plans (WRPs) for delivering the objectives and outcomes of the Basin Plan (p.44).</p>	<p>The MDBA's approach to WRPs has been an unmitigated disaster. We would argue it's the only reason NSW WRPs have still not been accredited. The level of scrutiny, and the sheer minutiae states are forced to include in these Plans bears no direct relationship to what they're meant to achieve – <i>the effective management of water resources within Basin Plan SDLs</i>. Even more concerning, we have examples of where the MDBA is using WRPs to recover additional water for the environment by stealth, and without compensation to licence-holders. The inconsistent approach, and unreasonable overreach displayed in relation to planned environmental water (PEW) is a case-in-point, and warrants further investigation/review.</p>
<p>12. The MDBA should review the Basin Plan salt export objective, and consider: <i>whether the objective should be respecified or abolished</i> (p. 46).</p>	<p>In our view – the salt export objective should be abolished as it has no place in this particular working river system. For 20+ years, the highly-effective approach to salt management in the southern Basin has been based around intercepting and removing it from the system at various points along the river.³ Introducing a concept whereby that salt should be diluted – in-stream – and then transported to the Murray mouth for discharge into the ocean makes no public policy sense whatsoever. It also ignores the fact that the Coorong, Murray Mouth and Lower Lakes are highly modified ecological systems, where they no longer reflect 'natural' inflow patterns, or the movement of salt and water.</p>
<p>13. The MDBA's five-year Basin-wide environmental watering strategy, commencing in 2019, should (p. 50): (i) include an objective that, where environmental outcomes are not compromised, environmental watering should seek to contribute to social or cultural outcomes; and (ii) provide clear guidance on potentially harmful flow regimes.</p>	<p>This is excellent advice that has unfortunately been ignored. There's no reason why 'multiple-use objectives' can't form part of a sophisticated, mature approach to environmental watering – especially in the face of the increased climate volatility. We provide examples of how this could be done on page 3 of Attachment B. In terms of adverse outcomes, we have severe concerns about the reach of the Murray within the vicinity of the Barmah Choke/Forest. Too often, ecological goals are sacrificed here in order to achieve outcomes further downstream. In the face of further government work to address issues at the Choke⁴, it's crucial that all knock-on, 'perverse' ecological outcomes are addressed and mitigated as well.</p>
<p>14. Basin Governments should demonstrate strategic leadership, take joint responsibility and direct the implementation of the Basin Plan. BOC should be responsible for managing the risks to successful implementation and ensuring effective intergovernmental collaboration. The MDBA's role is to provide technical support to Governments as they implement the Plan. Governments must be individually and collectively resourced to perform their roles (p. 58).</p>	<p>This advice is critical, and should be acted on immediately. The current power-balance does not work in terms of effective Basin Plan implementation. The MDBA's only role in the space should be solely as a technical advisor. Basin Governments – collectively – should be deciding on: (i) operational priorities as they relate to the Plan; (ii) how they will be met; and (iii) critically, what will be deemed 'good enough' in terms of the implementation task. With the MDBA constantly running interference, and 'pulling rank' in terms of its view that the Plan is the final say on all things Basin water, Governments will never have the strategic space to do the work that is expected of them by their communities. The only 'resourcing' needed is a re-set of the current – highly ineffective – power imbalance between Basin Governments collectively and the MDBA.</p>

³ [Basin Salinity Management 2030 – strategies and reports | Murray–Darling Basin Authority \(mdba.gov.au\)](https://www.mdba.gov.au/basin-salinity-management-2030-strategies-reports)

⁴ [Barmah–Millewa Feasibility Study | Murray–Darling Basin Authority \(mdba.gov.au\)](https://www.mdba.gov.au/barmah-millewa-feasibility-study)