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Submission to Draft Panel Report

Independent assessment of social and economic conditions in the Basin

Introduction

Lifeblood Alliance consists of environmental, Indigenous and community groups committed to keeping the rivers, wetlands and aquifers of the Murray-Darling Basin healthy for the benefit of current and future generations.

Member groups and associated individuals of the Lifeblood Alliance span the breadth of the Basin and beyond and include landowners, farmers, irrigators, commercial and recreational fishers, nature tourists, Local Government representatives, Traditional Owners, ecologists, townspeople and conservationists.

Lifeblood Alliance has closely followed the initial development of the Basin Plan, its adoption and the processes of implementation.

We welcome the opportunity to provide feedback to the Draft Report on the Independent assessment of social and economic conditions in the Basin.

This submission includes comments on the document structure, content and recommendations. It also includes the Lifeblood Alliance position on the many topics considered in the Draft Report.

We consider that the Draft Report has failed to meet all the Terms of Reference for the independent assessment.

1. Draft Report structure

1.1 Source of information

The Draft Report makes reference to information provided in the Progress Report released in December 2019. However, the analysis of the community engagement process is very limited. We note that the regional meetings and survey results are not based on an even distribution of community contact.

While there are numerous quotes in the Preliminary Report, there appears to be no clear analysis of the bias in information collected.

The map provided in the Progress Report¹ demonstrates a bias in the survey data.

Very few people appear to have engaged in the survey from South Australia and only a few stakeholder engagement sessions were held in South Australia.²

Neither report has identified that a variety of community engagement processes on water reform policy implementation and various Inquiries were being conducted at a similar time to the Panel engagement. This process was adding to water reform fatigue.

An analysis of the source of community comment is critical to this process because the Panel has relied heavily on information provided through community engagement throughout the Draft Report.

1.2 Content layout

The Progress Report identified eleven themes developed from information obtained through the community engagement process.

There is a failure to describe how these themes have been prioritised and how they inform the draft Key Findings and Recommendations in the Draft Report.

Themes appear to be turned into summary clusters in the Key Messages section with no clear prioritisation in relation to the Draft Recommendations.

There is no clear discussion in regard to the prioritisation of the Recommendations, if indeed there is a prioritisation process.

There is also no clear linkage between the draft Key Findings and how they have informed the Draft Recommendations. There is misnumbering of draft Key Findings with two number 19s.

There is no clear pathway through the information provided in the Draft Report and how it rolls up to the Draft Recommendations.

The Draft Recommendations are spread throughout the document and are hard to find. Having the Draft Recommendations in an executive summary would have been a helpful way of navigating the document.

1.3 Missing information

While Draft Recommendation 1 concentrates on better co-operation between Basin governments it fails to outline the various agreements made by all jurisdictions through the Murray-Darling Basin Ministerial Council (Minco) and the Commonwealth Organisation of Australian Governments (COAG).

The politics behind the success or otherwise of agreed water reform is a key element that has not been addressed. The conflict between upstream and downstream communities and various industries is also a key constraint to information exchange.

The political campaigns attempting to 'Can the Plan' etc have been very disturbing and confusing to many communities and are making clear communication on issues like outcomes of environmental water delivery very difficult.

¹ Preliminary Report, Dec 2019. Appendix E Fig 1

² Preliminary Report, Dec 2019. Appendix C

Lifeblood Alliance is concerned that this Draft Report is exacerbating community division through the inherent bias of the Panel's engagement process.

No list of references has been provided to demonstrate the information used to inform the Draft Key Findings and Draft Recommendations.

1.4 Contradiction in the Draft Report

Section 3.4 Social and economic effects on communities of water recovered to enhance environmental and working river outcomes refers to a number of key environmental outcomes from water reform that enhance social and economic indicators.

There is discussion about how these benefits are communicated to the community.

The Draft Report makes reference to case studies relating to the benefits of environmental water for recreation and tourism in the Basin. However, there is only one very short case study undertaken by Marsden Jacobs looking at recreational fishing at two places in the Southern Basin, Moira and Mildura.

This report identifies that: 'The full benefits for recreation fishing from implementing the Basin Plan are not expected to be realised until water recovery is complete, and there has been sufficient time for fish numbers and fishing conditions to respond to the additional water'.³

This is an indication that full water recovery is important for improvement in native fish populations

Further analysis of the recreational fishing case study is provided later in this submission.

There have been a number of studies relating to the value of recreational fishing and water based tourism in the Basin, that don't appear to be referenced.

The economic costs to the tourism industry of the ecological collapse of the Darling River due to poor water management have not been clearly analysed.

The Draft Report quotes a very old statement from the Northern Basin Advisory Committee made in 2016 that is now totally irrelevant to subsequent conditions in the Darling River.

There is no discussion of losses to the tourism industry through deteriorating river health, particularly along the Lower Darling and in the lower Murray.

Draft Finding 37 refers to a lack of credible evidence showing how enhanced outcomes support Basin communities. This statement appears to contradict the information provided at the beginning of Section 3.4

Lifeblood Alliance considers that the Draft Report fails to fully assess the positive outcomes of water reform and improved river health. There is no assessment of ecosystem services.

The University of Canberra report on Basin communities demonstrates a complex variety of reasons for socio-economic conditions in different regions.

2. Terms of Reference

Lifeblood Alliance does not consider that the Draft Report fully meets the Term of Reference for the Independent assessment.

³ Marsden Jacob Associates, March 2020. Recreational Fishing in the Murray-Darling Basin p4

The full text of Terms of Reference A is not provided.

ToR A – assessment of rural and regional communities across the Basin

It is not clear that a balanced assessment has occurred across the breadth of rural and regional communities in the Basin. As pointed out earlier in this submission, the community engagement process appears to have a bias that has not been clearly addressed.

ToR B – assessment of the positive and negative impacts of water reform, including social and economic impacts of environmental effects.

While the Draft Report considers some of the positive and negative impacts of water trading and types of water recovery, it fails to properly assess the social and economic impacts of environmental outcomes of water reform.

Draft finding 36 states that: *'There is some evidence that environmental watering delivers social and economic benefits to communities through improved recreational, community liveability and tourism opportunities in the Basin. But, at the moment, there is limited data and understanding of these benefits in the Basin, particularly around economic impacts of increased tourism.'*

This finding demonstrates that the Panel has not sought all available information on this topic or undertaken any serious analysis of its own.

Lifeblood Alliance provided the Panel with one report that links the presence of water to improved tourism opportunities. Many more have been conducted at the Local Government level, by the MDBA and by the recreational fishing industry.

The Draft Report fails to assess or even recognise the positive benefits of ecosystem services. This important function of a healthy river system is only mentioned in one Draft Recommendation in regard to First Nations engagement in valuing culturally significant sites.

There should be at least a recommendation for a costs-benefits analysis of the provision of improved water quality across the Basin as an essential ecosystem service for both the natural environment and critical human needs. The salinity target is a key feature of the Basin Plan that has not been given any attention in the Draft Report.

ToR D - support longer-term efforts to monitor and understand social and economic conditions in the Basin

It is not clear how the Draft Report has met this task. While some Draft Recommendations include advice on future directions for Government and community understanding, the support for longer-term monitoring needs to be better explained.

3. Recreational Fishing case study

There are a number of disturbing and unsubstantiated statements in this report.

A Key Message is that: 'River flows are a major factor structuring freshwater fish communities across the Basin. Flows influence the range of physical habitats available to fish, as well as ecological processes and functions to which their lifecycle is linked. More ecological knowledge is required, particularly about how different fish species may be affected by flows, including natural events, environmental watering and other water management action'.⁴

⁴ Ibid

We note that this is a direct and unattributed quote from 2018 Scoping Report undertaken by NSW Department of Primary Industries.⁵

Significant work has been undertaken by state government agencies to improve knowledge of native fish species and their relationship to different types of flow in river systems.

The case study references the MDBA 2017 Native Fish Basin Plan Evaluation report and acknowledges the positive role of environmental flows.

'Flows in the Murray–Darling Basin have an important role in recovering many native fish populations. Under the Basin Plan 2,106.5 ggalitres of water has been recovered for the environment and over 300 flows have been delivered with a purpose of achieving a native fish outcome. Targeted monitoring programs have detected many positive responses of native fish that have been associated with flows. This includes triggering spawning, movement and dispersal of Golden perch and Silver perch; enhancing recruitment success of Murray cod, Freshwater catfish and Silver perch; increasing abundances of prey species such as Australian smelt and Carp gudgeon; and maintaining critical habitat and hence facilitating the survival of populations of the endangered Murray hardyhead. Flows have also reduced the impact of adverse conditions on some fish species.'⁶

The Long-term Water Plans produced for Basin Plan implementation and the Annual Watering priorities developed for each Basin catchment use increasingly sophisticated scientific knowledge in regard to native fish habits and flow requirements. There is no reference to this body of work in the recreational fishing case study.

The failure to study recreational fishing in the Lower Lakes and Coorong is a key failing of the Marsden Jacobs report.

4. Response to Draft Recommendations

Draft Recommendation 1

This complex directive to Government fails to recognise that there have been sections of the Basin community opposed to the concept of the Basin Plan and water reform since the public exhibition of the Basin Plan Guide, as demonstrated by the memorable burning of documents for media sensation.

The Draft Report states in the Foreword that 'It was clear that people do recognise the importance of enhanced environmental outcomes in maintaining a healthy working river and improving conditions for Basin communities.'⁷

However, this is not clear in the many campaigns that have been conducted to get rid of the Basin Plan.

We refer back to previous comments about the bias in the Panel community engagement that has informed a number of the elements in Rec 1.

Various Governments have been reacting to their constituent's behaviour which makes it very difficult to adopt a shared vision.

⁵ Industries, N.D.o.P., *Murray-Darling Basin Socio-Economic Values of Native Fish and Recreational Fishing - Scoping Project – Final Report*. 2018, NSW Department of Primary Industries: Dubbo, NSW.

⁶ MDBA, Native Fish. 2017 Evaluation of Basin Plan

⁷ Draft Report pvi

As noted above there are numerous joint agreements made by Basin jurisdictions that have not been recognised in the Draft Report.

We agree that more effort needs to be invested in improving water literacy across the community and also to improve transparency and accountability in water management.

Draft recommendation 2

Lifblood Alliance strongly disagrees with the recommendation to further slow water recovery. Water recovery has virtually been at a stand-still for over 2 years.

The Draft Report has not recognised that ecosystems also take a long-time to recover from drought and that many are on the brink of ecological collapse.

The purpose of the Basin Plan adopted in 2012 was to recover necessary over-allocated water to prevent ongoing decline of river, wetland and floodplain health.

We agree that priority should be given to better managing constraints for all types of ordered water, including environmental water.

Draft Recommendations 3 & 4

Lifblood Alliance supports these recommendations for better targeted support of regional communities to diversify and become more resilient to future water shortages.

Draft Recommendation 5

Offsets or compensation for third party impacts needs to be better explained before this recommendation can be supported.

Many communities over many years have been impacted by poor water management policy and over-extraction with no recognition, offsets or compensation.

These social and economic impacts on industries such as floodplain grazing have not been satisfactorily identified by the Draft Report.

This recommendation emphasises the unnecessary complexity of the neutrality criteria for water recovery.

The implementation of Recommendations 3 & 4 should overcome this problem.

Draft Recommendation 6

The Barmah Choke is not the only constraint for delivery of water in the Basin. All constraints should be given a high priority. We recognise the Choke is a key constraint for the water market and highlights the adverse and inequitable impacts of large scale development of permanent plantings facilitated by the current water market regime.

Draft Recommendations 7 – 8

Town water supply and critical human needs is the highest priority of both the Basin Plan and water sharing plans at the state level.

Annual water determinations, especially in NSW, need to be better managed so that storages hold sufficient water to provide for the most recent drought of record.

Increasing dependence on groundwater during drought is not a long-term sustainable solution for critical human needs and town water supply. Greater attention to water efficiencies and growth management in areas of insecure water supply should be the key focus of responsible governments at all levels.

Draft Recommendations 9 – 11 & 13

Lifblood Alliance strongly supports recommendations to improve engagement with and understanding of First Nations connection to country.

While we support funding First Nations to work in valuing ecosystem services and benefits from culturally significant sights, we are very concerned that this is the only area of the Draft Report that refers to ecosystem services.

Recommendation 13 should be nested within this set of recommendations specifically targeting improved outcomes for First Nations groups.

Draft Recommendation 12

Lifblood Alliance supports improved monitoring and reporting of community well-being across the Basin.

Draft Recommendation 14

This recommendation should also include establishing a solid baseline and tracking of public investment into irrigation industries and dependent communities to ensure the most efficient use of public money that results in flourishing communities across the Basin with a healthy river system.

Draft Recommendation 15

While Lifblood Alliance supports this recommendation in principle, agricultural industries should be investing in their own targeted R&D programs, and in fact, many of them already are.

Draft Recommendations 16 & 17

Lifblood Alliance fully supports regional development funding to help strengthen service industries and communication networks in remote rural communities to both take advantage of the positive aspects of water reform and to overcome adverse impacts from changes due not only to water recovery programs but also widespread increase in mechanisation.

Draft Recommendation 18

Lifblood Alliance does not support investment in off-farm infrastructure projects to provide water recovery.

The Draft Report identifies in Draft finding 29 that there is little evidence of the outcomes of off-farm infrastructure investment. There are also no or, in fact, minus outcomes for water recovery because of the loss of return flows.

This recommendation should be to stop investing public money in off-farm infrastructure.

Draft Recommendation 19

Lifblood Alliance supports this recommendation to support front line services. It should be nested with Recs 16 & 17.

Draft Recommendation 20

This recommendation is also supported and should be nested with Recs 16, 17 & 19.

5. Key Issues

5.1 Transparency and communication

Co-operation from all Basin states is essential to the successful implementation of the world first across borders Murray Darling Basin Plan (Plan).

Communities need to understand that the Plan means there will be less water for extraction, and for good reason. The Water Act and the Plan is asking Basin communities to get by with less water – as that water is needed in the rivers.

It is important that Basin communities understand the reasons this water is so desperately needed for the rivers, floodplains, wetlands and aquifers of the Basin. It is so they have enough water to be resilient to survive the increasingly frequent and severe droughts, so they don't become extinct. There will be no Basin communities without healthy rivers.

The Lifblood Alliance is very concerned that the impacts of the free water market have had on water availability, industries and communities in the Basin has become conflated with the impacts of the Plan.

When Prime Minister John Howard announced \$12 billion (later \$13 billion) Plan to bring back the Basin from the brink of ecological collapse, international corporate entities stood up and paid attention, and moved in to play the water market. With water going to the highest value crop, the impacts of an unregulated water market on industries like rice and dairy has been devastating. The unregulated free water market has shown itself to be a threat to food security, and therefore national security, in the current health crisis.

Basin Governments should absolutely invest in the ongoing development of effective water markets, and help communities distinguish between the impacts of the Plan, and those of the water market.

The development of strong and effective local leadership capacity needs investment, along with support to improve water literacy in the Basin.

5.2 Lifblood Alliance strongly objects to slowing pace of water recovery.

Voluntary water buy backs through a transparent open tender process are the quickest and most cost effective way to return water to the rivers, floodplain, wetlands and aquifers of the Murray Darling Basin.

In contrast, water recovery attempted through infrastructure projects and increased irrigation efficiency has been very expensive, and often resulted in perverse ecological outcomes.

To date, water recovery through buy backs is still under the cap that was imposed in 2015 of 1,500 GL. Most of the water recovery shortfall is in the Northern Basin, where additional water in environmental accounts would be very beneficial throughout the Barwon-Darling system.

With the Barwon-Darling not contributing to Murray inflows in recent years, extra pressure is on the Murray system to meet NSW's obligations under water sharing agreements. This additional pressure born by the Southern Basin could be alleviated if there was more environmental water available in the Northern Basin.

As a way to reclaim water for the Basin, infrastructure upgrades would be unworkably expensive, unpopular, have adverse environmental impact unlikely to be adequately assessed, be slow to deliver water, and there's concern from some scientists that they can't deliver the water promised.

'Buybacks are a relatively efficient means of increasing environmental water flows and are much cheaper than upgrades. It would appear that buybacks have fallen out of favour due to a misdiagnosis of the causes of adversity in the Basin'⁸

The Basin requires less water to be extracted so that it can survive. If the trajectory of ecological collapse is not challenged, the rivers will collapse, and with them all life and economy of the Basin. That is the reason John Howard began the water reform process, because losing the rivers of the Basin was not an acceptable outcome.

Lifblood Alliance is extremely concerned that the problems created by a free water market with water going to the highest value crop have been blamed on voluntary water buy backs under the Plan.

5.3 Structural Adjustment Projects

Lifblood Alliance is supportive of projects that assist communities most affected by water recovery to restructure their economies to adapt to a future with less water. Assigning for example, 10% of the remaining several billion dollars in the Plan would make many hundreds of millions of dollars available.

To date, a fraction (0.3%) of the \$13 billion Plan has been available to support communities to adjust to an economy that is less reliant on irrigation. The Commonwealth's Department of Agriculture, Water and the Environment's Murray–Darling Basin Economic Development Program web page⁹ states up to \$39.4 million has been provided for community projects since applications for funding under round one closed in March 2019.

The funding of structural adjustment projects under these projects should be linked to actual water recovery in the regions affected, and should be projects that encourage and support the development of new industries that are less reliant on water.

Many of the projects listed on the DAWE website as referenced above, while being worthwhile projects in their own right for building community amenity, are not necessarily encouraging new and diverse industries that will set up a community's economy to be less reliant on water extraction.

5.4 450 GL Upwater Recovery

Lifblood Alliance agrees that the neutrality criteria agreed in December 2018 for the recovery of the final 450 GL in the Basin Plan is unworkable. "The criteria say programs or projects cannot have negative third party impacts on the irrigation system, water market, or

⁸ Modelling variants of the Murray-Darling Basin Plan in the context of adverse conditions in the Basin Glyn Wittwer Centre of Policy Studies Victoria University March 2020

⁹ <https://www.agriculture.gov.au/water/mdb/programs/basin-wide/edpgrants>

regional communities or jobs. They also say programs or projects in an irrigation district cannot reduce the overall productive capacity of the relevant region.”¹⁰

However we strongly object to third party impacts being offset or compensated in anyway.

The reversal of the neutrality test for the 450GL is the only realistic way to achieve the 450GL upwater.

5.5 Delivery Constraints

Lifblood Alliance is very supportive of prioritising efforts to address delivery constraints.

The sustainable diversion limits (SDL) adjustment for supply measures was calculated on the assumption that constraints measures are in place. These measures have not been implemented, and the Productivity Commission notes that they are highly unlikely to be completed by 2024.¹¹ All jurisdictions are dragging their heels on constraints projects.

Lifblood Alliance considers the removal of constraints to the delivery of environmental water is critical to the successful achievement of the Plan. The management of constraints needs to be given top priority with infrastructure investment and the acquisition of easements.

There needs to be a stronger focus on the public benefits of constraints management. Infrastructure projects such as lifting bridges and road crossings will benefit the community during times of natural flood. Likewise, the acquisition of flood easements will allow for ecologically important overbank flows that provide nutrient sources, recharge groundwater systems and deposit alluvial soils thus increasing productivity for environmental outcomes.

Acquisition of flood easements will have private and public benefits.

Issues of channel sharing when irrigation orders coincide with environmental releases is also an issue of constraints. The timing of environmental releases is crucial to the outcomes expected. A lot of consideration and work is under taken by environmental water managers to time releases to mimic natural flows in order to encourage vegetation growth, bird breeding or native fish migration depending on the goals of the release.

There have been many examples of irrigation orders getting priority releases in the southern basin, and the environmental flows having to wait, reducing their impact.

5.6 Town Water Security

The risk to town water security in the Basin is the largest threat facing communities.

In NSW, over 90 towns and regional cities were at risk of evacuation over the last summer, many of them in the Basin.

While it is very important that towns are responsible with water use, and have alternate urban supply sources for security, the problem of insecure water supplies comes from the rules used by each state to manage water sharing and storage.

Relative to irrigation, towns use a very small percentage of water released from major storages. For example, in the two years to June 2019, Dubbo region used less than 16 GL

¹⁰ Panel report: Independent assessment of social and economic conditions in the Basin
Draft report

¹¹ Productivity Commission (December 2018) Five Year Assessment Murray-Darling Basin Plan. Inquiry Report no 90

from Burrendong dam releases, environmental water managers ordered 261 GL, while irrigation orders were 450 GL for the same period (excluding deliver water).¹²

The economic activity estimates from the Dubbo region in one year is around \$8 billion.

Lifblood Alliance supports the water allocation rules that manage water in each Basin state being reviewed and adjusted in an attempt to better secure town water supplies, as a matter of critical priority. This Draft Report, in our opinion, must find a way to highlight the urgent attention required in this area.

The valuing of ecosystem services provided by healthy rivers, floodplains, wetlands and aquifers to regional councils should be included in the part of the Draft Report that focuses on regional town water supplies.

5.7 First Nations

Lifblood Alliance supports the position of our member groups MLDRIN and NBAN, and the work they have already done over many years with government agencies to advance the securing of Cultural Water rights and First Nations representation in all areas of water management.

Lifblood Alliance strongly supports a position on the board of the MDBA being made available for a Traditional Owner from the Basin, as has been promised as a part of the Northern Basin amendments.

There is no need to reinvent systems and processes when dedicated people and groups have invested years in advancing the cause of First Nations representation. Lifblood Alliance believes this report should be recommending further commitment by the government to processes that are already underway, and to promises that have already been made and never fulfilled.

5.8 Environmental Outcomes

Lifblood Alliance supports increasing the capacity of the Commonwealth Environmental Water Office, and state based environmental water holder offices to continue and improve the level of monitoring and tracking environmental outcomes from water reform.

The systems and expertise are already in place, there is no need to reinvent entire processes, when established agencies know what they are doing, in most cases are doing it well, and yet are starving for funding and security.

Public interaction to the process of environmental water management and reporting outcomes is available via the already established community environmental water advisory groups that are set up in many valleys. These important local groups have representation from a cross section of the community, and hold a lot of very valuable local knowledge and historic learning. The funding of these important groups could be expanded, so they are in every valley within the MDB.

This report could reflect that systems to monitor and report the impacts of environmental watering already exist, and that they should be better funded. There is no need to re-invent the wheel.

¹² https://www.waternsw.com.au/_data/assets/pdf_file/0016/151162/Water-Balance-Report-Macquarie-Valley-2018-2019.pdf https://www.waternsw.com.au/_data/assets/pdf_file/0007/137968/Macquarie-Water-Balance-2017-2018.pdf

5.7 Essential Infrastructure

Lifeblood Alliance strongly supports investment in Basin communities.

This draft report is correct to find that these things are important, and often not supported in Basin communities: wellbeing monitoring, human health, cultural values, liveability, household distress, mental health issues.

What is desperately needed are better health services, police, schools and digital infrastructure.

“Each dollar spent on human services centres created four times as many jobs as spending on infrastructure upgrades.”¹³

Rather than go down the path of setting up new programs to monitor shortfalls discussed above, Lifeblood Alliance would like this Draft Report recommend significant increases in funding, tied to the Plan, for the health services, police, schools and digital infrastructure projects so badly needed.

Conclusion

"...what would have happened if Labor and then the Coalition government had continued a determined program of water buybacks as the main way of recovering water? The total amount would probably have been recovered by now - and at much less cost to the taxpayer. Which would have freed up money that could have been better spent. More water buybacks might have hurt rural communities already under strain. But what if this was part of bold rural and regional policies of wisdom and sophistication, well thought-out and well communicated? What if money saved was spent on health, education and schools in rural Australia?"¹⁴

The answers to the problems facing the Basin are already available to us, a lot of work has already been done. In many cases this Draft Report recommends recommencing processes that have been in place for a long time. This means that again, we will lose all the work that has come before and not progress. Political inertia has created a cycle of beginning a process, ignoring its outcomes, commissioning a study, ignoring the community feedback and starting a new process from scratch.

We know what the Plan is supposed to do, its time now to get it done.

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Member Groups:

Australian Conservation Foundation, NSW Nature Conservation Council, Conservation Council of South Australia, Environment Victoria, Queensland Conservation Council, Murray Lower Darling Rivers Indigenous Nations, Northern Basin Aboriginal Nations, River Lakes and Coorong Action Group, Environmental Farmers Network, Inland Rivers Network, National Parks Association of NSW, Goulburn Valley Environment Group, Healthy Rivers Dubbo and Central West Environment Council

¹³ Modelling variants of the Murray-Darling Basin Plan in the context of adverse conditions in the Basin Glyn Wittwer Centre of Policy Studies Victoria University March 2020

¹⁴ Quarterly Essay "Cry Me a River. The Tragedy of the Murray-Darling Basin" Margaret Simons