

**Murray–Darling Basin Authority**  
**Meeting 109 – 2 May 2017**  
**Minutes**

**Members in Attendance:** The Hon Neil Andrew (Chair); Ms Dianne Davidson; Mr George Warne; Professor Barry Hart; Ms Susan Madden; and the MDBA Chief Executive, Mr Phillip Glyde.

Supported by relevant agency staff.

**Agenda item 1: Opening of meeting, disclosure of interests and apologies**

1. The Chair, Mr Andrew, opened the meeting at 8:33 am and welcomed members and MDBA staff. There were no apologies.

*Conflict of Interest*

2. No members declared any conflicts of interest with the items on the agenda.
3. The Authority **noted** the opening remarks of the Chair.

**Agenda item 2: Adoption of draft agenda**

4. The Authority **adopted** the draft agenda.

**Agenda item 3: Confirmation of minutes of meeting 108**

5. The Authority **confirmed** the minutes from meeting 108 held on 4 April 2017.

**Agenda item 4: Chair's report**

6. The Chair commented on the extent of work being undertaken on Basin Plan amendments, sustainable diversion limit (SDL) adjustment and water resource planning and the decisions relating to these issues that would be required. He noted that sound decision making was based on both the quality and timeliness of information provided.
7. Mr Andrew reported discussions with the former Murray–Darling Basin Commissioner, Dr Wendy Craik. Dr Craik indicated she considered the governance structure of the MDBA to be particularly effective.
8. Members discussed the messages from Dr Craik and reflected that it took two years to fully effect the transition from the Murray–Darling Basin Commission to the Authority.
9. Mr Andrew also reported on a telephone meeting that he and Mr Glyde had with Mr Ed Fessey, a member of the former Northern Basin Advisory Committee, about progress on the implementation of the toolkit measures.
10. The Authority **noted** the Chair's report.

**Agenda item 5: Basin Community Committee Chair's report**

11. Mr Rory Treweeke, Chair of the Basin Community Committee (BCC), reported on the activities and observations of BCC members.
12. Mr Treweeke commented that it had been relatively quiet across the Basin, but noted that there were distinct concerns from irrigators in the Louth area relating to their ongoing ability to trade water.

13. Mr Treweeke advised that officials from the New South Wales Office of Environment and Heritage would be presenting at a future meeting to the BCC on the relationship between fish bones (specifically the otolith or ear bone) and water chemistry changes and what this could reveal about fish movements during its life cycle. Such information could be used to provide more information to guide environmental watering.
14. The Authority **noted** the report from the BCC Chair and members.

#### **Agenda item 6: Authority members' updates**

15. Authority members provided updates on the meetings they had been involved in.
16. Members all commented on the value of the workshop which discussed the Authority's triple bottom line decision making process following the last meeting.
17. Ms Madden reported on a meeting with Mr Tom Chesson about the carp eradication process, a project that was attracting extensive social media interest. The Authority expressed interest in an update on the carp eradication program.
18. Professor Hart reported on a trip through the Menindee and Louth areas.
19. Ms Davidson advised that she had attended a South Australian NRM Board meeting with Mr David Dreverman, where discussion focussed on the history of the system. She also noted that she was to be part of the assessment panel for the South Australian River Murray Sustainability Program (SARMS) project and was due to give a lecture to planning students at the University of South Australia on the Basin Plan.
20. The Authority **noted** the updates from the Authority members.

#### **Agenda item 7: Chief Executive's report**

21. Mr Glyde presented his report, noting recent improvements in staff satisfaction as recorded in the annual staff survey and the recommencement of the enterprise agreement bargaining process.
22. Mr David Dreverman noted his attendance at an IPART inquiry that was considering WaterNSW costs. He noted that in his evidence he clarified that there were difficulties in IPART's methods for comparing costs as the comparison of cost movements had included a period of five years when New South Wales had not contributed its full share to the joint program. He stressed that in real terms New South Wales' current share of MDBA costs was lower than it was in 2006.
23. The Authority **noted** the Chief Executive's report.
24. The Authority welcomed Mr Gavin Hanlon, Deputy Director General (Water) New South Wales Department of Primary Industry, to the meeting. Mr Hanlon discussed the consideration of toolkit measures by New South Wales. He reiterated New South Wales' commitment to the Basin Plan and its implementation.
25. Mr Hanlon acknowledged the improved cooperation between Basin states and the MDBA in recent times.
26. In relation to the toolkit measures, Mr Hanlon indicated that New South Wales was committed to ensuring the achievement of the intended outcomes of the Northern Basin Review and was working with MDBA staff and the Department of Agriculture and Water Resources on how to deliver various toolkit measures. He noted the importance of evidence based decisions and the need to ensure that evidence was shared transparently with all stakeholders. The principle applied by New South Wales was that there should be no net advantage or disadvantage to irrigators from changes to water use.

27. Mr Hanlon outlined New South Wales' preferred approach to each of the toolkit measures.
28. In regard to the southern Basin, Mr Hanlon discussed with Authority members progress associated with implementation of the SDL adjustment mechanism.
29. Members discussed the New South Wales response to the toolkit measures and the SDL adjustment.

#### **Agenda item 8: Basin Plan amendments**

30. Mr Russell James, Executive Director Policy and Planning, outlined the current negotiations with New South Wales and Queensland on the toolkit measures.
31. Mr James noted that giving effect to toolkit measures would involve some uncertainty as the MDBA would need to respect state planning arrangements that include public consultation. Even so, it would be useful to have greater clarity on the New South Wales position prior to agreeing the content of any letters to ministers.
32. Members discussed the desirability of a joint study to be undertaken with New South Wales to review of the importance of the delivery of environmental water, particularly at low flow rates in the northern Basin. It would also be desirable if such a study was independently reviewed.
33. The Authority:
  - (a) **agreed** to provide comments on the draft summary of public submissions to the proposed amendment
  - (b) **agreed** to consider, out of session, the proposed amendment to the Basin Plan
  - (c) **agreed** to provide comments on the draft protocol for implementation of toolkit measures
  - (d) **agreed** to consider, out of session, a letter to ministers seeking comments from the Murray–Darling Basin Ministerial Council as per s.47A of the Water Act 2007 (Cth; Water Act)
  - (e) **agreed** to revisit specific issues raised in correspondence with ministers, including groundwater water quality provisions, and those as a result of progress on toolkit measures
  - (f) **noted** the update on progress with the toolkit measures
  - (g) **noted** that the MDBA would publish an outline of changes made to the proposed amendment prior to writing to ministers, and a summary response to key issues raised in public submissions soon thereafter
  - (h) **noted** next steps in the amendment process.

#### **Agenda item 9: Water resource planning and position statements**

34. Mr James provided an overview of the proposed streamlining of water resource plans (WRP) assessment process and the status of the five remaining position statements for consideration.
35. Mr James noted that two were amendments of position statements previously endorsed and three had not previously been considered by the Authority and that these completed the suite of position statements.

36. Mr James advised members that a consultancy report had recently been completed that evaluates the assessment process used for the first WRP. Members would be briefed on the report and proposed actions in due course.

37. The Authority:

(a) **endorsed** WRP Position Statements:

- i. 3E: Determining take BP10.10
- ii. 6A: Change in PEW protection
- iii. 6B: Consistency with planning for environmental watering
- iv. 6C: Consistency with s10.27
- v. 6D: Groundwater planned and held environmental water

(b) **noted** the streamlining approach for water resource plan development and assessment and associated risks in its application.

#### **Agenda item 10a: Sustainable diversion limit adjustment update**

38. Mr Carl Binning, Executive Director Environmental Management, summarised progress with the SDL adjustment mechanisms.

39. Dr Peta Derham, General Manager Eco-hydrology Analysis, outlined the key features, technical and policy issues relating to each of the four core SDL adjustment projects.

40. The Authority **noted**:

- (a) the verbal update on the core projects required in a package of measures to achieve the objectives of the adjustment
- (b) that the Basin Officials Committee (BOC) was in the process of actively negotiating the basis of an agreed package of measures
- (c) the importance of the integrity of adjustment including the evidence base and framework for decision making
- (d) that non-mandated changes to the benchmark model would be provided to the Basin Officials Committee (BOC) for its agreement at BOC meeting 48 – 18 May 2017 and that Authority agreement would be sought after consideration of any comments from the BOC
- (e) the timeline for MDBA advice and decisions of the BOC and the Authority for the operation of the SDL adjustment mechanism.

#### **Agenda item 10b: Proposed approach to reconciliation**

41. Authority members were advised that the Basin Plan requires the Authority to make a judgement in 2024 on whether a reconciliation of the SDL adjustment was required and that the Basin Plan did not contain further guidance on the approach to reconciliation.

42. Members discussed various approaches to reconciliation of the SDL measures.

43. The Authority:

- (a) **noted** that the approach and decision to conduct reconciliation in 2024 was the responsibility of the Authority
- (b) **agreed** the preferred option to manage reconciliation was annual/biennial stocktake and reporting, using the current SDL adjustment modelling framework in addition to

other information which allows for a judgement based approach based on multiple lines of evidence.

#### **Agenda item 10c: Pre-requisite policy measures**

44. Mr James provided an overview of the background to the requirement for pre-requisite policy measures (PPMs) to be specified. He indicated that PPM implementation plans are reviewed by the Independent River Operations Review Group (IRORG) and must be in place by 30 June 2017, but are not required to be implemented until 2019.
45. In response to questions about the risks of piggy backing environmental water on an unregulated flow event, Mr James confirmed there would be no unintended third party impacts. Mr Binning noted that environmental water trials had been conducted over recent years. These trials accounted for the water use under such conditions. Authority members expressed interest in further information on the outcomes of the trials.
46. The Authority:
  - (a) **endorsed** the MDBA's assessment that the pre-requisite policy measures implementation plans for Victoria and South Australia meet the requirements of s7.15 of the Basin Plan
  - (b) **noted** the update and next steps associated with the NSW and River Murray plans.

#### **Agenda item 11: 2017 Evaluation**

47. Mr Colin Mues, Chief Economist, provided an overview of the consultations held to date and the social and economic sub-evaluation plan.
48. Mr Mues also provided information on the proposed workshop with Authority members to consider the evaluation in more detail.
49. Members discussed the importance of drawing on complementary independent assessments of Basin Plan outcomes, noting that third party material was proposed to be referenced in addition to seeking the expert advice of the Advisory Committee on Social, Economic and Environmental Sciences.
50. The Authority:
  - (a) **noted** the progress in evaluation planning
  - (b) **noted** the briefing on the social and economic evaluation plans
  - (c) **endorsed** the proposed approach/priorities for a workshop with Authority members to be held on 7 June 2017.

#### **Agenda item 12: Communications and engagement**

51. Ms Vicki Woodburn, General Manager Partnership and Engagement, reflected on the recent changes to the MDBA's approach to communications and engagement and the feedback received.
52. Ms Woodburn noted that regionalisation was a key component of the MDBA's communications and engagement strategy.
53. The Authority **noted** the verbal briefing on communications and engagement.

#### **Agenda item 13: Other business**

54. There was no other business.

#### **Agenda item 14: Next meeting**

55. The Authority reflected on the experience of holding the meeting in a regional location and discussed options for future meetings.

56. The Authority:

(a) **noted** its next meeting was scheduled for 6 June 2017, in Canberra

(b) **agreed** the regional meeting location for the next quarter would be the Murrumbidgee region.

57. The meeting closed at 4:15 pm.