TRIM Ref: D18/45716

The Hon David Littleproud
Minister for Agriculture and Water Resources
PO Box 6022
Parliament House
CANBERRA ACT 2600

Dear Minister

Accreditation of the proposed South Australian Murray Region Water Resource Plan

I am writing to give you the proposed South Australian Murray Region Water Resource Plan ('proposed WRP') submitted by South Australia on 13 November 2018 (Attachment A) and the Murray-Darling Basin Authority's recommendation on the accreditation of the proposed WRP (Attachment B) in accordance with section 63(3)(c) of the Water Act 2007 (Cth) ('the Act').

I have also provided:

1. a detailed assessment report (Attachment C), including the Authority's reasoning; and

2. a copy of the advice the Authority sought from the Murray Lower Darling Rivers Indigenous Nations (MLDRIN) on whether a draft of the proposed WRP is consistent with the requirements regarding Indigenous values and uses in Part 14 of Chapter 10 of the Basin Plan 2012 (Cth) ('Basin Plan') (Attachment D).

The Authority has worked collaboratively with the South Australian Government to deliver this proposed WRP for accreditation.

I understand the Commonwealth Department of Agriculture and Water Resources will be advising you on making your accreditation decision in relation to the proposed WRP in accordance with the Act.
In considering the proposed WRP, the Authority noted a revised estimate of the surface water Baseline Diversion Limit (BDL) resulted in a BDL of 55.2GL per year. The revised estimate of the BDL is significantly higher than the Authority’s estimate at the time the Basin Plan was made, which was 3.5GL per year based on the best available information at the time. The Authority acknowledges its original estimate of the BDL for this WRP area did not fully consider the level of development as at 2009, nor did it fully take account of existing state management arrangements. Specifically, the MDBA’s original estimate did not take account of dam development limits in place for the Northern Mount Lofty Ranges. In addition, the level of development in place in 2009 north of the River Murray and in the Mallee region to the east of the River Murray was not included in the original estimate. These are the areas where most of the increased estimate applies.

In addition, a small portion of South Australia’s South East Natural Resource Management area is also relevant to the change in BDL, along a narrow strip adjacent to the Coorong. A small amount (1.3GL/year) of the revised BDL estimate applies to this area. Although the Coorong is included in this Sustainable Diversion Limit (SDL) resource unit, no take is permitted from the Coorong and the revised BDL estimate does not impact on the Coorong.

The Authority is satisfied that the revised estimate put forward in the proposed WRP represents the best available information on which to calculate the BDL for the South Australian Murray Region Water Resource Plan area (‘WRP area’). The change does not affect inflows to the River Murray or the Coorong from the WRP area, as most streams are highly ephemeral and essentially disconnected from the River Murray. For example, the last reported flow between Burra Creek and the River Murray occurred in 1941.

The Authority also noted that the three regional Natural Resources Management Plans (‘NRM Plans’) referred to in the proposed WRP contain rules that limit growth and will ensure that the ‘SDL’ is not exceeded. The NRM Plans, operating in accordance with South Australia’s Natural Resources Management Act 2004, also contain provisions to ensure water compliance is actively managed within the WRP area.

The Authority noted the proposed WRP enables a coordinated approach to meeting the watering requirements between connected resources. However, the Authority also noted the water management rules and arrangements for the Coorong, Lower Lakes and Murray Mouth Ramsar site will largely be contained within the South Australian River Murray Water Resource Plan. The Authority notes that South Australia is required to meet its obligations under the Basin Plan monitoring and evaluation program to manage the system consistent with the long-term watering plan outcomes and targets.
In providing this proposed WRP for your consideration, the Authority would also like to convey its appreciation for the timely and considered advice provided by the Murray Lower Darling Rivers Indigenous Nations (MLDRIN). This advice was provided in two parts, as MLDRIN’s review of a WRP that was provided prior to this proposed WRP identified gaps which were subsequently addressed by South Australia. The Authority notes MLDRIN’s comment that the conflation of environmental and cultural values do not represent best practice in risk assessment.

The Authority looks forward to achieving an important milestone in the implementation of the Basin Plan with you, through your consideration of this proposed WRP.

If you have any questions or require further information about this WRP accreditation package, please contact Dr Peta Derham, General Manager of WRP assessment at Peta.Derham@mdba.gov.au or 02 6279 0633.

Yours sincerely

Phillip Glyde

5 February 2019

List of Attachments

Attachment A: The proposed WRP
Attachment B: The Authority’s recommendation on the proposed WRP
Attachment C: The assessment report relating to the proposed WRP
Attachment D: MLDRIN advice