

MRLGA Murray River, Lakes & Coorong Forum

POST EVENT REPORT

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Background

In May 2017 MRLGA CEO Peter Bond engaged Emily Morgan of Local People Local Solutions to coordinate a Murray River, Lakes and Coorong Forum. The forum was delivered by the MRLGA with sponsorship from the SA Murray Darling Basin NRM Board.

The event was held on Friday 29 September 2017 at the Murray Bridge RSL Club and was attended by 40 representatives from Commonwealth, State and Local Governments as well as members from industry and regional organisations.

The objectives of the forum were:

1. To provide Local Government representatives with up-to-date information on the MDBP so they can make informed policy and operational decisions into the future; and
2. To prepare Local Government representatives from the Riverland and Murraylands regions for their attendance at the Murray Darling Association (MDA) National Conference and AGM on 11 October in Renmark.

The forum was facilitated by the Hon Karlene Maywald and was opened by MRLGA President Dave Burgess following a 'Welcome to Country' by Clyde Rigney Jnr (CEO of the Ngarrindjeri Regional Authority) and a 'Welcome to Murray Bridge' from Brenton Lewis (Mayor of the Rural City of Murray Bridge).

Attendees received presentations from the following speakers:

Speaker	Position & Organisation	Topic
The Hon Neil Andrew AO	Chair, Murray Darling Basin Association	<i>Murray Darling Basin Plan (MDBP) Update</i>
Dan Jordan	Director Water Policy, Department for Environment Water and Natural Resources	<i>An SA Policy Perspective on the MDBP</i>
Sharon Starick	Presiding Member, SA Murray Darling Basin NRM Board	<i>Sponsor's Address (5 mins)</i>
David Papps	Commonwealth Environmental Water Holder	<i>Commonwealth Environmental Water Holding 101</i>
Tony Pasin MP (for Assistant Minister Anne Ruston, a late apology)	Member for Barker	<i>A National Policy Perspective on the MDBP</i>
Helen Dyer	Director, Holmes Dyer	<i>The One River Murray Authority – Governance Framework</i>

Overview of Presentations & Discussion

Hon Neil Andrew AO

Mr Andrew's presentation focussed on three key areas: evaluation, compliance and basin plan amendments.

Evaluation

- The MDBP is evaluated every five years and the first review is occurring this year. In the coming months the MDBA will release a report on the economic, environmental and social outcomes from the Basin Plan. Most recent information indicates the plan is on target to be delivered on time and in full.

Compliance

Mr Andrew addressed the issues raised in the Four Corners program and described the following courses of action being taken:

- An MDBA Basin-wide Compliance Review as requested by the Prime Minister and Deputy Prime Minister noting that "water policing" is vested in State Governments;
- A NSW independent review by Mr Ken Matthews AO;
- A NSW Independent Commission Against Corruption (ICAC) investigation; and
- the extended audit by the Australian National Audit Office (ANAO).

Amendments

- The Basin Plan includes a mechanism to adjust Sustainable Diversion Limits. The MDBA has identified through efficiency projects (agriculture) and supply projects (nominated by State Governments) more water (450GL and 605 GL respectively) could remain in the system for human use, agriculture or the environment.
- The recommended adjustment will be available for comment from 2 October to 3 November.

Dan Jordan

- Advised SA is on track to achieve basin implementation plan compliance by 2019.
- In SA the Murray River supports \$900 million worth of irrigated agriculture per year, internationally recognised wetlands, over 1.2 million people as well as tourism and recreation pursuits.
- Mr Jordan spoken in terms of "down water", "up water" and constraints:

Down Water

- Offsets against the original 2,750 GL water recovery target by 2019 must have integrity ("down water" – up to 650 GL).
- There are 37 SDL offset projects across the Basin, SA has 6 projects (e.g South East Flows, Pike and Katarapko floodplain) plus 5 joint projects with Vic and NSW (e.g. Living Murray works at Chowilla).
- Projects must return real water or environmentally equivalent outcomes.

Up Water

- The final 450 GL by 2024 must be recovered in full ("up water")
- Recovery is coming from water buy-back schemes and on-farm water use efficiency projects.

Constraints

- Constraints on environmental water delivery will be addressed through infrastructure upgrades that will allow for better flow management.

Q&A/Comments:

1. Minister Hunter asked Ms Maywald for her opinion on the effectiveness of the (abolished) National Water Commission (NWC) vs. the current Productivity Commission (PC). Ms Maywald commented the NWC had significant resources and was established to provide

independent, evidence-based advice on national water issues. In her opinion it was effective because it was established by COAG whereas the PC reports only to the Commonwealth.

2. Peter Bond queried whether there are any plans to factor the capability of the desalination plant in to the MDBP. Ms Maywald responded the marginal cost of running the plant is higher than the current water price. Mr Jordan advised the State Government is aware “people are looking for an answer” and that they haven’t ruled it out subject to further internal government work.
3. Grant Rigney asked Mr Jordan, Mr Andrew and Minister Hunter if the Basin States have a risk management plan in place for non-compliance. Mr Andrew replied that illegal activity is the responsibility of the States. The MDBA currently undertakes audits of river operations and salinity levels and could possibly include more compliance work if it was resourced to do so.

David Papps

- Is responsible for protecting or restoring the environmental assets of the Murray-Darling Basin consistent with the Water Act 2007; Environmental Watering Plan; and Basin-wide Environmental Watering Strategy. Delivering an annual average volume of 1,781 GL.
- Mr Papps’ entitlements are subject to the same rules and water prices as irrigators.
- He holds a complex portfolio of 80 entitlement types across 17 catchments and manages these by providing water for environmental use, carryover or trade.
- Since 2009 the Commonwealth Environmental Water Office has delivered 7,000 GL in environmental watering which has seen improvements in native fish spawning, water bird breeding, growth of vegetation and an improvement to water quality.

Q&A/Comments

1. Mayor Burgess highlighted the important role that environmental watering plays in supporting the tourism industry.
2. Cr Vern Leng asked for Mr Papps’ opinion on the proposed introduction of the carp herpes virus. Mr Papps replied the introduction of the virus is still subject to scientific investigation and will be a few years away. He also stated “the Government will need to prove that the virus won’t mutate and affect native species and that there is a feasible, practical clean-up plan in place”.
3. Mayor Lewis asked Mr Papps if he has “a stance on willows” i.e. should they be removed? Mr Papps replied in the affirmative stating “at every opportunity, everywhere”.
4. Mr Tony Pasin advised the Parliament recently revised the Commonwealth Water Holder’s trading provisions (s106 of the Water Act 2007) allowing for investment in environmental projects using the proceeds from the sale of environmental water. Mr Papps added that his office has released a discussion paper and is seeking feedback on the sorts of projects he could invest in. Consultation closes on 30 November and a copy of the paper can be found here: <http://www.environment.gov.au/water/cewo/investment-framework/discussion-paper>

Tony Pasin MP

- Provided an overview of the Commonwealth Government’s investment in environmental projects and activities.
- Reiterated the Government is committed to delivering the plan in full and on time for basin communities.
- Described the MDBP as the world’s best example of a plan to support a healthy river system, irrigation and vibrant communities.
- Advised the Government is spending \$15 million on carp herpes virus research.

Q&A/Comments:

1. Peter Bond raised the issue of water sitting within an environmental portfolio (in SA) and an agricultural portfolio (Commonwealth) when the issue of water supply concerns the environment, agriculture and the economy. The idea of a separate Minister for Water with triple bottom line responsibilities was discussed.
2. Peter Bond expressed concern about the MDBA's review and reduction of the Northern Basin's water recovery target from 390 GL to 320 GL, questioning the fairness of the reduction given South Australia has worked very hard to meet its targets. Ms Maywald provided some insight to the setting of the original target stating it was "always known as an arbitrary number". Stating "this is because the data used to determine the Northern Basin target was not as sound as in South Australia". Ms Maywald also stated that stakeholders shouldn't be concerned with trying to "claw back" water but rather determine what is the right number based on the data available.
3. Mayor Lewis queried Mr Pasin on the expectations the Commonwealth Government has of Local Government with respect to managing the clean-up from the carp herpes virus. Mr Pasin advised the Government is a few years away from developing any plans and would consult fully with Local Government and basin communities.

Helen Dyer

- Provided an overview of the One River Murray Authority (ORMA) options paper developed for the River Murray Alliance.
- The proposed objective of ORMA is to: *holistically coordinate key planning, decision making, licensing and compliance in relation to the South Australian section of the River Murray to ensure the sustainable management of the River in a manner that optimises its economic and social benefits to the State and ensures the health of the environment.*
- The model would aim to address:
 - Planning (both strategic and statutory) to ensure coordination at the Strategic level and that the statutory framework supports the attainment of the strategy;
 - Coordinated Policy that is complementary not in conflict and supports SA's best interests, Licensing, (boats, waste disposal, camping, use of Crown Land); Compliance, Monitoring, Marketing, Public Health and implementation of agreed actions
- Ms Dyer described a range of different governance models and delivery mechanisms.
- Working with the River Murray Alliance Ms Dyer has identified the following arrangements as the most promising:
 - A special purpose vehicle;
 - A regional subsidiary; or
 - A joint planning agreement and joint planning board.
- Discussion was held on the possibility of broadening the scope of new (pilot) regional planning authorities to include other responsibilities so as to fulfil the objectives of the ORMA.

Q&A/Comments :

1. Clyde Rigney noted he did not see where or how the NRA or First Nations were included in the ORMA. Peter Bond advised it is the intention of the MRLGA to invite the NRA to become a member of the River Murray Alliance.
2. Tony Pasin cautioned the MRLGA against creating another structure or layer of "architecture".
3. Karlene Maywald questioned whether an all-encompassing organisation is the best way to tackle the issues identified. Ms Maywald recommended the MRLGA consider identifying "what the main issues are" and "what problems the group hopes to solve" and work on them one-at-a-time on a project basis. Ms Maywald also highlighted the existing organisations that could carry out this project work: MRLGA, RDA, the Alliance, and NRM etc.
4. Neil Andrew cautioned against calling the organisation an "authority" relaying his experiences with the MDBA.
5. Ms Maywald encouraged the Alliance to promote the region as an "economic zone" and to communicate their arguments and justifications to Government in terms of economic impacts.

Recommendations

The following recommendations are provided for the MRLGA's consideration:

1. Develop and communicate a position on the MDBA's recommended adjustment to SDLs.
2. Provide feedback to the MDBA on the supply projects nominated by the SA Government (SA has six projects and are co-proponents in five).

3. Invite NRA to be part of the River Murray Alliance and be consulted on the development of the ORMA.
4. Review the ORMA governance proposals in light of feedback from the Forum i.e. further develop the concept of an 'economic zone' and consider addressing issues on a project basis using existing structures and resources.
5. Workshop the options for Ministerial and agency responsibility for water and provide a recommendation to the Commonwealth and State Governments, taking into consideration the environmental, social and economic aspects of the portfolio.
6. Advocate for the basin-wide removal of Weeping Willow (*S. babylonica*).
7. Keep a watching brief on developments regarding the proposed introduction of the carp herpes virus and ensure Local Government is kept informed of the plans for removal of resultant biomass.
8. Provide a submission the Commonwealth Environmental Water Office on its investment framework discussion paper.
9. Seek assurance from the State Government that appropriate mechanisms are in place to identify and prosecute non-compliance with the MDBP.
10. Request an update from the State Government on the running costs of the desalination plant and whether this capability will be factored into how the State will meet its targets under the MDBP.
11. Provide a submission to the 5-yearly review of the MDBA. Advocate for the resourcing and strengthening of the Authority's compliance function. Help the MDBA to determine the key success factors (in the mind of the community) of the successful delivery of the plan.

