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Friday, 3 November 2017

The Chief Executive Officer  
Phillip Glyde  
Murray Darling Basin Authority  
33 Allara St  
CANBERRA ACT 2600

To the Executive Officer,

**The Murray Darling Association (MDA) is local government's peak body in the Murray-Darling Basin, representing the majority of the 167 councils and their communities across the Basin. The Murray Darling Association (MDA) welcomes the opportunity to provide feedback on the proposed Sustainable Diversion Limit Adjustment Mechanism and provide input that can be used to strengthen implementation of the proposed projects.**

### Introduction

The adjustment of the sustainable diversion limits is not just an essential milestone within the implementation process of the Murray Darling Basin Plan, it is a process delivering outcomes that will have real and material impacts on the health of the system and communities across the Basin for many years to come.

The process of operating the adjustment mechanism and applying the framework is also one that will have a very real impact on the Commonwealth and state governments and agencies party to the Plan.

In determining the proposed adjustment the Murray–Darling Basin Authority (MDBA) has determined there will be 605 gigalitres (GL) additional water available for communities through the Adjustment Mechanism, if the package of projects is agreed.

The MDA is disappointed by the absence of timely, relevant and factual information in relation to many of the individual projects listed. The MDA is committed to being a two way conduit of information between our local communities and the various political, bureaucratic and operation stakeholders responsible for the implementation of the Basin Plan.

The MDA believes that the single most important element to the effective and timely implementation of the Murray-Darling Basin Plan is to ensure community confidence in the Plan by demonstrating the highest standards of accountability, integrity and collaboration in the best traditions of consistency and a 'fair go' for all.

We are encouraged by the acknowledgment within the report that *local knowledge is integral to the successful design and implementation of the individual supply projects*. We invite the MDBA to engage the Murray Darling Associate to partner in facilitating that input.

In view of the absence of detail in relation to the individual projects, the comments below can only be high level and go to process only, as noted in item 1.6.

## **1. Emphasise issues or opportunities that the MDBA or Basin Governments should be aware of in determining the next steps for the Sustainable Diversion Limit Adjustment Mechanism projects.**

### **1.1 SDL Adjustment process**

#### **Issue**

The SDL Adjustment process, as set out in Figure 5, p10 of the *Sustainable Diversion Limit Mechanism: Draft Determination Report* identifies that the MDBA will make a determination of proposed SDL adjustment values **before** project refinement and detailed design is provided by the Basin states. The Project refinement and detailed design phase includes community consultation, expert advice and presumably the development of detailed business cases, EOLs, calculations of water savings and efficiencies, etc.

The MDA contends that a final determination in which the government and community can have confidence must rely upon the information developed and made available during the Project refinement and detailed design phase.

The MDA is disappointed that the call for public input on the MDBA's assessment of projects has been made without provision of adequate information on individual projects.

#### **Opportunity**

In order for councils, communities and other stakeholders to provide meaningful and informed input to the implementation of the projects, it is important that they have access to accurate, timely and relevant information. Community education, informed participation and support will be essential to the effective implementation of the supply projects.

While it appears to be too late to re-order the SDL adjustment process to date, we recommend that

- a) the MDBA consider reviewing the process going forward to incorporate a further local government and public engagement step in the process to run concurrent with the project refinement and detailed design phase, and
- b) engage the MDA to partner in this element of the process.

## **1.2 Lack of information on individual projects**

### **Issue**

The MDA recognises that it is the responsibility of the states to notify the Authority of projects for inclusion in the SDL Adjustment Mechanism, and that the requirement to provide detailed designs follows the determination. However, the lack of detailed information on individual projects has created frustration across communities and has undermined community confidence in the integrity of the process and the likely success of the outcomes.

### **Opportunity**

Establish and regularly update a single point of entry website describing each project and providing consistent information in a predetermined format on each project including

- Project title
- Project proponent
- Role and responsibilities of the project proponent
- Role and responsibilities of the MDBA
- Business case – with supporting information
- Approval process
- Budget
- Community engagement
- Hydrological contribution to the SDL adjustment – with calculation methodology
- Relationship to Basin Plan target – ‘The 450 GL Up-water’ or ‘The 650 GL Down-water’
- Status/progress of implementation
- Scheduled completion/timeline.

## **1.3 Budget**

### **Issue**

The report states that \$1.119 billion is available to implement the constraint and supply measure projects to deliver the 605 gegalitre adjustment. Communities are seeking to understand how this investment will be apportioned between the 36 projects.

### **Opportunity**

Provide detailed information around the level of investment underpinning each project to enable local councils and communities to plan for and leverage the opportunities that those investments may bring to their region.

Provide clear and concise information on the project costings and outcomes; the project owners; timelines for delivery; barriers and challenges; and the processes by which communities and councils can engage to inform and enhance project outcomes.

#### **1.4 Volumetric assessment of efficiencies assumed on a project by project basis**

##### **Issue**

The details of the package of supply, constraint and efficiency projects considered by the MDBA to arrive at the draft determination do not list the estimated efficiency, in giga litre terms, that each project will provide.

Those details may or may not be available at state level, however the MDA was unable to identify sufficient information to gain a reasonable understanding of the efficiencies proposed per project. This raises issues of concern around

- the veracity of the determination,
- absence of local knowledge and input,
- integrity of the process, and
- the difficulty in maintaining accountability during the implementation and reconciliation phases of the process.

##### **Opportunity**

Publish a table of assessment outlining the proposed water efficiencies to be achieved on a project by project or reach by reach basis. See also recommendations in Opportunity 1.2.

#### **1.5 Difficulty in navigating the MDBA website to access substantive information.**

##### **Issue**

Difficulty in sourcing and identifying key information makes it difficult for stakeholders to participate in an informed discussion and provide meaningful feedback.

##### **Opportunity**

Establish a communications strategy that is clear and succinct – providing stakeholders with accurate, timely and relevant information aimed at enhancing water literacy and building stronger partnerships.

Create a single point of reference/web page for the SDLAM projects with information about each project including details outlined in opportunity 1.2.

#### **1.6 Timeframe for feedback.**

##### **Issue**

The opportunity to provide feedback on the *Sustainable Diversion Limit Mechanism: draft determination Report* opened on Tuesday 03 October and closes Friday 03 November 2017.

While the *SDLAM Draft Determination Report* identifies that local knowledge is integral to the process, a feedback period of one month is inadequate to allow local

communities and councils to comment authoritatively on any specific projects in their area.

In order for councils to provide meaningful feedback, sufficient time needs to be allowed for council to assess the material, investigate the issues, determine and adopt a response. This process requires a minimum 6 weeks, including the four weeks required to take in a full council meeting cycle in order to endorse the feedback by resolution of council – thereby giving it the authority of the community.

Seeking feedback, while providing an unachievable time-frame creates frustration among many councils and communities, and erodes confidence in the consultation process.

### **Opportunity**

Engage the MDA to partner in local government and community consultation.

## **1.6 Distinguish the 450 GL 'Up-water' to be achieved through efficiency measures and the 605 GL 'Down-water' to be achieved through supply projects.**

### **Issue**

The *SDLAM draft determination report* identifies that supply projects will account for the 605GL 'down water', and that efficiency projects will account for the 450 GL 'up-water'. (Figure 1. p 2)

The *package of supply, constraint and efficiency projects* contained in the report includes two efficiency measures projects – an on-farm irrigation efficiency program, and a urban or industrial and mining areas water efficiency program.

It is unclear (although not absent) in the report that these two projects are distinguished as contributing to the 450 GL. Further, as with the supply project, the absence of data on the contributory volumes of water to be achieved on either a project by project, region by region or even state by state basis further undermines confidence in the assessment.

It is broadly recognised that the 450 GL remains highly contentious at the community, and indeed state level. It is important for communities to be provided with clear and concise information in order to understand and effectively contribute to this discourse on these two distinct elements of the SDLAM.

### **Opportunity**

Engage the MDA to partner in the production of a range of educative resources to support councils and communities to better understand this complex but essential element of the Plan.

**2. Provide input that can strengthen the implementation of the Adjustment Mechanism projects.**

**Clarity in the lines of responsibility**

The MDA believes that it is important for the MDBA to be very clear with the community about the extent of its role in the implementation of the Basin Plan, while at the same time provide the community with accurate, timely and relevant information on the responsibilities of the States and the Commonwealth.

**Third Party impacts**

The MDBA should clearly identify the process underpinning the management of landowner and third-party impacts from the outset. This will help avoid the risk that supply projects are undertaken, but rendered inoperable because of the unresolved impacts on landowners.

As the peak body for all local governments in the Basin, the Murray Darling Association already acts as a conduit for information-sharing with state and federal government. Our member delegates and board members represent some of the local government members in the Basin most engaged with, and knowledgeable on, water matters. The MDA would encourage the MDBA and state governments to make the most of our resources to engage with local governments on these projects.

**Engage with the MDA to develop and adopt a framework for local government and community involvement.**

**Clearly identify the role of the Basin Community Committee (if any) in the implementation of the Adjustment Mechanism projects.**

**3. Highlight any other issues or themes.**

Yours sincerely,



**Emma Bradbury**  
Chief Executive Officer  
Murray Darling Association