

ATTACHMENT F

This attachment sets out more detail in relation to certain statutory requirements in relation to the Basin Plan development, content and preparation process.

Requirements under s 21

As to the requirements in section 21 of the Act, the Basin Plan has been prepared so as to provide for giving effect to relevant international agreements, to the extent to which those agreements are relevant to the use and management of the Basin water resources.

The Authority has prepared the Basin Plan having regard to –

- the fact that the use of the Basin water resources has had, and is likely to have, significant adverse impacts on the conservation and sustainable use of biodiversity; and
- the fact that the Basin water resources require, as a result, special measures to manage their use to conserve biodiversity.

The Basin Plan has also been prepared having regard to critical human water needs; it includes a chapter dealing with critical human water needs as well as provisions requiring water resource plans to include certain material relating to providing for critical human water needs.

In the Authority's view, the Plan promotes the sustainable use of the Basin water resources to protect and restore the ecosystems, natural habitats and species that are reliant on the Basin water resources and to conserve biodiversity. Chapters, 6, 7, 8 and 9, supplemented by the relevant water resource plan accreditation requirements in Chapter 10, do this in particular.

Further, in preparing the Basin Plan, the Authority has considered the requirements of subsection 21(4), and accordingly has –

- taken into account the principles of ecologically sustainable development;
- acted on the basis of the best available scientific knowledge and socio-economic analysis;
- had regard to each of the following:
 - the National Water Initiative;
 - the consumptive and other economic uses of Basin water resources;
 - the diversity and variability of the Basin water resources and the need to adapt management approaches to that diversity and variability;
 - the management objectives of the Basin states for particular water resources;
 - social, cultural, Indigenous and other public benefit issues;
 - broader regional natural resource management planning processes;
 - the effect, or potential effect, of the Basin Plan on the use and management of water resources that are not Basin water resources;
 - the effect, or the potential effect, of the use and management of water resources that are not Basin water resources on the use and management of the Basin water resources;
 - the state water sharing arrangements (these are as set out in the Murray-Darling Basin Agreement); and
 - any other arrangements between states for the sharing of water.

In order to fulfil these requirements and ensure that each matter has been given proper, genuine and realistic consideration, the Authority has reviewed a large number and wide range of existing available scientific and other studies. Where necessary to ensure proper consideration of these matters, it has

also developed a considerable number of additional studies and reports covering the range of issues raised.

The materials considered by the Authority in order to inform it in relation to the requirements under section 21 are contained in the Basin Plan Knowledge and Information Directory^{1,2}. They include the documents referred to in Schedule 1 to the Basin Plan as well as a number of those referred to in Attachment F to this letter.

Mandatory content requirements

The Water Act sets out in a number of places matters that must be included in the Basin Plan, sometimes referred to by the Authority and others as the mandatory content.

The Basin Plan contains all elements required by the table in subsection 22(1) and by subsections 22(3) and (6A), sections 23-28, subdivision A of Division 4 of Part 2 and Part 2A of the Water Act. The structure of the Basin Plan, as outlined in section 1.05 as well as in the structure of each chapter, assists in locating all mandatory content.

Procedural requirements

Subdivision E of Division 1 of Part 2 of the Act sets out the procedural requirements to be observed by the Authority in preparing the Basin Plan. Each of these requirements has been met.

Consultations with the Basin states, with the public, as well as with a range of stakeholder groups, have been undertaken in excess of the statutory requirements, to assist the Authority satisfy itself that it has gathered all information necessary to ensure the Basin Plan fulfils the requirements of the Water Act.

¹ <http://www.mdba.gov.au/bpkid/index.php?searchFunction=mainSearch&searchString=&selectcatchment=0&selectchapter=0&selectbodyofwork=200&InternalExternal=external&x=93&y=40>

² <http://www.mdba.gov.au/bpkid/index.php?searchFunction=mainSearch&searchString=&selectcatchment=0&selectchapter=0&selectbodyofwork=148&InternalExternal=external&x=69&y=45>