



Australian Government
**Department of Agriculture
and Water Resources**

Mr Darren Perry
Chair, Murray Lower Darling Rivers Indigenous Nations (MLDRIN)
PO Box 403, Civic Square
CANBERRA ACT 2608

Dear Mr Perry

Thank you for your letter of 27 November 2015 concerning Aboriginal cultural implications of supply measures and the SDL adjustment mechanism. I note that you have also written on this matter to the Murray Darling Basin Authority (MDBA). I am writing as the acting Chair of the Basin Officials Committee and Chair of the SDL Adjustment Assessment Committee.

The SDL adjustment will be determined using the method specified in the Basin Plan, and the MDBA have developed an assessment framework that applies this method. The assessment framework will be used to determine the adjustment to the surface water SDLs that can be achieved from the package of supply measures notified by the Basin Officials Committee by 30 June 2016.

In developing business cases for infrastructure-based supply projects, the Phase 2 Assessment Guidelines for Supply and Constraint Measure Business Cases under the Intergovernmental Agreement on Implementing Water Reform in the Murray Darling Basin requires states to undertake a cultural heritage assessment. State proponents are also required to ensure proposals comply with all legislative requirements, including the Native Title Act (1993). State proponents should therefore make appropriate reference to Aboriginal values in their business case submissions as they apply to site approvals, changes to watering on sites of Aboriginal significance and impacts on Traditional Owners' land and water use.

The Basin Officials Committee and the SDL Adjustment Assessment Committee are both scheduled to meet in February 2016. The matters outlined in your letter concerning potential impacts on Aboriginal cultural values will be raised for discussion by the Chair at the next meeting of each of these committees. Members of the Basin Officials Committee and the SDL Adjustment Assessment Committee have been consulted in preparing this response.

Yours sincerely

Tony Slatyer
Acting Chair Basin Officials Committee
Chair Sustainable Diversion Limit Adjustment Assessment Committee

29/1/16