



Australian Government

Australian Government response to the
Rural and Regional Affairs and Transport References
report:

Integrity of the water market in the Murray-Darling
Basin

May 2024

Response

Recommendation 1

The committee recommends that the Australian Government support the recommendation of the Productivity Commission to separate the Murray Darling Basin Authority into two entities: the Murray-Darling Basin Corporation, and the Basin Plan Regulator, with the Regulator established as a new statutory independent authority.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.

Recommendation 2

The committee recommends that the Australian Government ensure sufficient funding and resources are allocated to the Basin Plan Regulator, once established, to ensure that it is adequately resourced to undertake effective compliance, evaluation and review functions.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.

Recommendation 3

The committee recommends that the Australian Government consider hypothecating any pecuniary penalties paid to the Basin Plan Regulator, back to the Regulator. This would assist with the ongoing viability of the Regulator's compliance and enforcement roles.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.

Recommendation 4

The committee recommends that the Murray Darling Basin Authority allocate sufficient resources to complete its assessment and evaluation of Water Resource Plans.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.

Recommendation 5

The committee recommends that the Department of Agriculture and Water Resources present detailed annual reporting on the allocation of funds from the Water for the Environment Special Account, in accordance with the requirements of the Water Act 2007.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.

Recommendation 6

The committee recommends the development of a uniform schedule of evidentiary requirements, penalties and sanctions be developed to apply to breaches of water legislation in Murray Darling Basin jurisdictions. The schedule should be presented to the Council for Australian Governments for endorsement.

The schedule should consider:

- the appropriate burden of evidence for water breaches;
- the use of technology in determining breaches;
- the suitability of strict liability offences; and
- the simplification of offences.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.

Dissenting Recommendation 1 (Greens)

The Australian Greens recommend that a register of floodplain works, with works approvals and storage sizes be published.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.

Dissenting Recommendation 2 (Greens)

The Australian Greens recommend that the SDL compliance process is revised for transparency and accountability and to include an independent accreditation of the SDL model which is published, and an independent assessment of the annual SDL compliance process.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.

Dissenting Recommendation 3 (Greens)

The Australian Greens recommend that the federal government create an independent, broad-based public sector anti-corruption commission for the Commonwealth.

Response

NOTED

The Government notes this recommendation. However, given the passage of time since this report was tabled, a substantive Government response is no longer appropriate.