

26 February 2020

Committee Secretary
Select Committee on the
Multi-Jurisdictional Management and Execution
of the Murray Darling Basin Plan
PO Box 6100
Parliament House
Canberra ACT 2600

By email: murraydarlingplan.sen@aph.gov.au

Dear Secretary,

Inquiry into the matters relating to the responsibilities for Commonwealth, state and territory governments arising out of the Murray Darling Basin Plan

Thank you for the opportunity to make a submission to your Committee on its inquiry into the matters relating to the responsibilities for Commonwealth, state and territory governments arising out of the Murray Darling Basin Plan.

National Water Commission

The committee is requested to conduct a review of the previous inquiry into the National Water Commission (Abolition) Bill 2014.¹

The National Water Commission (NWC) was abolished in 2014 and its functions subsumed by other agencies.

The key issues identified in the Issues Paper were within the remit of the Commission. The Issue Paper includes reference to the National Water Commission, *Water markets in Australia: a short history*, 2011.

The majority of the 32 public submissions to the inquiry supported maintaining the NWC and its funding; yet unfortunately the report did not heed the submissions and assumed that NWC functions would satisfactorily continue.

‘In general, this opposition was founded on the view that the particular organisational structure of the NWC had played an important role in achieving reforms under the NWI [National Water Initiative] and that such an organisation would be required in future if further progress is to be made.’²

‘While acknowledging that significant improvements had been made to water management in Australia over the last decade by Commonwealth, state and territory governments, some submitters noted recent NWC comments that the process of water reform has been at risk of losing momentum in recent years, and that this has occurred while important reforms are not yet completed. They

¹Senate Environment and Communications Legislation Committee, *Inquiry into the National Water Commission (Abolition) Bill 2014*, 24 November 2014.

²Senate Environment and Communications Legislation Committee, *Inquiry into the National Water Commission (Abolition) Bill 2014 Report*, 24 November 2014, p. 12.

went on to argue that the NWC is instrumental in facilitating national water reform and therefore should not be abolished.’³

Among other submitters, Dr Stuart Khan at the University of New South Wales was clear about the impact of the NWC on water reform in Australia, ‘Throughout the last decade, the oversight of the National Water Commission ensured the implementations of advances in many of the objectives laid out in the NWI. Water trading capacity has improved agricultural productivity for many rural Australians. Formal allocation of water to the environment has revived the long-term survival prospects for wetlands and other ecosystems. Major urban water supplies have been bolstered, drastically reducing the likelihood of water restrictions being imposed for most Australians in the coming decades. Drought-plagued States of the USA, such as California, Colorado and Arizona, now point to Australia’s NWI as a successful example of cooperation to achieve more sustainable water management.’⁴

The committee may not want to revisit previous reviews, however, a review of the previous inquiry into the National Water Commission (Abolition) Bill 2014 will re-establish that the National Water Commission is recommended for providing robust, independent and transparent monitoring and assessment of matters of national water reform and on the management of Australia's water resources.

The South Australian Murray-Darling Basin Royal Commission was recently also critical of the NWC’s abolition, in addition to the paragraphs below, the Areas of Reform section of the Report was dedicated to independent oversight stating, ‘Consistently throughout the course of this Commission, individuals, organizations, scientists and former high-level members of government spoke of the merits of the former National Water Commission (NWC), likewise lamenting its repeal in 2014.’⁵

‘The National Water Commission (NWC) formed an important part of the governance structure in the Basin’s legislative scheme, and since its abolition in 2014, there has been an erosion of the national oversight of water reform in the Basin.’⁶

‘Specifically, on account of the NWC’s abolition, the MDBA has, inappropriately, been left marking its own work in respect of the effectiveness of Basin Plan implementation, and compliance with the Plan.’⁷

Thank you for the opportunity to make a submission to your Committee and I hope it not remiss of the Committee to acknowledge and include in their report the requirement for the National Water Commission.

³Senate Environment and Communications Legislation Committee, *Inquiry into the National Water Commission (Abolition) Bill 2014 Report*, 24 November 2014, pp. 15-16.

⁴Senate Environment and Communications Legislation Committee, *Inquiry into the National Water Commission (Abolition) Bill 2014 Report*, 24 November 2014, p. 31.

⁵Murray-Darling Basin Royal Commission, *Murray-Darling Basin Royal Commission Report*, 29 January 2019, p. 693.

⁶Murray-Darling Basin Royal Commission, *Murray-Darling Basin Royal Commission Report*, 29 January 2019, p. 68.

⁷Murray-Darling Basin Royal Commission, *Murray-Darling Basin Royal Commission Report*, 29 January 2019, p. 68.