



# AUSTRALIAN FLOODPLAIN ASSOCIATION

*Healthy Rivers - Healthy Communities*

**Sarah Moles,  
Secretary AFA,**

**26<sup>th</sup> July 2019**

**Submission by the Australian Floodplain Association on the *Murray-Darling Basin Commission of Inquiry Bill 2019*.**

The Australian Floodplain Association (AFA) is a non-government organisation, established in 2006. It represents floodplain and wetland landowners and their communities who depend on healthy rivers, floodplains and wetlands. Its membership resides predominantly within the Northern Murray-Darling Basin and includes floodplain graziers, community groups and shire councils.

The Australian Floodplain Association welcomes the opportunity to support the *Murray-Darling Basin Commission of Inquiry Bill 2019*.

The South Australian Royal Commission into the MDB Plan exposed numerous flaws in the implementation of the MDB Plan. It is significant that the Royal Commission process was itself significantly weakened by legal action to prevent Commonwealth staff from giving evidence.

AFA supports a MDB-wide Plan that gives effect to *Water Act 2007* objectives and fulfils its legal purposes. We see this Bill as an opportunity to shine a much needed bright light on events and processes in all MDB jurisdictions and to recommend wrong-doers be held to account.

This scrutiny is urgently needed to get the MDB Plan back on course and to give taxpayers confidence that community owned water is delivering for the environment and Basin communities. The recent release of the NSW Natural Resources Commission draft review of the Barwon-Darling Water Sharing Plan suggests that work is also needed to ensure that Water Resource Plans are consistent with the *NSW Water Management Act 2004*, which must in turn ensure consistency with the Commonwealth *Water Act 2007*.

Attached is a summary of the issues that AFA believes must be addressed to put the MDB Plan back on the path to a long-term sustainable footing. A number of strategies AFA believes are required for achieving each are also provided.

Thank you for the opportunity to comment on this important Bill. If further information is required please contact the writer as above.

Yours sincerely,

Sarah Moles  
Secretary.

## **Strategies to address 7 key issues in the MDB Plan.**

### 1. Protect low flows

- Prevent redirection of environmental water to other uses, including for private purposes during dry times.
- Resume open tender buybacks to enable cost effective water recovery and meet Basin Plan environmental targets.
- Protect low flows and maintain connectivity within and between the rivers of the northern Basin. A minimum end of system volume should be a requirement of all northern tributary water resource plans (WRPs) to ensure their waters connect with the Barwon-Darling system.

### 2. Build resilient communities

- Support Basin communities to broaden their economic base in order to adjust to a more variable water future and to build socio-economic resilience.
- Encourage wider representation and participation in decision making and actively encourage First Nations involvement to address cultural water needs in the Basin.

### 3. Establish good governance

- Restore a National Water Commission type body as the independent oversight body for national water reform
- Establish an independent Federal Basin Plan Regulator to deal with enforcement of water resource plans, underpinned by a National Integrity Commission
- Undertake a rigorous independent assessment of all water recovery projects prior to any further funding or works, including 'bridging the gap' and Sustainable Diversion Limit Adjustment Mechanism (SDLAM) supply and efficiency measures.
- Ensure trading rules protect the environment. There should be no trading of Individual Daily Extraction Limits (IDELs)

### 4. Secure first nations cultural water

- Secure unallocated surface and groundwater across the Basin as a Strategic Indigenous and Environmental Reserve.
- Provide appropriate funding for First Nations to buy water in fully-allocated systems, and co-design models for acquiring and holding water entitlements.
- Address urgent threats to cultural values and Native Title rights in the Lower Darling and other critically impacted waterways by restoring low flows and connectivity.
- Develop a national First Nations Water Strategy to address key unfinished business in water reform.

### 5. Align water extraction with science

- Ensure Sustainable Diversion Limits (SDLs) reflect an environmentally sustainable level of take, including accounting for climate change.
- Licensing of floodplain harvesting must not be used to increase overall water extraction limits
- Include minimum flow provisions under low flows and drought conditions in all sub-catchments as part of WRPs. A first flush rule should be included in WRPs.

- Fund and implement a comprehensive Native Fish Strategy

## 6. Track progress

- Conduct a full independent audit of environmental water recovery to date, including water availability for provision of environmental flows.
- Measure real world river flows against Basin Plan targets, with improved modelling, monitoring and reporting.
- Undertake an independent review of whether the Basin Plan is meeting its objectives under the Commonwealth *Water Act 2007*, while allowing for realistic timeframes for ecological restoration and consideration to whether Australia is fulfilling its obligations to protect internationally recognised Ramsar sites.

## 7. Improve transparency

- Adopt a consistent approach to measuring, monitoring and compliance across all Basin States through mandatory metering and real time monitoring including satellite tracking, to provide up-to-date information on water availability.
- Establish a free, publicly-accessible register of water ownership across the Basin, and a National Water Exchange with public reporting of all water trades.
- Require open access to all data, modelling and reporting conducted by the MDBA