



National Irrigators' Council

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Murray-Darling Basin Authority Basin-wide environmental watering strategy

**Submission from
National Irrigators' Council**

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The National Irrigators' Council

Introduction

The National Irrigators' Council (NIC) is the peak body representing irrigators in Australia. The NIC currently has 33 member organisations covering all MDB states, irrigation regions and the major agricultural commodity groups. Our members collectively hold approximately 7,000,000 megalitres of water entitlement.

The NIC is the voice of irrigators and believes in the following principles to guide future policy decisions:

- A healthy environment is paramount.
 - Sustainable communities and industries depend on it.
- Protect or enhance water property rights.
 - Characteristics of water entitlements should not be altered by ownership.
- No negative third party impacts on reliability or availability.
 - Potential negative impacts must be compensated or mitigated through negotiation with affected parties.
- Irrigators must be fully and effectively engaged in the development of relevant policy.
- Irrigators expect an efficient, open, fair and transparent water market.
- Irrigators require a consistent national approach to water management subject to relevant geographical and hydrological characteristics.
- Irrigators expect Government policy to deliver triple bottom line outcomes.
- Regulatory and cost burdens of reform be minimised and apportioned equitably.

While this document has been prepared by NIC, each member retains the right to express independent views on policy matters that directly relate to their areas of operation, or expertise, or any other issues as they see fit.

Executive Summary

The National Irrigators' Council (NIC) welcomes the opportunity to comment on the draft Basin-wide environmental watering strategy (the strategy).

This submission will reflect to a large extent, many of the key messages in our previous submissions to the Murray Darling Basin Authority (MDBA).

There are a number of areas in the strategy which need further clarification, including the baselines which the strategy is using to gauge whether or not outcomes have been successful.

NIC has strongly and repeatedly argued that the MDBA, the Commonwealth Environmental Water Holder (CEWH) and governments generally must provide clear guidance on their approach to implementing the Water Act 2007. To this end we are pleased that the MDBA provides this opportunity to comment on the draft strategy.

Issues previously raised by the NIC in our submission to the MDBA's Draft Evaluation Framework are also pertinent to the strategy. We expressed concern that the Evaluation Framework did not clearly articulate a formula for evaluation and NIC argued that it should explain:

- Where we are: a clear explanation of the baseline from which to measure change;
- Where we want to be: an explanation of the outcomes the Basin Plan seeks to achieve; and
- How we get there: including the steps for monitoring and evaluation along the way.

At that time the NIC argued that it must be articulated whether the evaluation had been based on 'judgement' or specific and measurable data.

In March 2014, we also argued that the Basin-wide environmental watering plan would be fundamental to both the implementation of the Basin Plan and the evaluation of its effectiveness. We have now seen the draft strategy and wish to highlight the lack of integration between these two key documents.

The draft strategy introduces targets expressed as percentages (Table 1). It is unclear how these targets and percentages were derived; from what baseline they will be measured and whether baselines would represent the entire Murray Darling Basin or individual valleys on which the outcome percentages are based.

The draft strategy continues a long held view, which is routinely expressed in MDBA publications, that constraints can be fairly easily overcome if the states agree to changing rules or lifting a bridge. In reality, many of the constraints will not be overcome for a variety of reasons, not least of which because governments have made it very clear they are not in the business of laterally connecting water from rivers to people's properties and homes (ie flooding them).

There is merit in the MDBA continuing to work with NIC members to ensure that the interaction between the strategy and the monitoring and evaluation program are understood. Of particular interest is the role that the long term environmental water plan plays in providing the key environmental indicators for the evaluation and monitoring programs.

1. 'The Strategy' should reduce duplication and ensure clear lines of delineation

While we appreciate the attempt within the draft strategy to clarify the roles and responsibilities of the numerous government agencies involved in water planning, the strategy nevertheless reinforces our view that there is duplication to the extent that it causes confusion around the roles and responsibilities of the government agencies at a state and federal level involved in e-watering planning, delivery, metering and monitoring. This is demonstrated in the context of the annual environmental watering priorities where the CEWH, MDBA and states all appear to have their own versions.

Our view is that one Commonwealth agency should control environmental water planning, delivery, monitoring, metering and evaluation, not two. As the CEWH has responsibility for managing the Commonwealth environmental water holding, it would make sense for this agency to assume this responsibility.

It is in the national interest to avoid duplication and this can be achieved by focussing on a single well-resourced environmental water manager, the CEWH, responsible for delivery, planning, metering and monitoring capacity within the Basin acting with regard to the Basin-wide environmental watering strategy developed by the MDBA.

2. Without Environmental Works and Measures Environmental Outcomes will be limited

The failure to recognise the value of regulation and Environmental Works and Measures (EW&M) as a key strategy to achieve the objectives of environmental watering (page vii) is a major concern and undermines the value of the document. Millions of dollars have already been expended on EW&Ms through the Living Murray program and further funds will be spent through the Constraints Management Strategy and the Sustainable Diversion Limits (SDL) Adjustment Mechanism.

The Southern Murray Darling Basin is one of the most regulated systems in the world. An explanation of how the environmental works and measures are used will be crucial to the success of the Water Act 2007.

In many realistic climatic scenarios without investing in EW&M it will not be possible to create the 'overbank flows', floods, lateral/longitudinal connectivity, pulses, low flows, high flows or storage levels needed to achieve the environmental, social and economic outcomes required by the strategy.

EW&M proved to be invaluable during the devastating Millennium Drought. The Living Murray, '*Environmental Watering Report; 2007-08, October 2008*' highlights that without regulators, pumps/pipes, escapes, off-takes and aqua dams it would have been impossible to provide any water to The Living Murray iconic sites during the 2007-08 water year. A greater focus is required on environmental works and measures to ensure that during times of drought, the small amount of available water will go further and with an ability to be delivered to where it is needed.

This issue was highlighted in an [ABC article](#) posted on 4 June, 2012 which quoted the NSW Water Commissioner stating that there were going to be problems in nearly every river valley getting environmental water to icon sites:

'Certainly to meet the large volumes from regulated flow in the lower reaches of the Murray River is going to be exceptionally difficult.'

'It's going to be trying to line up high flows in the Murray, the Murrumbidgee, the Victorian tributaries, out of the Goulburn and water coming out of the Menindee Lakes. And that's never been done before; it's going to be extremely difficult.'

EW&M will not only be needed during times of drought. The February/March 2012 flood events in Queensland, New South Wales, ACT and Victoria demonstrated that while these floods caused extensive damage to communities in upstream locations, they failed to produce any flood events in the mid and lower reaches of the Murray. The South Australian Government's River Murray Weekly Flow Report noted:

'The Bureau of Meteorology advised on 21 March (2012) that flows from the Murray, Murrumbidgee and Darling Rivers are not expected to cause any flooding or access problems to towns along the River Murray. Based on current flow projections, river heights at other forecast locations, such as Swan Hill, Robinvale, Echuca, Euston and Wentworth, are expected to remain below their respective minor flood levels.'

The South Australian River Murray Weekly Flow Report dated 31 March 2012 noted that *'the peak flow (in SA) is forecast to remain under 65,000 ML/day and is projected to arrive during mid to late April 2012.'* It noted that the inability of these flood events to continue down the river was *'due to large potential losses as a result of water flowing across expansive floodplains ...'*

The February 2011 Victorian floods caused hundreds of millions of dollars of damage and flooded hundreds of homes and properties in that state alone. The flows from these floods peaked at 93,800 ML/day as they flowed across the South Australian border. The MDBA estimated that only sixty percent of the Chowilla Floodplains were inundated during this event. This is a clear indication that achieving environmental outcomes on these floodplains will be dependent on EW&M.

Similarly, the February/March 2012 floods resulted in devastating loss to hundreds of homes and properties and caused extensive damage to road and rail public infrastructure throughout Qld, NSW and Victoria.

It is impossible for the river operators (or the Basin Plan) to physically deliver the flows required to inundate the floodplains across the South Australian border without major natural flooding.

Against the background of current physical and policy based constraints in the Basin, the strategy must clearly outline the limitations of what can be achieved under current constraints and recognise the need for using EW&M (current and proposed) so as not to create false expectations.

The Australian Government's response to the House of Representatives Standing Committee on Regional Australia Committee Report *'Of drought and flooding rains'* noted:

'Environmental works and measures have the potential to deliver more water-efficient environmental outcomes for the Basin's rivers and wetlands, thereby reducing the need to recover water from consumptive users.'

NIC endorses this statement. EW&Ms reduce consumption and improve the effectiveness of environmental watering and it is therefore concerning that the draft strategy does not include EW&Ms as a way of achieving environmental watering objectives.

3. Targets and baselines

At Table 1 in the draft strategy, some of the *'quantified environmental outcomes that can be achieved beyond 2019'* are not contained within the Basin Plan or the Water Act 2007. Further, some of the outcomes summarised have specific targets against which they can be measured, but fail to outline the benchmark or baseline from which to measure success.

We have on numerous occasions raised concerns that the baselines from which the Basin Plan implementation is to be measured remain unclear. Until it is known exactly what baselines are to be used at both the Basin-wide and individual valley level, it cannot be judged whether these targets are appropriate or plausible.

It is paramount that the draft strategy makes it clear what the baseline descriptions are and how changes achieved will be measured, without prescribing specific targets in a document that is meant to be used as a guide.

In describing the baselines, the MDBA must identify assumptions used and make clear to all stakeholders, on what the assumptions are based; for example, whether on modelling, a desktop evaluation or as a result of activities carried out in fieldwork. If assumptions have been made in the monitoring or evaluation then this work should also be assigned a margin of error in order to assure stakeholders that the MDBA has confidence in the work that has been undertaken.

4. Natural Resource Management

The draft strategy has set *'quantified environmental outcomes that can be achieved beyond 2019'* by simply adding water with scant acknowledgement on pages 37 and 46 of the impact of other natural resource management issues. It also appears to ignore the MDBA's own comments in relation to the need for other natural resource management issues to be addressed in parallel with the Basin Plan's implementation.

The MDBA has already made it clear in recommendation 9 of the [Proposed Basin Plan Consultation Report](#) released in May 2012 that:

*'Environmental watering must be integrated into broader natural resource management. The Australian Government, Basin states, catchment management authorities and local governments need to continue working together to ensure that planning and management of environmental water is more closely integrated with broader natural resource management activities. The MDBA strongly encourages governments to continue supporting local and regional bodies in this task so that the **benefits of reforming water use are not undermined by environmental degradation stemming from a lack of investment in natural resource management.***

The same [report](#) states on page 63:

*'MDBA agrees on the need for a broad natural resource management approach in the achievement of outcomes for water-dependent ecosystems. While water volumes are important in achieving environmental objectives, **the EWP (Environmental***

Water Plan) recognises that water-dependent ecosystems are influenced by more than water volumes alone.'

Given the MDBA has already identified that parallel natural resource management (NRM) works are vital if the water reforms are not to be undermined, the strategy must reflect that the targets outlined in Table 1 are aspirational and cannot be guaranteed through a 'just add water' solution alone.

5. Plain English

The NIC questions what appears to be the removal of the word 'flood' from MDBA documents. Lateral connectivity and over-bank flows are in fact floods and should be described as such.

Conclusion

The NIC submits that greater clarification is needed on a number of issues in the draft Basin-wide environmental watering strategy prior to its finalisation. These issues include:

- removal of prescriptive outcomes based on unsubstantiated and scientifically questionable percentage increases. These outcomes/targets must be replaced with qualitative outcomes consistent with the Basin Plan and the Water Act.
- removal of outcomes based on assumptions about the nature and extent of physical and operational constraints that may or may not be eased, and are yet to be approved by the state governments.
- consistency and rigour in the use of data.
- full consideration of social and economic costs and benefits associated with the proposed environmental watering strategy.
- full referencing of baseline data to enable stakeholders and the community to independently determine the merit of assumptions underpinning the strategy's objectives.
- completion of the 2013 Basin condition assessment and release to stakeholders and community, to enable all relevant information to be made available through a transparent process.
- clarity on the following issues:
 - around the use of regulation and environmental works and measures to achieve the desired outcomes, including fish ladders, environmental infrastructure, feral animal and fish control, weed management etc.
 - around benchmarks to enable a full and comprehensive assessment of whether outcomes are being achieved.

While we value the engagement and information exchange made available through the peak bodies briefings held in Canberra, we stress the necessity of full and comprehensive consultation with our members at a valley and community level.

The NIC submits that a further draft Basin-wide environmental watering strategy would assist in providing greater clarity for stakeholders on the issues raised in this submission and address what we believe to be its shortcomings.