

# Water resource plans – March 2020 quarterly report

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GPO Box 1801, Canberra ACT 2601

engagement@mdba.gov.au



1800 230 067



mdba.gov.au

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### Acknowledgement of the Traditional Owners of the Murray–Darling Basin

The Murray–Darling Basin Authority pays respect to the Traditional Owners and their Nations of the Murray–Darling Basin. We acknowledge their deep cultural, social, environmental, spiritual and economic connection to their lands and waters.

The guidance and support received from the Murray Lower Darling Rivers Indigenous Nations, the Northern Basin Aboriginal Nations and our many Traditional Owner friends and colleagues is very much valued and appreciated.

# Water resource plan progress

Water resource plans are an integral part of implementing the Basin Plan as they set new rules on how much water can be taken from the system, ensuring the sustainable diversion limit is not exceeded over time.

Basin state governments have developed water resource plans (WRPs). The Murray–Darling Basin Authority (MDBA) continues to engage with Basin state governments with the aim of having all remaining WRPs accredited in 2020. The MDBA is responsible for assessing WRPs and making a recommendation about WRP accreditation to the Commonwealth Minister responsible for water (the Minister). It is important to note that, when considering this quarterly progress report, it is not presumed that all submitted WRPs will necessarily be accredited. During the assessment phase the MDBA has found that some WRPs do not meet Basin Plan requirements. The MDBA is working closely with relevant Basin states to negotiate a way forward, as per the steps in the *Water Act 2007* (the Act), to enable these WRPs to be accredited. Ultimately though, the Minister will make the final decision on WRP accreditation after a recommendation provided by the Authority on whether to accredit.

To do this, the MDBA uses a WRP assessment framework that includes a range of policy and guidance material to support the preparation and accreditation of WRPs. The [WRP assessment framework](#) was published in October 2018 on our website. The MDBA has worked to ensure adequate resources are dedicated to the water planning and assessment task. The MDBA, in undertaking the assessment of submitted WRPs, is required to follow the processes set out in the Act. Within the MDBA, procedures to ensure a robust process include the provision of training modules to all staff associated with WRPs. An external provider has been contracted to undertake a process review aimed at providing confidence that due diligence has been followed and that the assessment outcome is justified.

There are 33 WRP areas in total, 19 for surface water, 19 for groundwater and five that cover both. Eight WRPs have been accredited and are currently operational, including all Queensland and South Australian WRPs. The Northern Victoria WRP package is with the Minister for an accreditation decision.

The MDBA expects that the WRPs for the Australian Capital Territory are on track to be assessed for accreditation recommendations in early 2020.

As NSW did not submit WRPs to the MDBA for assessment by 31 December 2019 (as required under Division 2.1A of the *Water Regulations 2008*<sup>1</sup>), the Minister has commenced negotiation procedures

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<sup>1</sup> In late 2018 the *Water Amendment (Water Resource Plan Accreditation) Regulations 2018* commenced, effectively amending the *Water Regulations 2008* to establish the timelines within which Basin states were required to submit WRPs to the MDBA. These regulations required WRPs to be submitted no later than 28 February 2019, or, subject to Ministerial extension, by 31 December 2019. Basin states have taken the opportunity to apply for extensions under this regulation and extensions were granted to Queensland, the Australian Capital Territory and Victoria until 30 April 2019. New South Wales and South Australia also requested extensions for the submission of their WRPs until 31 December 2019. These requests were granted by the Commonwealth Minister responsible for water in July. Information on all extensions is available at the [Department of Agriculture website](#).

with the New South Wales Minister responsible for water as set out in s 73 of the Act. Under these arrangements, all efforts will be made to find a resolution through good faith negotiations with NSW. Only if Ministers were unable to reach a resolution would step-in (which sees the Commonwealth Minister ask the MDBA to prepare a WRP) be considered.

Consistent with a Murray–Darling Basin Ministerial Council decision in December 2018, all Basin state and territory governments entered into bilateral agreements with the Commonwealth to ensure key elements of the WRPs were given effect from 1 July 2019 where WRPs were not accredited by that date. These bilateral agreements have been published on the [MDBA website](#). In the case of NSW, the bilateral agreement will need to be refreshed to cover the 2020-21 water year, in the event that NSW WRPs are not accredited by 30 June 2020.

This quarterly report reflects state-by-state progress as at 29 February 2020.

## Water resource plan timeframes

### Water resource plan timeframes, as at February 2020



SW = surface water      GW = groundwater

### Timeline key

**Preliminary phase**  
Relationship building between case manager and state lead. Basin states working on settling approach with input from MDBA. Settle on development plan.

**Assisted phase**  
Begins when Basin state starts to provide draft WRP material for preliminary comment/advice.

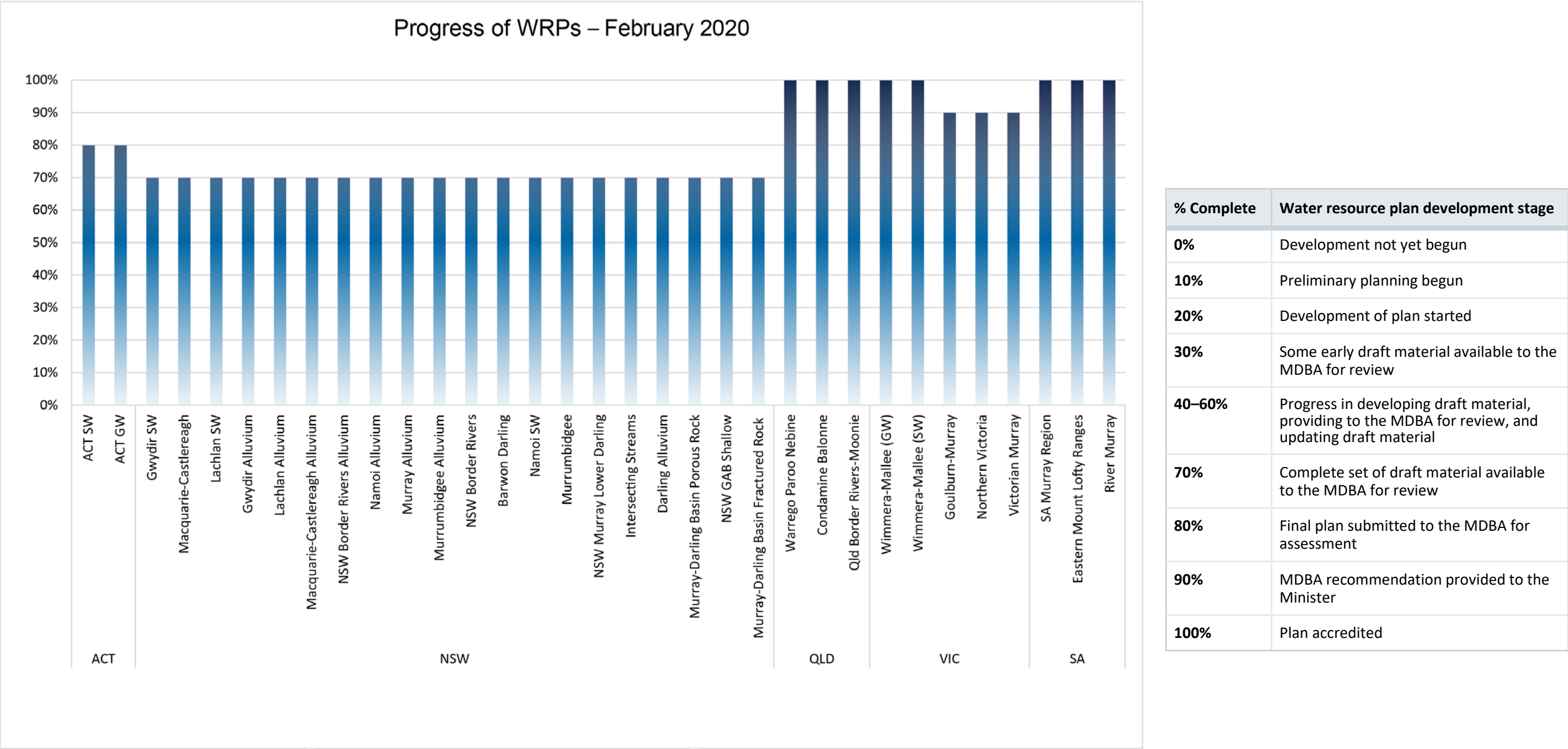
**Late assist phase**  
Begins when Basin state submits full draft of the WRP package for preliminary assessment.

**Assess phase**  
Basin state formally submits proposed WRP package for MDBA assessment. The MDBA assesses proposed WRP package and prepares a recommendation to the Commonwealth Minister responsible for water regarding consistency with the Basin Plan.

**Accreditation phase**  
Begins when MDBA provide recommendations to Department of Agriculture and Water Resources. The Department briefs Minister; the Minister considers WRP Package and MDBA recommendations.

# Progress of water resource plans from development to accreditation

The progress table indicates the current stage of development for each WRP as at February 2020.



# State-by-state progress development report

This report is MDBA's assessment of WRP development as at 29 February 2020.

The tables used in this report show the MDBA's level of confidence that each WRP is progressing, based on the state's approach and the material provided. Ratings include:



>75% confidence: indicates the state is making good progress



50–75% confidence: indicates the state is making progress



25–50% confidence: indicates the state is making some early progress



<25% confidence: indicates that so far the state has made limited progress.

# Australian Capital Territory

## Progressing to schedule

### Two plans submitted for assessment

The Australian Capital Territory (ACT) Government submitted the proposed ACT surface water (SW) and ACT groundwater (GW) water resource plans (the proposed WRPs) on 30 April 2019. The MDBA advised the ACT that its assessment found that the proposed WRPs needed further development. The ACT subsequently withdrew the proposed WRPs on 27 September 2019 and then resubmitted both proposed WRPs on 20 December 2019. Early assessment of these proposed WRPs highlighted a graphic design formatting issue that was addressed by the ACT on 15 January 2020.

Water resource plan	Percentage of confidence plan is progressing to schedule
ACT (SW)	90%
ACT (GW)	90%



# New South Wales

## Behind schedule

### **20 plans under development**

New South Wales (NSW) is well behind initial WRP development timelines. In July 2019, the Commonwealth Minister granted NSW an extension for the submission of all NSW WRPs to the MDBA by 31 December 2019.

NSW failed to meet the 31 December 2019 deadline, in response the Commonwealth Minister wrote to the NSW Water Minister on 26 January 2020 using the s 73 mechanisms under the Act which provides for Ministerial step-in. As is contemplated by s 73 of the Act there are certain procedures to be followed before the Minister exercises a step-in power. These procedures may be useful in resolving a delay but, if negotiations were to fail, the Minister may request the Authority to prepare the NSW WRPs.

Notwithstanding the failure to submit WRPs by the due date, MDBA is aware that extensive work has been undertaken by NSW to prepare draft WRPs for all 20 NSW WRP areas and to engage in community consultation through the public exhibition process for each draft plan. MDBA has also been able to provide NSW with 'assist phase' advice on each of the draft WRPs.

NSW has indicated that they intend to work with their stakeholder advisory panels on some of the plans post public exhibition changes. The additional consultation provides greater transparency on what NSW are proposing to submit for accreditation.

In that context it appears that undertaking this additional consultation is all that remains to be completed before the affected WRPs can be submitted for assessment. It is also possible that if agreement is reached between Ministers, some WRPs may be submitted by the end of April 2020 in line with the s 73 correspondence initiated on 26 January 2020.

The MDBA remains committed to working cooperatively with NSW in the development of its WRPs and to assist in the resolution of issues, such as regulation of floodplain harvesting, the protection of environmental water in the northern NSW catchments, and completion of appropriate Traditional Owner consultation. However, until agreement on the submission dates for NSW is reached between Ministers, MDBA has downgraded its confidence rating on NSW WRPs being completed to schedule.

It is also noted that in addition to the work needed to complete NSW WRPs, the NSW and ACT governments have also committed to working together to establish trade arrangements in the upper Murrumbidgee catchment.

Water resource plan	Percentage of confidence plan is progressing to schedule*
Gwydir (SW)	20%
Macquarie–Castlereagh (SW)	20%
Lachlan (SW)	20%
Gwydir Alluvium	20%
Lachlan Alluvium	20%
Macquarie–Castlereagh Alluvium	20%
NSW Border Rivers Alluvium	20%
Namoi Alluvium	20%
Murray Alluvium	20%
Murrumbidgee Alluvium	20%
NSW Border Rivers (SW)	20%
Barwon–Darling (SW)	20%
Namoi (SW)	20%
Murrumbidgee (SW)	20%
NSW Murray Lower Darling (SW)	20%
Intersecting Streams (SW)	20%
Darling Alluvium	20%
Murray–Darling Basin Porous Rock	20%
NSW GAB Shallow	20%
Murray–Darling Basin Fractured Rock	20%

SW = surface water

\* NSW confidence ratings are based on NSW missing the 31 December 2019 deadline for submission of WRPs, and that at the time of publication there is no Ministerial agreed WRP submission timeline.

# Queensland

## Completed on schedule

### All three plans accredited

All Queensland WRPs are now accredited and operational.

Water resource plan	Completion
Warrego–Paroo–Nebine	100%
Condamine–Balonne	100%
Qld Border Rivers–Moonie	100%

# Victoria

## Progressing to schedule

### Two plans are accredited

### Three plans submitted to Minister for accreditation decision

The Wimmera–Mallee Water Resource Plan (covering the Wimmera–Mallee (surface water) and the Wimmera–Mallee (groundwater) water resource plan areas) was accredited by the Minister on 19 September 2019.

Victoria's North and Murray Water Resource Plan package (covering the Goulburn–Murray, Northern Victoria and Victorian Murray water resource plan areas) was submitted to the MDBA on 30 April 2019. The MDBA advised Victoria that its assessment found that the WRPs needed further development. Subsequently Victoria withdrew and then resubmitted Victoria's North and Murray Water Resource Plan package on 26 November 2019. These three plans are now with the Minister for an accreditation decision.

Water resource plan	Percentage of confidence plan is progressing to schedule
Wimmera–Mallee (GW)	100%
Wimmera–Mallee (SW)	100%
Goulburn–Murray	90%
Northern Victoria	90%
Victorian Murray	90%

GW = groundwater

## South Australia

### Completed on schedule

#### All three plans accredited


All South Australian WRPs are now accredited and operational.


Water resource plan	Completion
South Australian Murray Region	100%
Eastern Mount Lofty Ranges	100%
South Australian River Murray	100%


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**Office locations**

Adelaide  
Albury–Wodonga  
Canberra  
Goondiwindi  
Griffith  
Mildura  
Murray Bridge  
Toowoomba

 [mdba.gov.au](https://mdba.gov.au)

 1800 230 067

 [engagement@mdba.gov.au](mailto:engagement@mdba.gov.au)