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Water Act Review Secretariat,
Water Reform Division,
Department of the Environment,
GPO Box 787,
CANBERRA ACT 2601

Dear Manager of the Secretariat,

Review of the Water Act 2007

The Riverina and Murray Regional Organisation of Councils (RAMROC) represents the interests of eighteen Local Government Councils and their communities across the Murray and Western Riverina regions of the southern Murray Darling Basin, embracing an area of 126,595 sq km with a 2013 ABS population of 163,626.

Following the Water Act 2007 and 2008 legislation and the consequent development of the Murray Darling Basin Plan, this region has constantly expressed its grave concerns about the adverse impacts of the Basin Plan on the social and economic fabric of our communities, particularly the long term viability and sustainability of the region's agricultural production, industries, businesses, tourism operators, property values etc, as well impacts on investment decisions and on residents generally.

Unfortunately, it is becoming increasingly apparent that the current Water Act provisions fail to give adequate protection to our communities against these adverse impacts of the Basin Plan and its implementation strategies that are now in progress. The Plan is overwhelmingly focussed on environmental issues and the Plan really fails to provide adequate recognition of the paramount importance of sustaining the economic and social stability of the Basin's communities.

RAMROC would therefore like to make the following comments to the Review Secretariat in its consideration of potential amendments to the current Water Act provisions.

The Objects in Part 1 of the current Act provide inter-alia for the following:-

- 1. In Section 3 (a) “ to enable the Commonwealth, in conjunction with the Basin States, to manage the Basin Water resources in the national interest”**

The term “national interest” is often referred to by the French expression “*raison d’Etat*” (reason of State) and it generally reflects a nation's goals and ambitions, whether they be economic, military, cultural or other.

Whilst the term “*national interest*” has a particularly wide scope, it should certainly represent a nation's commitment to the triple bottom line balance of economic, social and environmental principles.

2. In Section 3 (c) “in giving effect to those agreements to promote the use and management of the Basin’s water resources in a way that optimises economic, social and environmental outcomes”

The “agreements” referred to above are in fact the relevant international agreements that relate to the use and management of the Basin water resources and the threats to those resources.

However, Section 3 should be appropriately amended to enshrine that equal weighting is given to those triple bottom line economic, social and environmental principles.

The management of Basin water resources in Part 2 of the Act provides inter-alia for the following:-

1. Purpose of Basin Plan

Section 20 requires the Basin Plan to provide for the integrated management of the Basin water resources that promotes the objects of the Act, including Clause 20(d) *“the use and management of the Basin water resources in a way that optimises economic, social and environmental outcomes”*, as well as Clause 20(G) *“improved water security for all users of Basin water resources”*

Section 21(4) (*which is the basis on which the Basin Plan is developed*) provides that subject to subsections (1), (2) and (3) the Authority and the Minister must:-

(b) *act on the basis of the best scientific knowledge and socio-economic analysis;*

(c)(ii) *have regard to the consumptive and other economic uses of Basin water resources*

(c)(v) *have regard to the social, cultural, Indigenous and other public benefit issues*

Despite the above Water Act provisions, which are obviously subject to differing interpretations and policy positions, the Murray Darling Basin Authority pays minimal attention to the economic and social factors which significantly affect towns, communities, businesses and infrastructure along the Basin’s river systems. The focus of both MDBA and the Commonwealth Environmental Water Holder is heavily directed towards environmental outcomes, with little regard to economic and social considerations.

There is no doubt that healthy river systems and adequate protection of environmental assets are critically important. It is a well known fact that Murray Darling Basin communities, the regions’ irrigators and associated industries, local businesses and communities are extremely environmentally conscious, more so than many of the capital city based environmental groups and individuals who are always vocal in their criticisms, but who really have no practical knowledge or experience in the issues that are involved.

It is critically important that the Basin’s food and fibre production, along with the towns and communities that primarily depend upon agricultural production and processing, associated rural enterprises and tourism, are not put at risk. Without viable businesses, the Basin’s towns

will cease to be economically and socially sustainable and in the longer term the region will decline.

There are a number of examples where sensible and pragmatic delivery of targeted environmental flows at strategic times, such as over the 2014 Easter period, would have been of tremendous assistance to town businesses and tourism operators, and indeed to the environment of the Murray and Murrumbidgee Rivers themselves.

Unfortunately, at Easter 2014, the MDBA oversighted a dramatic and rapid fall in river levels, to the extent of 1 metre in 24 hours at Tocumwal on the Murray River, leaving recreational boats stranded in muddy banks and many tourists to the region absolutely incensed and vowing never to return.

Visitors to the area checked out of their accommodation, the annual fishing competition at Balranald suffered tremendously and the ridiculously low river flows destroyed the environmental reputation of the river systems themselves, along with the credibility of the region as a significant eco-tourism destination.

A win-win situation for the river environment and for this region could have been achieved, but was deliberately disregarded.

It is therefore apparent that the Water Act requires a review to make it absolutely clear that the economic and social fabric of communities is as important as maintaining healthy river systems and protecting the environmental wetlands and other assets.

The Water Act's reference in its Objects to the "*national interest*" should indeed mean the interests of all things important to the Murray Darling Basin and to Australia. The Act wording must be made very explicit, so that it cannot be manipulated and/or misinterpreted.

It would be appreciated if these comments can be taken into account in your deliberations

Yours faithfully,

Ray Stubbs
Executive Officer