



Senate Select Committee on the Multi Jurisdictional Management and Execution of the Murray Darling Basin Plan

Victorian Farmers Federation Submission

March 2020

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The Victorian Farmers Federation

The Victorian Farmers Federation (VFF) is the only recognised consistent voice on issues affecting rural Victoria and we welcome the opportunity to comment on the Senate Select Committee on the Multi Jurisdictional Management and Execution of the Murray Darling Basin Plan.

Victoria is home to 25 per cent of the nation's farms. They attract neither government export subsidies nor tariff support. Despite farming on only three per cent of Australia's available agricultural land, Victorians produce 30 per cent of the nation's agricultural product. The VFF represents the interests of our state's dairy, livestock, grains, horticulture, flowers, chicken meat, pigs and egg producers.

The VFF consists of a nine person Board of Directors, with seven elected members and two appointed directors, a member representative General Council to set policy and eight commodity groups representing dairy, grains, livestock, horticulture, chicken meat, pigs, flowers and egg industries.

Farmers are elected by their peers to direct each of the commodity groups and are supported by Melbourne-based and regionally located staff.

Each VFF member is represented locally by one of the 200 VFF branches across the state and through their commodity representatives at local, district, state and national levels. The VFF also represents farmers' views on hundreds of industry and government forums.



David Jochinke
President

Summary of Recommendations:

Recommendation 1: The Senate Committee avoid further centralisation of powers in Canberra and instead re-establish a hierarchical allocation of power and resources that focus the MDBA's attention on matters requiring joint control leaving separate and independent control of the multitude of subordinate elements to the States .

Recommendation 2: That the Senate Committee reform the MDBA by placing its service delivery function of operating the Murray River in accordance with Murray-Darling Basin Agreement in to a separate independent entity that is operated along business rather than bureaucratic lines.

Recommendation 3: That the Senate Committee must view any discussion of the execution and management of the Basin Plan through a lens that balances social, economic and environmental outcomes.

Recommendation 4: That the Senate Committee acknowledges the 5% SDL adjustment limit should be removed or increased to at least 6% to maximise environmental outcomes for least cost.

Recommendation 5: The Senate Committee acknowledge environmental impacts in Northern Victoria caused by increased environmental demand and water trade and ensure sufficient protections are established.

Recommendation 6: The Senate Committee expand the focus of river health to include physical form, streamside zone, water quality and aquatic life of our river system.

Recommendation 7: The Senate Committee ensure the water market is transparent and working in the best interests of irrigated agriculture to maximise returns on the water used to grow food and fibre and to promote water efficiency.

Recommendation 8: The Senate Committee review Section 46 of the Competition and Consumer Act (2010) misuse of market power provision and apply to the water market.

Recommendation 9: The Senate Committee investigate the depth of the water allocation market and potential excessive market power.

Recommendation 10: The Senate Committee ensure the Australia Tax Office's information on foreign ownership of water is merged with water market information more broadly.

Recommendation 11: The Senate Committee review Clause 12.23 of the Basin Plan Act as it risks third party impacts and environmental damage.

Recommendation 12: The Senate Committee ensure the best available science is released regarding the Lower Lakes.

Recommendation 13: The Senate Committee acknowledge the existing powers available to the Commonwealth and examine how they are being utilised before calling for any expanded powers.

Recommendation 14: The Senate Committee acknowledge duplication of roles through the creation of the Inspector General role.

Recommendation 15: The Senate Committee acknowledge that certain agricultural industries have developed in various states given the water productions and allocation framework available to them.

Recommendation 16: The Senate Committee ensure robust monitoring is actually implemented and metering in the northern Basin is urgently implemented.

Recommendation 17: The Senate Committee ensure the Government make a greater effort to actively adapt and acknowledge the real problems with the Basin Plan and make some real changes.

Introduction:

The Victorian Farmers Federation (VFF) welcomes the opportunity to provide comment to the Senate Select Committee on the Multi Jurisdictional Management and Execution of the Murray Darling Basin Plan.

Northern Victoria is the Foodbowl of Australia producing much of the nation's food and exports. Northern Victoria alone produces:

- 25% of the Nation's milk with 9 major milk processing factories and over 8000 jobs on farm and in processing
- 90% of Australia's pears
- 40% of Australia's apples
- 40% of Australia's stonefruit
- 68% of Australia's almonds
- 99% of Australia's tomatoes for processing
- Significant cropping and livestock

This agricultural production is only possible because of the stable water resource management arrangements established by the Murray-Darling Basin Agreement and Victoria's water entitlement and allocation framework. Under this framework, Victorian irrigators own water shares that have very strong property right attributes that are not subject to the whims of bureaucrats or politicians. They provide the certainty and confidence needed by the private sector to invest in high value irrigated agriculture and the reliability of supply required by irrigation enterprises that depend on uninterrupted supplies.

Carryover arrangements provide a vital mechanism for irrigators to manage seasonal variability in water supplies and the water market provides a mechanism to transfer water between users.

The Basin Plan has seriously undermined investors' confidence and has significantly curtailed the economic growth of the sector. Opportunities to supply the growing food demands of Asia have been stunted curtailing regional development and prosperity.

Responsibilities in the Management and Execution of the Murray Darling Basin Plan.

Victoria, New South Wales and South Australia first agreed to cede certain powers to manage the Murray River to an interstate agency, the River Murray Commission in 1914. The Commission harnessed the interests of the states rather than threatening them. The Agreement shared the available water of the Murray between the States and arrangements to invest and operate the storages and weirs required to utilise these water resources.

The heads of State irrigation bodies were normally the State Commissioners of the River Murray Commission. State agencies undertook construction and operation functions under the terms of the Agreement rather than the surrender of these functions to an inter-state bureaucracy.

The ceding of overlapping jurisdiction to an inter-state agency was always perceived as not only raising sovereignty issues but also complex issues of day to day administrative jurisdiction. The rigid discipline applied in the Agreement enhanced functional separability and simplified decision making for most purposes. Accountabilities were clear and the opportunities for the blame shifting which is so prevalent today were minimised.

This demonstrably robust structure depended on a hierarchical allocation of power and resources which enabled most decisions and policies to be made by the States. These arrangements were somewhat expanded in 1987 when the Murray-Darling Basin Ministerial Council was established with the expanded function of considering shared land, water and environmental matters not covered by the Agreement.

The modest investment in joint control subsequently allowed the River to be managed with little serious conflict until 2007, a period of 106 years. The arrangement was one of the best examples of Australia's cooperative federalism in action and was used as a model for other river systems that crossed jurisdictional boundaries (e.g. the Mekong River). The arrangements successfully delivered potentially contentious inter jurisdictional initiatives to control the salinity of the Murray, cap water diversions in the Murray-Darling Basin and enhance Murray wetlands through the Living Murray initiative. The arrangements were also effective in managing the severe water shortages during the Millennium drought.

The Commonwealth *Water Act 2007* ignored this inconvenient history and disrupted these proven arrangements. The disciplined hierarchical structure has been lost. Accountabilities have been duplicated and confused. Clear functional responsibilities have been replaced by bureaucratic coordination. All too often the Commonwealth blames the States or the States blame the Commonwealth for issues that remain unresolved.

The South Australian Royal Commission observed that:

“our Federal constitutional distribution of legislative powers, for better or for worse we have set out to render the project of rehabilitating the Basin's water resources enforceable and thereby effective, by a combination of intergovernmental agreements, Commonwealth external affairs powers and the tightly controlled referral of State powers to the Commonwealth — along with a welter of standing arrangements for inter-jurisdictional liaison and decision-making. In the absence of utterly unrealistic change to our Commonwealth Constitution by referendum, this very Australian framework of governance will remain, faute de mieux. The cheerful term for it is 'co-operative federalism' ”

The solution to the problems of the Basin Plan is not to expand Commonwealth powers but rather to go back to the elegant design of our forefathers based on clear hierarchical organisations where the inter-jurisdictional agency focuses on the few elements that require joint control leaving separate and independent control of the multitude of subordinate elements to the States.

Recommendation 1: The Senate Committee avoid further centralisation of powers in Canberra and instead re-establish a hierarchical allocation of power and resources that focus the MDBA’s attention on matters requiring joint control leaving separate and independent control of the multitude of subordinate elements to the States .

The National Water Initiative formalised the basic organising principle that the functions of policy, regulation and operations should be separated. The *Water Act 2007* and the current set of responsibilities of the MDBA have ignored this fundamental principle.

As a result the MDBA has a grab bag of policy, regulatory and operational functions. The result is that operational matters have been given inadequate attention and MDBA staff who are responsible for River operations are being attacked by the community members about issues associated with the Basin Plan. The reputation of the MDBA has been diminished and day to day operational decisions are being challenged. Trust in MDBA operations has been undermined.

The Productivity Commission identified these structural problems. The VFF considers that the structural reform of the MDBA is required to improve the management and execution of the Basin Plan and to improve the service delivery function of river operations functions.

Recommendation 2: That the Senate Committee reform the MDBA by placing its service delivery function of operating the Murray River in accordance with Murray-Darling Basin Agreement in to a separate independent entity that is operated along business rather than bureaucratic lines.

Objectives of the Basin Plan

Any consideration of the management and execution of the Basin Plan must have regard to the legislated objectives for the *Water Act 2007* and those in the Plan. Too often the objective is taken to be to recover water for the environment ignoring other important objectives, including sections:

- “3 (c) *in giving effect to those agreements, to promote the use and management of the Basin water resources in a way that optimises economic, social and environmental outcomes”*
- 3 (d) (iii) *subject to subparagraphs (i) and (ii)—to maximise the net economic returns to the Australian community from the use and management of the Basin water resources; and*
- 3 (e) *to improve water security for all uses of Basin water resources; and*
- 3 (g) *to achieve efficient and cost effective water management and administrative practices in relation to Basin water resources; and “*

Similar objectives are repeated and elaborated in Chapter 5 of the Basin Plan and particularly in section 5.02.

The VFF believes that the MDBA and Commonwealth have focussed on environmental matters and have not had proper regard to the objectives above when executing and managing the Basin Plan.

There is no evidence that economic, social and environmental outcomes have been optimised and social and economic costs appear to be ignored. Irrigators water security has been eroded and the bureaucracy particularly in Canberra to administer the Basin Plan has expanded and is neither efficient nor cost effective.

Recommendation 3: That the Senate Committee must view any discussion of the execution and management of the Basin Plan through a lens that balances social, economic and environmental outcomes.

Effectiveness of SDLAM projects:

The committee issues paper notes

“That Basin Plan allows for SDL’s to be adjusted up or down by a maximum of five percent in the Southern Basin through the SDL Adjustment Mechanism” (Pg ix).

In doing so, the paper has ignored the findings of the 2017 Murray-Darling Basin SDL Adjustment Mechanism - Report by the Victorian and NSW Ministers’ Independent Expert Panel and the subsequent Murray-Darling Basin Plan SDL Limits of Change Review. The first report found that:

*“critical sub-elements of the method (such as limits of change and ecological equivalence scoring) are constraining supply contributions with unknown influence on ecological outcomes
the ‘limits of change’ approach within the method leads to a binary trigger which has little relationship to actual ecological responses”*

The follow up review arranged by the MDBA concluded that the breach in the limits of change that they assessed was associated with minimal ecological risk to all three components. They also found that:

- *“None of these identified breaches of Site-Specific Flow Indicators are material or significant in terms of their likely impact on ecological responses of Birds, Fish and Vegetation.*
- *All of the breaches are sufficiently close to their targets to be either:*
 - *within the limits of modelling (and assumptions made within the models) or measurement precision, and or;*
 - *within the capacity of river operators to optimise releases and flows to achieve the “missed” targets, and / or;*
 - *within the limits of our current understanding of cause and effect relationships between hydrology and ecosystem function. “*

These findings were considered in the determining the final SDL adjustments.

The VFF have long argued the SDL adjustment was a political construct rather than a mechanism designed to maximise environmental outcomes. The adopted value has a large affect on the amount of water that needs to be recovered and therefore costs to the Commonwealth and costs to communities it prevents the optimisation of environmental outcomes.

For example, a 6% limit of change, rather than 5%, would have allowed for 652 gigalitres of offsets rather than the 544 GL allowed by the 5% limit of change assuming the basin wide long term average of 10,873.GL of use.

It was always argued 650GL could be achieved through SDL offsets but the 5% set in the *Water Act 2007* prevented this from occurring.

Recommendation 4: That the Senate Committee acknowledge the 5% SDL adjustment limit should be removed or increased to at least 6% to maximise environmental outcomes for least cost

Water Recovery Approaches:

The Issues Paper is questioning water recovery efforts through infrastructure projects by highlighting comments made by observers:

“whether SDLAM projects are a cost effective means of water recovery relative to other approaches, including buybacks.” (Pg x)

“the infrastructure programs costs are at least two and half times as much as the cost of buybacks”

The comments related to buyback ignore the costs to the irrigators that remain caused by stranded assets, the costs to irrigation businesses of increased water prices, and the costs to irrigation communities of the job losses that result from lost irrigation production and associated processing and support industries.

The statement that the costs of infrastructure projects are at least two and a half times as much as the cost of buy back is also inaccurate. The Connection Project in Victoria is on track to recover a long term average of 429 GL for a cost of \$2 billion (i.e. around \$5,000 per ML) compared to the current market price of \$5,000 to \$6,000 per ML.

It must also be acknowledged that infrastructure projects improve service levels, support efficient on-farm irrigation methods and do not decrease the amount of water available for irrigation.

Developing and implementing Water Resource Plans:

Victoria has two water resource plans. The Wimmera Plan has been accredited. The northern Victorian plan covering the Murray, Goulburn Murray and Northern area was

submitted in April 2019 and still has not been accredited. The MDBA's accreditation process is unnecessarily time consuming, resource intensive and inefficient.

The Issues Paper notes:

“WRPS will also address compliance with water trade rules, protection of environmental water, water quality and salinity objectives” (Pg x)

The VFF believe that only one part of the environment seems to be protected under the trading approach of the Basin Plan; and that is the Lower Lakes.

Large volumes of water for the environment and permanent plantings downstream of the Barmah Choke are having a significant impact on the local environments in Northern Victoria.

Increased erosion has been observed along the lower Goulburn River caused by the high summer flows needed to transfer water from the Goulburn to the Murray to supply downstream environmental and irrigation demands. The Goulburn Broken CMA¹ has found that:

- The volume of summer transfers down the Goulburn River has tripled;
- Steady high flows are drowning vegetation established to stabilise the banks
- Steady high flows are causing bank slumping, erosion and tree collapse
- Irrigation demand downstream is displacing optimal winter/spring environmental watering;
- Releases can't be timed in pulses to best support fish and bird breeding;
- Unseasonal cold water transfers during summer are affecting fish breeding.

The trade of water and large environmental requirements are clearly having environmental impacts. This was acknowledged by the Victorian Water Minister in August 2019 when she announced a new interim operational regime on the Goulburn river.

Increased erosion has also occurred at the Barmah Choke where deliveries have reduced by 1000ML per day over the last 10 years.

Recommendation 5: The Senate Committee acknowledge environmental impacts in Northern Victoria caused by increased environmental demand and water trade and ensure sufficient protections are established.

¹ https://www.gbcma.vic.gov.au/news_events/pulse-check-request-for-the-goulburn-river-during-water-transfers.html

Transparency of Environmental Outcomes:

The Committee paper notes concerns by others that:

“ environmental water delivery is not as precise as needed and there is a lack of transparency in how environmental outcomes are measured” (Pg xii)

There has been an over-emphasis in the Basin Plan on water as being the only driver to improve environmental outcomes.

There is little to no acknowledgement of other factors that contribute to the health of the environment. There is no transparent and authoritative assessment of the environmental outcomes that have been achieved. Instead irrigators are told that improved environmental outcomes may be known in 20 years time.

Victoria developed an Index of Stream Condition (ISC) over a decade ago, which identified five areas of environmental health.

- 1) **Hydrology** (flow volume and seasonality of flow)
- 2) **Physical Form** (stream bank and bed condition, presence of and access to physical habitat)
- 3) **Streamside zone** (quality and quantity of streamside vegetation and condition of billabongs)
- 4) **Water Quality** (nutrient concentration, turbidity, salinity and acidity); and
- 5) **Aquatic Life** (diversity of macroinvertebrates)

The Basin Plan is only focussed on one element of environmental health, that being hydrology. The VFF believe the focus must be extended to examine the physical form, stream side zone, water quality and aquatic life of our river system.

Recommendation 6: The Senate Committee expand the focus of river health to include physical form, streamside zone, water quality and aquatic life of our river system.

Water Trade:

The original focus of water trading rules was to remove trading barriers, the water market matured over this time and it is now critical the Government give due consideration to delivery constraints, environmental and third party impacts as these were less of a focus during the market's early development.

The Government must acknowledge that the water market is constrained by the natural physicality of moving water through a natural river system.

It is essential the Commonwealth Government ensure the water market is transparent and working in the best interests of irrigated agriculture to maximise returns on the water used to grow food and fibre and to promote water efficiency while avoiding third party impacts.

Recommendation 7: The Senate Committee ensure the water market is transparent and working in the best interests of irrigated agriculture to maximise returns on the water used to grow food and fibre and to promote water efficiency. .

Excessive Market Power:

Excessive Market Power remains a key concern for farmers. The Government must take steps to ensure this does not occur. Section 46 of the *Competition and Consumer Act 2010* (Cwth) includes provisions dealing with the misuse of market power. The clause specifies that a person who has a substantial degree of power in a market must not engage in conduct that has the purpose, or has or is likely to have the effect, of substantially lessening competition in the market. Section 50 of the Act enables acquisitions that would substantially reduce competition to be prohibited.

Recommendation 8: The Senate Committee review Section 46 of the Competition and Consumer Act (2010) misuse of market power provision and apply them to the water market.

Water Prices:

The VFF acknowledge that water prices are a function of supply and demand, however the removal of 25 percent of water available to agriculture through the Basin Plan has reduced the supply and increased prices. A large proportion of the water now being used by the environment was available on the water market. The number of irrigators with water to sell has fallen reducing the depth of the market

There is a smaller volume of water on the allocation market. Market power has been concentrated and a few large traders can influence the amount of water on the allocation market and therefore price.

Recommendation 9: The Senate Committee investigate the depth of the water allocation market and potential excessive market power.

Non-Australian Ownership:

The VFF believe greater steps need to taken to make information is made available on non-Australian water ownership. While the Australia Tax Office prepares a register of foreign ownership of water entitlements, we believe this information should be merged with water market information to improve transparency.

Recommendation 10: The Senate Committee ensure the Australia Tax Office's information on foreign ownership of water is merged with water market information more broadly.

Inter Valley Trades and Tagged Water Accounts:

Numerous systems in the Southern Basin allow for inter valley trades which creates a limit on how much water can be traded out of the original system to the Murray.

However, the Basin Plan Act (2012), under Clause 12.23 creates an exemption from the IVT for tagged water accounts that were established prior to 22nd October 2010. This means irrigators who had dual accounts prior to 2010 are able to push IVT accounts beyond their upper limits which can cause third party impacts and environmental damage.

The Victorian Government has recently taken steps to ensure tagged accounts on the Goulburn will be subject to the Inter valley trades rules, yet entitlements owned prior to 2010 will still be exempt due to Clause 12.23.

The VFF believe the Government need to review Clause 12.23 to ensure all irrigators are treated fairly. The grandfathering of these entitlements does not allow for a level playing field among irrigators and risks further damage to the environment.

Recommendation 11: The Senate Committee review Clause 12.23 of the Basin Plan Act as it risks third party impacts and environmental damage.

Best Available Science:

The Committee paper notes that:

“The Water Act requires that the Basin Plan be based on the best available scientific knowledge” (Pg xv)

The VFF believe that further information is required to understand the science underpinning the Basin Plan. Recent scientific studies completed by Researcher Peter Gell have found the Lower Lakes were estuarine rather than fresh. The VFF understand the Government has announced a review into this issue, and the VFF await the findings.

Recommendation 12: The Senate Committee ensure the best available science is released regarding the Lower Lakes.

Increased Powers for the Commonwealth:

The *Water Act 2007* provides the Commonwealth with very substantial powers to execute the Murray-Darling Basin Plan.

The *Water Act 2007* (Cth) established the Murray–Darling Basin Authority (MDBA) to, amongst other functions, prepare, implement, enforce and review the Basin Plan 2012. Section 68 of the Act provides the Commonwealth Minister with the power to request the Authority to ‘step in’ and prepare a water resource plan for a water resource plan area located in a Basin State.

The Commonwealth also has significant enforcement powers under section 137 of the Act. The MDBA is the ‘appropriate enforcement agency’ for contraventions relating to Part 2 of the Water Act (Management of Basin Water Resources, including the WRPs and the Basin Plan) and the information gathering provisions of Part 10 of the Act.

The MDBA has the powers to seek injunctions, declarations, warrants to enter land and issue enforcement notices and enter into enforceable undertakings.

According to the 2018 Basin Compliance Compact the MDBA’s approach to compliance and enforcement recognises that Basin States are responsible for ensuring compliance by water users with their water laws, however the MDBA will step in, in cases on non-compliance by water users in the face of inaction by Basin States. It will also ensure Basin States’ compliance with the requirements of WRPs.

The ACCC will step in if the contravention relates to Part 7 the water charge rules or the water market rules.

There is little justification for expanding Commonwealth powers when they have not willingly used the powers currently available to them. If there is any problem, it is the Commonwealth’s reluctance to use the powers that are currently available to them.

Recommendation 13: The Senate Committee acknowledge the existing powers available to the Commonwealth and examine how they are being utilised before calling for any expanded powers.

Problems with Power Duplication:

See Recommendation 1 and the associated discussion.

Also the previous Commonwealth Minister for Water’s decision to appoint the Murray-Darling Basin Inspector General as the “tough cop on the beat” approach further duplicated and confused accountabilities for enforcement. Unfortunately both the MDBA and the Inspector General continue to be very reluctant to take action.

Recommendation 14: The Senate Committee acknowledge duplication of roles through the creation of the Inspector General role.

Water Products in the Basin:

The Committee paper seems to infer that managing water in the Basin would be best if left to the Commonwealth rather than the States and that there are too many water products and this should be simplified. The VFF do not support this approach, it simply is not possible to create the same water product across the Basin.

Water products must reflect the physical capabilities of the many water supply systems in the Basin and must reflect the needs of the irrigation enterprises being supplied. The water sharing arrangements in the Murray-Darling Basin Agreement have been designed to achieve this outcome.

The Issues Paper fails to acknowledge the different industries that have been established in certain States as a result of the allocation framework and water products these states offer.

Victoria with a more conservative allocation framework has seen the dairy industry and horticulture develop in the region. Permanent plantings need to be guaranteed water as much as possible during drought times and with milk being a perishable product over \$3 billion in dairy manufacturing has been built across Northern Victoria given irrigation allows for a steady supply of milk year round.

In states with a less secure product, like General Security in NSW, they have developed to maximise allocations to support annual cropping enterprises such as rice and other cereals. Irrigators are expected to manage variations in annual allocations by adjusting the area of annual crops they plant to match water available.

This is not the case in Victoria, where permanent plantings require water every year and the size of dairy herds cannot be significantly adjusted each year to match water availability.

Recommendation 15: The Senate Committee acknowledge that certain agricultural industries have developed in various states given the water productions and allocation framework available to them.

Ensuring Robust Monitoring:

Victorian farmers lack confidence in the Commonwealth and MMDBA's ability to monitor the Basin Plan. You cannot monitor what it cannot measure and the Productivity Commission found in 2018 that Queensland only monitor 30% of its surface water take and 28% of its groundwater take (Pg 308).

In Victoria all irrigation diversions are metered, largely through telemetry. The management and execution of the Basin Plan must focus on the basic building blocks such as accurate metering.

Recommendation 16: The Senate Committee ensure robust monitoring is actually implemented and metering in the northern Basin is urgently implemented.

Adaptive Management:

The Issue Paper notes:

“Adaptive management forms a key part of the Basin Plan; it allows governments and communities to adjust the Basin Plan as needed to suit changed circumstances” (Pg 15)

Unfortunately little adaption has occurred regarding the Basin Plan. The Plan has not been updated to incorporate new information collected since 2012 particularly about socio-economic effects and the former Water Minister David Littleproud has continued with a mantra of delivering the Basin Plan in full and on time.

The Productivity Commission found:

“the 2024 deadline for a number of the projects (particularly the constraints projects) is highly ambitious, if not unrealistic” (Pg 19)

The 39 recommendations of the Productivity Commission largely remain unaddressed. This inaction highlights the Government’s inability to actively adapt.

The likelihood of delivering the 450GL of up water is simply not possible without causing severe environmental damage and flooding private land and yet Government continues with this program.

Breaches to the Commonwealth Water Act are occurring with third part impacts and environmental damage as a result of water trade and yet nothing has been done to address these.

Recommendation 17: The Senate Committee ensure the Government make a greater effort to actively adapt to new knowledge, acknowledge the problems with the Basin Plan and adapt the Plan accordingly.