



Phillip Glyde
Chief Executive
Murray Darling Basin Authority

Dear Phillip,

I am writing to raise concerns that I have about the development of water resource plans by the States and their assessment by the Murray-Darling Basin Authority (MDBA).

Water resource plans are the key mechanism for Basin Plan implementation, including environmental water management. The MDBA is responsible to ensure water resource plans deliver on what is expected under the Basin Plan, including that the environmental water portfolio is not compromised and the foundations of the Plan (i.e. planned environmental water and state held environmental water) are not eroded.

Based on the information being made available to my Office I am becoming increasingly anxious that these plans will ultimately undermine Commonwealth environmental water holdings and my statutory functions, including under the *Water Act 2007* and the *Public Governance, Performance and Accountability Act 2013*. This heightened level of concern is only reinforced by NSW commentary, and the absence of engagement with my Office by South Australia and Victoria on their plans.

I am seeking assurance from your agency, as the guardian of the Basin Plan, that the State's water resource plans will receive an independent and rigorous assessment against the requirements of the Basin Plan, and plans that do not meet these requirements will not be accredited, provisionally or otherwise, and irrespective of implementation timeframes. It is critical that the Commonwealth's interests and investment in the Basin water reforms are protected, including the value and utility of the Commonwealth environmental water portfolio which is a significant public asset. It is essential that I am fully briefed on the implications of the MDBA's approach, including any assessment criteria and modelling work. The MDBA policy position being expressed to my Office, excluding the CEWH from detailed information and discussion on the basis that I am an entitlement holder, is simply unacceptable, particularly in the interests of public accountability and transparency.

Transparency of MDBA's assessment of water resource plans and associated modelling tools is critical to not only assuring myself but also other stakeholders across the basin. A crisis of confidence is clearly evident across the basin requiring those responsible for regulation to demonstrate their statutory function in practice. Community interest groups have demonstrated that they are sufficiently motivated and well informed to instigate measures of public accountability where government officials are unable.

To provide me with some confidence in the water resource plans, I ask that the MDBA's independent assessment of the State's plans and models are made available to my Office in full as a statement of assurance. I will not be able to support a Commonwealth position on



the accreditation of water resource plans without this evidence to inform my position. Ideally, a public statement of assurance by the MDBA may serve to begin rebuilding public confidence in the regulatory process for Basin Plan implementation.

Yours sincerely

David Papps
Commonwealth Environmental Water Holder
November 2017

cc. Malcom Thompson, Deputy Secretary, Department of Agriculture and Water Resources