

## CSIRO Submission 12/468

### CSIRO Submission on the Water Amendment (Water for the Environment Special Account) Bill 2012

### Senate Standing Committee on Environment and Communications

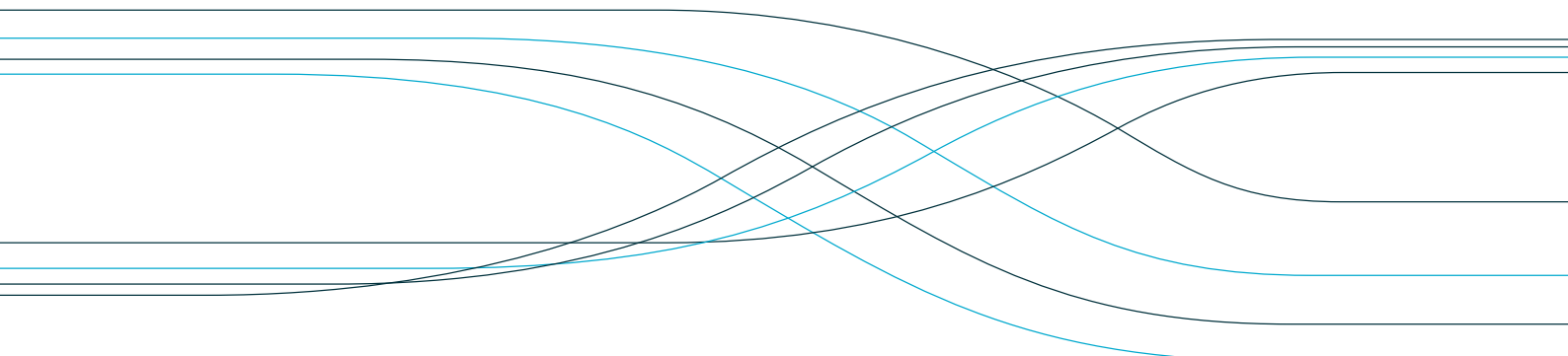
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Flagship



CSIRO welcomes the opportunity to comment on the Water Amendment (Water for the Environment Special Account) Bill 2012.

CSIRO has provided independent scientific advice to governments relating to the development of the Sustainable Diversion Limits (SDLs) in the proposed Basin Plan. This has included:

- a. submissions to the Murray-Darling Basin Authority (MDBA) on the proposed Basin Plan,
- b. leading a scientific review for the MDBA of the “Estimation of an Environmentally Sustainable Level of Take (ESLT) for the Murray-Darling Basin”,
- c. contributions to an expert panel and peer reviews for the South Australian Government related to the environmental consequences of proposed SDLs through the Goyder Institute of Water Research,
- d. a submission to the Murray-Darling Basin Ministerial Council (MDBMC) on the Section 43 (Water Act 2007) Notice,
- e. contributions to expert advice to MDBMC on the development of an SDL Adjustment Mechanism now included in the altered proposed Basin Plan, and
- f. a submission to the Senate Inquiry on the Water Amendment (Long-term SDL Adjustment Bill 2012).

CSIRO makes the following comments in relation to the objectives around environmental outcomes included in the Bill.

- CSIRO notes that the key objective of the proposed new Part of the Water Act (*to **enhance the environmental outcomes that can be achieved by the Basin Plan***) appears to be at odds with at least one item in the Commonwealth’s stated intent for the SDL Adjustment mechanism – *to allow works and measures to achieve **the same** environmental outcomes with a lower volume of held water* (see (2) in Annex A of Minister’s letter to MDBA, 1 Nov 2012).
- The examples provided in Section 86AA(2) of the Bill appear to assume the current baseline of environmental conditions. Environmental conditions will likely change into the future following implementation of the Basin Plan, as well as variations in climate and future climate change. Thus the directions of change provided as examples in 86AA(2) (e.g. reduction in the average salinity of the Coorong) will not necessarily continue to be synonymous with environmental protection or restoration. Further, these examples over emphasise changes in average conditions as appropriate environmental targets, rather than a more appropriate focus on the important dynamic regimes of flows and water quality. CSIRO suggests 86AA(2) could be omitted without any loss of scope clarity of the Object of this Part of the Act.
- It is not clear why 86AA(3) limits the potential increase in volume available for environmental use to “450 gigalitres”. This represents the average annual difference between the currently proposed reduction of 2750 GL/yr and the subsequently modelled 3,200 GL/yr. However, none of these recovery volumes are specified in the Act; indeed the proposed reduction volume only appears a Note in the proposed Basin Plan to clarify 6.04. Greater increases in the volume of held environmental water would also help to achieve the stated Object of this Part.
- Under Section 86AD(2)(iv) the use of the term “capacity” is potentially confusing, as it could be misinterpreted to refer direct to “increasing the capacity of dams and storage” in a volumetric sense. “Capability” might be a better word in this context.
- Section 86AD(4) appears to imply that any project that helps the object of this Part under 86AA(3) necessarily will require an SDL adjustment. However, 86AA(3a) (the easing or removing of constraints) could potentially allow greater environmental outcomes to be achieved for the same volumes of held environmental water and thus not require an adjustment to SDLs.