

# The Murray-Darling Basin, Australia

Environmental flows or irrigation production?

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## Background

- Under the Australian Constitution, water resource management is a State function, not a Federal function
- The Murray-Darling Basin covers parts of four States and the Australian Capital Territory
- The waters of the Murray have been shared under a formal Agreement since 1917

## Background (cont)

- By the early 2000s management of water resources, salinity and the associated environment was regarded as good by world standards
- However, environmental interests were increasingly claiming that not enough attention was being paid to in-stream water flows, riverine forests and associated wetlands and ecosystems

## The drought of 1996 - 2009

- The Southern part of the MDB had a severe drought from 1996 – 2009, the worst part being from 2002 to 2009
- In the worst years, 2007 and 2008, irrigation diversions dropped to about one third of those in the 1990s. The environment was also severely affected

## Background to Water Act 2007

- In 2007 the Federal Government, arguably as an election gimmick, declared that:
  - the States had badly mismanaged the water resources of the MDB for a century, and
  - the Federal Government needed to fix things
- Legislation to do so – the Water Act 2007 – was rapidly introduced
- The Government fell, but the Water Act remains
- The “mismanagement” accusation was demonstrably false – expert international opinion confirms that the long drought was in fact well managed

## Water Act 2007

- The Act requires a Murray Darling Bain Plan to be prepared and eventually adopted by Government
- Clearly (in the opinion of every legal commentator) it
  - Firstly requires that the “environmentally sustainable” level of diversion for non-environmental purposes be established; and
  - Only then provides that social and economic matters may be considered

## Water Act 2007 (cont)

- Government claims, implausibly, that under the Act environmental, social and economic considerations rank equally in preparation of the MDB Plan
- No one believes the claim
- It seems clear that if the Plan displeases environmental interests, legal challenges are likely

## The MDB Plan

- Two drafts have been produced, and along the way the Chair and CEO of the MDBA (which is preparing the Plan) have resigned and been replaced
- The result seems to be that the two extreme ends of the arguments have become more entrenched. Both have serious weaknesses

## Environmental arguments

- Environmental interests claim that “best science” indicated that environmental sustainability requires much larger reductions in irrigation diversions than the present draft plan requires
- However the science is quite dubious because many environmental consequences, and rates of recovery from long droughts are simply unknown, and “best science” seems to mean a series of “best guesses” by well meaning committed environmentalists

## Irrigator arguments

- Irrigator claims that the present draft plan will almost extinguish irrigation are clearly exaggerated
- The economic and social consequences should be able to be estimated, but no authoritative studies appear to be available

## Climate Change

- Estimates of the extent of likely climate change in the Basin can be made only within wide confidence limits
- Climate change may dwarf any changes made under the Plan
- If the lower estimates occur, the present plan will probably produce some poorly known but long term environmental benefits at a significant economic and social cost
- If the higher estimates occur, the Plan will probably only buy a decade or two of time

## Conclusions

- The process has now moved almost beyond repair, from rational discussion to political extremism
- This has hindered by political demands for unrealistic speed in preparation, arguably to meet election timetables
- It has also been hindered by media tendencies to report extreme and opposite views rather than any hint of agreement
- Solutions will probably be based on politics, not on rational processes.



Isfahan – Zayandeh River



Isfahan – Imam Square