Basin Plan amendments

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What amendments were made?

The Basin Plan 2012 included two key processes to finalise the SDL:

- Northern Basin Review – improve the knowledge and science in the Northern Basin
- Sustainable Diversion Limit adjustment mechanism (SDLAM) – both up and down adjustments

Two amendments were made to the Basin Plan to implement these processes:

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<tbody>
<tr>
<td>Basin Plan Amendment Instrument 2017 (No. 1)</td>
<td>NBR amendment</td>
<td>14/11/17</td>
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<tr>
<td>Basin Plan Amendment (SDL Adjustments) Instrument 2017</td>
<td>SDL amendment</td>
<td>13/1/18</td>
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• Either house of Parliament can move a motion to disallow an amendment to the Basin Plan (within 15 sitting days)
• This has the effect of repealing the instrument, and rolling back to the previous version of the Basin Plan
• The Senate voted on 14 Feb 2018 to disallow the NBR amendments
  ➢ This amendment was not able to be remade, even if the Senate changed its mind
• A further motion was moved by Sen Hanson-Young to disallow the SDL amendments
• The Commonwealth Gov’t and Opposition agreed on 7 May to
  ➢ Not support the disallowance motion
  ➢ Support legislation to allow the reintroduction of the NBR amendments
  ➢ Not support any further disallowance motions
  ➢ Agree a further package of measures (the “Agreement”)
• The disallowance motion was formally defeated on 9 May
Timeline

NBR amendment

SDL amendment

NBR disallowed

SA election

Agreement made

Water Amendment Bill 2018 introduced

Earliest possible Senate debate

2018

NBR disallowance motion

SDL disallowance motion

SDL disallowance defeated

Bill commences (planned)

Bill through House

NBR reintroduced?
Current status

- NBR is not current law – but near certain to be reintroduced next month
- Government working towards a NBR scenario
Commonwealth agreement with opposition

- States & MDBA not involved

- Strengthening protection of environmental flows
- Strengthening Compliance with Basin Water Laws
- Improving outcomes for indigenous people and addressing the social and economic impacts of the MDB
- Improving confidence in the Northern Basin Review data
- Improving the SDLAM
Key points of Agreement for NSW

- Northern Basin Commissioner
- Commonwealth payments to states to be linked to:
  - Delivery of Basin Compliance Compact
  - Co-operation on efficiency measures
- $20m for hydrometrics in North, remote sensing across basin
- Staff to support NBAN & MLDRIN
- $40m for Aboriginal communities to invest in water
- $20m for economic development
- Local engagement facilitators
- Explore opportunities for entitlements to be allocated to Indigenous communities
- Support for various works e.g. options for Wilicannia & Cunnamulla Weirs
- EOI & begin progress to 450 GL ‘upwater’
What next?

- At departmental level – agreement is non-negotiable
- Engagement between states & Commonwealth – BOC, MinCo
- Finalise Basin Compliance Compact
- Considering options for investment in hydrometrics
- Seek funding for SDL adjustment mechanism projects – preconstruction
- Discussions on what EOIs on efficiency measures look like
- Socioeconomic neutrality
- Engage with communities & industry on seeking win-win efficiency measure projects
- Will be a key focus of discussion at MinCo on Friday