



# Murray Darling Association Inc.

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## Ordinary Meeting of the Board

MDA Office, Echuca,

**Monday 10 October 2019**

<https://zoom.us/j/990038698>

Via Zoom Calendar

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## MINUTES - MEETING No. 390

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### 1. ATTENDANCE

#### 1.1 Present

Cr David Thurley	Albury City Council	Region 1
Cr Jane MacAllister	Wentworth Shire Council	Region 4
Cr Melissa Rebbeck	Alexandrina Council	Region 6
Cr Andrew Tilley	City of Mitcham	Region 7
Cr Phyllis Miller	Forbes Shire Council	Region 10
Pete George	M&S Group	Treasurer
Emma Bradbury	MDA	CEO
Cr John Campbell	Gunnedah Shire Council	Region 11

#### 1.2 Apologies:

Mayor Denis Clark	Northern Areas	Region 8
Cr Paul Maytom	Leeton Shire Council	Region 9
Cr Richard Marsh	Balonne Shire Council	Region 12
Cr Dennis Patterson	City of Greater Shepparton	Region 2
Cr Peter Hunter	Renmark Paringa Council	Region 5

**Motion:** That the apologies be accepted and noted.

J MacAllister/ J Campbell

Carried

### 2. PREVIOUS MINUTES

2.1 [Meeting 389](#) held via Zoom Calendar 26<sup>th</sup> August 2019

**Motion:** That the minutes of board meeting 389 are approved as an accurate record of that meeting.

J MacAllister/J Campbell

Carried

### 3. REPORTS

3.1 Chairman's report

3.2 Finance Report:

P George informed board that financial reports for September and October will be distributed at the next board meeting.

P George agreed to hold over until the next meeting.

### 3.3 [Chief Executive Officers report](#)

### 3.4 [Region reports](#)

Additional updates to the region reports were provided by the Chairs during the Board meeting.

#### **Region 1**

Cr David Thurley: *In addition to the report provided, I would like to emphasise the climate outlook by bureau of meteorology at our last region meeting. Hume Dam is lower than last year, and another dry year means that we are heading into fairly difficult territory. We are already second year of no allocations along the NSW Murray and it looks like, the way things are looking, it's a third year without it. I have made arrangements to regularly brief the State Member of Albury Justin Clancy to update him on MDA and BCC matters. He was very pleased that I offered that. I've offered these briefings either on a regular basis, or on demand. I would encourage everyone else who has that opportunity to take it, because these guys get feedback all over the place, but to get it from representatives from MDA is a great thing to do.*

#### **Region 4**

Cr Jane MacAllister: *Central Darling Shire will stay in administration for the next four years, so there will be no elected representatives just as yet, which is a bit of blow to the community as this is where the Menindee Lakes are. But there was a little bit of a spike in good feeling in the region after the township of Pooncarie has run out of raw water as well as potable water. Council is now trucking all water into a whole town and apparently, we're not the only ones. Somehow, we had anticipated a month's worth of water but the trees, because it's been so hot and windy, have sucked the last of the puddle. The spike in good feeling after that particular blow to the community was the response from NSW Government to the NRC report and the Vertessey report, which looks as though the Menindee Lakes draft will be completely different from what has been put on the table and a few other things that we are hopeful, including more investment of indigenous knowledge into management to the river, which has been applauded loudly through communities out this way. So much so that there is a meeting that popped up on my screen yesterday - Wentworth shire is under native title determination for pretty much of all of the shire, and the Barkindji group have called a meeting for healthy rivers discussion to create a solutions based draft of proposal. D Littleproud was also here on Monday talking about new MDBA office and NRAR office to be joined at Mildura, so there's a bit of excitement in the region as well.*

#### **Region 6**

Cr Melissa Rebbeck: *Region 6 recently had a symposium with groups that emerged out of the millennium drought. It was a great opportunity to have a conversation about regional priorities and issues. There's currently a report being put together on that. There was a lot of emotion and heartfelt discussion about what's happening in the other regions. At our interregional meeting, CEO Emma Bradbury attended and Region 4 Chair Cr Jane MacAllister gave an amazing presentation. I would like to reiterate that South Australia shares the pain with some of the other states. That was a very powerful meeting to have Jane come across and talk to us. The outcome from that is interregional chairs are likely to get together and comment on Murray Darling Basin Plan with review next year. Thank you Emma and Jane for coming across. It was a great meeting and helped us set direction, as well, as regional chairs. Now, it is important for us to look at what we can achieve realistically and look at exploring why drought isn't incorporated into the Murray Darling Basin Plan.*

#### **Region 10**

Cr Phyllis Miller: *Region 10 is up and running. We are trying to organization to have the minister attend our next regional meeting, but this may have to wait until February next year. We had Robbie Sefton at our drought forum in Sydney talking about the consultation. I made it quite clear to her that her*

consultation is when our state conference is on. Robbie has taken that on board. She has to have a report to the MDBA by end of year (interim report), but she is planning on doing more consultations in Feb next year. Things are dire straits in the central west – struggle street up here with town water and water supplies. The Bureau had a very sad state of affairs as to when we are going to get some more rain. Hopefully we come out the other end.

E Bradbury provided region reports for the following regions.

## **Region 2**

E Bradbury *D Patterson is an apology, but Region 2 had its consultation session with independent panel last week, and both Dennis and myself attended it. I think one of the things that came from that consultation was a clear reflection that the pain being felt in Shepparton and Denilliquin is really quite unique. The anger and outrage is probably disproportionate to the economic impacts being felt. The consultation opened with inputs from farmers and business leaders saying the economic impacts are quite mixed, including both positive and negative. But as soon as the discussion moved to the social impacts, the outrage and hurt was quite profound. The panel reflected that they have a better understanding since taking consultation in Shepparton that social impacts and economic impacts aren't always aligned and that was very evident in GMID space.*

## **Region 8**

E Bradbury *Region 8 is located west of Adelaide in South Australia, in dry land area reliant on water pipes from the Murray for predominantly critical human need and town based consumption. D Clark has been the chair for a number of years. D Clark has made it clear that he is not going to stand for chair again, and identified Brian Lockyer, a councilor from Barunga west. I've had discussions with both the Mayor and CEO, and Cr Lockyer. They are very keen and resolved at council level to nominate for the chair of Region 8. Legatus CEO Simon Millcock is taking on the Secretariat duties, and there's strong support from that council as well, although it's a very small council. I've encouraged and invited Cr Lockyer to the National Conference as potential incoming chair for Region 8 and I encourage all the board members to identify Brian and provide that support for what will essentially be an induction into board level issues.*

E Bradbury added that the Barkindji people have reached out to the MDA asking how they can become active and voting members.

J MacAllister said she is happy to introduce herself as chair of the region when she is happy next week.

## **Region 9**

E Bradbury *P Maytom has written to D Thurley and myself and requested that the AGM for Region 9 be postponed until early next year in order to support a stronger transition following election cycle.*

**Motion:** That the board noted and approved that the Region 9 Annual General Meeting be deferred from the schedule time of November 2019 to a date to be approved in early 2020.

D Thurley/ J MacAllister

Carried

J MacAllister suggested that the MDA look to positive examples of succession planning, which might help inform how the MDA approaches and manages succession planning in the future.

M Rebbeck outlined Region 6's motion to the national conference regarding succession and planning.

**Motion:** That the reports are noted.

J Campbell / J MacAllister

Carried

## 4. BUSINESS ARISING

### 4.1 [MDA Matters in Progress arising from previous Meetings](#)

E Bradbury briefly spoke to the matters in progress, and reviewed actions.

E Bradbury highlighted that the preparation of the motions remains a real challenge for the executive team because of the level of communication required between the regions. This will be targeted over the next year, to support the regions and MDA executive to be much more efficient in the development of motions. E Bradbury is satisfied with the quality of this year's outcome, but notes it has been a significant investment of time.

### 4.2 Cr Phyllis Miller elected to Chair R10, effective close of nominations 22<sup>nd</sup> August 2019

**Motion:** That the MDA welcomes Cr Phyllis Miller elected to Chair R10, reflective of the outcome of the AGM on 22<sup>nd</sup> August 2019

D Thurley / J Campbell

Carried

The Board also notes a word of thanks to Cr Craig Davies, who is now taking on the Deputy role, for spending a year as the interim chair and facilitating engagement in Region 10, and support Cr Phyllis in the transition into the role.

P Miller also noted thanks to Ben Shields, the Mayor of Dubbo Regional Council, for hosting the meeting.

### 4.3 Review of MDA Policy 001 – [Delegation of Authority Policy](#)

E Bradbury outlined that the Delegation of Authority Policy was drafted originally in 2014, and it is now appropriate that it gets reviewed.

**ACTION:** E Bradbury to consult with P George and discuss what an appropriate policy might look like for moving forward based on growing income and outflows. E Bradbury will report to the board for review and adoption.

### 4.4 2020 National Conference – Location - [East Bank Centre](#)

**Motion:** That the 2020 MDA National Conference be held on Wednesday 12 – Friday 14 August 2020

M Rebeck / J Campbell

Carried

J MacAllister asked E Bradbury regarding the date selection process. E Bradbury explained the discussions with Shepparton, and the process of finding a suitable date that did not conflict with caretaker modes and election cycles.

P Miller highlighted the risk that the selected conference date is a month out from council elections in NSW, which may limit the attendance numbers.

In addition, E Bradbury reflected that as this year's national conference celebrates 75 years, it is appropriate for it to be a gala event. However, E Bradbury noted that from an operational point of view, the current three day event has taken up many months work by the executive, and has been a significant distraction. E Bradbury recommends that the board consider transitioning the conference to a one-day event with gala dinner, AGM, and three exceedingly high-level keynote speakers.

**ACTION:** That the MDA executive write to all local government associations and notify them of the MDA's 76<sup>th</sup> National Conference dates, and ask them to be mindful of these dates.

#### 4.5 Notings of Flying Minutes

##### [MDA position on water market conduct and reform](#)

Background: Member councils and industry groups are increasingly calling for the MDA to formulate a position on the upcoming inquiry into water markets.

Motion: That the MDA express the following position on water market conduct and reform.

<b>MDA position on water market conduct and reform (proposed draft for comment)</b>
<p><i>Continuing drought, changing water availability, escalating water prices and emerging developments in horticulture and agriculture in the Murray Darling Basin are conspiring to place real pressure on rural and regional communities, and uncertainty in our towns and cities. The absence of adequate regulation of the water market is significantly compounding these pressures.</i></p> <p><i>The MDA supports the commitment by the government to direct the ACCC to conduct an inquiry into markets for tradeable water rights in the Murray-Darling Basin, and urges that governments make every effort to expedite practical responses to calls from local government, business and industry to remedy deficiencies in the market.</i></p> <p><i>The MDA further supports the call by a range of peak and industry bodies for government to initiate an immediate ASIC and/or ACCC investigation into whether current trading practice is consistent with corporations, consumer and competition law, for all water brokers to be licensed and regulated; for brokers to be prohibited from holding and trading water on their own accounts, or from representing both parties to a trade; for the creation of a single MDB water exchange; for mandatory price reporting, for justification of \$0 trades to be made mandatory on all trade registrations, and for increased transparency via live time trade reporting.</i></p> <p><i>As the peak body for local government, the MDA reaffirms our call for immediate action in response to recommendations for reform from the many previous inquiries, commissions and expert reports. The MDA is further seeking to include local councils in development approval processes for water dependent developments in order to establish balance and ensure sustainable system-wide water security and deliverability in the southern Basin.</i></p>

The board had a broad-based discussion around enhancing process to determine united views on policy matters.

J MacAllister raised a concern that policy positions need more collaboration and face-to-face meetings between region chairs in order to represent uniform positions of the MDA and whole of Basin approach. J MacAllister also noted that Region 4 at its recent region meeting said they could not endorse this policy.

This concern was shared by other board members including M Rebbeck, D Thurley, P Miller, and A Tilley.

E Bradbury agreed, and suggested that the MDA explore opportunities and improve the process of documenting position statements, particularly in context to the past few months, which have required position statements at a rapid rate.

**ACTION:** The MDA executive to investigate how to improve the policy/position process for board members, including opportunities for monthly online workshops, or face-to-face inter-regional meetings

#### 4.6 Correspondence - [The Hon Minister David Littleproud](#).

E Bradbury noted that the MDA has received Correspondence from Minister Littleproud that notes that Inspector-general has been appointed and objective is to enhance confidence in the plan, reflecting that the Minister's view that representation of local government is best served via BCC now having four representatives from local government.

E Bradbury also noted that Inspector-General (interim) Mick Keelty had agreed to be our opening keynote speaker at the conference, but that was subsequently withdrawn when he was called before senate estimates, which now clashes with our conference dates. D Thurley wrote to Minister Littleproud regarding this, and also noting that we also acknowledge the Minister's view that local government is best represented through BCC. As a response Ramzi Jabbour, deputy Inspector-General, has contacted the MDA saying he will present at MDA via video conference.

4.6.1 Correspondence - [The Hon Stirling Hinchliffe](#)

4.6.2 Correspondence - [The Hon Premier Palaszczuk](#)

4.6.3 Correspondence - [Response from QLD Government](#)

Board noted the correspondence.

#### 4.7 Annual Report 2018/2019 –

E Bradbury commended the board and staff on the annual report. E Bradbury said:

*I would really like to commend the board for a fantastic year of work. Region reports are located up front and centre in this year's report. I think it's been a stonkingly good year. I commend our staff who have been here less than a heartbeat and to produce a report of this caliber; Cathy, Jess and James – you are a credit.*

**Motion:** That the board note the annual report

J Campbell / J MacAllister

Carried

#### 4.8 [Table of responses to Productivity Commission](#)

Board discussion

E Bradbury said this is an important resource, requested by the board, in the consideration of responses to the Productivity Commission.

J MacAllister commended James for the work he has done on this document. J MacAllister suggested that this document will be a useful resource for the board to better a complex lengthy document, and the subsequent responses by government. J MacAllister suggested that a column be added to the document outlining actions completed. J MacAllister also suggested a similar resource be created regarding the Royal Commission.

D Thurley agreed and suggested that we need more of these documents in order to have uniformed policy positions.

**ACTION:** That the MDA executive develop a Royal Commission resource, similar to the above Table of Responses for the Productivity Commission.

P Miller leaves the meeting at 11.18am

## 5 GENERAL BUSINESS

### 5.1 Board Meeting 388 - 3.4

*Region 7 has had a disappointing decision by state government recently to drop the development application requirement to have rainwater tanks attached to any new development and plumbed into the house so they can at least be used for water for sewerage*

A Tilley provided an update, stating that the above statement was premature, and state government have opposed this proposal.

Update noted by the board.

## 5.2 [CRDC Agreement Code UC1901](#) & [Confidentiality Agreement](#)

E Bradbury said that Dr Jacki Schirmer, whom the MDA has had a long standing relationship with, approached the MDA several months ago to participate in a study regarding social wellbeing indicators, and the MDA is currently in discussions about what that study would look like.

Item noted by the board.

## 5.3 Strategic Advisory Group

E Bradbury discussed minutes and recommendations from the SAG group meeting on 9 September. Recommendations included that Steve Loane from Forbes Shire Council be appointed to SAG, the board establish working group water resource sharing plans and the consideration of a name change from MDA to MDLGA.

D Thurley noted that Water Sharing Plan (WSP) are hugely complex, particularly to create submissions from a national level. However, D Thurley also noted the importance of WSPs in New South Wales.

J MacAllister highlighted the importance of considering WSPs from a national perspective, emphasizing that there should be connectivity between WSPs, rather than operating in silo, stating that, *“As an association we have a role to play in making sure there is continuity through the plan and certain targets that are met.”*

E Bradbury said it is important to commence the conversation as a board, noting that determining who is involved in the working group and when it meets, will be subsequent to how and where the working group occurs. E Bradbury also noted that time and resources will be necessary to move this forward.

D Thurley notified the board that the MDBA Peak Bodies briefing will occur November 14<sup>th</sup>, and one of the items on the agenda will be water sharing plans. D Thurley will provide feedback to other board.

**Motion:** That Steve Loane from Forbes Shire Council be appointed on the SAG

D Thurley / J Campbell

Carried

## 5.4 [10<sup>th</sup> Water Symposium: Managing Legal and Regulatory Risk – 18 October](#)

J MacAllister expressed interest and spoke of the caliber of the speakers and topics and noted that attending and learning about these issues would be critical to MDA core business.

M Rebbeck expressed that she would also be interested in attending.

The board noted that there should be investment in upskilling board members.

**ACTION:** The MDA executive will engage with relevant CEOs and coordinate registration for M Rebbeck and J MacAllister.

E Bradbury provided update on the MDA 75th National Conference. E Bradbury expressed challenges of getting high numbers of registrations to the conference, particularly noting that getting a drought impacted

basin to engage in a three day/four day event is exhausting. E Bradbury noted that we will have an incredibly strong program, and noted the following updates:

- The MDA is still looking for an MC who is a connected journalist as the narrative for this conference is really important.
- One of the panel sessions for this is a panel session about the ag plan 2030 and we have had the NFF CEO attending.
- Traditionally the MDA has a strong representation in education. This year, the MDA will be awarding a Bursary to Stirling East Primary School for their work in introducing water literacy in the school curriculum.

6 CLOSE at 11.43am