



# Murray Darling Association Inc.

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**Ordinary Meeting of the Board**  
**10.30am Monday 26 March 2018**  
**GoToMeeting**

<https://global.gotomeeting.com/join/350822253>

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## Minutes - MEETING No. 374

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### 1. ATTENDANCE

#### 1.1 Present

Cr David Thurley	Albury City Council	Region 1
Cr Leigh Byron	Balranald Shire Council	Region 3
Cr Peter Hunter	Renmark Paringa Council	Region 5
Cr Barry Featherston	Alexandrina Council	Region 6
Cr David Shetliffe	Town of Walkerville	Region 7
Cr Denis Clark	Northern Areas Council	Region 8
Cr Paul Maytom	Leeton Shire Council	Region 9
Cr John Campbell	Gunnedah Shire Council	Region 11
Cr Richard Marsh	Balonne Shire Council	Region 12
Pete George	M&S Group	Treasurer
Emma Bradbury	MDA	CEO
Angus Verley *	MDA	Senior Officer
Cr Alan Mathers*	Murray River Council	Region 2

\*Non-board member – attendance by invitation.

#### 1.2 Apologies

Cr Peter Mansfield	Moira Shire Council	Region 2
Cr Leigh Byron	Balranald Shire Council	Region 3
Cr Darriea Turley	Broken Hill City Council	Region 4

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

P Maytom/P Hunter

Carried

#### 1.3 Declarations

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### 2. PREVIOUS MINUTES

#### 2.1 Meeting 373 held 10.30am Monday 5 March 2018

**Motion:** That the Minutes of Board Meeting 373 be accepted.

### 3. REPORTS

#### 3.1 **Chairman's Report**

The Chair referenced his report (attached) on the launch of the NSW Government Water Reform Action Plan. He said it was refreshing to hear the NSW Government acknowledge problems with water management and compliance, and take action.

#### 3.2 **Finance Reports**

Pete George spoke to the finance reports. Cr Shetliffe noted that the standard of reporting had improved dramatically since the implementation of the Xero accounting software.

#### 3.3 **Chief Executive Officer's Report**

The CEO spoke to the attached report.

#### 3.4 **Region reports**

##### **Region 6**

Cr Featherston reported that the South Australian Royal Commission had visited Region 6 to collect information. He also noted the SA election and the appointment of David Speirs as Minister for the Environment and Water. The MDA looks forward to meeting with the new government.

##### **Region 7**

Cr Shetliffe also spoke about the new Minister for the Environment and Water, who he said was a former councillor with a strong interest in the environment, particularly coastal regions. Cr Shetliffe said he was encouraged by the indications from the SA Liberals on their approach to the Basin Plan, which he expected to be more collaborative.

##### **Region 9**

Cr Maytom reported on his attendance at an Environmental Water Advisory Group meeting. He also attended a WaterNSW Customer Advisory Group meeting, which provided useful information on climate, water efficiency programs and compliance.

#### 3.5 **Communications and engagement report**

The CEO provided an update on communications and engagement, including recent press releases and the latest edition of the e-newsletter.

Cr Hunter commented that the MailChimp e-newsletter format was excellent.

**Motion:** That the reports be accepted

### 4. BUSINESS ARISING

#### 4.1 **South Australian Royal Commission**

The South Australian Murray-Darling Basin Royal Commission was launched on 23 January 2018 to investigate the operations and effectiveness of the Murray-Darling Basin Plan, including whether the Plan is being complied with.

The Royal Commission is now calling for written submissions from people or organisations who have relevant experiences with the Murray-Darling Basin.

The Terms of Reference and further information on how to make a submission are available on the Commission's website at [www.mdbrc.sa.gov.au](http://www.mdbrc.sa.gov.au). Submissions are due by 30 April 2018.

At Board Meeting 373 the Board moved that that Region Chairs oversee the preparation of regional submissions, for further discussion at Board Meeting 374.

Cr Shetliffe noted his observation that the Royal Commission terms of reference were very narrow and specific and largely related to compliance issues in NSW, while the Productivity Commission Inquiry terms of reference were much broader in scope. Cr Shetliffe felt that the MDA would be best served concentrating its efforts on contributing to the Productivity Commission Inquiry.

Cr Featherston concurred that the terms of reference were narrow and were aimed at upstream water theft, although he believed the Commission was interested in a broader focus.

Cr Hunter said the theme of the Region 5 submission would be 'stick to the Plan'.

The CEO noted that she would prepare a submission to the Royal Commission based on papers from Regions 5, 6, and 7 at a minimum.

#### **Received and noted**

#### **4.2 Region Boundaries**

After two years chairing the region, Balranald Shire Council has identified that there may be a stronger alignment for that council to align with Region 4, rather than Region 3. Similar views have been expressed by other councils.

**Motion:** That the Board resolves to allow adequate flexibility for councils to identify and align with their communities of interest in advance of the boundaries review.

D Shetliffe/B Featherston

Carried

#### **4.3 Bad Debts**

Management of bad and debts is a matter of financial and operational administration of the organization, made transparent through monthly finance reports.

The Delegation of Authority Policy states:

4.9	Write-offs/debt recovery/disposal of property	Write-offs up to \$250 Write-offs up to \$10,000 Write-offs over \$10,000	Acc CEO Board	Board to be advised of amounts & reasons of write-offs.
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Cr Shetliffe noted his strong opinion that all bad debts should be brought before the Board.

The management of bad debts will be considered as part of review of the Delegation of Authority Policy, to be undertaken when time allows.

#### **Received and noted**

## 5. GENERAL BUSINESS

### 5.1 Social and Economic Impacts Assessment Response and Framework

On March 15 the MDA provided its 'Social and Economic Impacts Assessment and Response Framework' project proposal to the ministers of the Murray-Darling Basin Ministerial Council.

Ministers were invited to consider the proposal, which the MDA believes will provide a significant benefit to all stakeholders in the continuing implementation of, and commitment to, the Basin Plan.

The proposal was also distributed to other non-Ministerial Council politicians, including Michael McCormack, Tony Burke and Anne Ruston.

The proposal has the support of both the CSIRO and the University of Canberra. Consultancy firm Aither has also expressed an interest in assisting.

The proposal originated in 2016, when a Murray Darling Basin Plan Impacts Evaluation Framework was prepared by the MDA in collaboration with the Western Research Institute, and approved by the Board.

The MDA is confident that the proposal has merit and is sufficiently rigorous to fulfill its stated purpose.

An application for funding for the project was submitted to the Building Better Regions Fund in December, as reported to the Board at BM 372. Staff from the fund have been in contact several times this month to request more information, include a cost-benefit analysis which was submitted 21/03/18.

**Motion:** That the Board note the project proposal and prospective project partnerships.

B Featherstone/D Shetliffe

Carried

### 5.2 Productivity Commission Murray-Darling Basin Plan Implementation Inquiry 2018

The Productivity Commission is required by the Water Act 2007 to undertake inquiries into the effectiveness of the implementation of the Basin Plan and Water Resource Plans every five years, with the first to be completed by the end of 2018.

The MDA has accepted an invitation from the Productivity Commission's Environment Commissioner Professor Jane Doolan to sit on the stakeholder working group for the inquiry.

To inform the inquiry, the Commission is holding public forums in 14 locations around the Basin throughout March and April. Visit the inquiry's [website](#) to register and view the terms of reference. The times and venues will be posted online in coming days.

Submissions can also be lodged in response to the [Issues Paper](#) by April 19.

Other opportunities to participate in the inquiry include preparing a submission to the Draft Report and participating in public hearings later in the year.

**Motion:** That the Board notes the acceptance of the Productivity Commission's invitation. Regions to prepare submissions.

### 5.3 NSW Government Water Reform Action Plan consultation sessions

The Murray Darling Association welcomes the New South Wales Government's clear and decisive action to address issues with water management and compliance.

As the peak body for local government in the Basin, the MDA is encouraged by the transparency of the NSW Water Reform Action Plan, which is the Government's response to the Matthews Report and the MDBA Compliance Review.

As part of the Plan, the Government has released consultation papers on water take measurement and metering, transparency measures, management of environmental water, and implementing the NSW Floodplain Harvesting Policy.

All NSW Basin communities are encouraged to [attend consultation sessions and provide feedback](#) on the initiatives proposed by the Government.

Feedback can be provided [online](#) by April 15 or in person at a series of consultation sessions scheduled for Dubbo, Broken Hill, Bourke, Moree, Coffs Harbor, Gunnedah, Wentworth and Griffith.

**Motion:** That the Board encourages

- a) Notes the MDA's submission to the NRAR
- b) Encourages attendance of member councils at the public forums and
- c) Assists regions in the preparation of submissions.

### 5.4 Membership and Engagement Planner

A Membership Engagement Planner was distributed to Board members on March 19. The document is designed to assist Region Chairs and Executive Committee members to build membership and regional engagement and good governance.

It includes the MDA's value proposition, a list of key considerations for membership and engagement, and suggested strategies and ideas.

The document also includes a full list of the Regional Executive Committees, along with lists of membership by region.

The emphasis throughout this document is on the value of Executive Committees in boosting membership and engagement. This is a significant body of work that cannot be undertaken by the Region Chairs alone – it must be done collaboratively by the Region Executives.

It is recommended that the region committees meet, and using the workbook and any other tools they request, prepare an engagement strategy for noting by the board.

**Motion:** That Region Chairs work with their Executive Committees on their draft strategies for membership engagement for 2018/19, to be presented to Board Meeting 376.

### 5.5 Region meetings

The MDA Constitution (Part 5, section 16 (3)) states that Region meetings must occur at least four times

per year and that written notice of not less than 14 days be provided to all members within the Region.

Best practice is to set these dates in advance at the end of the previous calendar year or at the first meeting of the new calendar year. Some regions have done this for 2018.

With the level of activity in the Basin in the year ahead, and the increasing reliance on local government to provide authorized input to inform and influence the decisions and policies of our state and federal government and agency counterparts, it is essential that the region meetings are reliable, regular, and serve their intended purpose as a two way conduit of timely, accurate and relevant information.

**Motion:** That Regions set their remaining 2018 meeting dates at their next meetings and that 2019 meeting dates be set at the last meetings of 2018.

B Featherstone/D Clark

Carried

#### 5.6 **ALGA National General Assembly of Local Government**

Following discussions at the Strategic Planning Workshop in Albury, the MDA has booked an exhibition booth at the ALGA National General Assembly of Local Government. The event will run from Sunday June 17 to Wednesday June 20 and will be held at the National Convention Centre in Canberra.

The primary purpose of the exhibition booth is to promote the MDA National Conference and AGM. It comes at a cost of \$3850 – equivalent to six additional conference attendees, which should be readily achievable given the nature of the audience at the General Assembly. The MDA will run a special price for registrations taken at the ALGA conference.

The MDA will also run a half-day workshop in conjunction with the General Assembly, but outside the hours of the program. It is hoped that all Board members can attend.

**Motion:** That the Board approves expenditure on an exhibition booth at the ALGA National General Assembly of Local Government.

P Maytom/D Clark

Carried

#### 5.7 **Motions for National Conference**

The MDA Constitution (Part 6, section 17 (6)) states that any motions for the MDA AGM must be included with the Notice of AGM, which in turn must be posted on the MDA website not less than 30 days prior to the AGM.

Therefore, motions must be received by the MDA executive well before July 30, which is the day the Notice of AGM will be posted.

Consideration should be given to potential motions from now, particularly given the development and refinement of some motions may be a lengthy process. Region Executive Committees are encouraged to consult extensively with other region delegates on the preparation of motions. Executive Committee members should also capitalise on the skills and expertise of the relevant officers within their respective councils.

‘Motions for MDA AGM’ should be a standing item on all region meeting agendas between now and July 30.

**Motion:** That Board members provide motions for the MDA AGM to the MDA executive no later than the June Board Meeting on June 25.

**5.8 Regional support staff**

The MDA executive intends to investigate funding opportunities to support a network of regionally located administration support staff.

A network of 4-6 staff is being considered, with each staff member to have responsibility for 2-3 regions.

The need for such staff is clear, and would significantly increase the MDA's capacity.

MDA Policy 1 – Delegation of Authority states that the creation of a new permanent position requires Board approval.

Before any work is undertaken to scope out the positions, prepare a business case and CBA, or explore funding opportunities, in-principle support for the proposal is sought.

It is anticipated that any such strategy would take between 12-24 months to deliver and would be considered in more detail at the 2019 strategic planning workshop.

**Motion:** That the Board provide in-principle support for the creation of 4-6 new regionally located administrative support positions.

**5.9 Budget 2018/19**

Preparation of the 2018/19 budget is due to commence in coming weeks.

Membership fees are currently set at

Local Government entity	\$0.284 cents per head of population, capped at \$6,180 + GST
Non-local government entity	\$257.50 + GST
Individual	\$77.25 + GST
Life Member	no fee

Membership renewal date is 1 July.

The Treasurer and CEO will consider comments made in relation to membership fees, and prepare a recommendation and draft 2018/19 Budget for presentation at the April board meeting.

**Received and noted****5.10 Board/Chair Workload**

The MDA management team recognises that the workload on Board members is significant, and increasing in direct relation to our achievements against our strategic plan.

We also recognise that the volume and substance of emails from the MDA adds to the already substantial burden on Councillors who have MDA leadership in their remit, and who receive almost no financial reward for their efforts.

It is important to take a moment to reflect on our successes as we grapple with how we maintain the momentum, and the commitment required to do that.

**Received and noted**

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## 6. MEMBERSHIP APPROVALS

### 6.1 David Sheil – Individual member, Region 12

#### The Constitution states at Part 10 s21(2) of

(2) As soon as practicable after receiving an application for membership, the Public Officer must refer the application to the Board. The Board must determine whether to approve or to reject the application in its absolute discretion. Where an applicant qualifies for multiple categories of membership, the Board may, in its absolute discretion, determine which category it deems to be most suitable for the applicant.

New membership applications February 2018:

David Shiel                      Region 12                      Individual Member

**Motion:** That:

- a) the board approve the membership application of Mr Shiel and provide notification.
- b) Basic biographical details be included in future individual membership applications put to the Board.

D Clark/P Maytom

Carried

## 7. CLOSE





# Chief Executive Officer's Board Report March 2018

Prepared by: Emma Bradbury

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## 1. Diary

DATE	EVENT/MEETING	LOCATION
March 1-2	AICD Governance Summit	Melbourne
March 5	Meeting with Cr Mark Hall, Lachlan Shire Council (Region 10)	Phone
March 6	Meeting with David McKenzie, Goulburn Murray Irrigation District Water Leadership Forum	Shepparton
March 6	Meeting with Vicki Woodburn, General Manager Partnerships and Engagements, MDBA	Shepparton
March 6	Presentation to Greater Shepparton City Council	Shepparton
March 6	Presentation to Murray River Council	Moama
March 8	Forum hosted by David Littleproud	Shepparton
March 15	Edward River Users Group Meeting	Deniliquin

## 2. Engagements

As above

## 3. Submissions

## 4. National Conference

### 4.1. Booking website

Cvent booking site launched March 16

## 5. MDA leadership team

### 5.1. MDA leadership team reinstated

The peak body for local government in the Murray-Darling Basin has reappointed its leadership team for the year ahead.

All three office-bearers were returned unopposed to their roles at the Murray Darling Association's most recent Board meeting, with Cr David Thurley reinstated as National President, Cr Barry Featherston as National Vice President and Pete George as Treasurer.

## 6. Media and marketing

### 6.1. Media release on the MDBA's release of data showing the social and economic impacts of water recovery

Local government's peak body in the Murray-Darling Basin welcomes the release of data by the MDBA showing the profound social and economic impacts of water recovery on Southern Basin communities.

The data has been released by the MDBA in the form of [45 Southern Basin community profiles](#). It was collated as part of the MDBA's 2017 Basin Plan Evaluation and will form the basis of the Authority's analysis of the social and economic impacts of the Basin Plan on Southern Basin communities, due to be released in April this year.

The Murray Darling Association says the new data shows unequivocally what Basin councils have long been saying – that water recovery is having a significant impact on local economies and communities.

The data shows that there has been a significant reduction in the agricultural workforce across Southern Basin communities over the past 15 years, and that there is a clear correlation between the loss of water and loss of jobs.

MDA National President Cr David Thurley said local government was concerned the significance of the data may be diluted by an over-emphasis on other factors impacting farming economies.

**Emma Bradbury**  
**Chief Executive Officer**



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Delegate's report – NSW Government water reform action plan.

On Tuesday 13<sup>th</sup> March I attended a 4 hour presentation for the launch of the Water Reform Action Plan. The NSW Minister for Water Niall Blair launched the proceedings acknowledging that the Matthews Report had highlighted fundamental failures in the public administration of water management in NSW. Nothing short of a total rebuild of the compliance and enforcement functions was required if community trust and social licence were to be restored.

The first step in this action plan commenced in November 2017 when the NSW Parliament passed the Natural Resources Access Regulator Act 2017 which set in place the legislative framework for a new independent regulator. Earlier this year the Hon. Craig Knowles was appointed Chair of this body which will have a Board of 3 independent members. NRAR has signed an MOU with the MDBA to enable them to work together to deal with the multi-jurisdictional issues that will arise.

The action plan was introduced by Charlie Dowsett Executive Director Water in the Department of Industry and 4 papers were presented.

1. Water take measurement and metering

The default position will be no meter, no pumping, however the discussion paper looks at the practicality and usefulness of such a blanket rule. At present 95% of the water used is taken by 50% of the licensed users. It is likely that the metering requirements will be based on volumes and the risk to the river/stream. But where meters are required they will have to be accurate, properly maintained and have data logging and telemetry capability. Log books will be phased out.

2. Better management of environmental water

An inter-agency working group was formed in February 2018 to advise on better ways to manage environmental water. This has been the subject of improper and perhaps illegal behaviour and will be the focus of strong enforcement. At times, environmental water has been left in or released upstream and a downstream user has taken the water because the river flow has triggered a threshold at which water could be taken. Individual daily extraction limits will be strictly enforced. This measure is seeking to achieve four major outcomes:

- a. breaking extended cease-to-flow periods of 50 days at Bourke and 100 days at Wilcannia which are critical ecological thresholds
- b. whole-of-river connectivity – low flow connectivity is important for fish and invertebrate populations and maintaining water quality;
- c. flushing flows – pulses of approximately 2,000 ML/d are important for spawning and migration of fish and the movement of salt out of the system;
- d. protection of environmental water – to achieve ecological outcomes between river systems and in unregulated rivers such as the Barwon-Darling.

3. Transparency measures

There will be a public register of water information (who has licenses, for what quantity, etc), public notification of when it is permissible to take water and the publication of all compliance and

enforcement measures except in cases where this may jeopardise a successful prosecution.

4. Implementing the NSW floodplain harvesting policy

This is probably the major area where the public has lost confidence and the aim here is to develop better rules. One option is that rainfall run-off will be recorded and offset against the user's allocations rather than being free extra water. This would be done using hydrologic models and calculations and would probably have to be location specific to take account of unique features of each small catchment. There are a number of technical challenges including the measurement of storage volumes. It has been trialled on the Gwydir and Border rivers

In my opinion, this was the best piece of government consultation I have been involved in. The final paper and decisions following the consultation meetings across the Basin will show how well they have achieved the aims of the review.

Submissions are invited until 15<sup>th</sup> April 2018 via the following mechanisms:

[www.haveyoursay.nsw.gov.au](http://www.haveyoursay.nsw.gov.au)

[water.reform@industry.nsw.gov.au](mailto:water.reform@industry.nsw.gov.au)

[www.industry.nsw.gov.au/water-reform/consultation](http://www.industry.nsw.gov.au/water-reform/consultation)

Water Renewal Task Force, Department of Industry, GPO Box 5477, Sydney NSW 2001

DAVID THURLEY