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Submission
Sustainable Diversion Limit Adjustment Mechanism Draft Determination 2026

Introduction

The Inland Rivers Network (IRN) is a coalition of environment groups and individuals concerned about the degradation of the rivers, wetlands and groundwaters of the Murray-Darling Basin. It has been advocating for the conservation of rivers, wetlands and groundwater in the Murray-Darling Basin since 1991.

Member groups include the Australian Conservation Foundation; the Nature Conservation Council of NSW; the National Parks Association of NSW; Friends of the Earth; Central West Environment Council; and Healthy Rivers Dubbo.

IRN submitted a very strong objection[1] to the methodology and modelling first adopted to implement the concept of a Sustainable Diversion Limit Adjustment Mechanism (SDLAM). The proposal to save 605 GL for ongoing extraction purposes based on a concept of 'environmental equivalence' has not been successful, as predicted. Very few demonstrable on ground environmental benefits have been achieved through the process.

IRN continues to register strong objection to the methodology outlined in the current draft determination because the accounting has now included the water achieved through the separate process of water recovery to return 450 GL towards environmental improvements.

The current draft determination fails to meet the objectives of the Basin Plan to address the over extraction from the Basin and recover water for river health. The Murray-Darling Basin Authority (MDBA) continues to demonstrate an inherent bias towards industry.

The shortfall from the SDLAM process is 265 GL not 119 GL as stated in the draft determination.

[1] IRN 3 November 2017, Submission to Draft Determination SDLAM. Attached

Key Issues with the SDLAM Determination Process

The aim of the SDLAM was to leave 605 GL in the extractive pool while demonstrating that a suite of engineering projects and rules changes would provide an 'equivalent' ecological outcome under the Basin Plan objectives. The irrigation industry have had access to this additional water since the Basin Plan was adopted and while the SDLAM process was not completed.

This submission outlines the key failings in the SDLAM methodology that continue to be repeated through the current draft determination to the detriment of meeting the Basin Plan objectives. The entire process has been overly complex, mired in opaque modelling and accounting methodology that has no relationship to the real world, on ground environmental requirements or outcomes. The initial SDLAM determination did not achieve an Environmentally Sustainable Level of Take (ESLT) as required under the Basin Plan.

The submission focuses on three main issues:

- **The original adopted process was based on incorrect assumptions and modelling**
- **The SDLAM process was set to fail**
- **The environmental outcomes of the Basin Plan are still at risk**

1. The original SDLAM methodology

In 2017 IRN lodged a submission to the original draft SDLAM determination outlining key deficiencies in the technical process and resulting outcomes. The issues raised included:

- The draft determination was outside the Basin Plan limits of change
- There was a high level of uncertainty and limitation in the modelling and Ecological Elements scoring, with no final modelling available
- Six locations across the Basin would breach the limits of change
- Equivalent or better environmental outcomes from supply projects were not demonstrated
- The consultation process was very poor

No improvements were made to the SDLAM determination methodology before it was adopted. Subsequently the process has been afforded extensions in time to complete projects that have still not been achieved.

The original modelling process was based on all projects being in place and operating before the final Ecological Equivalence test was determined. This has not occurred. Instead the MDBA has come up with a volume of 304 GL gained through the Ecological Equivalence test while only 22 of the adopted 39 projects have been completed. There is no clear evidence of how the 340 GL was calculated.

The initial uncertainties and limitations in the modelling and scoring process developed for the SDLAM determination have been compounded over time. There is no faith that this process is based on any level of science. There is no clear demonstration that environmental outcomes have or will be achieved through the projects that have been completed. The loss of 340 GL of real water to provide real flows for environmental outcomes is the outcome of this process.

2. The SDLAM process failure

The initial SDLAM determination was adopted despite being based on a set of proposed 'supply' projects that had not been costed or subject to a basic feasibility study. The key example is the Menindee Lakes project that was supposed to provide a substantial volume of 'ecological equivalence'. This project did not get off the ground because of the inherent problems associated with it.

It is not surprising to IRN that 17 of the 39 SDLAM projects have not met the extended deadline for construction and operation. This has left a shortfall, under the questionable modelling and accounting methodology, of 265 GL. As previously stated, the irrigation industry has had access to this volume of water while the process has unfolded.

This has established an ongoing expectation that the irrigation industry can continue to operate unsustainably while the environmental assets of the Basin continue to deteriorate.

3. Environmental outcomes still at risk

The MDBA have now compounded the problem of returning sufficient water for environmental benefit under the provisions of the Basin Plan.

The process of determining the SDLAM shortfall has now included some of the water recovered under the entirely different process of water recovery. An additional 450 GL towards the target of 3200 GL is to be recovered under the current Basin Plan. Accounting of this water recovery through buybacks and water efficiency projects shows that 400 GL will be recovered. Leaving a 50 GL shortfall under this process.

Through ongoing opaque modelling and accounting the MDBA has now included 221 GL of this recovered water in the calculations for the SDL adjustment reconciliation. This leaves a reported shortfall of 119 GL to be recovered.

The actual shortfall is 265 GL under the SDLAM and 50 GL under the recovery. This equals 315 GL shortfall towards water available for river and ecosystem health.

The MDBA claim that only 119 GL is owing to environmental water recovery under the requirements of the Basin Plan is robbing the environment of 196 GL under current rules.

This patent 'cooking of the books' demonstrates the ongoing bias within the MDBA towards the extractive industries at the expense of long term river and community health. The entire reconciliation process measuring Basin Plan achievements in inherently biased and cannot be accepted.

The task of the MDBA under the Basin Plan is to actually deliver the water required to restore and maintain the health of the Basin's rivers and wetlands to benefit people and nature.

This draft SDLAM determination fails to meet that legislated requirement.

Conclusion

The draft determination that 119 GL is required to fulfill legislated water recovery targets under the Basin Plan is a failure of process and cannot be adopted.

For more information about this submission contact:

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