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Murray-Darling Basin Amendment Bill 2007

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MURRAY-DARLING BASIN AMENDMENT BILL 2007

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Bill introduced on motion by Mr Philip Koperberg.

Agreement in Principle

Mr PHILIP KOPERBERG (Blue Mountains—Minister for Climate Change, Environment and Water) [8.44 p.m.]: I move:

That this bill be now agreed to in principle.

The purpose of this bill is to amend the Murray-Darling Basin Agreement 1992 to enable improved business practices for River Murray Water, which is the water business unit of the Murray-Darling Basin Commission. The Murray-Darling Basin Agreement 1992 is an agreement between the Australian Government and the governments of New South Wales, Victoria, South Australia, Queensland and the Australian Capital Territory. The purpose of the Murray-Darling Basin Agreement is to provide and coordinate effective planning and management for the equitable, efficient and sustainable use of the water, land and other environmental resources of the Murray-Darling Basin. Effectively, the agreement establishes the legal framework for natural resource management, water distribution, asset management and financial disbursements between the jurisdictions of the Murray-Darling Basin initiative.

The Council of Australian Governments agreed to amend the agreement on 14 July 2006 to improve the business practices of River Murray Water, and this bill will give effect to that decision in New South Wales. The bill will have three main effects. Firstly, it will facilitate improved business practices for the commission's water business—that is, River Murray Water. Secondly, it will clarify the original agreement in the matter of limiting Queensland's liability. Thirdly, it will attach supplementary details and make a minor typographical correction to the basin salinity management schedule—schedule C of the agreement. The first of these matters represents the response of the Murray-Darling Basin Commission and the Murray-Darling Basin Ministerial Council to the Council of Australian Governments water reform principles adopted in February 1994.

To meet this requirement the bill gives the Murray-Darling Basin Ministerial Council the powers to establish and manage a long-term renewals annuity fund for River Murray Water to provide for capital renewals and major cyclic maintenance; to allow the Murray-Darling Basin Commission to undertake borrowings for the above purpose; to reassign the management of critical infrastructure between the relevant State governments; and to vary cost-sharing arrangements for periods of up to five years and to establish new thresholds from time to time for financial levels of works and measures requiring approval of the commission or the ministerial council.

The second matter aims to put beyond doubt the liability of Queensland. The terms of the present agreement do not specifically ensure that Queensland cannot be held liable, in damages, for matters in which it takes no part. The amending agreement and this bill remove ambiguities in the agreement that could be interpreted as widening Queensland's liabilities. Whilst the ministerial council has by resolution recognised this principle, the agreed view is that an indemnity should be enshrined in the Murray-Darling Basin Agreement. The third matter is to add to the basin salinity management strategy, schedule C of the agreement, a detailed description of the authorised joint works and measures approved and implemented by the ministerial council. The opportunity has also been taken to adopt a typographical correction. The bill will not affect the level of funding that governments are allocating for the Murray-Darling Basin Commission under existing arrangements. However, it will enable the New South Wales Government to continue to cooperate with the other jurisdictions in the prudent management of water in the Murray-Darling Basin. I commend the bill to House.

Debate adjourned on motion by Mr Thomas George and set down as an order of the day for a future day.

The House adjourned at 8.50 p.m. until Wednesday 7 November at 10.00 a.m.

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