

Managing Water Resources in the National Interest
The Murray-Darling Basin River System Plan:
A Pathway for Conflict or Co-existence?

Dr Ted Christie, 01 March 2018



Disclosure Statement

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SUMMARY

1. The Murray-Darling Basin occupies around 14% of the land area of four mainland Australian States - Queensland, New South Wales, Victoria and South Australia. It contains Australia's three longest rivers to form Australia's longest river system.
2. The Murray-Darling Basin Authority ("MDBA") is on the threshold for *Murray-Darling Basin Plan limits on water take* to become legally binding in mid-2019.
3. But the dilemma now confronting the MDBA is the uncertainty created by divergent scientific opinion and its consequences for the implementation of the Basin Plan.
4. The source of the divergent scientific opinion arises from statutory interpretation of the legal obligation that requires the Basin Plan *"to be based on the best available scientific knowledge and socio-economic analysis"*.
5. The Possible Impacts that may arise? *Will the main objective of the Basin Plan to secure the future of this river system and the communities and industries that rely on it, be achieved? Will the Basin Plan provide certainty and stability to Basin communities? Will the right balance between fiercely competing interests be achieved throughout the Basin?*
6. The prudent path for the MDBA to now take would be to evaluate its existing model for Basin decision-making; and for resolving divergent scientific opinion and conflict against the alternative pathway outlined in this article.

7. *In particular, their potential to resolve scientific knowledge conflicts that have led to the existing log-in-the-road – and to avoid the possibility of any further impasse for the Plan’s implementation.*
8. The joint problem-solving and shared responsibility pathway outlined in this article has the following advantages for the implementation of the Basin Plan: -
 - ☑ *Information conflicts that led to divergent scientific opinion being resolved.*
 - ☑ *A conflict resolution outcome that leads to a sustainable solution which provides competing interests with a sense of ownership in the Basin Plan;*
 - ☑ *By negotiating agreements for commitments that are firm, sustainable and able to be implemented; and*
 - ☑ *By preserving or enhancing the relationships between competing interests, trust is promoted.*

Click on the following [LINK](#) to download the full article

To read more on the *scientific round-table*, as well as a *cross disciplinary model for managing and resolving environmental conflicts*, click on the author’s book: [**"Finding Solutions for Environmental Conflicts: Power and Negotiation"**](#).

In the *Foreword to this book*, Justice Peter R.A. Gray (as he then was), of the Federal Court of Australia wrote:

"If this book is read, and its contents are heeded, as widely as is justified, then the days of the application of traditional dispute-resolution procedures to environmental disputes should be over in the 21st century... To describe this book as revolutionary is not to resort to hyperbole. It will bring about significant change".