

AGENDA

73rd Annual General Meeting
Thursday 12th October 2017
Renmark Hotel
“Our Plan Our Future”

1. WELCOME

- 1.1 Welcome - National President, Cr David Thurley

2. SPECIAL MOTION - Amendment to the constitution I

3. ATTENDANCE

- 1.1 Present
1.2 Apologies
1.3 Declaration of Interests

4. PREVIOUS MINUTES

- 4.1 Meeting held 26th October 2016, Dubbo

5. REPORTS

- 5.1 2017 Annual Report
5.2 2017 Financial Report

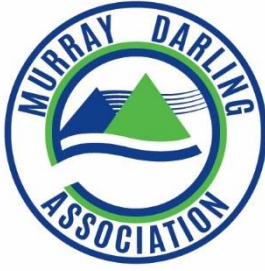
6. MOTIONS ON NOTICE

- 6.1 Amendment to the constitution II
6.2 Meaningful inclusion of local government in Murray-Darling Basin related decision making processes.
6.3 Water management and compliance in the Basin
6.4 Independent auditing of MDBA compliance regime (Region 7)
6.5 River flows for tourism (Region 1)
6.6 The availability of timely flood information (Region 1)
6.7 Local government involvement in the prep of Water Resource Plans (Region 4)
6.8 Management of the Menindee Lakes (Region 4)
6.9 Moratorium on the Wentworth to Broken Hill Pipeline (Region 4)

7. NEXT MEETING

- 6.1 Leeton - 2018 AGM

8. CLOSE



MEETING PAPERS

73rd Annual General Meeting
Thursday 12th October 2017
Renmark Hotel
“Our Plan Our Future”

1. WELCOME

- 1.1 Welcome - National President, Cr David Thurley
- 1.2 Opening Address - The Hon Anne Ruston, Senator for South Australia, Assistant Minister for Agriculture and Water Resources

2. SPECIAL MOTION

Amendment to the constitution I

Prior to the adoption of the 2016 Constitution, the notice convening an AGM, including date, time and place – and notices of motion was required to be distributed 7 days prior to the meeting.

Under the constitution adopted in 2016, the notice of meeting including date, time and place, is required to be distributed 30 days prior to the meeting. This also applies to the agenda and notices of motion.

Distribution of the agenda and notices of motion 30 days prior to the AGM has proven problematic, with many regions' not having prepared or submitted their notices of motion in this time.

A more practicable arrangement is to have the notice of meeting distributed 30 days in advance of the AGM, with the agenda, including motions, distributed no less than 14 days prior to the meeting.

To facilitate this, it is proposed that Part 6, 17 (6) be amended as follows.

- (6) Requirements for any MDA Meeting include the following:
 - (a) must be arranged on behalf of the Board, including through the Chief Executive Officer or Public Officer;
 - (b) by sending by post or email a written notice of the MDA meeting not less than 30 days prior to the proposed MDA Meeting, to each Region chair, every Delegate of whose existence notice has been given to the MDA and each Member Council;

- (c) by posting of the details of the proposed MDA Meeting on the MDA's website, not less than 30 days prior to the proposed MDA Meeting;
- (d) details with notice or posting must include the date, time and place of the MDA Meeting;
- (e) the agenda and any motions proposed, including those initiated by a Region, Member Council or any other Member must be distributed and posted on the MDA's website, not less than fourteen (14) days before the MDA Meeting.

Motion 1A: That Part 6, 17(6) of the Constitution be amended as detailed above.

Should Motion 1A carry, the following procedural motion is required.

Motion 1B: That the MDA validates the 73rd Annual General Meeting, and accepts the following business and motions in accordance with the revised constitution.

3. ATTENDANCE

- 1.1 Present
- 1.2 Apologies
- 1.3 Declaration of Interests

4. PREVIOUS MINUTES

- 4.1 Meeting held 26th October 2016, Dubbo (attached).
See also Report on 2016 motions

5. REPORTS

- 5.1 2017 Annual Report
- 5.2 2017 Financial Report

6. MOTIONS ON NOTICE

6.1 Amendment to the constitution II

Part 3, Item 6 (a) of the MDA 2016 constitution states "A serving councillor of a member council or a member of a member organization must not apply to become an individual.

The inclusion of this clause in the constitution was expressly intended to

- a) Mitigate the risk of conflicts of interest from member's whose position on issues were at odds with that of their council, and
- b) Mitigate the financial risk to the MDA of councils choosing the cheaper option of cancelling their council's membership and instead taking out an individual membership for each of their Councillors.

The inclusion of the words *of a member council* in that clause are inconsistent with intent of the clause as it was originally drafted.

In order to address this issue, the board of the MDA, at meeting 366 resolved to refuse membership of a serving councillor, and to task the CEO to liaise with Russell Kennedy lawyers to draft a constitutional amendment to address the issues identified.

Clause 38 reads

The MDA may amend this constitution and its objects by special resolution of delegates at a MDA Meeting, subject to the following sub clauses.

No sub clauses are listed. Advice from RK Lawyers was sought to address this item also

On advice from RK Lawyers, the board proposes the following motion.

Motion: That the Constitution be amended as follows

- a) Part 3, item 6 – remove the words *member council* and insert the words *local government entity*; and
- b) Part 11, item 38 – add the following subclauses
 - a. The amendment must be lodged with the executive six weeks prior to the MDA Meeting
 - b. The amendment must be listed as a motion and published in the agenda for the MDA Meeting.

6.2 Meaningful inclusion of local government in Murray-Darling Basin related decision-making processes.

Background

Local government is the third level of government in Australia, and is that level of government that most directly serves the needs of our communities impacted by state and federal policy decisions. The MDA is of the view that policy, particularly policy relating to the implementation of the Basin Plan should be developed in meaningful consultation with those most affected by it.

On July 5 this year the MDA wrote to Minister for Agriculture and Water Resources Barnaby Joyce, and to all state ministers party to the Murray-Darling Basin Plan requesting local government representation on both the BOC and the Murray-Darling Basin Ministerial Council.

On September 7, the MDA received advice from the chair of the Basin Officials Committee Malcolm Thompson, Deputy Secretary, Department of Agriculture and water Resources that the committee determined at their meeting on 31 August 2017 that membership of local government on the Council and/or the BOC is not appropriate.

The committee reflected very favourably on the MDA's ongoing commitment to the implementation of the Basin Plan, and advised they are keen to find a way to increase local government expertise in the Basin Community Committee which is established under S 202 of the Water Act, and which reports through the Chair to each Ministerial Council meeting.

The chair of the Basin Officials Committee asked the MDBA to liaise with the MDA on the best approach to attracting individuals with local government expertise to lodge expressions of interest, and has also asked the MDBA to consider whether an individual nominated by the MDA could participate as an observer in the current Basin Community Committee.

At the time of drafting, the MDA had not been contacted by the MDBA in relation to either matter, however nominations to the Basin Community Committee were called for in a media release by the MDBA on 22 September.

Basin Community Committee (BCC)

The Basin Community Committee was established under Section 202 of the [Water Act 2007](#) to provide a community perspective for [the Authority](#) and the [Ministerial Council](#) on a wide range of water resource, environmental, cultural and socioeconomic matters. BCC members are selected on the basis of their expertise or interest in community, water use, environmental water management, Indigenous or local government matters.

Basin Officials Committee (BOC)

The BOC facilitates cooperation and coordination between the Commonwealth, the Basin states and the MDBA in funding works and managing water and other natural resources in the Basin. Membership of the committee comprises one official from each of the Basin states (Commonwealth, New South Wales, Victoria, South Australia, Queensland and the ACT), and is chaired by the Commonwealth committee member. The Authority's Chair and Chief Executive are permitted to attend and participate in any Committee meeting but are not entitled to vote on meeting decisions.

Ministerial Council (MinCo)

The Ministerial Council comprises Ministers from each of the Basin states and the Commonwealth who also chairs the council. Ministerial Council has policy and decision-making roles for matters such as state water shares, and the funding and delivery of natural resource management programs, as set out in the Murray–Darling Basin Agreement.

Motion: That the Murray Darling Association:

- a. Nomination the National President of the Murray Darling Association on the Basin Community Committee; and
- b. Continue to pursue options for local government, as the third level of government in Australia to be formally included in the decision-making processes that underpin the continuing implementation of the Basin Plan.

Moved:

6.3 Water management and compliance in the Basin

Background

Following the Four Corners program 'Pumped' there are currently six separate inquiries and reviews that had been proposed, launched or widened. These include:

1. The Murray-Darling Basin Authority's Basin-wide Compliance Review.
2. The Australian National Audit Office's extended audit into the performance of NSW under the National Partnership Agreement on Implementing Water Reform in the Murray-Darling Basin relevant to the protection and use of environmental water.
3. Senate Rural and Regional Affairs and Transport References Committee Inquiry
4. The NSW Ombudsman investigation into allegations of public maladministration
5. Independent Commission Against Corruption investigation
6. The independent investigation by Ken Matthews into NSW water management and compliance.

In August 2017 the Murray Darling Association supported calls from the states including South Australia and Victoria for an independent public inquiry into the issues and allegations raised in the Four Corners report including allegations of water misappropriation, and possible irregularities in the state-based regulations governing water use in the Northern Basin.

Motion: That the Murray Darling Association:

- a) Acknowledge the concurrent inquiries underway.
- b) Maintain its call for an independent Public Inquiry with the ability to compel witnesses to give evidence.
- c) Calls for consistent monitoring and compliance rules across all Basin states.
- d) Note that public confidence is essential to the effective implementation of the Basin Plan.

Moved:

6.4 Independent auditing of MDBA compliance regime (Region 7)

Background

This motion arose because of a general concern that some water licence holders were not complying with the limits to their allocation. This issue was brought to public attention by media coverage of some issues in the northern rivers. This resulted in the NSW Government undertaking a review of its practices and calls by the Victorian and South Australian governments for an independent judicial inquiry. The Federal Government has asked the MDBA to conduct a review. The MDA also called for an independent review.

The purpose of this motion is to ensure that, following whatever reviews are conducted, the outcome is a robust compliance system across the basin and, most importantly, the system includes an independent audit process to ensure ongoing public confidence in the system.

This is especially important following the implementation of the Basin Plan in 2019. The integrity of the Plan is reliant on such systems existing.

The MDBA will increase its role in 2019 from reviewing water offtake against an overall cap as it does at the moment, to reviewing against the established sustainable development limits (SDLs) across the basin. It is understood there will be 29 surface water and 60 groundwater SDLs. Thus the MDBA will be monitoring the system at a greater level of detail than is the case at the moment.

Relevant State Governments will continue to have responsibility for compliance at the individual licence holder level.

Motion: That the Murray Darling Association calls on:

- a) all state governments currently responsible for compliance with water allocations to ensure that the compliance regime be subject to independent audit.
- b) all state governments to undertake and make public a comprehensive audit of all water extraction licences, including "sleeper licences".
- c) the MDBA to ensure that its compliance system, when introduced in 2019, is well resourced, robust and subject to independent audit; and

Moved:

6.5 River flows for tourism (Region 1)

Background

Many riverine communities rely on the economic activity generated in peak visitation periods. There have been instances in the past when river levels have dropped unexpectedly, creating a drop in visitor numbers, or poor visitor experience. This has a significant adverse impact on the economy of these regions – often for years to come.

This is a particular risk for the Easter tourism period. Easter Sunday can fall between March 22 and April 20 depending on the time of full moon relative to the vernal equinox. Generally speaking, if it occurs later than the end of the first week of April, irrigation demand will have dropped and river levels will therefore have dropped too.

In March 2017, the MDA secured an assurance from the Murray Darling Basin Authority (MDBA) that flows in the River Murray downstream of Yarrawonga Weir over the Easter period would remain at about 8000 ML per day, maintaining a river height that has been fairly constant since January.

This resulted in the saving of millions of dollars in potentially lost revenues.

The MDA later met with David Papps – Commonwealth Environmental Water Holder, Andrew Reynolds – MDBA General Manager, Assets, Joe Davies – MDBA Senior Director of River Operations to advocate for coordinated flows to maintain river heights during peak visitation periods in future years.

The CEWH noted that it is not possible to commit to automatic assurance of flows adequate to meet visitor expectation, but committed to maximise opportunities where possible, within the provisions of the legislation.

Motion: That the Murray Darling Association

- a) Note the economic importance of river related tourism to Basin communities.
- b) Pursue opportunities for continuing collaboration with the relevant authorities to maximise multiple benefits of flows, timing and available resources
- c) Explore strategies for enhanced communications and information sharing in relation to river heights.
- d) Note of thanks to all parties for their work in coordinating flows to maintain river heights Easter 17.

Moved:

6.6 The availability of timely flood information (Region 1)

Background

In October 2016 flows exceeding 110,000 ML/day occurred at Albury and downstream and there is a clear likelihood that such flows will occur again in the future. Following the event, many people expressed their concern that they were unable to obtain accurate and timely information on the likely effects on their businesses and properties. This motion asks that the MDBA, in conjunction with relevant local bodies, develops and promotes a clear communication strategy so that all parties will be aware of the effects of water releases and river flows during flood events.

Motion: **That the Murray Darling Association**

- a) Advocate for the formation of a working group comprising the MDBA Manager of River Operations, Councils, SES and other relevant parties in Murray Darling Association Region 1 to develop a comprehensive and reliable strategy to inform local residents, businesses, emergency management groups and other affected parties of the actions and outcomes to be expected as a result of management actions during times of flood downstream of Lake Hume.

Moved:

6.7 Local government involvement in the development of Water Resource Plans (Region 4)

Background

Water Resource Plans outline how a particular area of the Murray–Darling Basin’s water resources will be managed to be consistent with the Murray–Darling Basin Plan. It sets out the rules and arrangements relating to issues such as annual limits on water take, environmental water, managing water during extreme events and strategies to achieve water quality standards and manage risks.

There are 36 water resource plan areas across the Basin. These include groundwater areas and surface water areas. Some water resource plans will manage both groundwater and surface water as a single area.

The Basin states will build on their existing water management arrangements to meet the water resource requirements set out in the Basin Plan. Water resource plans are an important way of aligning Basin-wide and state-based water resource management to provide sustainable limits for the water resources of the Murray–Darling Basin.

Under the Basin Plan all water resource plans must be accredited by the Murray Darling Basin Authority by mid-2019.

Once the Basin states are satisfied they have met the Basin Plan requirements, they will submit their water resource plan to the MDBA, which will assess whether they are consistent with the Basin Plan.

If so, the plan will be reviewed by the Minister for Agriculture and Water Resources, who will make the final decision on whether the plan should be accredited.

In New South Wales, the Water Resource Plans will build on Water Sharing Plans created under the Water Management Act 2000.

In the wake of the Four Corners report, there is a heightened awareness across many sectors of the community of the need for Water Resource Plans to be fair, equitable, consistent and accountable.

Motion: That the Murray Darling Association call on the MDBA and the States to ensure local government has a key role in providing local knowledge to inform the development of the Commonwealth Water Resource Plans.

Moved:

6.8 Management of the Menindee Lakes (Region 4)

Background

A Sustainable Diversion Limit Adjustment Mechanism project is being planned for the Menindee Lakes, including structural and operational changes to save water. According to the NSW Government, “the project is designed to allow the lakes to be operated in a way that achieves significant water savings, in line with a triple -bottom line approach. A focus will be ensuring access to Lake Menindee storage is improved, to reduce the pressure on the upper storages for releases to meet water demands and optimise the storage to meet local needs.

The project includes:

- new regulators at Morton-Bulka (to separate the management of Lakes Menindee and Cawndilla), and Cawndilla Creek (to enable managed use of Lake Cawndilla as a storage option, reducing evaporative losses from this Lake)
- potential for revised trigger levels in relation to shared management arrangements and operational rules to complement the structural works
- recognition of additional inflows that are expected to flow into Menindee Lakes under the operation of the Basin Plan
- allowing operation of Lake Menindee independently of Lake Cawndilla, and enabling more efficient operations through the creation of a new regulator.

Region 4 of the MDA has several questions about the current management of the Menindee Lakes, and how the SDL Adjustment Mechanism project would work.

Motion: That the Murray Darling Association call on the NSW Government to make available a detailed brief on the project, such details to include but not limited to:

- a) The storage capacity and evaporation losses of the Menindee Lakes;
- b) The methodology for calculating, monitoring and reporting on the storage capacity and evaporation losses of the Menindee Lakes;
- c) How do these volumes contribute to the Sustainable Diversion Limit;
- d) How will the SDL Adjustment Mechanism project for Menindee Lakes work;
- e) The Menindee Lakes Water Saving Plan;
- f) Will 6000 megalitres per day again be released from the Menindee Lakes to ensure downstream supply, and if so what will be the impact on local communities.

6.9 Moratorium on the Wentworth to Broken Hill Pipeline (Region 4)

Background

Region 4 member councils met on July 26 to discuss the Four Corners report 'Pumped', which argued that water extraction practices in NSW were undermining the future of the \$13 billion Murray-Darling Basin Plan. The report asserted that NSW Government water extraction rules allowed water purchased by the Commonwealth for the environment to be pumped into private dams rather than being allowed to flow down the system. It also alleged meter tampering and illegal pumping by some irrigators.

In response, Region 4 councils expressed their concern about the impact of this extraction on flows down the Lower Darling and into the Menindee Lakes.

This was of particular concern to Broken Hill City Council because Broken Hill currently relies on a pipeline from the nearby Menindee Lakes for its water. Twice in the past decade this supply has almost dried up.

The NSW Government is planning, as part of a 'staged water reform' a 270 kilometre pipeline from the Murray River at Wentworth would supply water to Broken Hill's businesses, residents and mines.

Region 4 councils have sought details on the water savings to be achieved, the impact on downstream users, and the business case underpinning the project. They have also sought details on whether the \$500 million pipeline would be required if upstream extraction was properly regulated.

Region 4 councils have individually and collectively moved motions calling on the NSW Government to place a moratorium on the Wentworth to Broken Hill pipeline pending the release of the business case.

Motion: That the Murray Darling Association calls on the NSW Government to:

- a) Place an immediate moratorium on the construction of the Wentworth to Broken Hill water pipeline;
- b) Make public the business case for the Wentworth to Broken Hill Water Pipeline.

7. NEXT MEETING

6.1 Leeton - 2018 AGM

8. CLOSE



MINUTES

**72nd Annual General Meeting
Wednesday 26th October 2016
Dubbo RSL Club Resort**

1. WELCOME

1.1 Welcome from the National President, Cr David Thurley

Cr Thurley welcomed delegates to the 2016 AGM and declared the meeting open at 3.25pm.

In his welcome remarks, Cr Thurley noted that

We, the Board, are responsible to our members to carry forward the priorities you set. As members, we are all, in turn, responsible to the communities we represent to get the best value out of that membership. And the best value is achieved when we all work together. When we participate in our regions. And when we set the national agenda for the year ahead, as we are all doing here today.

1.2 Dr Christobel Ferguson, Department of Primary Industries – Water provided the opening address on behalf of NSW Minister for Primary Industries, Lands and Water, The Hon Niall Blair.

In her opening address, Dr Ferguson made the following points.

Acknowledgements, and passed on apologies of NSW Minister for Lands and Water Niall Blair, Noted the significance of this meeting in launching a new era of the Murray Darling Association

- *Significant inflows into parched waterways, winter crop damage from waterlogging and inundation, with the outlook for October to December indicates that wetter conditions are likely across most of NSW.*
- *Changes in water allocations which, DPI Water is carefully calculating.*
- *A conservative approach is taken to provide confidence to water users that orders can be met, while allocations are likely to rise further as irrigation water delivery provides space for further inflows over summer.*
- *As part of the Northern Basin Review, finding solutions and providing investment to increase agricultural and irrigation productivity and sustainability is a priority. The NSW Government advocates for a triple bottom line approach to the implementation of the Basin Plan. The NSW Government is committed to securing Broken Hill's long term water supply, with the Broken Hill pipeline solution the result of 19 possible project options after an extensive*

assessment by water, financial, engineering and infrastructure experts.

- The pipeline option also brings significant catchment-wide benefits for our northern and southern irrigation industries and is ingrained in our commitments under the Murray Darling Basin Plan.*
- Development of a one-stop water portal for intergovernmental stakeholders is a project aimed to efficiently and accurately capture information required to meet the Basin Plan reporting commitments in one location.*
- DPI committed to ensuring we meet the challenges of water management into the future.*
- Local government's commitment to moving with the changing landscape in a 'new era' is a testament to your dedication to supporting thriving communities, economic development and sustainable productivity.*

2. ATTENDANCE

2.1 Present

Cr David Thurley	Chairman, Region 1, National President
Cr Leigh Byron	Chairman, Region 2
Gerard Jose	Chairman, Region 4
Cr Barry Featherston	Chairman, Region 6, Vice President
Cr Peter Jamieson	Chairman, Region 7, Treasurer
Mayor Paul Maytom	Chairman, Region 9
Emma Bradbury	MDA Chief Executive Officer
Dr Christobel Ferguson	NSW Department of Primary Industries
Neil Andrew	Murray Darling Basin Authority
Andrew Sherman	Russell Kennedy Lawyers
Mick Callan	Environment & Waterways Alliance
Digby Jacobs	NSW Dept of Primary Industries, Water
Ashley Bland	Skillset Environment
Brad Ferris	Albury City Council
Greg Whorlow	Albury City Council
Cr Tony Quinn	Greater Hume Shire Council
Cr Terry Weston	Greater Hume Shire Council
Cr Colin Jones	Berrigan Shire Council
Cr Ross Bodie	Berrigan Shire Council
Simon Arkinstall	Murray River Council
Geoff Shand	Edward River Council
Sally Dye	Edward River Council
Lindsay Renwick	Edward River Council
Johann Rajaratnam	Greater Shepparton City Council
Don McPhee	Moira Shire Council
Peter Mansfield	Moira Shire Council
Marc Lon Ho Kee	Goulburn Murray Water
Claire Miller	Dairy Australia
The Hon Dr Sharman Stone	Murray Irrigation
Jenny Johnson	Individual
Cr Steve O'Halloran	Balranald Shire Council
Aaron Drenovski	Balranald Shire Council
Michael Boyd	Central Darling Shire Council
Cr Peter Hunter	Renmark Paringa Council

Naomi Prunckun	Renmark Paringa Council
Cr Adrian Sakko	Mid Murray Council
Ian Mann	Individual
Cr Michael Scott	Alexandrina Council
Cr Frank Tuckwell	Alexandrina Council
Cr Julie Barrie	Coorong District Council
Cr Vern Leng	Coorong District Council
Simon Bradley	Murray Bridge, Rural City of
Cr Clem Schubert	Murray Bridge, Rural City of
Barbara van der Meer	Individual
Cr Carol Muzyk	Playford, City of
Cr Shirley Halls	Playford, City of
Cr Arthur Mangos	West Torrens, City of
Cr Denis Clarke	Northern Areas Council
Rita Jackson	Individual
Pauline Frost	Individual
Cr Dino Zappacosta	Griffith City Council
Durgananda Chaudhary	Griffith City Council
Jack Terblanche	Hay Shire Council
Jackie Kruger	Leeton Shire Council
Cr George Weston	Leeton Shire Council
Cr Wesley Hall	Narrandera Shire Council
Siobhan Leslie	Murray Darling Basin Authority
Cr Ian Cole	Bourke Shire Council
Ken Rogers	Dubbo Regional Council
Lynton Auld	Dubbo Regional Council
Cr Phyllis Miller	Forbes Shire Council
John Zannes	Forbes Shire Council
Cr Craig Davies	Narromine Shire Council
Enrico Alessi	Narromine Shire Council
Melissa Ward	Narromine Shire Council
Cr Ian Davison	Cabonne Council
Ashley Wielinga	Warren Shire Council
Tim Hosking	NSW Office of Environment & Heritage
Debbie Love	NSW Office of Environment & Heritage
David Swan	LMWUA
Danielle Ranshaw	Western Research Institute
Wai Matthews	Western Research Institute
Tom Chesson	National Irrigators Council
Belinda Barlow	Orana ROC
Jack Bennett	Individual
Cr Phillip O'Connor	Brewarrina Shire Council
Dan Simmons	Brewarrina Shire Council
Wulf Reichler	Brewarrina Shire Council
Cr Frances Young	Gwydir Shire Council
Cr James Chaffey	Gunnedah Shire Council
Andrew Johns	Gunnedah Shire Council
Cr Owen Hasler	Gunnedah Shire Council
Nathan Gillies	Murray Darling Association

Melonie O'Rielly
Kerry Bliss
David Legge
Shannon Star

MDA - Support
MDA – Support
Master of Ceremonies
Dubbo Regional Council

2.2 Apologies

Hon Niall Blair
Hon Ian Hunter
Hon Barnaby Joyce
Senator Fiona Nash
Tony Pasin MP
Hon Susan Ley MP
Cr Steve Toms
Bob Stewart
Chris Norman
Adrian Wells
Ray Stubbs
Kevin Pell
Cr Tyson Golder
Rene Woods
Russell Peate
Cr Denis Davies
Cr Steve Toms
Cr Cathy Redding, Mayor
Cr Tyson Golder
Peter Kozlowski
Cr Melissa Hedericks
Helen Anstis
Cr Peter Hunt
David Beaton
Cr John Ferguson
Michael Hayward
Cr John Zobec
Scott Mason
Cr Kerry Hayes
Cr Cathy Redding
Cr Lindsay Godfrey
Chris Cowley
Cr Tracie Dobie
David Keenan
Cr Les McPhee
John McLindon
Julianna Phelps
Cr David Wartman
Ray Najar
Jack Larkin
Don Oberin

NSW Minister Primary Industries – Water
SA Minister for Sustainability, Environment & Conservation
Minister for Agriculture and Water Resources
Minister for Regional Development
Federal Member for Barker
Federal Member for Farrer
Glenn Innes Severn Regional Council
Snowy Monaro Regional Council
Goulburn Broken Catchment Management Auth.
Region 1
RAMROC
Region 2
Maranoa Regional Council
Murray Lower Darling Rivers Indigenous Nations
Mid-Murray Council
City of Playford
Glenn Innes Severn Regional Council
Narrabri Shire Council
Maranoa Regional Council
Wentworth Shire Council
Wentworth Shire Council
Baw Baw Shire Council
Berri Barmera Council
Berri Barmera Council
Bulloo Shire Council
Bulloo Shire Council
Campaspe Shire Council
Central Highlands Regional Council
Central Highlands Regional Council
Narrabri Shire Council
Paroo Shire Council
Paroo Shire Council
Southern Downs Regional Council
Southern Downs Regional Council
Swan Hill Rural Council
Swan Hill Rural Council
Towong Shire Council
Towong Shire Council
Region 7
Life Member
Life Member

Motion: That the apologies be accepted

Moved: P Frost/ Cr S Halls

Carried

3. PREVIOUS MINUTES

Meeting held 2015, Thursday 10 September 2015 Cobram Barooga Golf Club, Barooga

Motion: That the minutes of the previous AGM be adopted as an accurate record of that meeting, subject to a correction at 5.4, changing 'Cr Hall' to 'Cr Halls'.

Moved: Cr S Halls/Cr A Mangos Carried

4. REPORTS

4.1 2016 Annual Report

Motion: That the Murray Darling Association receive the Annual Report for the year ending 30 June 2016.

Moved: Cr D Thurley/Cr B Featherston Carried

4.2 2016 Annual Financial Report

Motion: That the Murray Darling Association adopt the 2016 Annual Finance Reports.

Moved: Cr P Jamieson/Mr I Mann Carried

4.3 Appointment of Auditor for 2016/17

Motion: That the Murray Darling Association appoint MGR Accountants to provide audit services for the 2016/17 financial year.

Moved: Cr P Jamieson/Cr B Featherston Carried

5. MOTIONS ON NOTICE

5.1 Special Motion 1 - Constitution (2016)

Background

In 2014 the Board resolved to review the Constitution (2006) for compliance with current legislation under which the Association is incorporated, *Associations Incorporation Act 2009* (NSW).

The further stated objectives of the review were to

- a) resolve all ambiguity as to membership rights and voting entitlements,
- b) establish a voting structure that provided equity for members, and re-established the primacy of the entitlement of local government, and
- c) to retain wherever possible the founding intent articulated in the current constitution.

Andrew Sherman, an awarded expert in Local Government Law and Water Law of Russell Kennedy Lawyers was approached to provide legal advice, and agreed to work with the MDA executive to assist with the review, drawing on both his expertise and the many years of association with the MDA.

The current constitution, at section 18 requires that a motion to amend the constitution must be carried by special resolution, that is a vote of 75% of those present and eligible to vote.

Motion: That the Murray Darling Association

- a) recognise, value and note the retention where possible of the intent and founding principles contained within the current edition of this organisation's Constitution 2006
- b) note that a range of drafting errors and omissions within the current document render it non-compliant with the legislation under which the MDA is governed, and
- c) adopt as its Constitution the document titled Constitution 2016, to take effect 01/11/2016.

Moved: Cr D Thurley/Cr V Leng Carried

5.2 Strategic Plan 2016-2019

Background

The Murray Darling Association Strategic Plan 2016-19 provides a clear, cohesive and concise statement of the actions that will enable the MDA to fulfil our purpose and to represent our members on issues of local and basin wide significance.

This Plan is a collection of the transformative actions that will provide a platform for genuine local government and community participation in the decisions that impact our communities on Basin-related issues.

With the implementation of the Murray Darling Basin Plan, there has never been a more important time to ensure that local government and communities work together with all levels of government to ensure balanced outcomes in the management of our resources.

This Plan has been endorsed by members and representatives of the 12 regions across the Basin and has benefited from the collective experience of hundreds of members, the contribution of stakeholders from across the policy spectrum, and from supporters and from critics representing a wide range of interests.

Motion: That the Murray Darling Association

- a) notes the Strategic Plan 2016-19 as approved by the Board
- b) commits to work towards the effective implementation of the strategy.

Moved: Cr B Featherston/Cr P Jamieson Carried

5.3 Basin Plan Implementation impacts evaluation framework

Background

The MDA has committed to develop a rigorous and repeatable Basin Plan impacts evaluation framework and methodology against which the social and economic impacts of the plan can be measured and assessed. We recognise that Basin communities must be able to identify and distinguish short term, unrelated, and one-off impacts from the underlying performance of the Plan, and we have partnered with the Western Research Institute to engage the technical expertise required to develop a sound methodology.

Motion: That the Murray Darling Association

- a) notes the Basin Plan Implementation impacts evaluation framework project proposal, to be undertaken in collaboration with our research partner Western Research Institute, and
- b) calls on the state and federal governments to support the funding for the project as proposed.

Moved: G José/Cr P Miller Carried

5.4 **MDBA Regional Engagement Officers**

Background

The MDBA has implemented a pilot program to place a number of Regional Engagement Officers across the Basin, in a range of host employment arrangements. The MDA acknowledges the importance of the MDBA improving community awareness and understanding of the Basin Plan through two-way communication and customised engagement that is responsive to different regional issues and priorities.

Motion: That the Murray Darling Association

- a) supports the MDBA to enhance its regional engagement efforts, and
- b) offers to work closely with the MDBA, consistent with the principles and objectives of the Memorandum of Understanding that exists between our organisations, to ensure that the structure and arrangements of any regional engagement strategy undertaken by the MDBA is able to deliver strong, equitable and meaningful regional engagement.

Moved: Mayor P Maytom/K Rogers

Carried

5.5 **Regional Issues Map**

Background

Local government across the Basin shares the vision of a healthy Murray Darling Basin. We all aspire to support the opportunity for economic growth and development, health, happy, vibrant people, and a sustainable natural and built environment.

How we achieve that aspiration will vary from council to council, region to region, state to state. We recognise that our regions represent the interests, issues and circumstances of a wide array of communities across a vast tract of the Australian continent.

The councils of the MDA work together to better understand the unique issues that define, challenge and shape our regions. In the year ahead, our regions will continue this work to develop regional strategic plans and advocacy priorities that will help inform policy and achieve shared solutions.

Motion: That the Murray Darling Association

- a) notes an undertaking by the 12 regions of the Basin to develop Regional Strategies reports to address local issues as noted at item 2.6 of the Murray Darling Association Strategic Plan 2016-19,
- b) will, through its region meetings support the contribution of informed content to identify and define regional issues, and
- c) seeks funding to resource the development of these reports into Regional Strategic Plans.

Moved: Cr B Featherston/Cr F Tuckwell

Carried

5.6 Review of Regional Boundaries

Background

The MDA has 12 Regions across the Basin, covering 4 states & ACT. State borders are not defining boundaries, with our regions associated by councils reflecting common regional interests and shared ecologies. In order to ensure the strength of our regions, it is important that our member councils identify a strong alignment of interests within each region.

To ensure that our regional boundaries do reflect and achieve that objective, a review should be undertaken with the active engagement of our members and stakeholders.

The MDA is currently working with the Dept of Environment cartography team to provide up to date mapping.

Motion: That the Murray Darling Association

- a) undertake a body of work, in 2017/18 to review the regional boundaries in collaboration with all member councils to ensure a continuation of alignment as communities of interest.
- b) notes that the Murray Darling Association does not recognise state borders as defining regional boundaries.

Moved: Cr D Thurley/P Frost

Carried

5.7 Recommendations of the Senate Select Committee into the Murray-Darling Basin

Background

On 24 June 2015, the Senate resolved to establish the Select Committee on the Murray-Darling Basin Plan to inquire into and report, on or before 26 February 2016, on the positive and negative impacts of the Murray-Darling Basin Plan ("the Plan") and associated Commonwealth programs on regional communities. Chaired by Senator David Leyonhjelm, the committee received 399 submissions, and held nine public hearings – in Canberra, ACT; St George, Qld; Broken Hill, NSW; Griffith, NSW; Echuca, Vic; Shepparton, Vic; Goolwa, SA; Renmark, SA; and again in Canberra.

The Chair tabled the report "Refreshing the Plan" in the parliament on 17th March 2016. That report concluded with 32 Recommendations. It is worth noting that there were a number of dissenting reports to the Chair's report from other members of the committee.

Motion: The Murray Darling Association calls on the government to make public the details of all and any action taken, or proposed to be taken regarding the implementation of the recommendations.

Moved: Cr B Featherston/I Mann

Carried

5.8 Darling River System

Motion: That the Murray Darling Association supports the campaign, initiated by the member councils of Region 4, including Broken Hill City Council, Mildura Rural City Council, Wentworth Shire Council and Central Darling Shire Council to ensure a sustainable Darling River system that ensures the health and wellbeing of the communities that live along it and enriches the Economic, Social, Environmental and Cultural values that has been part of its long history.

Moved: G José/Cr F Tuckwell

Carried

5.9 Lake Albert to Coorong Connector

Background

For further information, go to <http://www.naturalresources.sa.gov.au/samurraydarlingbasin/projects/all-projects-map/lake-albert-scoping-study>

Attachment 5.9 Lake Albert Scoping Study Fact Sheet

Motion: That the Murray Darling Association actively support the creation of a connector between Lake Albert and the Coorong to generate a saving in environmental water and improve the water quality in the Lower Lakes and Coorong.

Moved: Cr V Leng/Cr A Mangos Carried

5.10 Management of the Lower Lakes

Motion: That the Murray Darling Association actively support the exploration of options and opportunities in relation to the Lower Lakes barrages including:

- a) review of future renewal activities to ensure the long term future and sustainability of the barrages (recognising the impacts of future sea level rises), and
- b) protect the Lower Lakes by reviewing the location and disposition of the barrages to ensure that opportunity is maximised, and
- c) explore opportunities for developing the barrages to maximise economic development opportunities, including the creation of vehicular and pedestrian access routes to connect key tourism destinations and to protect and maximise environmental benefits.

Moved: Cr V Leng/I Mann Carried

5.11 Long Nosed Fur Seals

That the Murray Darling Association support the removal of Long Nosed Fur Seals from the Murray River system including the Coorong and Lower Lakes for the following reasons:

- a) to protect the cultural lands of the Ngarrindjeri so that the Lower Lakes and Coorong be maintained in line with historical precedent,
- b) protect the vitality of the Coorong water ways and ecosystem including the RAMSAR site and other areas protected by international treaty, and
- c) ensure the future financial viability of sustainable wild catch fishing operations in the Coorong, Lower Lakes and Murray River, and
- d) maximise the use of the Coorong, Lower Lakes and River Murray for recreational and tourism purposes by improving the safety of the river system for boats and recreational craft.

Moved: Cr V Leng/Cr J Barrie Carried

5.12 Desalination and Clarence River diversions

- Motion: That the Murray Darling Association promotes an investigation at a national level into the future needs of water users to accommodate the predicted population growth and economic development of the Murray Darling Basin and the towns and cities that rely on its water that will
- identify the conditional triggers for the use of desalination plants throughout the basin;
 - consider schemes including Clarence River diversion. This investigation be coordinated with the Federal, State and Local Governments affected by need for more water.

Moved: Cr D Zappacosta/Cr B Featherston Carried

5.13 Climate Change

- Motion: That the Murray Darling Association lobby Federal and State Governments to
- better recognise the impact that climate change will have on water being supplied to the Murray Darling Basin system,
 - develop a secure alternative water source to supplement the system to maintain and create employment opportunities and feed our nation and the world while securing our clean, green image now and in the future, and
 - work with and adequately resource local government to identify and manage impacts experienced at the local level.

Moved: Cr C Schubert/M Scott Carried

5.14 Blue Green Algae

Background

Motion

That the Murray Darling Association engage with the Federal Minister for Agriculture and Water Resources seeking funded solutions to address the recurring problem of blue-green algae in the Murray-Darling Basin.

Moved: Cr A Mangos/Cr S Halls Carried

5.15 Motion for meeting critical human water needs

Background

Critical human water needs are defined at subsection 86A(2) of the *Water Act 2007* (Cth) to include that required for core human needs (such as drinking, food preparation and hygiene), essential community services (including emergency services, hospitals and schools) and for limited commercial and industrial purposes.

The Murray Darling Association believes that meeting critical human water needs is a fundamental human right and the Basin Plan must be implemented and monitored so as to ensure that water resources that can only reasonably be provided from Basin, in order to meet core human and non-human requirements in urban and rural areas, are adequate, secure and safe for consumption. And a failure to meet this need would cause prohibitively high social, economic or national security costs.

Motion: That Murray Darling Association

- i) express full support for the initiative aimed at securing adequate safe domestic water for rural and remote regions in the Basin and work collaboratively with the Institute for Land Water and Society (ILWS) at Charles Stuart University (CSU), the SEGRA Foundation (SEGRA) and other research partners, to the mutual benefit of member Councils, and
- ii) continues to advocate strongly and lobby the Federal and State Ministers responsible for Water in the Murray Darling Basin to work collaboratively to ensure that:
 - a) the objectives of the Basin Plan with respect to critical human water needs are being achieved and that towns, settlements and isolated rural properties not receiving piped water supplies have adequate secure and safe domestic water supplies
 - b) measures to help ensure critical human water needs are embedded in jurisdictional water management plans and are monitored to ensure that they are being met especially during times of drought or other exceptional circumstances that affect water quality or quantity
 - c) Local Government Authorities (LGAs) are appropriately and adequately resourced to provide or support the provision of secure and safe domestic water supplies to towns and settlements and on rural properties not receiving piped water supplies from either the surface or groundwater resources of the Basin

Moved: A Bland/Cr V Leng Carried

5.16 Single Point of Contact River Murray Authority, SA

Background

There are 15 Government Departments in South Australia that have various inputs and controls in relation to the Murray River. In addition, there are at least 7 other organisations (for example, the Boating Industry Association) and 7 Council's in South Australia that have jurisdiction over the Murray River. Other States have already implemented one authority in dealing with all matters associated with the Murray River. For example, it is understood that the New South Wales Road and Maritime is the one authority responsible.

Whilst the South Australian Murraylands and Riverland Local Government Association has raised the matter with the South Australian Government and State Government Departments are working to progress the 'One River Authority', it would be beneficial for the Murray Darling Association to also endorse this proposal.

Motion: That the Murray Darling Association supports and endorses

- a) a One River Murray South Australian Authority to ensure improved uniformity of houseboat management, coordination of economic development activities including regional tourism and consistent regulation over the River Murray that stimulates development through meaningful planning and compliance policy, and
- b) the concept of a One River Murray Authority for other States as well.

Moved: Cr A Sakko/I Mann Carried

5.17 Tourism

Motion: That the Murray Darling Association support tourism activities in a proactive manner where they act to improve or support the operation of the water systems or bodies that participate in the sustainable operation of the Murray Darling river system (water quality and quantity).

Moved: Cr A Mangos/Cr S Halls Carried

5.18 Standard river height measurements

Background

In some instances, depth of water (in metres) at a river height is measured at a gauge located along the river. In most cases, a zero reading is the lowest water level that is reached during dry conditions. In other instances river levels are expressed in metres above mean sea level or Australian Height Datum (AHD). The variation and inconsistency in our river level measuring systems creates difficulties for authorities and the public, particularly in communicating data for management and safety purposes. This can be particularly challenging in times of flood management.

- Motion: That the Murray Daring Association
- a) call on state and federal water authorities to implement a standardized system of measuring and recording river heights at AHD across the Basin, and Australia.
 - b) work with relevant authorities to support standardisation.

(Some delegates expressed confusion/misunderstanding as to what AHD means, and how it is measured.)

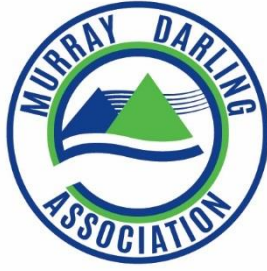
Moved: G José/E Bradbury **Lost**

6. NEXT MEETING

Renmark -Paringa, SA in September/October 2017 – date to be confirmed

Location of 2018 AGM: Region 9, Murrumbidgee

7. **MEETING CLOSE:** 5.00pm



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Report on progress of motions carried at 72nd Annual General Meeting Dubbo 2016 “Local Government – The Voice of the Basin”

Motion 5.1 Special Motion - Constitution (2016)

The new constitution adopted by special resolution following more than two years comprehensive consultation with the membership. The 2016 Constitution resolved a number of long running issues of equity and balance in the voting arrangements of the association, restores the primacy of local government and councils, and provides for broad-based input and community inclusion.

As with any new document, a number of issues have emerged as the document is applied, resulting in several minor but essential amendments to be drafted. These amendments will be put to the 2017 AGM.

Motion 5.2 Strategic Plan 2016-2019

Strategic Plan 2016-19 provides a clear, cohesive and concise statement of the actions that will enable the MDA to fulfil our purpose and to represent our members on issues of local and basin wide significance.

Motion 5.3 Basin Plan Implementation impacts evaluation framework

- Motion:** That the Murray Darling Association
- a) notes the Basin Plan Implementation impacts evaluation framework project proposal, to be undertaken in collaboration with our research partner Western Research Institute, and
 - b) calls on the state and federal governments to support the funding for the project as proposed.

Progress

MDA addressed and presented the project to the MDBA, all Basin State water ministers, the Federal water minister, the Department of Agriculture and Water Resources, the Department of Environment, and a number of LGAs.

Formal letters to all requesting funding for the project.

Support in principle for the project was high, but advocacy for this project commenced in late 2016 – early 2017. This coincided with the MDBA’s 2017 assessment of the Basin Plan, which has imbedded within it a requirement to report on the social and economic impacts of the Plan.

MDBA and governments advised that they were reluctant to fund the project, given they expected similar work by the MDBA to be running concurrently.

The board subsequently resolved to cease active pursuit of funding for the projects, but for it to remain a live proposal if an appropriate opportunity to further the project arises.

Motion 5.4 MDBA Regional Engagement Officers

Motion: That the Murray Darling Association

- a) supports the MDBA to enhance its regional engagement efforts, and
- b) offers to work closely with the MDBA, consistent with the principles and objectives of the Memorandum of Understanding that exists between our organisations, to ensure that the structure and arrangements of any regional engagement strategy undertaken by the MDBA is able to deliver strong, equitable and meaningful regional engagement.

Progress

In September 2016, the MDA wrote to the MDBA requesting an opportunity to comment on the proposed pilot project. The MDA noted strong support for the initiative, but expressed a concern that under the proposed model, the arrangements for hosting and support of Regional Engagement may be unintentionally inequitable and potentially divisive.

At that time, the process and arrangements for the pilot program had, in fact, already commenced, and the MDBA responded by saying it would welcome input after the pilot.

In August 2017, the MDA was contacted by an independent consultant tasked with reviewing the pilot with a view to capturing any learnings from the program to propose any improvements to an enduring model.

The MDA has received much feedback from members councils on the varying levels of satisfaction across the program, and was able to provide a comprehensive assessment and recommendations to the review.

Motion 5.5 Regional Issues Map

Motion: That the Murray Darling Association

- a) notes an undertaking by the 12 regions of the Basin to develop Regional Strategies reports to address local issues as noted at Motion 2.6 of the Murray Darling Association Strategic Plan 2016-19,
- b) will, through its region meetings support the contribution of informed content to identify and define regional issues, and
- c) seeks funding to resource the development of these reports into Regional Strategic Plans.

Progress

The MDA has raised this initiative in discussion with a number of our state and federal government and agency partners and stakeholders. There is a prevailing view that the initiative, when completed will provide a valuable resource to both internal and external stakeholders.

This project requires active contribution by member councils across all regions. The MDA have provided a template and guide notes for the development of issues papers, and continues to support regions to engage members to progress the initiative.

Motion 5.6 Review of Regional Boundaries

Motion: That the Murray Darling Association

- a) undertake a body of work, in 2017/18 to review the regional boundaries in collaboration with all member councils to ensure a continuation of alignment as communities of interest.
- b) notes that the Murray Darling Association does not recognise state borders as defining regional boundaries.

Progress

In February this year the board of the MDA met in Adelaide to develop the 2017 Workplan.

The key focus of the 2017 workplan is to build the capacity within our regions, ensuring strong governance and active engagement and thereby providing the imprimatur for the MDA to speak with authority about Basin matters on behalf of local government:

The board identified a number of limiting factors, including limited financial and human resourcing which in turn, restricts what we can do, and how we prioritise.

The board also identified that the review of regional councils was a significant body of work that, much like the review of the constitution will require extensive consultation with member councils to ensure the most effective alignment of regional groupings. A decision was made to defer commencement of the project until late 2018.

The challenges arising out of council amalgamations across NSW in 2017 was also a factor in this decision.

The review of boundary alignments has, however been a standing Motion on region meeting agendas in order to raise awareness of the process and get councils thinking about their regional alignments and alliances.

Motion 5.7 Recommendations of the Senate Select Committee into the Murray-Darling Basin

Background

On 24 June 2015, the Senate resolved to establish the Select Committee on the Murray-Darling Basin Plan to inquire into and report, on or before 26 February 2016, on the positive and negative impacts of the Murray-Darling Basin Plan ("the Plan") and associated Commonwealth programs on regional communities. Chaired by Senator David Leyonhjelm, the committee received 399 submissions, and held nine public hearings – in Canberra, ACT; St George, Qld; Broken Hill, NSW; Griffith, NSW; Echuca, Vic; Shepparton, Vic; Goolwa, SA; Renmark, SA; and again in Canberra.

The Chair tabled the report "Refreshing the Plan" in the parliament on 17th March 2016. That report concluded with 32 Recommendations. It is worth noting that there were a number of dissenting reports to the Chair's report from other members of the committee.

Motion: The Murray Darling Association calls on the government to make public the details of all and any action taken, or proposed to be taken regarding the implementation of the recommendations.

Progress

The Senate Select Committee inquiry on the Murray-Darling Basin Plan presented its final report on 17 March 2016. The majority report made 31 recommendations addressing issues that are of great importance to farmers and communities throughout the Murray-Darling Basin and other stakeholders. The Committee received almost 400 submissions to this inquiry.

Minority reports from the Australian Labor Party, the Australian Greens, and Senator Nick Xenophon support the Murray-Darling Basin Plan and associated water reform. The report by the former Senator John Madigan includes 19 recommendations.

There are a number of recommendations made in the Committee's final report which focus on state issues, such as the operation of state desalination plants, water entitlement purchases by state governments and management of water storages. All such issues are for the relevant state government to consider in the first instance.

All recommendations, and the any actions taken, or proposed to be taken regarding the implementation of the recommendations are published in the [Australian Government response to the Senate Select Committee on the Murray-Darling Basin Plan report: Refreshing the Plan](#)

Motion 5.8 Darling River System

Motion: That the Murray Darling Association supports the campaign, initiated by the member councils of Region 4, including Broken Hill City Council, Mildura Rural City Council, Wentworth Shire Council and Central Darling Shire Council to ensure a sustainable Darling River system that ensures the health and wellbeing of the communities that live along it and enriches the Economic, Social, Environmental and Cultural values that has been part of its long history.

Progress

The existence of and all actions taken by the MDA supports the campaign to ensure a sustainable Darling River system that ensures the health and wellbeing of the communities that live along it and enriches the Economic, Social, Environmental and Cultural values that has been part of its long history.

Region 4 under the Chair of Broken Hill City Council have met several times this year, undertaking a range of actions and initiatives in support of this motion.

Motion 5.9 Lake Albert to Coorong Connector

Motion: That the Murray Darling Association actively support the creation of a connector between Lake Albert and the Coorong to generate a saving in environmental water and improve the water quality in the Lower Lakes and Coorong.

Progress:

The MDA supports the creation of a connector between Lake Albert and the Coorong to generate a saving in environmental water and improve the water quality in the Lower Lakes and Coorong.

There have been no specific initiatives or actions commenced or requested in relation to this motion by the impacted regions or member councils.

Motion 5.10 Management of the Lower Lakes

Motion: That the Murray Darling Association actively support the exploration of options and opportunities in relation to the Lower Lakes barrages including:

- a) review of future renewal activities to ensure the long term future and sustainability of the barrages (recognising the impacts of future sea level rises), and
- b) protect the Lower Lakes by reviewing the location and disposition of the barrages to ensure that opportunity is maximised, and

- c) explore opportunities for developing the barrages to maximise economic development opportunities, including the creation of vehicular and pedestrian access routes to connect key tourism destinations and to protect and maximise environmental benefits.

Progress

The MDA supports the exploration of options and opportunities in relation to the Lower Lakes barrages.

The MDA has facilitated an exploration of these issues via a facilitated public policy discussion forum at its 2017 National Conference.

There have been no specific initiatives or further actions commenced or requested in relation to this motion by the impacted regions or member councils.

Motion 5.11 Long Nosed Fur Seals

Motion: That the Murray Darling Association support the removal of Long Nosed Fur Seals from the Murray River system including the Coorong and Lower Lakes for the following reasons:

- a) to protect the cultural lands of the Ngarrindjeri so that the Lower Lakes and Coorong be maintained in line with historical precedent,
- b) protect the vitality of the Coorong water ways and ecosystem including the RAMSAR site and other areas protected by international treaty, and
- c) ensure the future financial viability of sustainable wild catch fishing operations in the Coorong, Lower Lakes and Murray River, and
- d) maximise the use of the Coorong, Lower Lakes and River Murray for recreational and tourism purposes by improving the safety of the river system for boats and recreational craft.

Progress

The MDA has repeatedly resolved to support the removal of Long Nosed Fur Seals from the Murray River system including the Coorong and Lower Lakes.

There have been no specific initiatives or further actions commenced or requested in relation to this motion by the impacted regions or member councils.

Motion 5.12 Desalination and Clarence River diversions

Motion: That the Murray Darling Association promotes an investigation at a national level into the future needs of water users to accommodate the predicted population growth and economic development of the Murray Darling Basin and the towns and cities that rely on its water that will

- a) identify the conditional triggers for the use of desalination plants throughout the basin;
- b) consider schemes including Clarence River diversion. This investigation be coordinated with the Federal, State and Local Governments affected by need for more water.

Progress

The MDA has written to the MDBA seeking an update on the Authority's position in relation to the latest proposal for a western river diversion scheme. The MDA acknowledged that the proposal for the scheme dates back many decades, and that there are no currently available reports on the viability of the business case for the scheme.

The MDA has also engaged a number of councils at the NSW Water Conference seeking further information on the scheme,

The MDA has raised the matter of future needs of water users, population growth, and economic development informally with the Deputy Prime Minister.

The MDA supports the implementation of the Murray Darling Basin Plan, a plan to *inter alia* provide for the integrated management of the Basin water resources in a way that promotes the use and management of those resources optimizes economic, social and environmental outcomes; and to provide improved water security for all uses of Basin Water resources.

Motion 5.13 Climate Change

Motion: That the Murray Darling Association lobby Federal and State Governments to

- a) better recognise the impact that climate change will have on water being supplied to the Murray Darling Basin system,
- b) develop a secure alternative water source to supplement the system to maintain and create employment opportunities and feed our nation and the world while securing our clean, green image now and in the future, and
- c) work with and adequately resource local government to identify and manage impacts experienced at the local level.

Progress

The MDA has worked extensively with, and lobbied Federal and State Governments on the above matter.

The MDA supports the implementation of the Murray Darling Basin Plan, a plan to *inter alia* provide for the integrated management of the Basin water resources in a way that promotes the use and management of those resources optimizes economic, social and environmental outcomes; and to provide improved water security for all uses of Basin Water resources.

The MDA has and continues to lobby local, state and federal governments for the meaningful inclusion of local government in all Murray-Darling Basin related decision making processes.

Local government is the third level of government in Australia, and is that level of government that most directly serves the needs of our communities impacted by state and federal policy decisions. The MDA is of the view that policy, particularly policy relating to the implementation of the Basin Plan should be developed in meaningful consultation with those most affected by it

Motion 5.14 Blue Green Algae

Motion: That the Murray Darling Association engage with the Federal Minister for Agriculture and Water Resources seeking funded solutions to address the recurring problem of blue-green algae in the Murray-Darling Basin.

Progress

The MDA has addressed this matter in discussions with Federal Minister for Agriculture and Water Resources.

The Federal Government has recently committed \$15m to the National Carp Control Plan, an initiative to control carp, a significant contributor to blue-green algal outbreaks.

The MDA currently sits on the National Carp Control Plan Communications and Engagement Advisory Committee.

Motion 5.15 Motion for meeting critical human water needs

Motion: That Murray Darling Association

- i) express full support for the initiative aimed at securing adequate safe domestic water for rural and remote regions in the Basin and work collaboratively with the Institute for Land Water and Society (ILWS) at Charles Stuart University (CSU), the SEGRA Foundation (SEGRA) and other research partners, to the mutual benefit of member Councils, and
- ii) continues to advocate strongly and lobby the Federal and State Ministers responsible for Water in the Murray Darling Basin to work collaboratively to ensure that:
 - a) the objectives of the Basin Plan with respect to critical human water needs are being achieved and that towns, settlements and isolated rural properties not receiving piped water supplies have adequate secure and safe domestic water supplies
 - b) measures to help ensure critical human water needs are embedded in jurisdictional water management plans and are monitored to ensure that they are being met especially during times of drought or other exceptional circumstances that affect water quality or quantity
 - c) Local Government Authorities (LGAs) are appropriately and adequately resourced to provide or support the provision of secure and safe domestic water supplies to towns and settlements and on rural properties not receiving piped water supplies from either the surface or groundwater resources of the Basin

Progress

That Murray Darling Association has, by virtue of the above motion has expressed full support for the initiative aimed at securing adequate safe domestic water for rural and remote regions in the Basin.

There have been no specific opportunities presented in 2017 to work collaboratively with the Institute for Land Water and Society (ILWS) at Charles Stuart University (CSU), the SEGRA Foundation (SEGRA) and other research partners, to the mutual benefit of member Councils.

The MDA continues to advocate strongly and lobby the Federal and State Ministers responsible for Water in the Murray Darling Basin on a

Motion 5.16 Single Point of Contact River Murray Authority, SA

Motion: That the Murray Darling Association supports and endorses

- a) a One River Murray South Australian Authority to ensure improved uniformity of houseboat management, coordination of economic development activities including regional tourism and consistent regulation over the River Murray that stimulates development through meaningful planning and compliance policy, and
- b) the concept of a One River Murray Authority for other States as well.

Progress

The Murray Darling Association has, by virtue of the above motion expressed full support for the initiative expressed in the motion.

The MDA has raised this issues in conversation with the South Australian MDBA board member Diann Davidson while in Canberra to address the full board of the MDBA.

The MDA continues to work with the member councils to support this initiative.

Motion 5.17 Tourism

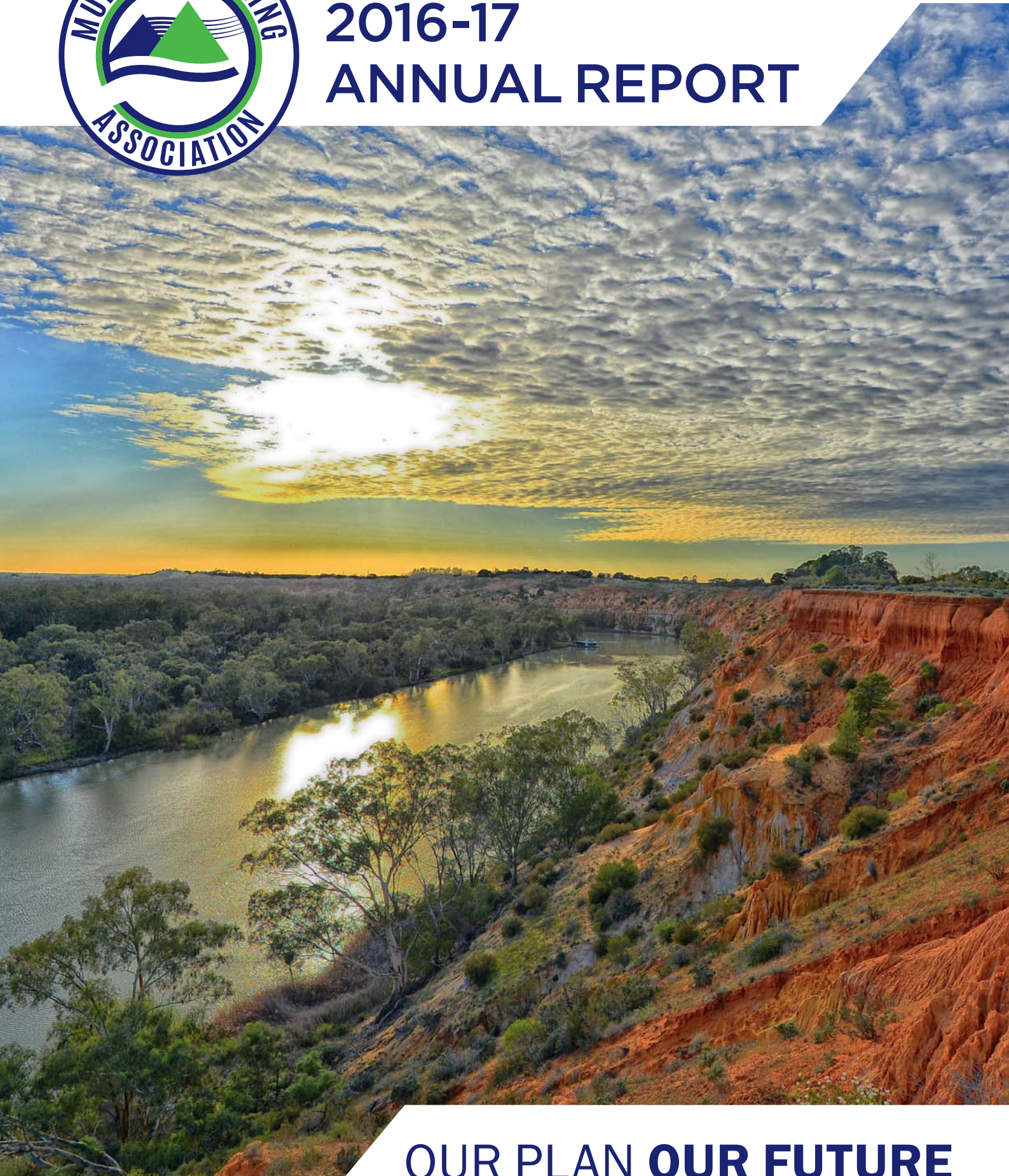
Motion: That the Murray Darling Association support tourism activities in a proactive manner where they act to improve or support the operation of the water systems or bodies that participate in the sustainable operation of the Murray Darling river system (water quality and quantity).

Progress

The MDA maintains active relationships with a number of regional tourism bodies, local government alliances, responsible agencies and authorities - and supports initiatives and activities that align with the MDA and member councils' principles and priorities.



2016-17 ANNUAL REPORT



OUR PLAN OUR FUTURE



73rd annual report of the Murray Darling Association Inc: 2016-17

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**Renmark
Paringa
Council**



AUSTRALIAN INSTITUTE
of COMPANY DIRECTORS

OUR PLAN OUR FUTURE.

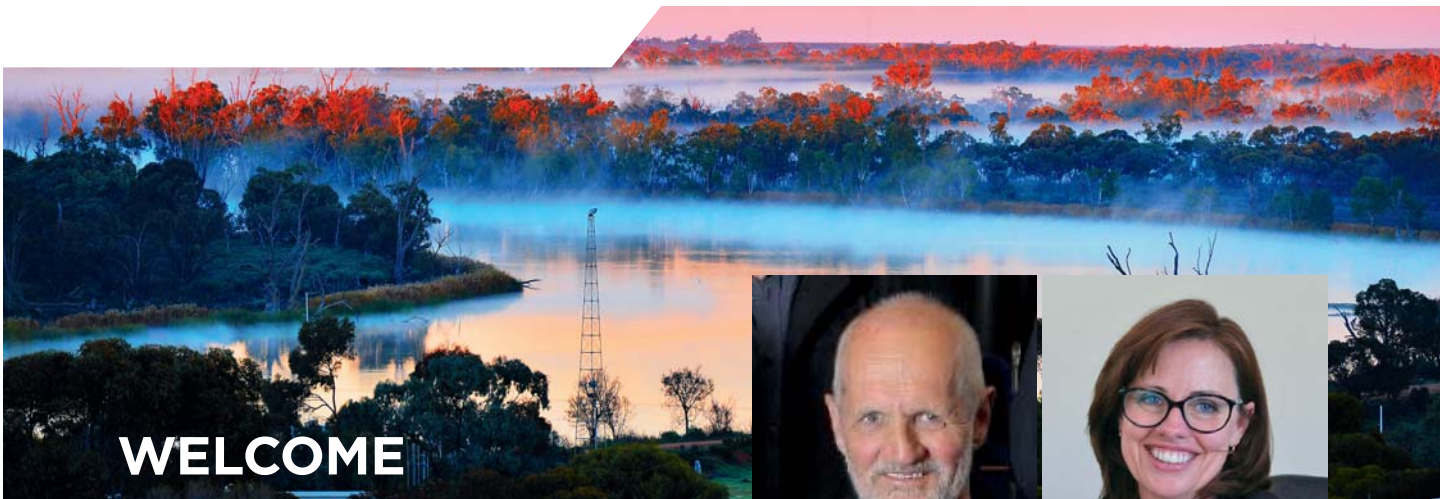
The key role of local government is to plan for the future of our local communities ensuring that our resources are managed in a responsible, and sustainable way. And there are no more important resources than those shared among the councils and communities of the Murray-Darling Basin.

We recognise that the future of our communities is in our hands. Local government, the members of the MDA and the Basin community must plan and work together with our state and federal colleagues, developing strategies, making decision, and delivering projects that provide for a strong and healthy future.

Snowy 2.0, The Basin Plan, SDL adjustments, efficiency measures and supply projects. These are all strategies, decisions and projects that must meet the needs and the expectations of our nation now and into the future. To ensure the success of these projects, local government must take an active role in the planning and sharing local knowledge.

As the third level of government in Australia and the one most directly connected and engaged with the people we represent, local government has a key role in informing **OUR PLAN OUR FUTURE.**





WELCOME



The past year has been extraordinarily busy and productive for the Murray Darling Association.

Our purpose remains staunchly focused on providing effective representation for local government and communities at state and federal level in the management of Basin resources by sharing information, facilitating debate and influencing government policy.

We believe it makes sense for those most affected to contribute to the formation of policy before it is irreversibly locked-in.

Local government has the technical capacity and local knowledge required to ensure the best outcomes for our Basin communities.

Our proudest traditions are steeped in planning for the futures we want for our local communities while serving the communities we have fostered. It is up to all of us to engage in the policy directions that serve us best.

The MDA is as strong and dynamic as it has ever been in its 73 year history.

We represent engaged and informed member councils, our board members apply rigorous principles of management and governance, and our stakeholders value the disciplined representation of the association.

The MDA is increasingly seen by state and federal governments and agencies as the voice of local government in the Basin.

In June we met with key MDBA and CEWO figures, along with politicians including Deputy Prime Minister Barnaby Joyce and Opposition Leader Bill Shorten to advance the case for local government to be consulted in decisions affecting Basin communities.

We again have an important role to play in the year ahead, as the Basin Plan enters another crucial phase with the delivery of the Sustainable Diversion Limit Adjustment Mechanism Projects and development of the Water Resource Plans.

On these matters and numerous others, the voice of local government needs to be informed, organised and articulate.

We recognise that the authority of our voice rests in the scale of our membership.

With membership approaching 100 of the 167 councils in the Basin, we recognise the need to focus on engaging all Basin councils in the year ahead, and we encourage you to invite your fellow councils to participate.

We would like to take this opportunity to thank our board members for their tireless work in guiding and driving the organisation forward.

We also thank our member councils and private members for their enduring support of the organisation.

Cr David Thurley
National President

Emma Bradbury
Chief Executive Officer

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WHERE WE STAND

The Murray Darling Association has long been the go-to organisation for state and federal government agencies seeking input from local government and local communities on issues affecting the Basin.

This has been more evident than ever during the past 12 months. The MDA has provided input to several important reviews.

The MDA sits on several peak bodies reference groups, including the MDBA's Basin-wide Compliance Review.

The MDA has contributed to reviews of the MDBA Regional Engagement Officer Program and the Commonwealth Environmental Water Office and the 2017 independent analysis of Basin Plan water efficiency measures.

Local knowledge is also informing the National Carp Control Plan, with the MDA

partnering with the Fisheries Research and Development Corporation on stakeholder engagement.

These roles demonstrate that the voice of local government is being heard at the highest levels on a broad range of important Basin-wide issues.

MDA's success as an organisation was displayed in the lead-up to Easter 2017, when we successfully called on the MDBA to maintain the height of the Murray River during the peak holiday period, avoiding the loss of millions of dollars in tourism revenue for local communities.

In the year ahead the MDA will continue to build on our high standing with state and federal governments and agencies, achieving meaningful results for local government and the communities we serve.

ROLE OF THE REGIONS

The 12 regions of the MDA sit at the heart of the organisation's strength and ability to provide effective representation of local government on a whole-of-Basin scale.

Not only do the regions provide the platform upon which local knowledge and experience is built into a powerful instrument to inform state and federal policy, they are also the basis for forming the board, through which local knowledge is shared to build a whole-of-Basin perspective.

The board is, of course, like any council, responsible for the good governance and strategic direction of the organisation.

During the past 12 months there has been significant change at board level of the MDA, with six new members endorsed in April, meaning there has been almost complete turnover since 2013.

Again, this is not unlike the changes that can and often do occur at any given council election.

This renewal has presented its challenges, with members having worked hard to familiarise themselves with the role and to make positive contributions.

But it also presents exciting opportunities, with new ideas, skills perspectives and priorities emerging, and a renewed sense of common purpose for the MDA.

Under the constitution adopted in 2016, chairing councils must fully commit to the role, providing resources and a whole-of-council commitment to be eligible to nominate.

In turn, chairing councils provide a regional voice and profile, representing their councils and regions in advocacy, meetings and information sharing forums on the state and national stage.

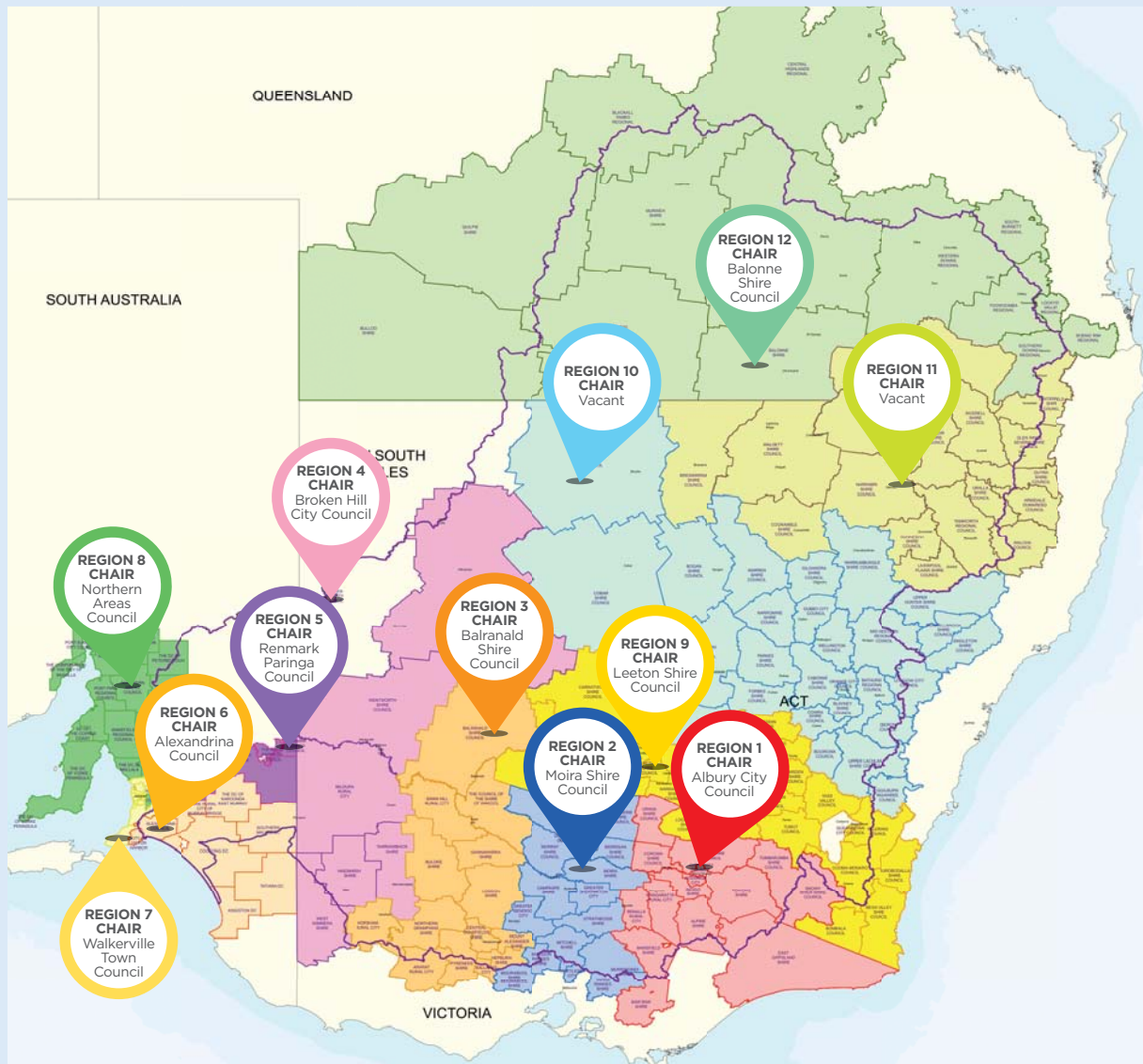
Chairing councils are also tasked with encouraging the membership of all other councils in their region, urging them to share their wealth of experience and technical expertise in managing water resources.

Excitingly, all regions with the exception of northern NSW are represented at board level, and are empowered to represent the interests of all member councils.

By continuing to maintain a strong board, by building on the commitment of chairing councils and by growing membership across the Basin, the MDA can be better placed than at any time in its 73 year history to provide effective representation for local government and communities in the management of Basin water resources at the state and federal level.



REGIONS OF THE MURRAY DARLING ASSOCIATION



Region 4 representatives, from left: Cr Tim Elstone, Gerard Jose, Emma Bradbury, Cr Glenn Milne, Peter Kozlowski, Jason Modica, Darriea Turley, Jane MacAllister and Melisa Hederics.



REGIONAL LEADERSHIP THROUGH THE MDA

Cr Darriea Turley is the Mayor of Broken Hill City Council, which is the chairing council for region 4 of the Murray Darling Association.

Darling Association.

As the elected representative for the chairing council, Cr Turley serves as the chair of region 4 and has the distinction of being the only female on the MDA board.

A passionate and well-informed local government representative, Cr Turley has extensive knowledge of water policy and is experienced in managing the direct impact on her local and neighbouring communities.

Cr Turley's appointment to the board in April this year followed extensive consultation within her council, culminating in a firm commitment by Broken Hill City Council to take on a leadership role within the region, and in the MDA.

Cr Turley is supported in the role by Broken Hill City Council General Manager James Roncon, with council staff also involved in the preparation of meetings, reports and briefings.

The whole-of-council commitment ensures the member councils of region 4, covering the northern reaches of the Darling River through the Menindee Lakes and down to Mildura, are well represented and that their



views and issues can inform and contribute to policy development at the state and federal level.

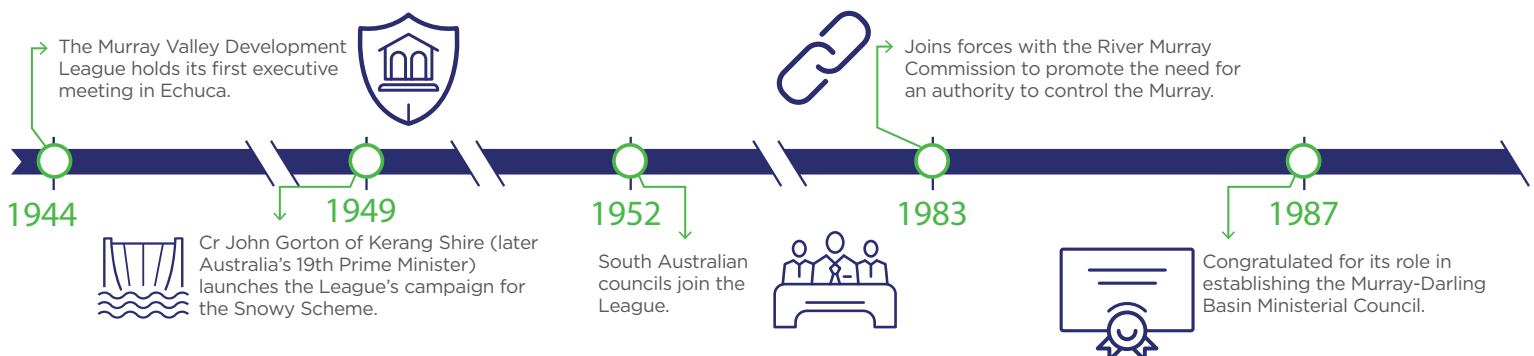
As a result of hard work by Cr Turley and her council, region 4 is a productive and engaged region, motivated to provide effective representation and to achieve tangible results for its communities.

Of particular interest, are projects including the Wentworth to Broken Hill pipeline and the Sustainable Diversion Limit Adjustment Mechanism Project proposed for the Menindee Lakes.

With a united voice, the region has called for a moratorium on the pipeline while investigations are undertaken into water compliance matters in the Northern Basin.

The region is also seeking more information from the state government and the MDBA about the Menindee Supply Measures Package and what it will mean for the Lakes and the Lower Darling.

The region is also committed to developing a shared understanding of the issues that affect other regions and has recently initiated an exchange visit between the councils of region 4 on the Darling and region 6 on the Coorong, to occur later in 2017.





BUILDING GOVERNANCE PERFORMANCE: THE RIGHT SKILLS MIX

In 2014, the MDA embarked on an extraordinary process to overhaul its constitution and update its board structure. With significant change to the board, it was important to focus on governance as a team activity, and ensure the right mix of skills on the board.

Experienced accountant Peter George of M+S Group has been appointed the Murray Darling Association's first skills-based treasurer, marking a new era in financial administration for the organisation.

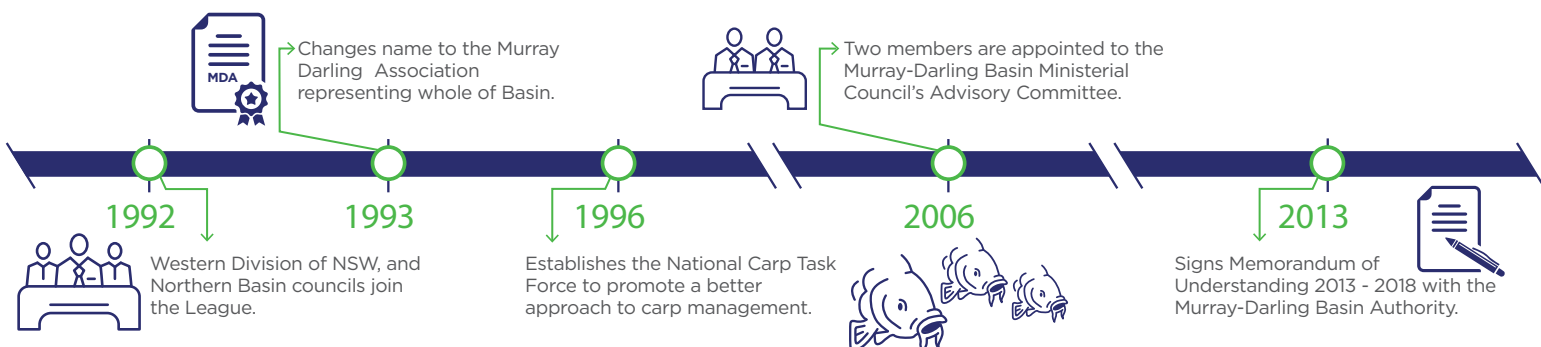
Mr George's appointment to the MDA Board as a skills-based treasurer is allowed under Part 4 s8(3) of the 2016 Constitution, and sees the association's continuing commitment to sound governance, with the composition of the board viewed as a strategic asset to the association.

Peter is Senior Accountant and Partner of M+S Group Accounting Pty Ltd, the largest accounting firm in rural Victoria.

He brings a wealth of energy and experience, and a commitment to the principles and purpose of the MDA.

Peter's contribution at board level will be key to the development of a strong and sustainable financial strategy for the association.

As with so much of the incredibly valuable professional and technical expertise that is contributed to the MDA, Peter's time and skills are generously provided for the benefit of our Basin communities.



A NEW ERA

The appointment of a skills-based treasurer comes at an ideal time for the MDA, as we continue our journey towards a more robust and sustainable financial model.

Membership fees to the MDA are extremely modest, especially when compared with the cost of membership to other regional and state peak bodies.

But through member councils' economies of scale, and drawing on the expertise that already exists within local government, the MDA can achieve high-level efficacy and profile for its members.

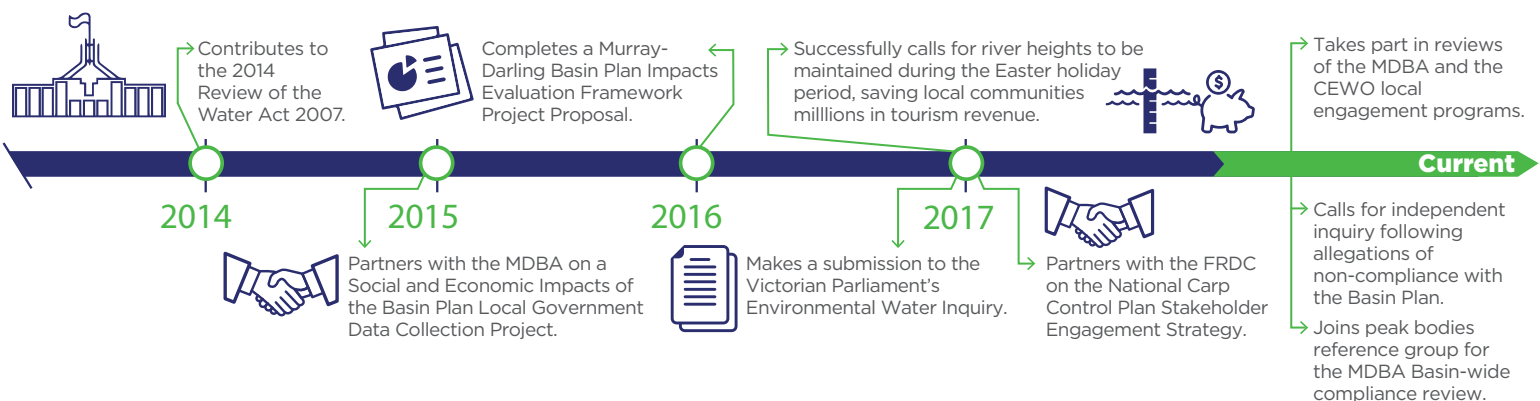
Currently an exceptionally lean and focused organisation that puts every dollar to good use, the MDA and its member councils recognise that as capacity and expectations of the MDA grows, so must its revenue base.

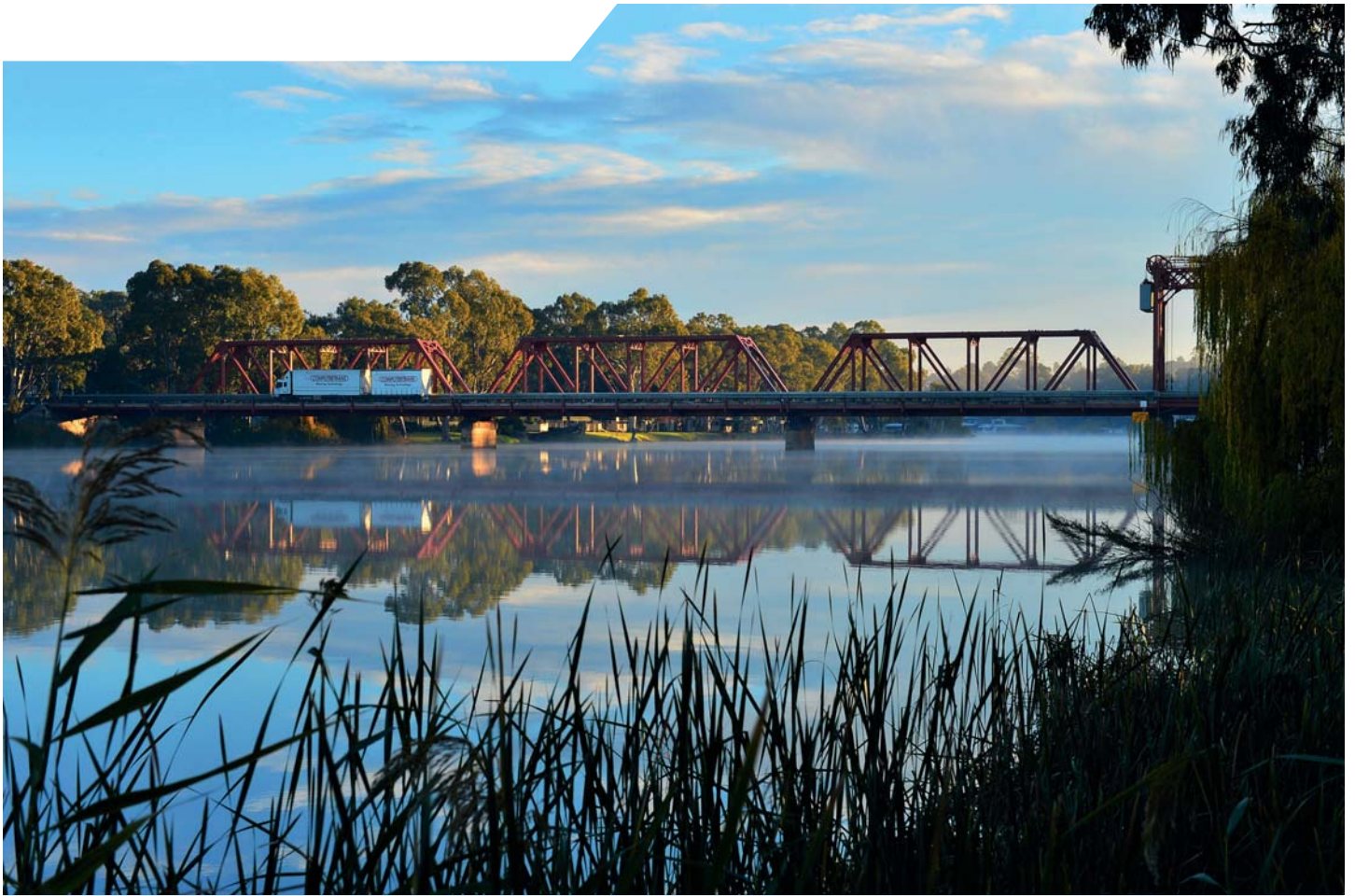
The board and members of the MDA will continue to work on developing a financial strategy that will ensure the association's long-term performance and financial sustainability.



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SHARING THE VISION OF A HEALTHY MURRAY-DARLING BASIN

Through the prism of local government, we all aspire to support economic growth and development; healthy, happy, vibrant people; and a sustainable natural and built environment.

How we achieve that aspiration will vary from council to council, region to region, state to state.

We recognise that our regions represent the interests, issues and circumstances of a wide array of communities across a vast tract of the Australian continent.

The councils of the MDA work together to better understand the unique issues that define, challenge and shape our regions.

In the year ahead, our regions will continue this work to develop regional strategic plans and advocacy priorities that will help inform policy and achieve shared solutions.

One voice representing local government and communities on basin-related issues

Why should your council join?



A powerful voice.

Be part of a collective voice advocating for councils and communities in the Basin.



Ensure your voice is heard.

Inform water policy at regional, state and federal level.



Support existing alliances.

To advocate on regional priorities.



Informed decision making.

Ensure your expertise and knowledge plays a part in the decisions affecting you.



Shape the future.

Be a part of creating the future we want for our Basin communities.

“If the MDA didn’t exist, we’d have to invent it.”

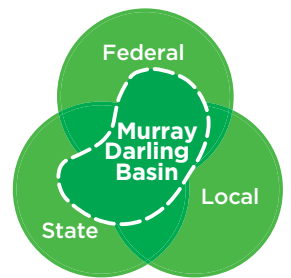
Hon Craig Knowles,
Chairman Murray-Darling Basin Authority (2011-2015), Forbes 2014



Working together with 3 levels of Government to deliver the Basin Plan.

MDA is the only peak body that provides a ‘parliament’ of local government on Basin related issues. MDA works with:

- Local Government NSW • Local Government SA • Local Government Qld
- Municipal Association of Victoria • Australian Local Government Association



“History is made by those who show up.”

Benjamin Disraeli
(British PM 1868-1880)



How can my council inform public policy?

Your council has direct influence.

- Regions meet quarterly.
- Region chairs meet monthly sharing knowledge for a whole of Basin perspective.
- Annual national conference.
- Peak representation at state and federal parliamentary and agency levels.
- 2-way information sharing.
- Secure council centric voting entitlements

Strength in numbers.

Peak body for local government across the Murray Darling Basin.

COUNCILS OF THE MURRAY-DARLING BASIN

REGION ONE Chair Albury City Council, Cr David Thurley

Albury City Council	Baw Baw Shire Council	Snowy Valleys Council
Federation Council	Benalla Rural City Council	Snowy Monaro Regional Council
Indigo Shire Council	East Gippsland Shire Council	Wangaratta Rural City Council
Towong Shire Council	Greater Hume Shire Council	Wodonga City Council
Alpine Shire Council	Mansfield Shire Council	

REGION TWO Chair Moira Shire Council, Cr Peter Mansfield

Berrigan Shire Council	Greater Bendigo City Council	Strathbogie Shire Council
Campaspe Shire Council	Greater Shepparton City Council	Whittlesea City Council
Murray River Council	Macedon Ranges Shire Council	Yarra Ranges Shire Council
Moira Shire Council	Mitchell Shire Council	
Edward River Council	Murrindindi Shire Council	

REGION THREE Chair Balranald Shire Council, Cr Leigh Byron

Gannawarra Shire Council	Buloke Shire Council	Mount Alexander Shire Council
Loddon Shire Council	Central Goldfields Shire Council	Northern Grampians Shire
Ararat Rural City Council	Hepburn Shire Council	Pyrenees Shire Council
Ballarat City Council	Horsham Rural City Council	Swan Hill Rural City Council
Balranald Shire Council	Moorabool Shire Council	

REGION FOUR Chair Broken Hill City Council, Cr Darriea Turley

Broken Hill City Council	Wentworth Shire Council	Yarriambiack Shire Council
Central Darling Shire	Hindmarsh Shire Council	
Mildura Rural City Council	West Wimmera Shire Council	

REGION FIVE Chair Renmark Paringa Council, Cr Peter Hunter

District Council of Loxton	Mid Murray Council	District Council of Karoonda
Waikerie	Berri Barmera Council	East Murray
Renmark Paringa Council		

REGION SIX Chair Alexandrina Council, Cr Barry Featherston

Alexandrina Council	The Rural City of Murray Bridge	Southern Mallee District Council
Coorong District Council	City of Victor Harbour	
Tatiara District Council	Kingston District Council	

REGION SEVEN Chair Town of Walkerville, Cr David Shetliffe

Campbelltown City Council	Adelaide City Council	City of Tea Tree Gully
City of Burnside	City of Charles Sturt	City of Unley
City of Holdfast Bay	City of Marion	District Council of Yankalilla
City of Norwood Payneham & St Peters	City of Mitcham	The District Council of Mount Barker
City of Playford	City of Onkaparinga	Town of Gawler
City of West Torrens	City of Port Adelaide Enfield	
Town of Walkerville	City of Prospect	
	City of Salisbury	

REGION EIGHT Chair Northern Areas Council, Cr Denis Clark

District Council of Barunga West	The Barossa Council	Wakefield Regional Council
District Council of Orroroo/Carrieton	The District Council of Mallala	Adelaide Hills Council
District Council of Yorke Peninsula	The District Council of Mount Remarkable	Northern Areas Council
Light Regional Council	The District Council of Peterborough	Clare and Gilbert Valleys Council
Port Pirie Regional Council	The Regional Council of Goyder	District Council of the Copper Coast
	Whyalla City Council	Port Augusta City Council

REGION NINE Chair Leeton Shire Council, Mayor Paul Maytom

Griffith City Council	Wagga Wagga City Council	Queanbeyan-Palerang Regional Council
Hay Shire Council	Australian Capital Territory Government	Temora Shire Council
Leeton Shire Council	Bega Valley Shire Council	Weddin Shire Council
Lockhart Shire Council	Coolamon Shire Council	Yass Valley Council
Murrumbidgee Shire Council	Eurobodalla Shire Council	Hilltops Shire Council
Narrandera Shire Council	Carrathool Shire Council	
Cootamundra-Gundagai Regional Council	Junee Shire Council	

REGION TEN Vacant

Bourke Shire Council	Cabonne Council	Orange City Council
Forbes Shire Council	City of Lithgow Council	Parkes Shire Council
Lachlan Shire Council	Cobar Shire Council	Singleton Shire Council
Narromine Shire Council	Cowra Shire Council	Upper Hunter Shire Council
Warren Shire Council	Gilgandra Shire Council	Upper Lachlan Shire Council
Bathurst Regional Council	Goulburn Mulwaree Council	Warrumbungle Shire Council
Bogan Shire Council	Mid-Western Regional Council	Wellington Shire
Bland Shire Council	Muswellbrook Shire Council	Western Plains Regional Council
Blayney Shire Council	Oberon Council	

REGION ELEVEN Vacant

Brewarrina Shire Council	Glen Innes Severn Council	Tamworth Regional Council
Coonamble Shire Council	Gunnedah Shire Council	Tenterfield Shire Council
Gwydir Shire Council	Guyra Shire Council	Uralla Shire Council
Moree Plains Shire Council	Inverell Shire Council	Walcha Council
Walgett Shire Council	Liverpool Plains Shire	
Armidale Dumaresq Council	Narrabri Shire Council	

REGION TWELVE Chair Balonne Shire Council, Cr Richard Marsh

Paroo Shire Council	Bulloo Shire Council	Murweh Shire Council
Southern Downs Regional Council	Central Highlands Regional Council	Quilpie Shire Council
Toowoomba Regional Council	Goondiwindi Regional Council	Scenic Rim Regional Council
Balonne Shire Council	Lockyer Valley Regional Council	South Burnett Regional Council
Blackall Tambo Regional Council	Maranoa Regional Council	Western Downs Regional Council

LIFE MEMBERS

Mr Graham Camac	Meningie SA
Mr Max Moor	Barmah NSW
Ms Pauline Frost	Adelaide SA
Mr Phillip Moore	Melbourne Vic
Mr Don Oberin	Echuca Vic
Mr Les Hill	Berri SA
Mr Brian J Grogan	OAM Mildura Vic
Mr Ken Rogers	Dubbo City NSW
Dr Terry Hillman AM	Lavington NSW
Mr Phillip Potter	Narooma NSW
Mr Jim Hullick OAM	Adelaide SA
Mr Wulf Reichler	Brewarrina NSW
Mr Jack James Larkin OAM	Spring Gully Qld
Mr J Bede Mecham	Wagga Wagga NSW
Mr Kevin Pell OAM	Nathalia Vic
Mr Bill Gorman	Mulwala NSW

PRESIDENTS

DG Padman	Albury City Council	1944-5
JG Strangman	District Council of Waikerie	1952-56
Henry Lester Smith OBE	Gannawarra Shire Council	1956-60
E Verco Whyte	Wentworth Shire Council	1960-65
Robert S Rankin OBE	Shire of Campaspe	1965-68
Tom E Pearsall	Albury City Council	1968-71
Paul Gerard Schmidt	District Council of Mannum	1971-74
Jim W Gemmell	Moira Shire Council	1974-77
Jack J Larkin OAM	Swan Hill Shire	1977-82
Don K Oberin	Shire of Campaspe	1982-86
Jim M Hullick OAM	Adelaide City Council	1986-89
Graham C Camac	Coorong District Council	1989-92
Max Moor	Moira Shire Council	1992-98
Ray Trestrail	Albury City Council	1998-2000
Brian Sharp OAM	Shire of Murray	2000-03
Brian J Grogan OAM	Mildura Rural Council	2003-06
Bill Gorman	Corowa Shire Council	2006-09
Ken Rogers	Dubbo City Council	2009-13
Cr Greg Toll	Shire of Campaspe	2013-15
Cr David Thurley	Albury City Council	2015-

ANNUAL GENERAL MEETINGS

1	1945	Albury NSW
2	1946	Shepparton Vic
3	1947	Murray Bridge SA
4	1948	Swan Hill Vic
5	1949	Wentworth NSW
6	1950	Berri SA
7	1951	Corowa NSW
8	1952	Victor Harbor
9	1953	Albury NSW
10	1954	Mildura Vic
11	1955	Kerang Vic
12	1956	Melbourne Vic
13	1957	Barmera SA
14	1958	Deniliquin NSW
15	1959	Mt Beauty Vic
16	1960	Renmark SA
17	1961	Swan Hill Vic
18	1962	Albury NSW
19	1963	Victor Harbor SA
20	1964	Mildura Vic
21	1965	Yarrawonga Vic
22	1966	Adelaide SA
23	1967	Shepparton Vic
24	1968	Deniliquin NSW
25	1969	Waikerie SA

26	1970	Mildura Vic
27	1971	Kerang Vic
28	1972	Murray Bridge SA
29	1973	Echuca Vic
30	1974	Corowa NSW
31	1975	Loxton SA
32	1976	Wodonga Vic
33	1977	Camberwell Vic
34	1978	Swan Hill Vic
35	1979	Berri SA
36	1980	Deniliquin NSW
37	1981	Wentworth NSW
38	1982	Murray Bridge SA
39	1983	Echuca Vic
40	1984	Adelaide SA
41	1985	Jerilderie
42	1986	Mildura Vic
43	1987	Albury NSW
44	1988	Renmark SA
45	1989	Barham NSW
46	1990	Murray Bridge SA
47	1991	Cobram Vic
48	1992	Whyalla SA
49	1993	Wentworth NSW
50	1994	Yarrawonga Vic

51	1995	Broken Hill NSW
52	1996	Barmera SA
53	1997	Swan Hill Vic
54	1998	Strathalbyn SA
55	1999	Moama NSW
56	2000	Brewarrina NSW
57	2001	Buronga NSW
58	2002	Whyalla SA
59	2003	Corowa NSW
60	2004	Renmark SA
61	2005	Dubbo NSW
62	2006	Barham NSW
63	2007	Bourke NSW
64	2008	Leeton NSW
65	2009	Elizabeth SA
66	2010	Beechworth Vic
67	2011	Dalby Qld
68	2012	Mildura Vic
69	2013	Goolwa SA
70	2014	Tumut NSW
71	2015	Berrigan NSW
72	2016	Dubbo NSW
73	2017	Renmark SA

MURRAY DARLING ASSOCIATION INCORPORATED

COMMITTEE'S REPORT

FOR THE YEAR ENDED 30 JUNE 2017

Your Committee members submit the financial report of Murray Darling Association Inc. for the financial year ended 30 June 2017.

COMMITTEE MEMBERS

The names of committee members throughout the year and at the date of this report are:

Position	Council	Name	Commenced
National President	Albury City Council	Cr David Thurley	
Vice President	Alexandrina Shire Council	Cr Barry Featherston	
Treasurer	M&S Accounting	Peter George	21 April 2017
Chair Region 1	Albury City Council	Cr David Thurley	
Chair Region 2	Moira Shire Council	Cr Peter Mansfield	21 April 2017
Chair Region 3	Balranald Shire Council	Cr Leigh Byron	
Chair Region 4	Broken Hill City Council	Cr Darriea Turley	21 April 2017
Chair Region 5	Renmark Paringa Council	Cr Peter Hunter	21 April 2017
Chair Region 6	Alexandrina Shire Council	Cr Barry Featherston	
Chair Region 7	Walkerville Town Council	Cr David Shetliffe	21 April 2017
Chair Region 8	Northern Areas Council	Cr Denis Clark	21 April 2017
Chair Region 9	Leeton Shire Council	Cr Paul Maytom	
Chair Region 10	Vacant	Vacant	
Chair Region 11	Vacant	Vacant	
Chair Region 12	Balonne Shire Council	Cr Richard Marsh	21 April 2017
			Retired
Treasurer	Port Adelaide Enfield Council	Cr Peter Jamieson	February 2017
Chair Region 2	Deniliquin Council	Des Bilske	January 2017
Chair Region 5	Mid-Murray Council	Cr Kevin Myers	September 2016

PUBLIC OFFICER

Emma Bradbury Public Officer

PRINCIPAL ACTIVITIES

The principal activities of the association during the financial year were:

To provide effective representation of local government and communities of the Murray Darling Basin at state and federal level in the management of Basin Resources by providing information, facilitating informed debate, and seeking to influence government policy.

SIGNIFICANT CHANGES

No significant change in the nature of these activities occurred during the financial year.

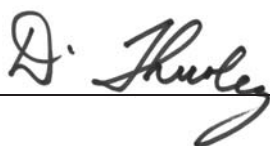
OPERATING RESULT

The surplus / (loss) after providing for income tax for the financial year amounted to \$20,453 - [2016 (\$16,055)]

GOING CONCERN

This financial report has been prepared on a going concern basis which contemplates continuity of normal business activities and the realisation of assets and settlement of liabilities in the ordinary course of business. The ability of the association to continue to operate as a going concern is dependent upon the ability of the association to generate sufficient cashflows from operations to meet its liabilities. The members of the association believe that the going concern assumption is appropriate.

Signed in accordance with a resolution of the Members of the Committee on:



Cr David Thurley - National President



Peter George - Treasurer

Dated: 22nd September 2017

MURRAY DARLING ASSOCIATION INCORPORATED

INCOME AND EXPENDITURE STATEMENT

FOR THE YEAR ENDED 30 JUNE 2017

	Note	2017 \$	2016 \$
INCOME			
Conference Income		37,954	42,987
Income - Memberships	2	199,057	194,680
Income - Projects		4,323	7,731
Income From Fundraising Events		27	9,334
Interest Income	3	685	1,732
Other Income	4	5,738	7,179
Total Income		247,784	263,643
EXPENDITURE			
Depreciation			
Depreciation - Low Value Pool		448	225
Depreciation - Motor Vehicle		5,560	7,414
Depreciation - Office Equipment		883	566
Total Depreciation		6,891	8,205
Motor Vehicles			
Motor Vehicle Insurance		804	1,149
Fuel Expenses		3,489	2,721
Motor Vehicle Maintenance		1,442	518
Motor Vehicle Registration		643	600
Total Motor Vehicles		6,378	4,989
Advertising & Marketing		5,743	9,807
Bank Fees		408	528
Borrowing Expenses		469	629
Business Insurance		934	1,210
Computer Expenses		3,201	4,550
Conference Expenses		14,638	21,959
Consultancy Fees		-	3,819
Entertainment (Meal)		-	1,039
Fringe Benefits Tax		151	2,356
General Repairs & Maintenance		109	209
Interest Expense		1,838	2,422
Legal Costs		-	560
Licences and Subscriptions		187	105
Low Cost Asset (write off)		-	513
MDF Project Direct Expenses		1,060	-
Meeting Expense		1,201	4,376
Other Payroll Expenses	5	9,152	(23,093)
Postage		1,056	1,300
Premises Rent - Albury		706	4,762
Premises Rent - Echuca		15,000	15,000
Printing		1,519	4,375
Pro Indemnity Insurance		818	818
Professional Fees	6	11,073	13,636
Public Liability Insurance		659	659
Staff Amenities		126	230
Staff Training Expenses		500	1,377
Stationery		443	2,443
Superannuation		10,727	10,412
Telephone Expenses		4,823	7,792
Travel & Accom. Expenses		8,854	6,614
Uniforms		286	73
Wages & Salaries Expenses		116,983	161,183
Water Expenses		750	716
Work Cover Premiums		648	4,128
Total Expenditure		227,331	279,698
NET OPERATING PROFIT / (LOSS) FOR THE YEAR		20,453	(16,055)

The accompanying notes form part of these financial statements.

MURRAY DARLING ASSOCIATION INCORPORATED

ASSETS AND LIABILITIES STATEMENT

AS AT 30 JUNE 2017

Account	Note	2017 \$	2016 \$
ASSETS			
CURRENT ASSETS			
Cash on Hand	7	118,304	89,602
Accounts Receivable and other Debtors	8	5,644	4,987
Other Current Assets	9	500	212
TOTAL CURRENT ASSETS		124,448	94,801
NON-CURRENT ASSETS			
Financial Assets	10	169,100	166,600
Property, plant and equipment	11	25,178	30,746
TOTAL NON-CURRENT ASSETS		194,278	197,346
TOTAL ASSETS		318,726	292,147
LIABILITIES			
CURRENT LIABILITIES			
Accounts payable and other payables	12	6,757	32,286
Borrowings	13	3,308	3,308
Provisions	14	13,855	6,193
Other	15	72,262	44,241
TOTAL CURRENT LIABILITIES		96,182	86,028
NON-CURRENT LIABILITIES			
Non-Current Liabilities			
Borrowings	13	3,895	10,423
TOTAL NON-CURRENT LIABILITIES		3,895	10,423
TOTAL LIABILITIES		100,077	96,451
NET ASSETS		218,649	195,696
MEMBER'S FUNDS			
Capital Reserve			
Reserves		64,172	61,673
Retained Earnings		154,477	134,023
TOTAL MEMBER'S FUNDS		218,649	195,696

The accompanying notes form part of these financial statements.

MURRAY DARLING ASSOCIATION INCORPORATED

MOVEMENTS IN EQUITY

FOR THE YEAR ENDED 30 JUNE 2017

	Retained Earnings \$	Asset Revaluation Reserve \$	Total \$
BALANCE AT 1 JULY 2015	150,078	39,123	189,201
COMPREHENSIVE INCOME			
Profit (Loss) for the Year	(16,055)	-	(16,055)
TOTAL COMPREHENSIVE INCOME	(16,055)	-	(16,055)
OTHER			
REVALUATIONS		22,550	22,550
TOTAL OTHER		22,550	22,550
BALANCE AT 30 JUNE 2016	134,023	61,673	195,696
BALANCE AT 1 JULY 2016	134,023	61,673	195,696
COMPREHENSIVE INCOME			
Profit (Loss) for the Year	20,453		20,453
TOTAL COMPREHENSIVE INCOME	20,453	-	20,453
OTHER REVALUATIONS	2,500		2,500
TOTAL OTHER		2,500	2,500
BALANCE AT 30 JUNE 2017	154,476	64,173	218,649

The accompanying notes form part of these financial statements.

MURRAY DARLING ASSOCIATION INCORPORATED

STATEMENT OF CASH FLOWS

AS AT 30 JUNE 2017

	Note	2017 \$	2016 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Other Receipts		312,221	293,198
Interest Received		685	1,732
Payments to Suppliers and Employees		(278,191)	(418,221)
Interest Paid		(1,838)	(629)
NET CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES	20b	32,877	(123,920)
CASH FLOWS FROM INVESTING ACTIVITIES			
Purchases of Property, plant and equipment		2,823	(2,997)
NET CASH PROVIDED BY (USED IN) INVESTING ACTIVITIES		2,823	(2,997)
CASH FLOWS FROM FINANCING ACTIVITIES			
Borrowing Repayments		(6,998)	(4,308)
NET CASH PROVIDED BY (USED IN) FROM FINANCING ACTIVITIES		(6,998)	(4,308)
Net increase/(decrease) in cash held		28,702	(131,225)
Cash on Hand at beginning of the Financial Year		89,602	220,827
Cash on Hand at End of Financial Year	20a	118,304	89,602

The accompanying notes form part of these financial statements.

MURRAY DARLING ASSOCIATION INCORPORATED

NOTES OF THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30 JUNE 2017

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

This financial report is a special purpose financial report that has been prepared in order to satisfy the financial reporting requirements of the Associations Incorporation Act (NSW) 2009 and the Associations Incorporation Regulation (NSW) 2010. The Board has determined that the not-for-profit Association is not a reporting entity.

The financial report covers Murray Darling Association Inc. as an individual entity. Murray Darling Association Inc. is a not-for-profit association incorporated in New South Wales under the Associations Incorporation Act (NSW) 2009 and the Associations Incorporation Regulation (NSW) 2010.

The financial report has been prepared on a going concern and accruals basis, and is based on historic costs and does not take into account changing money values, or except where specifically stated, current valuations of non-current assets. The financial statements are presented in Australian dollars, which is also the Association's functional currency.

The following significant accounting policies, which are consistent with the previous period unless stated otherwise, have been adopted in the preparation of these financial statements.

INCOME TAX

No provision for income tax has been raised as the Association is exempt from income tax pursuant to Division 50, section 50-10 of the Income Tax Assessment Act 1997.

PROPERTY, PLANT AND EQUIPMENT (PPE)

Fixed Assets are carried at cost less, where applicable, any accumulated depreciation. The depreciable amount of all Fixed Assets is depreciated over the useful lives of the assets to the association commencing from the time the asset is held ready for use.

The carrying amount of plant and equipment is reviewed annually by the committee to ensure it is not in excess of the recoverable amount. The recoverable amount is assessed on the basis of expected net cash flows that will be received from the asset's employment and subsequent disposal. The expected net cash flows have been discounted to present values in determining recoverable amounts.

Depreciation

The depreciable amount of all fixed assets is depreciated on a diminishing-value basis over the asset's useful life to the Association commencing from the time the asset is held ready for use. The assets' residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period. An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

ACCOUNTS RECEIVABLE AND OTHER DEBTORS

Contractual receivables include accrued interest and other minor receivables. They are recognised at fair value.

EMPLOYEE BENEFITS

Provision is made for the association's liability for employee benefits arising from services rendered by employees to the end of the reporting period. Employee benefits have been measured at the nominal amounts expected to be paid when the liability is settled, plus any related on-costs. Both annual leave and long service leave are recognised within the provisions liability.

NOTES CONTINUED

Short-term employee benefits

Provision is made for the association's obligation for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The association's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the statement of financial position.

Other long-term employee benefits

Provision is made for employees' long service leave and annual leave entitlements not expected to be settled wholly within 12 months after the end of the annual reporting period in which the employees render the related service. Other long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Upon the re-measurement of obligations for other long-term employee benefits, the net change in the obligation is recognised in profit or loss as a part of employee benefits expense.

The association's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the association does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

PROVISIONS

Provisions are recognised when the association has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions are measured at the best estimate of the amounts required to settle the obligation at the end of the reporting period.

CASH ON HAND

Cash includes cash on hand, deposits held at call with banks, and other short-term highly liquid investments with original maturities of three months or less.

REVENUE AND OTHER INCOME

Membership, Grants, Project, Activities & Interest revenue are recognised when received.

Donations and bequests are recognised in accordance with Accounting Standard AASB 1004 Contributions, which occurs when all of the following three conditions are satisfied: -

- (a) the entity gains control of the contribution or the right to receive the contribution; and
- (b) it is probable that the economic benefits comprising the contribution will flow to the entity; and
- (c) the amount of the contribution can be measured reliably.

All revenue is stated net of the amount of goods and services tax.

NOTES CONTINUED

MURRAY DARLING FOUNDATION

The Murray Darling Foundation was established by the Murray Darling Association Inc. As a “Gift Fund” to receive tax deductible donations. The principal activity of the Foundation is to support the objectives of the Murray Darling Association Inc. The Foundation may receive gifts of money or property which are eligible tax deductible donations under item 6.1.1 of sub-section 30-55(1) of the Income Tax Assessment Act 1997. The Foundation is not currently operational. The Board resolved to suspend its activities pending a review of its purpose and the formation of a new committee.

LEASES

Leases of PPE, where substantially all the risks and benefits incidental to the ownership of the asset (but not the legal ownership) are transferred to the association, are classified as finance leases.

Finance leases are capitalised by recording an asset and a liability at the lower of the amounts equal to the fair value of the leased property or the present value of the minimum lease payments, including any guaranteed residual values. Lease payments are allocated between the reduction of the lease liability and the lease interest expense for that period.

Leased assets are depreciated on a straight-line basis over the shorter of their estimated useful lives or the lease term. Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor, are charged as expenses in the periods in which they are incurred.

GOODS AND SERVICES TAX (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with other receivables or payables in the statement of financial position.

FINANCIAL ASSETS

Investments in financial assets are initially recognised at cost, which includes transaction costs, and are subsequently measured at fair value, which is equivalent to their market bid price at the end of the reporting period. Movements in fair value are recognised through an equity reserve.

ACCOUNTS PAYABLE AND OTHER PAYABLES

Contractual payables arise when the association becomes obliged to make future payments in respect of the purchase of goods and services. They are initially recognised at fair value, and then subsequently carried at amortised cost.

NOTES CONTINUED

	2017 \$	2016 \$
2. MEMBERSHIPS		
Memberships	199,057	194,680
3. INTEREST INCOME		
Interest Received	685	1,732
4. OTHER INCOME		
Proceeds from Insurance Policies	-	1,048
Sundry Income	5,594	6,066
Expense Reimbursement	144	65
	5,738	7,179
5. EMPLOYEE ENTITLEMENTS		
Annual Leave	9,152	(8,171)
Long Service Leave	-	(14,922)
	9,152	(23,093)
6. PROFESSIONAL FEES		
Accounting Fees	1,950	1,950
Audit Fees	9,123	11,686
	11,073	13,636
7. CASH ON HAND		
Petty Cash	-	200
Cash At Bank	118,304	89,402
	118,304	89,602
8. ACCOUNTS RECEIVABLE AND OTHER DEBTORS		
Trade Debtors	1,532	-
Goods and Services Tax	4,112	4,987
	5,644	4,987
9. OTHER CURRENT ASSETS		
Accrued Income	-	212
Prepayments	500	-
	500	212

NOTES CONTINUED

		2017 \$	2016 \$
10. FINANCIAL ASSETS			
Available for sale financial assets	(a)	169,100	166,600
		<u>169,100</u>	<u>166,600</u>
(a) Available for sale financial assets:			
Investments:			
High Security Water Shares		169,100	166,600
11. PROPERTY, PLANT AND EQUIPMENT			
Motor Vehicles		34,718	34,718
Less Accumulated Depreciation		(18,037)	(12,478)
		<u>16,681</u>	<u>22,240</u>
Office Furniture and Equipment		4,798	7,622
Less Accumulated Depreciation		(2,048)	(5,311)
		<u>2,750</u>	<u>2,311</u>
Low Value Pool		1,761	1,761
Less Accumulated Depreciation		(1,014)	(566)
		<u>747</u>	<u>1,195</u>
Artwork		5,000	5,000
Total Property, Plant and Equipment		<u>25,178</u>	<u>30,746</u>
12. ACCOUNTS PAYABLE AND OTHER PAYABLES			
Sundry Creditors		-	3,390
Trade Creditors		845	5,929
Other Creditors		-	21,543
Tax Payable		5,912	1,424
		<u>6,757</u>	<u>32,286</u>
13. BORROWINGS			
Current			
Hire Purchase Liability		3,998	3,998
Less Unexpired Hire Purchase Liability		(690)	(690)
		<u>3,308</u>	<u>3,308</u>
Non-Current			
Debenture Loans		1,500	4,500
Hire Purchase Liability		2,690	5,997
Less Unexpired Hire Purchase Liability		(295)	(74)
		<u>3,895</u>	<u>10,423</u>
		<u>7,203</u>	<u>13,731</u>

NOTES CONTINUED

	2017 \$	2016 \$
14. PROVISIONS		
Current		
Provision for Annual Leave	10,911	4,198
Provision for Long Service Leave	-	-
Superannuation Liability	2,944	1,995
	<u>13,855</u>	<u>6,193</u>
Provision for Annual Leave		
Opening Balance 1 July 2016	4,198	
Additional Provisions Raised	9,152	
Amounts Taken	(2,439)	
Balance at 30 June 2017	<u>10,911</u>	
Provision for Long Service Leave		
Opening Balance 1 July 2016	-	
Additional Provisions Raised	-	
Amounts Taken	-	
Balance at 30 June 2017	<u>-</u>	
Total Provisions		
Opening Balance 1 July 2016	4,198	
Additional Provisions Raised	9,152	
Amounts Taken	(2,439)	
Superannuation Liability	2,944	
Balance at 30 June 2017	<u>13,855</u>	
15. OTHER LIABILITIES		
Accrued Charges	7,826	8,231
Income in Advance	64,436	36,010
	<u>72,262</u>	<u>44,241</u>
16. RESERVES		
Asset Revaluation Reserve		
The asset revaluation reserve records revaluations of non-current assets. Under certain circumstances dividends can be declared from this reserve.		
17. CAPITAL COMMITMENTS		
There are no commitments as at 30 June 2017 (2016: \$Nil)		
18. CONTINGENT LIABILITIES AND CONTINGENT ASSETS		
There are no Contingent Liabilities at 30 June 2017 (2016: \$Nil). There are no Contingent Assets at 30 June 2017 (2016: \$Nil).		

NOTES CONTINUED

19. EVENTS AFTER THE REPORTING PERIOD

Since 30 June 2017, there have been no events that would materially affect the Financial Statements at Balance Date.

20. CASH FLOW INFORMATION

	2017 \$	2016 \$
(a) Reconciliation of Cash		
Cash on Hand at the end of the financial year as included in the Statement of Cash Flows is reconciled to the related items in the Statement of Financial Position as follows:		
Cash	-	200
Cash at Bank	118,304	89,402
	<u>118,304</u>	<u>89,602</u>
(b) Reconciliation of cash flows from operating activities with net current year profit		
Current year profit after income tax	20,454	(16,055)
Cash flows excluded from current year profit:		
Depreciation Expense	6,891	8,205
Impairment Loss / (Gain) on Fixed Assets	5,323	-
Changes in assets and liabilities:		
(Increase) / Decrease in Receivables	657	4,633
(Increase) / Decrease in Prepayments	(500)	-
Increase / (Decrease) in Payables	(4,666)	(84,917)
Increase / (Decrease) in Provisions	4,718	(35,786)
Net cash provided by (used in) operating activities	<u>32,877</u>	<u>(123,920)</u>

MURRAY DARLING ASSOCIATION INCORPORATED

STATEMENT BY MEMBERS OF THE COMMITTEE

FOR THE YEAR ENDED 30 JUNE 2017

The committee has determined that the association is not a reporting entity and that this special purpose report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

In accordance with a resolution of the committee of Murray Darling Association Inc. the members of the committee declare that the financial statements as set out on pages 15 to 26:

- 1 present a true and fair view of the financial position of Murray Darling Association Inc. as at 30 June 2017 and its performance for the year ended on that date in accordance with the accounting policies described in Note 1 to the financial statements and the requirements of the Associations Incorporation Act (NSW) 2009 and Associations Incorporation Regulation (NSW) 2010; and
- 2 at the date of this statement there are reasonable grounds to believe that Murray Darling Association Inc. will be able to pay its debts as and when they fall due.

This statement is signed for and on behalf of the committee by:



Cr David Thurley - National President



Peter George - Treasurer

Dated: 22nd September 2017

**INDEPENDENT AUDITOR'S REPORT
TO THE MEMBERS OF
MURRAY DARLING ASSOCIATION INC**

Report on the Financial Report

We have audited the accompanying financial report, being a special purpose financial report, of Murray Darling Association Inc, which comprises the balance sheet as at 30 June 2017, and the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, a summary of significant accounting policies, other explanatory notes and the statement by members of the committee.

Committee's Responsibility for the Financial Report

The committee of the Murray Darling Association Inc are responsible for the preparation of the financial report that gives a true and fair view and have determined that the basis of preparation described in Note 1 to the financial report, is appropriate to meet the requirements of the Associations Incorporation Act (NSW) 2009 and are appropriate to meet the needs of the members. The committee's responsibility also includes establishing and maintaining internal controls to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. No opinion is expressed as to whether the accounting policies used, as described in Note 1, are appropriate to meet the needs of the members. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

Head Office

Other Offices

Partners

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial report that gives a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the committee, as well as evaluating the overall presentation of the financial report.

The financial report has been prepared for distribution to members for the purpose of fulfilling the committee's financial reporting under the Associations Incorporation Reform Act 2012. We disclaim any assumption of responsibility for any reliance on this report or on the financial report to which it relates to any person other than the members, or for any purpose other than that for which it was prepared.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence

In conducting our audit, we have complied with the independence requirements of the Australian professional ethical pronouncements.

Auditor's Opinion

In our opinion, the financial report of Murray Darling Association Inc is in accordance with the Associations Incorporation Act (NSW) 2009, including:

- a. giving a true and fair view of the association's financial position as at 30 June 2017 and of its performance for the year ended on that date in accordance with the accounting policies described in Note 1; and
- b. complying with Australian Accounting Standards to the extent described in Note 1 and complying with the Associations Incorporation Act (NSW) 2009.



Warren Pollock
MGR ACCOUNTANTS
mgr@mgr.com.au

22 September 2017

The Murray Darling Association thanks our valued partners, and sponsors of the 73rd National Conference.



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OUR PLAN OUR FUTURE





It's in the Balance

Murray Darling Association Inc.

An incorporated association under the *Associations Incorporation Act 2009* (NSW)

CONSTITUTION

~~OCTOBER 2016~~ SEPTEMBER
2017

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Constitution

Part 1 – Preamble

1. *Origins and Background*

The Murray Darling Association Incorporated is the name adopted for the organisation named “Murray Valley League for Development and Conservation Incorporated” (1979) which itself derived from the “Murray Valley Development League” which was established by resolution of the Yarrowonga Conference (August 1944) and the South Australian Regions at the Murray Bridge Conference (December 1944).

2. *Vision*

The MDA works to achieve a healthy and environmentally balanced Basin river system that supports thriving communities, economic development and sustainable productivity.

3. *Purpose*

To provide effective representation of local government and communities at state and federal level in the management of Basin resources by:

- (1) providing information;
- (2) facilitating debate; and
- (3) seeking to influence government policy.

4. *Objectives*

The objectives of the MDA are to:

- (1) advocate on behalf of Basin communities;
- (2) use local knowledge and expertise to fully understand regional issues;
- (3) act as a two-way conduit for information and discussion between our communities and governments;
- (4) encourage and facilitate debate about relevant issues that matter for the Basin’s future;
- (5) explore options to achieve sound solutions to regional issues;
- (6) test information to ensure a sound base for those options;
- (7) be an educational resource for the Basin.

Part 2 – Definitions

5. **Definitions**

(1) In this Constitution:

Act means the *Associations Incorporation Act 2009* (NSW).

Basin means the Murray-Darling Basin.

Board means the governing body of MDA and which is the committee for the purposes of the Act.

Board Meeting means a meeting of the Board of the MDA.

CEO means the chief executive officer of the MDA.

Constitution means this constitution as amended from time to time.

Code means a code prepared and adopted by the Board in respect of MDA processes, membership, conduct or like matters.

Delegate means a person who may attend, participate, represent and vote at a MDA Meeting, including:

- (i) a Member Council Delegate; or
- (ii) a Region Delegate; or
- (iii) a Life Member.

Individual Member means a person accepted as a Member.

Life Member means a Member appointed as a Life Member as described in this Constitution.

MDA means the association incorporated under the Act known as “Murray Darling Association Inc”.

MDA Meeting means a general meeting, special general meeting or the annual general meeting of the MDA.

Member means a financial member for the time being of the MDA and includes:

- (i) Member Council;
- (ii) Organisation Member;
- (iii) Individual Member;
- (iv) Life Member.

Member Council means a local government municipal entity which has satisfied and maintains the requirements for membership of the MDA.

Organisation means a company, corporation, association, body corporate, partnership, government or statutory authority, community service or not for profit organisation or other legal body (other than a Member Council).

Organisation Member means an Organisation accepted as a Member.

Proxy means the authority to represent, act and vote on behalf of a Delegate at a MDA Meeting or Representative at a Region Meeting.

Region Meeting means a meeting of Members located in a Region.

Public Officer means the person holding office under this Constitution as the public officer of the MDA.

Region means an area made up of particular local government municipalities so determined, from time to time in accordance with this Constitution.

Region Executive means the managing executive of the Region as detailed in this Constitution.

Regulation means the *Associations Incorporation Regulation 2010* (NSW).

Representative means a person who may attend, represent and vote on behalf of a Member Council or Member Organisation at a Region Meeting, including a Representative who is:

- (i) a Member Council Representative;
- (ii) an Organisation Representative.

Special Resolution means a vote of 75% of:

- (i) Delegates at a MDA Meeting; or
- (ii) Representatives and Members at a Region Meeting.

(2) In this Constitution:

- (a) a reference to a function includes a reference to a power, authority and duty;
- (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty;
- (c) a reference to a person includes a natural person (individual), company, corporation, body corporate or other body (whether or not the body is incorporated);
- (d) a reference to an authority, institution, association or body ("**original entity**") that has ceased to exist, been reconstituted, renamed or replaced or whose powers or functions have been transferred to another entity, is a reference to the entity that most closely serves the purposes or objects of the original entity.

(3) The provisions of the *Interpretation Act 1987* (NSW) apply to and in respect of this Constitution in the same manner as those provisions would so apply if this Constitution were an instrument made under the Act.

Part 3 – Membership Categories

6. *Membership categories and rights*

- (1) The table below sets out the categories which comprise the membership of MDA, together with particular qualifications and the rights associated with each category.

Category	Category qualification	Category rights for Region Meeting	Category rights for MDA Meeting
Member Council	Local government entity, located within a Region, which is a current Member.	To appoint 2 Representatives, plus an additional Representative for every 20,000 of population (or part thereof) of the municipality above the first 20,000, up to a further 3, for a maximum total of 5 Representatives. To have its Representatives attend, participate and vote on its behalf at a Region meeting.	To appoint 1 Member Council Delegate, plus an additional Delegate for every 20,000 (or part thereof) of population of the municipality above the first 20,000, up to a further 2, for a maximum total of 3 Member Council Delegates. To have its Delegate(s) attend, participate and vote on its behalf at a MDA Meeting.
Organisation Member	An Organisation, located within a Region, which is a current Member.	To appoint a Representative for a Region Meeting. To have its Representative <ul style="list-style-type: none"> <input type="checkbox"/> attend, participate and vote on its behalf at a Region Meeting; <input type="checkbox"/> to be eligible for election by a Region as a Region Delegate. 	Its Representative may attend and participate at a MDA Meeting. If its' Representative is elected as a Region Delegate, to vote as a Region Delegate at the MDA Meeting.
Life Member	As identified in this Constitution or elected as a Life Member.	To attend, participate and vote at a Region Meeting.	To attend, participate and vote at a MDA Meeting as a Life Member.
Individual Member	A person living in a Region who is a current Member.	To attend, participate and vote at a Region Meeting. To be eligible for election as a Region Delegate.	To attend and participate at a MDA Meeting. If elected as a Region Delegate, to vote as the Region Delegate at a MDA Meeting.

- (2) A person or legal entity is eligible to be a Member of the MDA if:
- (a) the person or legal entity meets the category and qualifications set out in the table to sub clause (1) or otherwise in the Constitution for the category of membership sought, and
 - (b) the person or legal entity applies for membership in accordance with clause 21.

- (3) A person or legal entity is a Member if:
- (a) they or it is an existing Member of the MDA at the date of adoption of this Constitution; or
 - (b) is accepted by the Board as a Member as contemplated in clause 21; and
 - (c) their or its Membership has not ended.
- (4) The Region within which the Member's rights apply is:
- (a) for a Member Council, the Region it is located in;
 - (b) for an Individual Member or a Life Member, the Region the Member resides in;
 - (c) for an Organisation Member, the Region the Organisation is located in or if in more than one region, the Organisation may select its Region.
- (5) A Member will retain all rights in relation to the relevant membership category unless or until:
- (a) a Member resigns as a Member;
 - (b) subject to clause 6(5)(c), the membership is suspended or ended at the direction of the Board;
 - (c) in the case of a Member Council such membership may only be suspended or ended by a vote at a MDA Meeting;
 - (d) in a case of an Individual Member or an Organisation Member, membership rights will be suspended at any time the Individual Member or Organisation Member's annual fee is overdue by more than 90 days;
 - (e) if elected as a councillor of a Member Council any Individual Members membership is suspended, whilst the person remains a councillor;
 - (f) if an Organisation Representative is elected as a councillor of a Member Council, then whilst that person is a councillor, the Organisation must nominate an alternative Organisation Representative, otherwise the Organisation Member's membership is suspended.
- (6) A serving councillor of a ~~Member Council~~ local government entity or a member of a Member organisation must not:
- (a) apply to become an Individual Member; or
 - (b) allow an Organisation to apply for membership with that councillor proposed as the Organisation Representative.
- (7) In respect of Life Members:
- (a) the current Life Members of the MDA are those set out in Schedule 1;
 - (b) the process and regulation in relation to Life Members will be subject to any Code prepared by the Board and adopted at a MDA Meeting.

Part 4 - The Board

7. Powers of the Board

Subject to the Act, the Regulation and this Constitution and to any resolution passed by the MDA, the Board:

- (a) is to control and manage the affairs of the MDA, and
- (b) may exercise all such functions as may be exercised by the MDA, other than those functions that are required by this Constitution to be exercised by a MDA Meeting, and
- (c) has power to perform all such acts and do all such things as appear to the Board to be necessary or desirable for the proper management of the affairs of the MDA, and
- (d) has the power to make policies or Codes for the proper conduct of the MDA which will be binding on Members to the extent not inconsistent with this Constitution.

Without limiting the above, the Board may, without the need for any further resolutions to be passed at a MDA Meeting:

- (a) provide, monitor and manage good governance processes;
- (b) carry out a direction from a MDA Meeting;
- (c) prepare, manage and monitor an annual budget;
- (d) take steps to obtain the necessary resources for the MDA to continue its role;
- (e) appoint, manage and if required dismiss any of a chief executive officer, Public Officer and auditor;
- (f) monitor and review the organisation's performance;
- (g) appoint any sub-committee to address issues and carry out activities on behalf of the Board;
- (h) appoint staff to address issues and carry out activities on behalf of the Board.

8. Composition of the Board

- (1) The Board will comprise each of the chairs of the Regions of the MDA existing from time to time.
- (2) On an annual basis, at a Board Meeting, the Board will elect:
 - (a) a President;
 - (b) a Vice President; and
 - (c) a Treasurer (as provided in clause 8(3));to serve for the financial year.
- (3) The Board must appoint a Treasurer of the Board. The Treasurer:
 - (a) must have, in the reasonable opinion of the Board, appropriate qualifications in accounting or a like field or otherwise have sound financial expertise;
 - (b) may be a Board member, an Individual Member or an Organisation Representative; and
 - (c) if the Treasurer is not a Board member, the Treasurer will attend Board Meetings upon request of the Board.

9. Public officer

- (1) The Public Officer of the MDA must, as soon as practicable after being appointed as Public Officer, lodge notice with the MDA of his or her address. The Public Officer may be the Chief Executive Officer.
- (2) It is the duty of the Public Officer to ensure that minutes are kept of:
 - (a) all appointments of office-bearers and Board members and its sub-committees, and
 - (b) the names of the Board members present at a Board Meeting or a MDA Meeting, and
 - (c) all proceedings at Board Meetings, sub-committee meetings and MDA Meetings.
- (3) Minutes of proceedings at a Board Meeting must be signed by the President as chairperson of the meeting or by the chairperson of the next succeeding meeting.
- (4) It is the duty of the Public Officer to ensure:
 - (a) that all money due to the MDA is collected and received and that all payments authorised by the MDA are made, and
 - (b) that correct books and accounts are kept showing the financial affairs of the MDA, including full details of all receipts and expenditure connected with the activities of the MDA.

10. Casual vacancies

- (1) A casual vacancy in the office of a Board member occurs if the Board member:
 - (a) dies, or
 - (b) resigns or otherwise ceases his or her position or involvement with the Member he or she was elected to represent, or
 - (c) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
 - (d) resigns office by notice in writing given to the Public Officer, or
 - (e) becomes a mentally incapacitated person, or
 - (f) is absent without the consent of the Board from 3 consecutive meetings of the Board, or
 - (g) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months or other indictable offence, or
 - (h) is prohibited from being a director of a company under Part 2D.6 (Disqualification from managing corporations) of the *Corporations Act 2001* of the Commonwealth, or
 - (i) is prohibited from being a responsible person of a registered charity under the *Australian Charities and Not-for-profits Commission Act 2012*, or
 - (j) is removed as provided in clause 11.
- (2) Upon ceasing to be a Board member the person will also cease to be a chair of the particular Region.
- (3) In the event of a vacancy occurring in the membership of the Board, the Region may appoint a new Chair to the Region to fill the vacancy and until such time the Board will continue its activities minus that Board member.

11. Removal of Board members

- (1) A Board Meeting may, by an ordinary resolution, remove any Board member from that office before the ending of the person's term of office, provided:
 - (a) the Board (by its vote) forms the view (on proper and reasonable grounds) that the relevant Board member has acted in a manner which is substantially prejudicial to the interests of the MDA; or
 - (b) the Board member has committed a serious breach of any Code of conduct for Board, or MDA Members, adopted by the Board.
- (2) A Board Member who is removed under clause 11 (1) shall have the right of appeal. That appeal shall be addressed to the public officer and be acted upon as per clause 27 of this constitution.
- (3) A Board Member who is exercising their right of appeal in 11 (2) (a), shall be suspended from all Board responsibilities until the resolution of that appeal.

12. Board member vacancy

- (1) Upon the occurrence of a casual vacancy under clause 10 or removal of a Board member under clause 11:
 - (a) the relevant former Board member ceases to be the chair of and (if applicable) a Region Delegate on behalf of the relevant Region;
 - (b) the resulting Region vacancy must be filled by the Region as soon as practicable;
 - (c) prior to any re-appointment the Board may continue to operate otherwise in accord with the Constitution.

13. Board meetings and quorum

- (1) The Board must hold at least 8 meetings (at least 2 of which must be face to face) in each period of 12 months, at such place and time as the Board may determine.
- (2) A Board Meeting may be held with use of technology that allows a Board member using the technology and the Board members present at the meeting to clearly and simultaneously communicate with each other. A Board member in attendance using that technology will be deemed to be physically present at the meeting.
- (3) Additional (including emergency) meetings of the Board may be convened by the President (or the Vice President, in the President's absence) as considered necessary or upon the request of 3 Board members.
- (4) Written notice of a meeting of the Board must be given by the CEO or Public Officer to each member of the Board at least 14 days (or such other period as may be unanimously agreed on by the members of the Board) before the time appointed for the holding of the meeting.
- (5) Notice of a meeting given under sub clause (4) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the Board members present at the meeting by a majority agree to consider.
- (6) The need for 14 days' notice of a Board Meeting will not apply in the case of an emergency, provided:
 - (a) 48 hours' notice will be sufficient;

- (b) such notice must be in writing and attempted orally with the first oral attempt more than 48 hours before the meeting, acknowledging subsequent oral attempts may occur within 48 hours;
 - (c) the only business that may be transacted at the emergency meeting is the item or items that constituted the emergency as disclosed in the notice;
 - (d) the emergency meeting by a vote of a majority present, must confirm that issue or issues for consideration did constitute an emergency for the meeting and any resolutions from it to be effective.
- (7) A quorum for a Board Meeting will be one more than half of the chairs then appointed by the Regions. (For example if only 10 Regions have a chair, then 6 present will be the quorum.)
 - (8) No business is to be transacted by the Board unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.
 - (9) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting will not proceed.
 - (10) At a meeting of the Board:
 - (a) the President or, in the President's absence, the Vice President is to preside, or
 - (b) if the President and the Vice President are absent or unwilling to act, such one of the remaining Board members as may be chosen by the Board members present at the meeting is to preside;
 - (c) all voting shall be by ordinary resolution of the majority of the Board members present (there will be no proxy voting);
 - (d) if there is a tie in any vote, the chair of the Board Meeting may exercise an additional casting vote.

14. *Sub-committees and delegation*

- (1) The Board may establish sub-committees consisting of such Members Organisation Nominees, Member Council Nominees or non-members of the MDA as the Board thinks fit. Each sub-committee may be a standing or ad-hoc committee reporting to or advising the Board.
- (2) The Board may, by instrument in writing, delegate to a sub-committee or Chief Executive Officer the exercise of such of the functions of the Board as are specified in the instrument, other than:
 - (a) this power of delegation, and
 - (b) a function which is a duty imposed on the Board by the Constitution, the Act or by any other law.
- (3) A Region Executive is a sub-committee of the Board of the MDA.
- (4) A function the exercise of which has been delegated to a sub-committee under this clause may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (5) A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.

- (6) Despite any delegation under this clause, the Board may continue to exercise any function delegated.
- (7) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the Board.
- (8) The Board may, by instrument in writing, revoke wholly or in part any delegation under this clause.
- (9) The Board may determine a sub-committee's terms of reference, and the sub-committee must comply with any other requirements set out in its terms of reference. The terms of reference may entitle the President or the Vice-President to be an ex-officio member or observer of the sub-committee. The sub-committee may otherwise meet and adjourn as it thinks proper.

Part 5 - Regions

15. *Role and Region composition*

- (1) The role of the Region includes:
 - (a) initiating action on Region issues within the bounds of the MDA policy and any Codes;
 - (b) encouraging support for the MDA and its policies and actions;
 - (c) initiating and facilitating discussion on Region and Basin issues;
 - (d) increasing awareness of an education in respect of the MDA and the Basin;
 - (e) recommending changes to policy to the Board or the MDA;
 - (f) encouraging financial support for the MDA;
 - (g) appointing Region Delegates to a MDA Meeting.
- (2) The Regions of the MDA shall be made up of those local government municipal areas determined and as amended from time to time, by resolution of the Board.
- (3) The details of the areas making up each Region must be maintained by the Board and made available to Members on request and published (and kept up to date) on the MDA website.
- (4) The composition of a Region and the number of Regions may be varied from time to time by the resolution of the Board, the listed Regions and their composition. Variations to the composition of the Regions may be proposed by the Regions, the Board, or the vote of a MDA Meeting.
- (5) Within each Region the Members in respect of that Region will be:
 - (a) Member Councils within the Region;
 - (b) Organisation Members located in the Region, provided if the Organisation is located in multiple Regions it must nominate one Region;
 - (c) Life Members and Individual Members, resident within that Region.

16. *Region Meetings*

- (1) In respect of a Region:
 - (a) a Member Council may appoint:
 - (i) 2 Member Council Representatives; plus
 - (ii) 1 or more additional Member Council Representatives, for each 20,000 of population (or part thereof) above the first 20,000; up to a maximum of 5 Member Council Representatives. A Member Council Representative may be a councillor or council officer of the Member Council, or another person selected and supported by the Member Council;
 - (b) an Organisation may appoint 1 Organisation Member Representative.
- (2) Region Meetings may be attended by:
 - (a) Member Council Representatives;
 - (b) Organisation Member Representatives;
 - (c) Individual Members;
 - (c) Life Members;

- (d) people from other Regions in various capacities;
 - (e) guest speakers and other invitees and subject to the management of the meeting by the Chair, may address the meeting.
- (3) Region Meetings:
- (a) must occur at least 4 times per year;
 - (b) may be called by the Region Executive, Chair of the Region Executive or not less than 2 Member Councils within the Region; and
 - (c) require written notice of not less than 14 days to all Members located within the Region.
- (4) Regions must elect annually at a Region Meeting a Region Executive made up of:
- (a) a chair; plus
 - (b) not less than 2 and not more than 5, other Region Executive Members.
- (5) The chair of the Region Executive is the chair of the Region, provided further:
- (a) the chair must demonstrate both the initial and ongoing capacity to provide secretariat support for the activities of the Region;
 - (b) when the position of the chair becomes vacant for any reason, the Region Executive may appoint a temporary chair and a new chair must be appointed at the next Region Meeting;
 - (c) the chair must ensure minutes and other necessary records of Region Executive and Region Meetings are taken, kept and provided regularly to the MDA Board.
- (6) Voting at a Region Meeting must occur as follows:
- (a) Member Council Representatives may vote through a Proxy provided:
 - (i) not less than one Member Council Representative appointed by the same Member Council, is present; and
 - (ii) the relevant proxy has been given, in writing, to that Member Council Representatives who is present;
 - (b) one vote for each Individual Member of that Region and Life Member of that Region present;
 - (c) one vote for each Organisation Member of that Region, through its Organisation Member Representative, who must be present;
 - (d) a quorum of the Region Meeting will be not less than $\frac{1}{3}$ of Member Councils present in the Region;
 - (e) voting will be by ordinary majority;
 - (f) the chair will have an additional casting vote in the case of a tie in votes.
- (7) The Region Executive shall have responsibility to facilitate and implement the various roles of the Region and may, if it considers appropriate, seek support from Members to provide assistance including involvement through sub-committees as is thought fit.
- (8) The Region shall provide a report not less than once a year and prior to the annual general meeting of the MDA, of various business and actions dealt with by and within the Region relevant to the MDA.
- (9) Regions are encouraged to hold joint meetings with nearby Regions or Regions with common interests to discuss matters of common interest.

- (10) Each year prior to the 30th of June at a Region Meeting, the Region will elect by a vote, up to 3 Regional Delegates to attend and vote at any MDA Meeting occurring over the following 12-month period (to the next 30 June). A Region Delegate must not be a Member Council.
- (11) To be effective, details of the elected Region Delegates must be sent (together with the minutes of the relevant meeting) to the Board of the MDA, addressed to the President or the Chief Executive Officer not less than 14 days prior to the next MDA Meeting.

Part 6 – MDA Meetings

17. MDA Meetings

- (1) In respect of a MDA Meeting:
 - (a) a Member Council may appoint:
 - (i) 1 Member Council Delegate; plus
 - (ii) 1 additional Member Council Delegate, for every 20,000 of population (or part thereof) above the first 20,000;
up to a maximum of 3 Member Council Delegates;
 - (b) a Member Council Delegate may be a councillor or council officer of the Member Council, or another person selected and supported by the Member Council.
- (2) The MDA must hold a MDA Meeting at least once every financial year and one of those MDA Meetings must be the annual general meeting.
- (3) The annual general meeting of the MDA must be held between 1 July and 30 November in a particular year.
- (4) The time, place and arrangements for the annual general meeting of the MDA will be set by the MDA at any preceding MDA Meeting, failing which the Board will make arrangements for the annual general meeting.
- (5) The Board or not less than 4 Member Councils, may call a general meeting or a special general meeting of the MDA, by:
 - (a) written notice of the request to the Chief Executive Officer; and
 - (b) the process as set out in clause 17(6) .
- (6) Requirements for Any MDA Meeting include the following, must be as follows:
 - (a) must be arranged by on behalf of the Board, including through the Chief Executive Officer or Public Officer;
 - (b) by sending by post or email a written notice of the MDA meeting not less than 30 days prior to the proposed MDA Meeting, to each Region chair, every Delegate of whose existence notice has been given to the MDA and each Member Council;
 - (c) by posting of the details of the proposed MDA Meeting on the MDA's website, not less than 30 days prior to the proposed MDA Meeting;
 - (d) details with notice or posting must include the date, time and place of the MDA Meeting;-
 - ~~(i) — the date, time and place of the MDA Meeting;~~
 - ~~(ii) — the agenda and~~ any motions proposed, including those initiated by a Region, Member Council or any other Member must be distributed and posted on the MDA's website, not less than fourteen (14) days before the MDA Meeting.
- (7) A quorum for a MDA Meeting is 30 Delegates present at the meeting.
- (8) A MDA Meeting will be presided over by either the President of the Board or such other person appointed through a vote of Delegates present at the MDA Meeting.
- (9) Only Delegates are entitled to vote on matters considered by or at a MDA Meeting or in respect of MDA matters generally.

- (10) Voting at a MDA meeting must occur as follows:
- (a) each Delegate (that is Region Delegates, Member Council Delegates or Life Member Delegates) have a single vote;
 - (b) Member Council Delegates may vote through a Proxy provided:
 - (i) not less than one Member Council Delegate appointed by the same Member Council is present; and
 - (ii) the relevant Proxy has been given in writing to that Member Council Delegate who is present;
 - (c) Region Delegates and Life Member Delegates must be present at the MDA Meeting to vote;
 - (d) a matter the subject of a vote may be passed by an ordinary majority;
 - (e) in the case of a tied vote, the Chair appointed to preside at the MDA Meeting shall have a casting vote, in addition to any vote as a Delegate.
- (11) In any case where the Board considers a matter to be determined by the MDA is to be determined through a postal vote, the following must occur:
- (a) the Board will provide not less than 30 days' written notice of such proposal;
 - (b) the notice must contain the clear and specific detail of a matter or matters for decision by a postal vote;
 - (c) the vote must call for a yes or no response and no amendment to the nature of the question or outcome which is the subject of the proposed vote may occur;
 - (d) all and only Delegates may respond to a postal vote and those Delegates must do that personally;
 - (e) in the case of a tied postal vote, the proposal or issue for determination fails.

Part 7 – Chief Executive Officer

18. Chief Executive Officer

- (1) The Board shall appoint a Chief Executive Officer.
- (2) The Chief Executive Officer shall be responsible to the Board for the administration and operation generally of the MDA.
- (3) The Chief Executive Officer:
 - (a) shall carry out the Board's instructions;
 - (b) shall be responsible for the appointment of staff and retention of contractors.

Part 8 – Financial

19. Financial

- (1) Each Member of the MDA will contribute an annual fee based on the category of membership. Such annual fee:
 - (a) as to amount; and
 - (b) amount in respect of category of Member,will be set and potentially varied, on an annual basis, by the Board.
- (2) The Board may reduce, waive or accept instalment payments or make such arrangements as it thinks fit in relation to the application and calculation of the annual fee provided any reduction or waiver must be due to financial or other hardship, evidence of which has been provided (in confidence) to the Board.
- (3) The Board may, from time to time, provide to the Regions such funds as are considered appropriate, by the Board, to undertake activities within the particular Region.

Part 9 – Life Members

20. Life Members

- (1) A Life Member of the MDA is:
 - (a) a person named in Schedule 1; or
 - (b) any person nominated by a Member, endorsed by the Board and elected as a Life Member at a MDA Meeting.
- (2) The Board may prepare a Code for the consideration and approval of Life Members which will apply once adopted by a resolution at a MDA Meeting.
- (3) A Life Member is automatically a Delegate for the purposes of attendance, participation and voting at a MDA Meeting, provided the Life Member's voting right may not be a subject of a proxy.

Part 10 – Membership Generally

21. *Application for membership*

- (1) An application for membership of the MDA:
 - (a) must be made in writing in the form and in the manner determined by the Board, and
 - (b) must include an agreement by the applicant to be bound by this Constitution and any Code, and
 - (c) must be lodged with the Public Officer of the MDA.
- (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.
- (3) As soon as practicable after the Board makes that determination, the Public Officer must:
 - (a) notify the applicant, in writing, that the Board approved or rejected the application (whichever is applicable) and if the applicant was approved, the applicant's category of membership, and
 - (b) if the Board approved the application, request the applicant to pay (within the period of 28 days after receipt by the applicant of the notification) the sum payable under this Constitution by a Member as an annual fee (if applicable), and
 - (c) on payment by the applicant of the amounts referred to in sub clause 21(3)(b) within the period referred to in that provision (if applicable), enter or cause to be entered the applicant's name in the register of Members and, on the name being so entered, the applicant becomes a Member of the MDA.
- (4) The determination of the Board in respect of an applicant's application and the applicant's membership category is final. The Board is not required to provide reasons for its determination.
- (5) A Member may apply for a change of membership category. Subclasses (2) to (4), with applicable changes, will apply to an application for a membership category change.

22. *Cessation of membership*

A Member ceases to be a Member of the MDA if:

- (a) for Individual Members and Organisation Members, the Member annual fee is overdue for more than 90 days and the Board ends the membership,
- (b) for Member Councils, the annual fee remains unpaid after the failure to pay has been raised at a MDA meeting and the meeting decides to end the membership;
- (c) in the case of an individual – dies or is declared bankrupt, or
- (d) the Board resolves to end the membership;
- (e) the Member resigns membership,
- (f) the Member is expelled from the MDA in accordance with clause 28, or
- (g) ceases to be eligible to be a Member, or

- (h) in the case of an organisation – is insolvent, or is being wound up or deregistered, or has a receiver, administrator, manager, liquidator or other controller (howsoever described) appointed over the organisation or a substantial part of its assets.

23. *Membership entitlements not transferable*

A right, privilege or obligation which a person has by reason of being a Member of the MDA:

- (a) is not capable of being transferred or transmitted to another person, and
- (b) terminates on cessation of membership.

24. *Register of Members*

- (1) The Public Officer of the MDA must establish and maintain a register of Members of the MDA specifying the name and postal address and principal place of business of each Member of the MDA, the date on which the Member became a Member, the category of membership, and the contact details of the Member's representatives if applicable.
- (2) The register of Members must be kept:
 - (a) at the main premises of the MDA, or
 - (b) if the MDA has no premises, at the MDA's official address.
- (3) The register of Members must be open for inspection, free of charge, by any Member of the MDA during business hours.
- (4) A Member must not use information about a person obtained from the register to contact or send material to the person. However, a Member may use information about a person obtained from the register for:
 - (a) the purposes of sending the person a notice in respect of a meeting or other event relating to the MDA or other material genuinely relating to the MDA or its management, or
 - (b) any other purpose necessary to comply with a requirement of the Act or the Regulation.

25. *Members' liabilities*

The liability of Member Councils of the MDA to contribute towards the payment of the debts and liabilities of the MDA or the costs, charges and expenses of the winding up of the MDA is limited to \$1. Other Members are not required to contribute.

26. *Conduct Code or Codes*

- (1) A conduct Code or Codes will be prepared in respect of the conduct of:
 - (a) the Board and Board Meetings;
 - (b) MDA Meetings;
 - (c) Region Meetings;
 - (d) Members in the various MDA forums; and
 - (e) CEO and other staff.

- (2) Any conduct Code must be prepared (and varied) at the direction and by resolution of the Board.
- (3) A Code must be complied with by Members, Representatives and Delegates.

27. Resolution of disputes

- (1) A dispute between the MDA, or any of the Members of the MDA, or with the MDA, or with a Region, is to be referred to a mediator agreed by the parties to the dispute, or in the absence of agreement, by a mediator nominated by the President of the Law Council of Australia (or his or her nominee).
- (2) If a dispute is not resolved by mediation within 3 months of the referral under sub clause (1), any party to the dispute may commence proceedings.
- (3) A party to the dispute must not commence proceedings unless that party has complied with this clause 27, except in the case of a party seeking urgent interlocutory relief.

28. Disciplining of Members

- (1) A complaint may be made to the Board by a Member of the MDA if a Member:
 - (a) has refused or neglected to comply with a provision or provisions of this Constitution or any MDA Code, or
 - (b) in the case of individuals – has acted in a manner prejudicial to the interests or reputation of the MDA or unbecoming of a Member, or
 - (c) in the case of Members who are not individuals – the officers, employees or agents of the Member have acted in a manner prejudicial to the interests or reputation of the MDA or unbecoming of a Member.
- (2) The Board may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- (3) If the Board decides to deal with the complaint, the Board:
 - (a) must cause notice of the complaint to be served on the Member concerned, and
 - (b) must give the Member at least 14 days from the time the notice is served within which to make submissions to the Board in connection with the complaint, and
 - (c) must take into consideration any submissions made by the Member in connection with the complaint.
- (4) The Board may decide to expel the Member from the MDA or suspend the Member from membership of the MDA if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.
- (5) If the Board expels or suspends a Member, the Public Officer must, within 7 days after the action is taken, cause written notice to be given to the Member of the action taken, of the reasons given by the Board for having taken that action and of the Member's right of appeal under clause 29.
- (6) The expulsion or suspension does not take effect:
 - (a) until the expiration of the period within which the Member is entitled to appeal against the decision concerned, or

- (b) if within that period the Member exercises the right of appeal, unless and until the decision is confirmed under clause 29, whichever is the later.

29. *Right of appeal of disciplined Member*

- (1) A Member may appeal to a disciplinary appeal committee against a decision of the Board under clause 28, within 7 days after notice of the decision is served on the Member, by lodging with the Public Officer a notice to that effect. The disciplinary appeal committee will consist of:
 - (a) an independent chair, who will be a suitably qualified lawyer nominated by the President of the Law Council of Australia (or his or her nominee), and
 - (b) at least two further persons selected by the Board who have not been involved with the original decision of the Board.
- (2) The notice may, but need not, be accompanied by a statement of the grounds on which the Member intends to rely for the purposes of the appeal.
- (3) On receipt of a notice from a Member under sub clause (1), the Public Officer must notify the Board which is to convene the disciplinary appeal committee and schedule a hearing within 56 days after the date on which the Public Officer received the notice.
- (4) At a disciplinary appeal committee hearing convened under sub clause (3):
 - (a) no business other than the question of the appeal is to be transacted, and
 - (b) the Board (or nominee) and the Member must be given the opportunity to state their respective cases orally or in writing, or both.
- (5) The appeal is to be determined by a unanimous decision of the disciplinary appeal committee

Part 11 – General Provisions

30. *Insurance and indemnities*

- (1) In this clause “**officer**” means:
 - (a) a Member of the Board, and
 - (b) a person, such as an executive officer or chief executive officer, who makes, or participates in making, decisions that affect the whole of the MDA, or has the capacity to affect the financial standing of the MDA.
- (2) To the extent permitted by law, the MDA indemnifies every person who is or has been an officer out of the assets of the MDA against any liability incurred by the officer in or arising out of the conduct of the affairs or business of the MDA, or in or arising out of the discharge of the duties of the officer, unless such liability arises out of conduct involving a lack of good faith.
- (3) To the extent permitted by law, the MDA may (but is not obliged to) pay, or agree to pay insurance premiums for any directors or officers liability insurance which may cover liability incurred by officers in, or arising out of, the conduct of the business of the MDA, or in or arising out of, the discharge of the duties of the officer.

31. *Funds - source*

- (1) The funds of the MDA are to be derived from annual fees, donations, grants, contracts, service level agreements and such other sources as the Board determines.
- (2) All money received by the MDA must be deposited as soon as practicable and without deduction to the credit of the MDA's bank or other authorised deposit-taking institution account.
- (3) The MDA must, as soon as practicable after receiving any money, issue an appropriate receipt.

32. *Funds - management*

The funds of the MDA are to be used in pursuance of the objects of the MDA in such manner as the Board determines.

33. *Custody of books etc*

Except as otherwise provided by this Constitution, the Public Officer must keep in his or her custody or under his or her control all records, books and other documents relating to the MDA.

34. *Service of notices*

- (1) For the purpose of this Constitution, a notice may be served on or given to a person:
 - (a) by delivering it to the person personally, or
 - (b) by sending it by pre-paid post to the address of the person, or
 - (c) by sending it by email or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- (2) For the purpose of this Constitution, a notice is taken, unless the contrary is proved, to have been given or served:
 - (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
 - (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
 - (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the device from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

35. *Financial year*

The financial year of the MDA is:

- (a) the period of time commencing on the date of incorporation of the MDA and ending on the following 30 June, and
- (b) each period of 12 months after the expiration of the previous financial year of the MDA, commencing on 1 July and ending on the following 30 June.

36. Not-for-profit clause

- (1) The assets and income of the MDA are to be applied solely in the furtherance of its objects. No portion of the MDA's assets and income are to be distributed directly or indirectly to its Members by way of fee, salary, dividend, bonus or otherwise.
- (2) The Members of the Board will not be entitled to receive fees for their service on the Board (eg: sitting fees).
- (3) Nothing in sub clauses (1) and (2) prevents the payment in good faith to a Board member or Member:
 - (a) of remuneration for any services to the MDA in the ordinary and usual course of business,
 - (b) for goods supplied in the ordinary and usual course of business,provided that any such payment, or any other payment permitted by this Constitution, made or proposed to be made to a Board member, has been approved by the Board (in any generic or specific case).
- (4) Nothing in sub clauses (1) and (2) prevents the reimbursement for out-of-pocket expenses incurred in carrying out the duties of a Board member where payment does not exceed any amount approved by the Board (in any generic or specific case).

37. Dissolution clause

- (1) Subject to this Constitution, upon the MDA being dissolved or wound up, any surplus that remains (after such dissolution and the payment of all debts and liabilities) is to be transferred to another fund authority or institution.
 - (a) having objects similar to the objects of the MDA and which are charitable at law;
 - (b) whose rules prohibit the distribution of its or their income and property among its or their Members to an extent at least as great as is imposed on the MDA under this Constitution; and
 - (c) if the MDA is endorsed by the Commissioner for Taxation as income tax exempt those other institutions are also currently endorsed as income tax exempt on the same basis.
- (2) The fund, authority or institution will be determined by a vote of Delegates before the time of dissolution or winding up.

38. Amendment of constitution

The MDA may amend this Constitution and its objects by special resolution of Delegates at a MDA Meeting, subject to following sub clauses:

(a) the amendment must be lodged with the executive six (6) weeks prior to the MDA Meeting;

~~(a)~~(b) the amendment must be listed as a motion and published in the agenda for the MDA Meeting.

39. Government grants and assets

An asset or part of an asset of the MDA consisting of property supplied by a government department, public authority or council, including the unexpended portion of a grant, must be returned to:

- (a) the department, authority or council that supplied the property, or

- (b) a body nominated by that department, authority or council.

40. Confidentiality and intellectual property

In the furtherance of the MDA's activities, the MDA may provide Board members (and any organisation they represent under this Constitution) and Members (and their officers, employees, agents, contractors), access to sensitive, commercial-in-confidence or confidential information ("**information**"). Each Board member and Member must ensure that a recipient from them of such information:

- (a) will keep the information confidential, and will not disclose the information to any other person unless:
 - (i) the person is a permitted recipient with a need to know,
 - (ii) disclosure is required by law or government policy,
 - (iii) disclosure is with the MDA's prior written consent, or
 - (iv) the information is already in the public domain other than by a breach of any confidentiality obligation,
- (b) will only be used for the purposes of preventing or controlling diseases, and the information must not be copied, modified, adapted or exploited for any commercial purposes, and
- (c) will comply with the MDA's information disclosure policies as published from time to time by the Board.

Schedule 1 - Life Members

Mr Graham Camac	Meningie	Region 6
Ms Pauline Frost	Adelaide	Region 7
Cr Les Hill	Berri	Region 5
Mr Brian J Grogan OAM	Mildura	Region 4
Mr Bill Gorman	Mulwala	Region 2
Dr Terry Hillman AM	Lavington	Region 1
Mr Jim Hullick OAM	Adelaide	Region 7
Mr Jack Larkin OAM	Spring Gully	Region 2
Mr J (Bede) Mecham	Wagga Wagga	Region 9
Mr Max Moor	Barmah	Region 2
Mr Philip Moore	Melbourne	-
Mr Don Oberin	Echuca	Region 2
Mr Kevin Pell OAM	Nathalia	Region 2
Mr Phillip Potter	Jingellic	Region 1
Mr Wulf Reichler	Brewarrina	Region 10
Mr Ken Rogers	Dubbo	Region 10