

MDBA ref: EC24/001030 | D24/25582  
Your ref: Billabong Creek Environmental Water Regulators | SSI-50831979

Drew Anderson  
NSW Dept Planning Housing Infrastructure  
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Dear Drew

**Subject: Billabong Creek Environmental Water Regulators | SSI-50831979**

We refer to your recent request for comment on the Environmental Impact Statement (EIS) associated with the Billabong Creek Environmental Water Regulators State Significant Infrastructure (SSI-50831979) proposal.

In considering this proposal for replacement of Hartwood & Wanganella Weirs with bespoke regulators, it is the role of the Murray-Darling Basin Authority (MDBA) to ensure the water quality of the River Murray is maintained or improved, contributing to the protection of the riverine and floodplain environment, and that there is no detrimental impact on the flow, use, or control of the water in the River Murray.

Based on the information provided, the MDBA has completed its assessment and considers the proposal is unlikely to significantly impact the flow, use, control, and quality of water of the River Murray. However, the MDBA wishes to provide the following points for consideration on the proposal:

- Considering that Billabong Creek can be used for bypassing the Barmah Choke via the Finley Escape channel, construction under this proposal may impact the ability to convey water from Hume Dam to Lake Victoria due to reduced channel capacity. We suggest this be further assessed by NSW agencies in collaboration with MDBA River Operations.
- The Environmental Impact Statement (EIS) states the MDBA has been consulted on the proposal via participation in a Technical Advisory Group (TAG). Whilst correct for earlier iterations of the NSW Yanco Creek and related package of Sustainable Diversion Limit Adjustment Mechanism (SDLAM) projects (of which this remains part of) prior to the MDBA's 2018 SDLAM Determination, no such consultation has been undertaken for this current iteration of the proposal. We contest this assertion as a point of inaccuracy in the EIS.

This proposal highlights continuing issues for the MDBA of not having routine clarity of NSW State Significant Development (SSD) and SSI proposals that may impact Basin water resources. Noting the MDBA currently only receives NSW SSD/SSI referrals by email on an ad-hoc basis, it is considered that this process would be more efficient and robust if the MDBA were added as a referral agency for relevant NSW SSD/SSI proposals within the NSW Planning Portal.

Whilst the MDBA appreciates notification of this proposal for comment, the timing of notification (i.e. at current public exhibition of the EIS) is also unsatisfactory. This timeliness issue may also potentially be resolved through referral via the NSW Planning Portal.

The opportunity for MDBA input into the earlier stages of a proposal would enable for a more comprehensive assessment and earlier resolution of potential issues.

We look forward to future correspondence on this proposal via [RiverMurrayHealth@mdba.gov.au](mailto:RiverMurrayHealth@mdba.gov.au).

Yours sincerely



Jacqui Hickey  
Executive Director  
River Management

13 December 2024