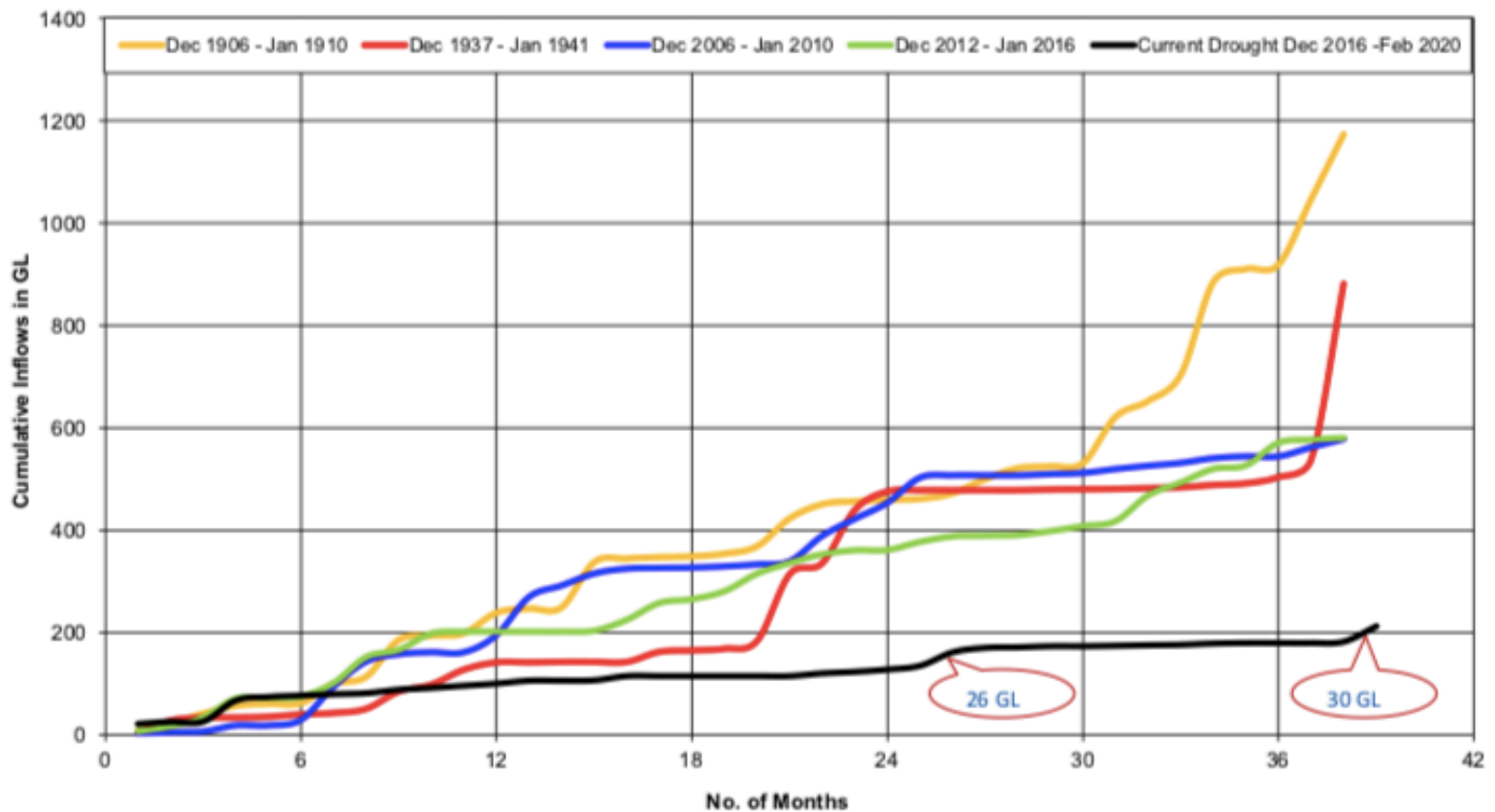


Independent Assessment Of The Northern Basin First Flush Event 2020

Please accept my submission to the panel in regard to the NSW government handling of tributary flows that became available during February 2020.

I live at Quambone, NSW, running 9 properties, grazing cattle in & beside the Macquarie marshes floodplain. The whole episode around FPH demonstrates that the departments have never abided by the Water Sharing Principles section 5(3)abc), So now when we have a Drought of Record(DoR) that is 35% of the previous and 9 of the last 13 years are in the worst 5 DoR since 1895,

Comparison of Drought Inflows - Burrendong Dam (Drought Inflows for 38 Months Starting in December) 



and the Macquarie Marshes core reed-bed has intensely burnt.



The gov't & departments & irrigators have to be seen to be doing something to cover their mismanagement whilst not actually doing harm to their supporter base, ie the 'big end irrigators'. So the amendment & the exemptions have resulted in further entrenchment of FPH into being legal whilst not limiting their actual take by giving exemptions through 'Passive take and tail water systems' which had been updated by 'efficiency' programs funded by the commonwealth. None of this was necessary if only Section 5(3) c) had been followed. "Sharing or extraction of water under any other right MUST NOT PREJUDICE the principles set out in paragraphs a) and b)". If this had been abided by 'Works' would not of been licensed where assets could be endangered by flooding ie floodplains, and by using the precautionary principle the dependent ecosystems downstream would have been protected and sustainable. I have photos and graphs etc to support the above.

4 Meeting the Act's priorities for water sharing is an ongoing challenge

This chapter introduces and provides a rationale for the Commission's key recommendation that the Plan needs to be amended and subsequently remade to meet the water sharing principles outlined in the Act.

In summary, the water sharing principles in the Act explicitly prioritise the protection of the environment and basic landholder rights over extractive use in the making of the Plan. The Act further emphasises that it is the duty of all persons exercising functions under the Act to act in accordance with them. The Act principles are clear - the needs of the river must come first. The Plan needs to be amended and then remade to achieve the priorities in the Act.

4.1 Priorities under the Act are clear

The Act makes it clear that water sharing is not about balancing uses and values, it is about firstly providing for the environment and secondly recognising basic landholder rights above other uses. The relevant water sharing principles are found in section 5(3) of the Act (**water sharing principles**), and are part of a broader set of water management principles.¹⁵¹ The Act specifies that:

- a) "sharing of water from a water source must protect the water source and its dependent ecosystems, and
- b) sharing of water from a water source must protect basic landholder rights, and
- c) **sharing or extraction of water under any other right must not prejudice the principles set out in paragraphs (a) and (b).**¹⁵²

Further, section 9(1) of the Act provides that "It is the duty of all persons exercising functions under this Act:

- a) to take all reasonable steps to do so in accordance with, and so as to promote, the water management principles of this Act, and
- b) as between the principles for water sharing set out in section 5(3), **to give priority to those principles in the order in which they are set out in that subsection.**¹⁵³

Persons exercising functions under the Act, as contemplated by section 9(1), would extend to the Ministers, in making a new water sharing plan,¹⁵⁴ amending a plan¹⁵⁵ or extending it.¹⁵⁶

Water Management Act 2000 No 92

Current version for 1 November 2019 to date (accessed 14 March 2020 at 23:11)

Chapter 2 > Part 3 > Division 8 > Section 44



44 Periodic auditing of management plans

- (1) The Minister is to ensure that a management plan is audited, within the first 5 years of the plan, for the purpose of ascertaining whether its provisions are being given effect to.
- (2) An audit under this section is to be carried out by the Natural Resources Commission.
- (3) In setting terms of reference for the preparation of a management plan to replace an existing management plan, the Minister must have regard to the results of the most recent audit conducted under this section in relation to the existing management plan.

First a description of the social, economic & environmental landscape prior to the rain. Socially; The available work was only for essential repairs and feeding of remaining unsalable stock. Many businesses had shut down as much as they could. Social outings were small and limited and essentially to look after peoples mental health, large quantities of welfare was being gratefully received, food, hay, clothing, money etc. Economically; It would not be uncommon to expect accumulated tax losses over the last 3 years to be around \$200 per Ha which when added to already existing debt will mean many businesses are beyond viable Loan to Value ratios, LVR,. There have been/will be many discussions about viability and retirement. Environmentally; The deterioration in volume, quality, duration & timeliness of floodwater over 50 years has been expedited by this drought such

that a change in ecological state was occurring for eg. perennial grasses had died, normal colonising desert weeds roly polly, Galvanised burr, Copper Burr, Salt bush had died. Many trees had defoliated/died. We were getting sand blasted by dust storms on a regular basis. The core Northern Marsh had burnt (photos & videos available)



(note: Both images on the left have been taken in the same location. Image on top was taken in 2007 with the poster held illustrating the marsh in 1990. The bottom image was taken in 2019)

It was feared it would end up like the southern marsh, waste land. The 3 year inflow to the Macquarie river catchment was 35% of the previous Drought of Record. **IF NOT NOW, WHEN TO REPAIR, RESTORE & MAINTAIN** the Marshes to sustainability. My view on the impact of this mismanagement is that it is lost opportunity, may be the last, to save the ecosystem. It is best explained with an eg. Ibis have an average life expectancy of about 8 years. The Macquarie Marshes are a listed Ramsar Site for wetlands primarily for colonial nesting waterbirds. In the 1970's there was an estimated 500K breeding pair. ie 1,000,000 birds in 2010 & 2011 there was an estimated 50,000 breeding pair. In 2016 an estimated breeding pair of 30000. In 2020 all the adults and chicks from 2010 and 2011 are dead(old age) the only birds remaining are the chicks from 2016 and they are now 4 years old, half way through there life, These birds would have attempted to breed if the water had not been prevented or slowed down from getting to there nesting colonies. They attempted to nest on lignum at the back of my house which has



(photo taken in Early March 2020)

never happened before. The birds may or may not of been successful in raising chicks, but for the Gov't, Departments and the irrigation industry to prevent any possibility of a breeding event, I consider criminal.

If one of the top apex fauna, ibis (which can relocate) are in such a dire situation, what is the stationary non-relocatable ecosystem like? Is it saveable? The blame needs to be put right on the politicians Department and irrigators.

The economic effect on flood plain grazing by the impact of Flood Plain Harvesting is enormous the changing of quantity height and timing of flooding from



no water no feed to good water and over abundance of feed (I can show you photos of this event. 1 km apart on the same water course, 1) where there is no feed & cracks 12CM wide with a zero stocking rate, zero economic return and

2) Feed to the top of the fences water on the ground a potential stocking rate of a beast to the hectare putting on a kg per day @ \$4.50 per kg). The impact of FPH can be devastating for every community downstream and the state and national interest. the only beneficiary is the irrigator and potentially his local gov't area.



With out this extraction of water (FPH & Supplementary) in the Macquarie . The floodplain would have been wet quicker and more extensively and the response would have been greater because of the timing.

The water would have become end of system flows into the Barwon & Darling River Floodplains or it would have soaked into the ground becoming ground water or it would have evaporated, all natural cycles that need sustaining. The evaporation is also somebodies/some where else's future rainfall, which if caught by FPH is going to be denied. This future rainfall is also future runoff and guess what has decreased into our storage dams. RUNOFF or INFLOWS or the lack thereof has caused the recent Drought of Record which is 35% of the previous DoR. When you intensify droughts they become longer and more widespread drying out forest & rainforests and have more dry lightning thunderstorms which start fires and devastates homes communities environments and economies. This stopping of the natural water cycle is resulting in a spiral downwards, we can only guess the next calamity. Nobody guessed the drought, the fish kills, the fires. I have graphs, photos etc and if i could be of extra assistance please contact me.

In conclusion, I have two recommendations to this panel.

1)The establishment of 'End of System Flow requirements' with a carryover mechanism with a separate minimum 12 month flow figure triggering the first flush rule, then the End of System requirement plus carryover must actually pass that point before any extractive use is allowed. The End of System flow requirement should be a set percentage of the long-term average outflows from modelled outflows for the 1895-2009 without-development model run as can be found in the guide to the proposed basin plan volume 1 page 211. This percentage should reflect the environmentally sustainable level of take (ESLT) as defined and discussed in the South Australian Murray Darling Basin Royal Commission Report pages 129 to 157.

2)To discuss and propose a Royal Commission in to the whole management of the Murray Darling Basin so that we can have an environmentally and economically sustainable river and farming system for our future generations.

Your's Sincerely,

Dugald Bucknell

Quambone Station
Quambone NSW

