

**IMPACTS OF THE WATER AMENDMENT (RESTORING OUR RIVERS) ACT
2023 ON NSW REGIONAL COMMUNITIES**

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Submission - Inquiry into the impacts of the Water Amendment (Restoring Our Rivers) Act 2023 on NSW regional communities

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a) The social, economic and environmental impact of repealing limits to the cap on Commonwealth water purchases.

The decision by the State Government to continue buying back water from the Agricultural sector is one that has not been received well by the communities that reside and exist on the banks of the Murrumbidgee River. To begin, let me be clear, buying back water is an admission from the Government that they got the numbers wrong in the first instance when rolling out the Murray Darling Basin Plan and water sharing plans in 2012. The calculations being out by 450,000 ML is an error margin that a person with basic mathematical skill should be ashamed of let alone a team of bureaucrats supposedly at the top of their field.

There are two types of water owners that I am hearing from:

1. Farmers who are very nervous. They remember 2019 when we were in a dry time and Murrumbidgee Water allocation reached \$900/ML. When \$150/ML is the tipping point for a profitable rice crops. Farmers were in the position that they decided it made no economic sense to plant a crop. They could not afford to purchase the water in order to sustain the crop to harvest. These farmers know that they are in a much worse position now than they were then with the amount of water that has been removed from the collective pool of water for agricultural purposes and we wait to see when the next drought arrives just how bad it will be.
2. Corporates who are revelling in the money they have made as they cash in their water entitlement portfolios at a premium price to rush back to the market in order to 'reload' for the next round of buy backs.

The Agricultural minister Murray Watt told the 2023 NFF Conference that agriculture was a 'central priority' for the government, in response to a critical new NFF campaign arguing against 'anti-farming' policies and The Australian Government will consider the needs of local communities when pursuing further water buybacks in the Murray-Darling Basin.

b) The risks to the effective implementation of the Federal Water Amendment (Restoring Our Rivers) Act 2023 including unlicensed take of water and options to address these risks such as rules for floodplain harvesting

With The Reconnecting River Country Program Business case now finalised and signed off by the minister we are still waiting on answers from the government, which is unable to indicate which flow regime will be implemented. It is impossible to ascertain how individual landholders will be affected and what sort of flood mitigation would be required. Landholder Negotiation Scheme Regulation is premature unnecessary additional Regulation. Lack of consultation; to this date there are still landholders unaware that the Government will approach them to negotiate an easement over their land. This is unacceptable. Governmental option to

compulsory acquire an easement is a direct attack on property rights, Freehold land as defined 'free from hold' of any entity besides the owner. The owner free ownership for perpetuity, there is no encumbrance title of the property. By definition an easement is an encumbrance. Compulsory acquisition is a legal 'Agreement' that is not agreed upon by both parties constitutes a totalitarian land grab. Proposed extension of time for negotiation only results in a longer drawn-out period of psychological torture for those that object to an easement. I was unable to ascertain which comes first the Government land grab in compulsory acquisition of easements or the adoption of the Reconnecting River Country program. It would be a diabolical State government to consider implementing acquisition of easements over private land prior to the Reconnecting River Country Program commencement which has not been agreed to by all States to date. And points to ulterior motives such as conservation easements. Draft Landholder Negotiation Scheme Regulation Consultation Paper cited the 'Just terms Act' even though this Act is currently under review. The old adage of 'start as you mean to go on' does not reflect well for the government with regards to 'Good faith'. Already departments have developed negative relationships with landholders. Consultation has not been transparent, equitable or fair with some landholders having multiple face to face meetings, some have never had any contact and others have been actively shut out of communications for asking reasonable questions. Cost in obtaining Financial Impact Statements should be funded by the Government. This has not been factored into the Negotiation Guidelines and is a major oversight. Landholders stand to lose income from Prime farming land and this needs to be quantified individually. This is also impossible to ascertain until the flow regime is decided upon. I am unable to ascertain the actual number of landholders that have been consulted. Totally failed to consult with each and every river dweller/ property owner. Michelle Cavellero has stated 200, Lisa Hingerty said 900 on the 7News Report Riverina v's 3,500 actual landholders (or whatever this figure is). Every single landholder must be consulted before the programme proceeds.

The process must stop immediately and restart. Local Land Services completely botched the consultation process. The LLS failed dismally to either gather the contact details of landholders despite already holding those details, they hold all the stock returns and failed to make contact with even 10% of river country landholders, they have a newsletter and not once has anything about the LNS been seen in it. We were promised transcripts from the webinars that had never been delivered. Online transcripts and answers to questions have not been done by the government yet constantly promised. Present day technology allows instantaneous transcription. Lisa Hingerty is quoted as saying 'The NSW Government has no plans to compulsory acquire thousands of flow easements. Compulsory acquisitions should therefore be removed from the voluntary negotiation process. RRCP have utilized the services of solicitors, advisors, consultants etc the landholders most affected by the proposed LHNS should be availed of the same support courtesy of government. Michelle Cavellero was said to have told one landholder \$5000 was the amount that was going to be provided. This is a fraction of the cost of professional fees to engage independent solicitors, advisors, consultants, and valuers during the course of the LHNS. Given that RRCP lay claim to consideration of the significant emotional, psychological and financial effects environmental flows will have on some landholders. Landholders affected by proposed environmental flows should be offered psychological and financial support after each flooding event and in perpetuity. Given the stress and time landholders are experiencing on a daily basis regarding the RRCP & LHNS. Support should be available to landholders now.

I cannot ascertain the nature of the discussions the DPIE has had with banks, APRA and the ATO. Michelle Cavallero has stated these talks had been done. No guarantees have been made that the terms of the easement won't be changed at a later date which would further erode our property rights. The recommendation from Public servants was to go and talk to a lawyer. Michelle Cavallero stated that the terms could be changed to allow for rules to be put in place that landholders were to maintain no rubbish on the floodplain. This is indicative of the flexibility of easement terms by the Government. The beneficiary of the easement must rectify any damage they cause, they are required to make good with the burdened, I have not been supplied the draft easement terms to be able to determine if damage to Landholdings is included in the terms. Questions remain unanswered despite being asked multiple times during consultation. Landholders are not against sensible environmental flows however we are vehemently opposed to easements.

Other risks that are apparent with environmental flows were evident after the 20GL release in October of 2024. River landholders experienced flooding in some areas, bank degradation and slumping along with the loss of ancient Red river gums as they fell into the river. Is this the desired effect of 'carbon cycling' as mentioned in flood plain management plans? That we risk the heritage of these ancient trees to the river to rot.

c) the impact of Planned Environmental Water rules on the reliability of water allocations in NSW and the Commonwealth's environmental water holdings

The current water operations license for the Burrinjuck and Blowering dam states that WaterNSW must 'mitigate against flood damage'. If the Reconnecting River Country Program should proceed this would be a direct breach of their own rules. This fundamental change in operating procedure I find unthinkable. Is it not the role of the government to implement policy and procedure for the benefit of the people? When did the Australian government slip into this psychotic style of thinking? Inflicting state designed disasters as they see fit. Where do the insurance companies stand in this?

d) the impact of rules-based changes on the reliability of water allocations in NSW, including their impact on different water license categories

As increasing amounts of water get flushed away in the name of the 'environment' naturally there will be a decrease in the available water for allocation to General Security licences. It seems that it is becoming a popular opinion that Irrigation water is viewed as 'wasted'. When it is also delivered into the environment just in a different way. All water is cycled as the earth is a closed system. Sensible environmental flows are supported however a balance must be found for food security and the economic benefits to the country. The more water flushed away the less productive the nation.

The movement of 6GL from ACT environmental water is said to cost General security licence holders 4% and a further 4GL exiting for Specific purpose water access licence to secure Wagga Wagga City's water due to PFAS contamination being monitored in their current groundwater bores will decrease the available water to General Security licences somewhere in the order of 6%, this could be the difference between an OK growing season and a complete failure.

e) the effectiveness and impacts of past water reforms, including community-based water reduction adjustment programs such as the Strengthening Basin Communities program and Murray-Darling Basin Economic Development Program

We witnessed it in communities downstream in the 2019 drought. 70% of local farming jobs being lost in small communities and all of a sudden the town does not have the population to sustain itself. We expect more of the same to come. We can expect suicides in the farming to continue to rise as the feelings of helplessness take hold.

f) options to improve future community-based reduction adjustment programs including next rounds of the Sustainable Communities Program

BandAid solutions are destined to fail in the long term.

g) any other related matter.

The delivery of 80GL/day environmental water to South Australia to fill man-made lakes has always been unachievable. It's a goal that cannot be achieved without flooding the most productive farmland in three states. Stop flogging the dead horse and wasting millions of taxpayer dollars in the process. Ditch Net Zero goals Australia already in a negative carbon emissions position, global targets are nonsensical.