REPORT ON PROCEEDINGS BEFORE

LEGISLATIVE ASSEMBLY COMMITTEE ON INVESTMENT, INDUSTRY AND REGIONAL DEVELOPMENT

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

At Exhibition Room, Back O' Bourke Information and Exhibition Centre, Bourke, on Friday 10 October 2025

The Committee met at 12:40.

PRESENT

Mr Roy Butler (Chair)

Mr Stephen Bali (Deputy Chair)
Mr Justin Clancy
Mr Warren Kirby

DAMON GOOLAGONG: I am a Wiradjuri man and the Aboriginal Liaison Officer at the Parliament of New South Wales. I acknowledge the traditional custodians of this land and pay respects to Elders past, present and emerging.

The CHAIR: Thank you, Damon. Good afternoon, everyone, and welcome to the public hearing for the Legislative Assembly Committee on Investment, Industry and Regional Development inquiry into the impacts of the Water Amendment (Restoring Our Rivers) Act 2023 on New South Wales regional communities. Before we start the hearing, I acknowledge the Ngiyampaa people, the traditional custodians of the land on which we are meeting today. I pay my respects to Elders past and present, and extend that respect to other Aboriginal and Torres Strait Islander people who are either present or are viewing the proceedings on the internet. I also thank Damon Goolagong, the Aboriginal Liaison Officer from New South Wales Parliament, for his acknowledgement of Country.

I am Roy Butler, the Chair of the Committee, and I'm joined by my colleagues Mr Stephen Bali, the Member for Blacktown; Mr Justin Clancy, the Member for Albury; and Mr Warren Kirby, the Member for Riverstone. Mr Richie Williamson, the Member for Clarence, will be joining us a little later via videoconference. Other Committee members Ms Charishma Kaliyanda, the Member for Liverpool, and Ms Maryanne Stuart, the Member for Heathcote, are both apologies for today. I declare the hearing open.

Councillor LACHLAN FORD, Mayor, Bourke Shire Council, sworn and examined

Mrs LEONIE BROWN, General Manager, Bourke Shire Council, sworn and examined

The CHAIR: I welcome our first witnesses. Thank you for appearing before the Committee today to give evidence. Please note that Committee staff will be taking photos and videos during the hearing. The photos and videos may be used for social media and public engagement purposes on the Legislative Assembly social media pages, websites and public communication materials. Please inform Committee staff if you object to having your photos and videos taken. Please also note that only Committee staff and media organisations are allowed to take photos and videos. If you would like a copy of these photos, please contact Committee staff during a break. Can you both please confirm you've been issued with the Committee's terms of reference and the information about the standing orders that relate to the examination of witnesses.

LEONIE BROWN: Yes.

LACHLAN FORD: Yes.

The CHAIR: Do either of you have any questions about this information?

LEONIE BROWN: No.

LACHLAN FORD: No.

The CHAIR: Would one of you like to make a short opening statement before we begin the questions? In the interest of time, I ask that it is limited to 90 seconds. It rarely happens, but we'll try.

LACHLAN FORD: Thank you for having us today, and thank you to Damon for his acknowledgement of Country; it is much appreciated. Bourke Shire Council commends the New South Wales Legislative Assembly for undertaking its inquiry into the impacts of the Water Amendment (Restoring Our Rivers) Act on New South Wales regional communities. Thank you, Chair, and members of the Committee, for coming to Bourke. I extend a warm welcome to you all.

Bourke is located 780 kilometres north-west of Sydney and 380 kilometres north-west of Dubbo. The shire compromises the township of Bourke and six outlying villages, and is considered a gateway into the Far West of New South Wales and into south-west Queensland. The shire has an area of 41,680 square kilometres. To put that into perspective, the area of the shire is two-thirds of the size of Tasmania. The western boundary is 200 kilometres from Bourke out at Wanaaring and the northern border stretches to Queensland, with Bourke being the regional centre for much of the outlying far north-west of the State. Situated on the Darling/Baaka River, the prosperity of the shire is built around pastoral, tourism and service industries, and a significantly reduced irrigation sector.

The township of Bourke and the surrounding shire is a community in the Murray-Darling Basin that over the past 25 years has been significantly impacted as a result of the implementation of the surface water diversions cap and from the water buybacks in the following years. It has been estimated that up to 60 per cent of the local economy has been impacted as a result of the implementation of the cap process, with a further 10 per cent of the economy impacted through the water buyback process. Both of these processes have resulted in an economic and social reduction. For instance, in terms of population loss alone, the population of our shire has reduced some 42 per cent since the turn of the century in 2000. In council's view, this population loss is simply a result of the combined cap and water buyback processes.

Bourke has done a lot of heavy lifting for 25 years as a result of the water reform. Many businesses have closed or left Bourke. We no longer have a Toyota or Ford motor vehicle dealership. Both machinery dealers, JD and Case IH, left town. One school, where over 70 children attended, closed. One registered club went into receivership and closed. The Bourke farming industry lost its only locally run aerial spraying business. A substantial local earthmoving and engineering contractor also closed. Staff numbers at the major irrigation, fertiliser and chemical company in Bourke, Darling Irrigation, had to reduce full-time staff numbers from 13 down to five.

The purchase of Toorale Station in 2008, a water buyback initiative, saw the purchase of the water licence intended to return irrigation water to the Darling/Baaka and locked the land up as a national park. This sale alone had a significant impact on the Bourke economy. Toorale was a successful irrigation and pastoral operation that would employ up to 100 staff each year. The national park now employs three staff. Putting it simply, taking the Toorale operation out was like taking BHP out of Newcastle. Further reductions in irrigation water in a community like Bourke may remove bounce-back options altogether for some businesses.

Apart from the fact of population loss and the number of empty blocks in town, along with anecdotal information, it's difficult to articulate with detailed data and clarity the impact of water reform on Bourke. As a

small and remote shire, we simply don't have the financial or human capability resources to engage a suitably qualified professional to map Bourke's water reform journey and the significant toll this reform has taken on the town. Attempts have been made to source the required funding from the Federal Government to undertake this task, but this has been unsuccessful. Notwithstanding, I'm confident that one day such mapping will be undertaken by someone and it, unfortunately, will not make for pleasant reading.

Irrigated agriculture and horticulture were once the major economic drivers in our community. Should the industry take another hit, the entire local community will also take another hit that it can ill afford. As a council and as a community, we want to make sure that doesn't happen again. Water security for Bourke is at the top of the council's list of strategic priorities. The raising of the Bourke weir is an issue that has been pursued without success by the Bourke community for a significant period of time. A reliable and sustainable water supply is required for a properly functioning town. In the most recent drought, which ended in 2019, the weir did not flow for 442 days. The township of Bourke was in a dire situation, with *The Sydney Morning Herald* reporting in October 2019 that Bourke, with a population of 2,100 people, was marked as the highest risk town amongst large towns of running out of water because of a shrinking weir pool. It was noted that while the weir pool was at about 50 per cent capacity, the lower 30 per cent was of too low quality to access.

The New South Wales Government has, thankfully, funded the installation of bores that will pump a limited supply of water into town in the event of a drought. However, the quantity and quality of water will see Bourke in an undoubtedly precarious position at some point in the future, as there will be another drought. The need to ensure water security for Bourke is necessary for critical human needs, town water supplies and to provide related socio-economic, environmental and cultural benefits. There are 29 weirs along the Barwon-Darling and adjoining tributaries. The previous State Government committed $4.21 million to develop a strategic business case for the Bourke weir. This was part of the Western Weirs Program. The Western Weirs Program was identified as being of critical State significance as part of the Water Supply (Critical Needs) Bill 2019. In 2020 it was identified that the weirs program had a broad time frame of some four years until construction commences. We're now in 2025 and are no further advanced, with the Better Baaka program having absorbed the previous Western Weirs Program.

More recently, emanating from the Reconnecting the Northern Basin project, the New South Wales Department of Primary Industries and Regional Development was proposing changes to the weir at Louth in our shire and the weir at Tilpa in the Central Darling shire. The proposals for these weirs involve the installing of a fish passageway accompanied by the lowering of the height of the weirs. Both the Louth community and council were very much opposed to any reduction in the height of the Louth weir. The rationale for this opposition is simple. A lower weir height means less water in the weir pool. Less water in the weir pool means less water in dry times.

As a council, we felt that the concerns of the community were not being listened to. To her considerable credit, the New South Wales water Minister, Rose Jackson, determined that the designs be reviewed such that the new design include a small capping sill across part of the weir crests at Louth and at Tilpa that will still allow the fishway to operate effectively and maintain the current supply level. We are most thankful to the Minister for that. As a small and remote community, we certainly get frustrated when lived experience in respect of the river is ignored. Bourke Shire Council continues to lobby both Commonwealth and State governments to support this impact-important project to raise the town's weirs. Without additional water security, the Bourke community is unfairly exposed and vulnerable to the forecast and extreme summers ahead. Noting that once water ceases to flow over the Bourke weir, the community has about six months of water supply in our weir pool.

The CHAIR: Before we begin the questions, I inform you that you may wish to take a question on notice and provide the Committee with an answer in writing. As the Chair, I will put the first question to you. I will make it so that you are able to talk about the impacts. What impacts might water buybacks have on agriculture and communities in this area?

LACHLAN FORD: That is an easy one, Roy. We have seen the impacts of a reduction in productive water in our basin over the last 25 years. Our town has gone from around 4,000 people down to 2,100 people. We have lost a lot of businesses. The flow-on effect from that is that you lose your swimming club, you lose your local soccer clubs and our schools decrease in size. You need a critical human mass in any of these towns to make them productive and viable going forward. The socio-economic issues that come with the loss of water both from a mental health perspective, a business perspective and the town itself are very hard to quantify, Roy.

We see how much quieter it is. We see the businesses that aren't here anymore or that businesses have so many less staff now than what they had before. We have been very fortunate that we have had support and been able to get a small goat abattoir plan in Bourke, which has assisted to maintain things. Without that, we would be in a pretty bad place at the moment. You can see what the water buybacks have done to other communities such

as Collarenebri and Menindee, where the majority of the water was taken out of those communities. They are shells of themselves now. Any further buybacks, Roy, would be disastrous for our area.

Mr JUSTIN CLANCY: Firstly, Mr Mayor, thank you for being here today. Thank you for speaking so well in terms of the impacts of previous buybacks. Since this legislation came in, what's the feel within the community? What has it been like navigating that as a leader of your community, even just the prospect of further buybacks? Secondly, I welcome your thoughts in terms of the health of the system itself and what that looks like from your vantage point and what steps you would like to see to perhaps further improve the health of the system in this part of the basin.

LACHLAN FORD: I'll probably address them as two separate issues, if that's okay, Mr Clancy. I think, firstly, on the health of the system, it would appear that the river has flowed pretty much consistently since late—

LEONIE BROWN: 2019.

LACHLAN FORD: Yes, when we came off the back of one of the worst droughts we've ever had. Obviously, the river flowing and being connected the whole time goes somewhat to improving the river's health. I'm a firm believer that, from a fish perspective, the carp are probably causing just as much problems as anything else and the river remaining connected all of the time can actually lead to them increasing breeding. From a water quality perspective, having fresh water in the river is obviously always a bonus. Connectivity has always been a big talking point around all of the Murray-Darling Basin reforms. I think that's important. Obviously, we would have had an upside in that. However, we've still had fish kills and things like that in that period of time as well, which leads me to question some of the science as to what a flowing river does.

I believe the carp have done a huge amount of damage to the river. When you talk to people who lived here before I was told about weed in the river, in some situations, being dangerous for kids to swim because there was that much weed in the river, which obviously would have filtered out a lot of the toxins and helped to make that better. We don't have any of that anymore. The river was—again, from information provided to me—a lot clearer back in pre-carp times too. I think there are some ups, but until we can do something about the carp problem, I think we're going to continue to face an uphill battle on water quality. The second part of your question related to the feeling, I suppose—was it?

The CHAIR: Navigating the buybacks in Bourke shire. How has the community been dealing with the threat or the imminent buybacks?

LACHLAN FORD: Do you mind if I pass over to my general manager for that part of the question?

Mr JUSTIN CLANCY: That's fine.

LACHLAN FORD: I appreciate that. Thank you very much.

LEONIE BROWN: The community is—I guess we're tired. We're tired from what has happened previously with cap, when it was implemented in 2006. We had our water licences cut by 67 per cent, so it went from just over 500 gigalitres down to 198. At that time, with cap, there was no remuneration, so no-one was remunerated for that in any community or farm, and it saw the demise of our horticulture industry. Horticulturalists just closed up shop and were no longer here. They were growing melons, citrus and grapes. Then we have come into buybacks—a willing seller and willing buyer—and some irrigators are selling their licences.

We are very nervous, from a community perspective, of what will that do to our community now? The mayor spoke about the businesses that have—some packed up and left town; others have just closed. It's the hospital. In 2000 we had a hospital where we delivered babies and we had a fully operational theatre. Now we have a multipurpose facility that doesn't do any operations, basically. A dislocated thumb could get transferred out to Dubbo. It's the flow-on impacts that the community is very concerned about. The quality of education for the schools and the number of children that now are at the schools—as I said, everybody is very nervous for the fact that we've done our heavy lifting. I understand there are about 289 gigalitres recovered for the "Restoring Our Rivers", but there's still more to recover. I guess we're worried about where that's going to come from.

Mr WARREN KIRBY: I'm wondering if you might be able to suggest some legal or regulatory reforms that you think would improve the environmental, community and cultural outcomes.

LACHLAN FORD: I will pass to Leonie again on that one. Otherwise, I would have to take it on notice and give you a written return, I think, Mr Kirby.

Mr WARREN KIRBY: That's okay. Taking it on notice is okay.

LACHLAN FORD: There's a lot involved in that, and I would want to make sure that I was speaking to it properly. If Leonie is comfortable, I'm happy for her to speak to it.

Mr WARREN KIRBY: If it helps, I ask that question because we hear a lot about the challenges that are being faced, but what are the alternatives? From your perspective, what would be a better way to achieve the desired outcome?

LEONIE BROWN: Tough question. There's been $100 million put into the "Restoring Our Rivers" for cultural water. Is that enough money? What are we going to do with the cultural water? Is it going to become productive water? What are the outcomes of that cultural water going to be? We've certainly met with the committee. They have come to Bourke and we've had those conversations. We've certainly met with parts of the committee prior to this legislation to look at opportunities for cultural gain. I'm not sure that they know what the benefits are going to be. There has been a small purchase in the Macquarie. Is that going to become productive water that they can use? That's great if that's the case and they can benefit from that. It's a hard one because I'm not sure what better options could be or what we could recommend that would get a better outcome.

Mr STEPHEN BALI: Thank you for that powerful presentation, and well said, Mr Mayor. I have a couple of questions. I'm looking at your strategic report, on page 1. It says in your plan that the Drought Scheme DWS 048 was about $1.4 million. For either of you, what was that one? Obviously, there are schemes and support from the Government from time to time. That's an example of one grant. Do you recall what that was about? I have two questions. What more should we be doing or considering to be done? Secondly, the weirs that you were talking about, where you want the banks to be reinforced—how many of them across the Bourke Shire Council ought to be looked at? Is it just one major one, or are there a couple of other ones?

LEONIE BROWN: DWS 048 was funding that was provided to Bourke Shire Council for the drilling of bores and security of water when we were in a very dire situation. The State Government provided us $2 million, and we have drilled three bores that will provide Bourke and the industry with 2.5 megalitres of water per day. That water will only be enough for internal use—there is no use for gardens. It has quite high saline, so the State Government also provided us with a reverse osmosis plant that we utilised up until it rained in November 2019. That was what that funding was for. I'll pass to the mayor and he can certainly answer the question in regard to the raising of the weir.

LACHLAN FORD: In terms of weirs, we have approximately five weirs within our shire. All of them are in strategic positions that hold back water along the river to provide water security. Bourke in particular obviously has the highest critical human need in terms of consumption. Bourke's only has approximately six months worth of our town water in it. After that, we are in a position where we do have to go to this bore system. The bore system provides around 80 litres of water per person per day. Whenever you do any maths on water consumption, an average of around 200 litres is needed just to survive—to wash and shower and all that sort of thing. As great as it is to have it—and it will keep us alive—that's basically all it will do.

Mr STEPHEN BALI: Is that all you can get out of the bores? Is there limited water in the supply, or is there not enough equipment? Do you need twice as much equipment to get to the 200?

LACHLAN FORD: It's limited supply and licensing. Currently, we don't have a big enough licence to be able to take any more water out of there either. Then the other side of it is treating that water once we do get it to town to be able to use it. You've got to be able to treat a certain amount of water in a day. Yes, partially it's equipment. Partially it is the supply from those bores. They're not high enough flowing bores. It's a long way north of Bourke before you get into the artesian basin, so we don't have the luxury of that. We're on offsets and things like that. I think you were at Narrabri yesterday, from my understanding. Narrabri has a lot of groundwater that they can utilise, and it allows for that to be quite a viable option. It's not necessarily a viable option within our shire, as I say, due to quantity and quality of the water being not quite up to what we need.

LEONIE BROWN: Can I just add to that? All we want to do in regards to the Western Weirs strategy or the Better Baaka is to raise one weir by one metre. That will give us 12 months water supply.

Mr STEPHEN BALI: Which weir is that?

LEONIE BROWN: That's the main Bourke weir.

LACHLAN FORD: The town weir.

Mr STEPHEN BALI: Have you got any cost estimates on that?

LEONIE BROWN: No.

LACHLAN FORD: Our previous cost estimates that we did have would be blown out of the water now by biodiversity buybacks schemes, basically. We've seen it in Wilcannia. The costs have gone up threefold. And, essentially, a lot of that comes back to the biodiversity offset taxes. We would be in a very similar boat, I'm sure.

Mr JUSTIN CLANCY: Just be interested, Leonie and Mr Mayor—yesterday we heard at Narrabri, I suppose, concerns not just in terms of buybacks but in terms of rules-based changes and what impact that might have and, obviously, the recent connectivity review. Have you got thoughts yourself there in terms of the impact that rules-based changes might have again on water usage in this region?

LEONIE BROWN: Big concerns. And I think, just looking at the—I suppose there's two things. One is that the State Act doesn't mirror the Commonwealth Act. So the State Act and the Commonwealth Act don't talk. And the impact that that leads to is, if we have a water recovery through a water sharing plan of—there's more water because of changes to the water sharing plan before you can commence to pump and that means that more water's going into the river, that can't contribute to the 450 gigalitre buyback. It's a huge issue.

And I guess one that I can talk about is the Lower Bogan River Water Source. That's a water sharing plan that's currently been out and been assessed, but they've gone back to make a change for the commencement to pump to have 48 gigalitres of water passing Gongolgon. The only irrigator on that stream is 180 kilometres downstream, 10 kilometres from the mouth of the Darling/Baaka. That means that it has to be 48 megalitres going through Gongolgon before he can commence to pump. By the time that 48 megalitres gets to his pump station, there's no longer there at Gongolgon. It's 180 kilometres downstream. And other streams are coming in below that pump, which means there's more water going into the system but not passing through the pump. So there's concern around how the Acts actually talk to one another and how the recovery of water that is coming into the systems is not being calculated.

Mr WARREN KIRBY: It actually dovetails quite well into the question that I was going to ask. What changes would ensure more transparency in the water management agreements the New South Wales Government is entering into with other States and, indeed, the Commonwealth?

LEONIE BROWN: I think the legislation needs to talk to one another. The Barwon-Darling water sharing plan doesn't exist now. It's finished because it went from 2012 to 2022, with a two-year extension. We've now passed that two-year extension, so we're not working under any water sharing plan. We've got these 11 streams, these intercepting streams that we're now looking at in regards to water sharing plans and that information, and we've got to get that passed before we can look at the Barwon-Darling plan. That's an example of—we just need to have all the States and the Commonwealth on the one page. It's very important because that's the only way we're going to move forward and actually know how much water's in the system. And I guess, from our point of view, yes, we had a very dry period from 2016 to 2019. The mayor spoke about 442 days with no flow here. The bed was dry in a lot of areas. The rain on 3 November 2019 has meant that the river has continued to flow from that date. We have to have rain and we have to have the advantages of water storage or the ability to store water in the headwaters to allow the river to continue to flow. I think the States talking to the Commonwealth and the Acts mirroring one another would make a solution for how we move forward.

Mr WARREN KIRBY: You mentioned that we have no idea of water that's going back into the system. Can you open that up a little bit further for me?

LEONIE BROWN: An example is Lower Bogan. If there's 48 megalitres now that has to go back into the system—previously it was five megalitres, so it had to have a flow of five megalitres at the gauge at Gongolgon. Now, they're suggesting that we need to have 48 megalitres. That extra 43 megalitres of water will flow into the Darling, but it will not be measured. I mentioned this to the Minister in Griffith last week at the Murray Darling Association conference. The Minister said, "State legislation doesn't always work with Commonwealth legislation." That was her answer. I asked how we could get that water to be contributing to the recovery that we're currently looking for. If it's only five megalitres of water that we can add to the 450, it's something, and it means a lot to communities like Bourke that have suffered for so long. It will mean a lot to a community such as Griffith or Deniliquin, or somebody that's on the Murray that is going to be impacted such as Bourke, because we're not calculating all the water that's going to be returned.

LACHLAN FORD: The movement of gauges plays a big part on these rivers out here too, Mr Kirby. I think where Leonie talks about it being returned, essentially the movement of that gauge from point A to point B makes that farm unproductive. He will not be able to grow crops anymore, but that water will still travel past him. Things like the movement of a gauge can affect so much and can push water back into the system, and we're not measuring that. It needs to be quantified. If it goes out of production, it should be counted as part of that 450 gigalitres buyback.

Mr WARREN KIRBY: Forgive my ignorance, but the movement of the gauge, what is that based on?

LACHLAN FORD: If the gauge is at point A now, the water that goes past that gauge was where he was previously allowed to pump into his irrigation dam to use for irrigation later on. If that gauge moves 180 kilometres upstream, he will be allowed to pump when that gauge says that he is allowed to pump, but by the time the water

travels 180 kilometres down to where his actual property is, where the gauge is upstream now, the water will be gone, because our rivers rise and fall so quickly. Even though the water will be going past his property at that time, the gauge 180 kilometres away will say that there's not enough water for him to pump. So he'll watch it go past.

Mr WARREN KIRBY: Do you happen to know what the rationale is behind where those gauges are placed?

LACHLAN FORD: No, I don't know completely. My understanding of where it was originally was because it was based where his farm was, and he's the only irrigator on that particular river, so it gave them an accurate measure of when there was enough water flowing past or what he was taking out of the system. Leonie may be able to add to that.

LEONIE BROWN: It works around the water sharing plans and the review of the water sharing plans. That one, particularly, is the Lower Bogan River Water Source. It's out now so that we can actually make submissions in regards to that, so we will be making a submission. Just to add to that, it is a very small irrigation farm. He turns over just over $1 million a year. The $600,000 that comes back into our community will be lost.

Mr WARREN KIRBY: I'm just curious. It was put in one place, because that was where he was drawing from. It's been moved for a reason; what is that reason?

LACHLAN FORD: The water sharing plan is the reason. It's an adjustment to that.

The CHAIR: I'm conscious of time. Mr Clancy has another question he wants to ask, and there's one I want to get onto the transcript as well. I'll throw to Mr Clancy quickly.

Mr JUSTIN CLANCY: My question is a brief one. I understand that in this last cotton harvest both cotton gins in Bourke were not operational. Is that correct?

LACHLAN FORD: Correct, yes.

Mr JUSTIN CLANCY: When was the last time that occurred?

LACHLAN FORD: Neither of them have operated for the last couple of years, for different reasons. One of them is a commercial agreement, or disagreement, between two parties holding it up. The other one has to have some work done to it, to have it up and running. I am of the understanding that may operate again this year, which is important. The other side of that is it's got cheaper to truck just smaller round bales over the years. What happens is, when it's easier to get staff—in towns as you go further towards Dubbo or further towards Narrabri, it becomes easier for them to staff these places because we don't have that critical human mass here anymore that used to work in those cotton gins when we had a bit more water security. That's what it leads to, essentially.

The CHAIR: I have one quick last question. You've thrown some numbers around but can you tell me the total quantum of water that's been removed or recovered from the Bourke Shire Council over the past 25 years, expressed as a percentage and/or as a volume?

LEONIE BROWN: Sixty-seven per cent was recovered in 2006. It was 523 gigalitres of water. That was taken back to 198 gigalitres. Then there was eight gigalitres recovered when National Parks bought from Toorale. Those figures go back to 2008. Any recovery that has occurred with willing seller, willing buyer, which it has, especially for small class licences, may have been retained within the valley, Mr Butler. I don't actually have those, but I can probably take it on notice and get that answer for you.

The CHAIR: It's obviously a pretty big number. I think it's important that the gravity of that and the size of the allocation that's been pulled out of the community is articulated for the transcript. That brings us to the end of our time.

Mr STEPHEN BALI: You praised Rose Jackson earlier, which is good. To give you return praise, I noticed the Minister for Local Government said in a Facebook post, "The council should be rightly proud of what it is doing in its council area. I certainly am." That was what Ron Hoenig said about you, Mr Mayor. For Ron Hoenig to praise a council, you must be doing really good.

LACHLAN FORD: To quickly answer, I feel I have a good relationship with Mr Hoenig. We've had a lot of fun. He's a lovely man, and he's been very supportive of our council.

The CHAIR: Thank you both for appearing before the Committee today. You will be provided with a copy of the transcript of today's proceeding for corrections. Committee staff will also email any questions taken on notice—I think there was just that one in regard to volume—and any supplementary questions from the Committee. We kindly ask that you return the answers within seven business days of receiving those questions.

Thank you both very much for your time. Mr Mayor, I also ask that you consider tabling a copy of what you read out and provide that to the secretariat. Later on we'll consider whether we accept that as evidence.

LACHLAN FORD: I'm more than happy to table that.

The CHAIR: I'd say that we will accept it as evidence, but I can't make the decision without asking the Committee.

LACHLAN FORD: That's fine. Thank you, Mr Butler. I very much appreciate your time today. Thank you for coming out to Bourke. I hope you've enjoyed your time here.

(The witnesses withdrew.)

Mr JACK SANDFORD, President, Louth Chamber of Commerce, sworn and examined

Mr GARY MOORING, Vice President, Louth Chamber of Commerce, sworn and examined

The CHAIR: I welcome our next witnesses. Thank you both for appearing before the Committee today to give evidence. Please note that Committee staff will be taking photos and videos during the hearing. The photos and videos may be used for social media and public engagement purposes on the Legislative Assembly social media pages, websites and public communication materials. Please inform the Committee staff if you object to having photos and videos taken. Please also note that only Committee staff and media organisations are allowed to take photos and videos. If you would like a copy of these photos, please contact the Committee staff during a break. Can you both please confirm that you've been issued with the Committee's terms of reference and information about the standing orders that relate to the examination of witnesses.

GARY MOORING: Yes.

JACK SANDFORD: Yes.

The CHAIR: Do either of you have any questions about this information?

GARY MOORING: No.

JACK SANDFORD: No.

The CHAIR: Would one of you like to make a short opening statement before we begin the questions? In the interest of time, I ask that it is limited to 90 seconds. I am very hopeful it's limited to 90 seconds. It doesn't seem to work that often.

GARY MOORING: I'm nearly 70 years old. I've been on the river 68 years of that and in excess of 50 years observing the changes to the river. I'm heavily involved with trying to get that even balance between environmental water and general usage of water at the bottom end of the river, mainly. It's a detriment to the environment down there.

The CHAIR: We will now move to questions from the Committee. But before we begin the questions, I wish to inform you that you may wish to take a question on notice and provide the Committee with an answer in writing. I'm going to ask you the first question. In terms of water recovery, what methods of water recovery would you support to enable New South Wales to meet its targets under the Basin Plan?

GARY MOORING: I would support any method to get water into the river and back into the system, and if that includes buybacks, willing buybacks, I would be in favour of that.

The CHAIR: Anything to add, Mr Sandford?

JACK SANDFORD: I would second that.

Mr JUSTIN CLANCY: Thanks, gentlemen, for being here. Gary, in your introduction, you said "decades here on the river system" and you said you've seen many changes. Tell us a little bit more from your vantage point: What change have you seen in the system over the years, particularly over the last couple of decades, with water reform so far?

GARY MOORING: The changes I've seen—in the early part of observing the river, we had a small irrigation block here in Bourke. We lived just over here in Short Street. I used to go and swim down the river and start the pump to water a small irrigation paddock. In those times, as I was saying to your colleague earlier, the river would cease to flow. When it ceased to flow, it would clear quite rapidly. Then when it did clear, a lot of vegetation—ribbon weed, as we call it—would grow within 20 or 30 feet of the bank. Then there would be a big, clear strip down the river, down the middle. That water was beautiful quality water. That water never had any algae in it because the weeds would take all the nutrients out, so the algae couldn't grow. Then there's the onset of carp and maybe other issues—I'm not sure—but we don't have the water quality now that we used to have. That's our biggest issue.

The volume of water out of low flows is a real problem. It's not getting any further than here, virtually. Environmental water can be released from the storages, but it gets to here and then it pushes all that bad-quality water down over the Bourke weir and further down. The movement of licences has been a big problem. If you were to take, for argument's sake, a big, long piece of pipe and put holes in the pipe to represent each region or each LGA and the number of licences that are in the river system, and then you poured a full flow of water in the top of that pipe, it'd run out all of those holes right down the bottom. But if you put half the volume of water in, if the extraction is up the top, it doesn't get to the bottom, especially when they can move the licences further upstream and extract it above Bourke.

The plug has been pulled on irrigation from here downstream. It was pulled early in the Murray-Darling Basin Authority's tenure, as far as I'm concerned. Menindee is evidence of that. The water wasn't getting to Menindee. The grape farmers couldn't survive. They weren't getting enough continued production, so they chose to opt out and sell their licences. That's where the plug was pulled on Menindee. Personally, I believe the plug has been moved to Bourke, and the policies that are being implemented at the moment will put great pressure on the irrigation industry in this area.

Mr JUSTIN CLANCY: When you talk of those policies, tell me a bit more. What sort of policy changes are you seeing that, to your point, are shifting the plug up here and even further north?

GARY MOORING: In my opinion, the movement of licences and the extraction points are our biggest problem. It stops that water from getting past a lot of these communities before it gets to where a licence should be extracted. I find it amazing that water can be released from upstream, entitlement water, to come down, and the extraction of it doesn't let too much of it come through. I'm not bashing the irrigation industry. Nearly all irrigators are doing what they're entitled to do, but it doesn't make the policy right. We need to get that balance where it's not the profit balance but it's the balance for the environment and then the people that operate on the river. It's going to be very difficult to change or claw it back. The irrigation industry has had decades of little changes that didn't seem to be much to the river at that time but, with all those little changes added together now with the change in the environment and climate change, we are finding that it is becoming a problem.

Mr WARREN KIRBY: I am curious—have you noticed a difference in business engagement since water buybacks and, if so, do you anticipate more with further buybacks coming into play, positive or negative?

GARY MOORING: For us, my thoughts are that for this area any water buybacks will not have a lot of pressure on the local economy. Why I say that is that the irrigation industry has progressed to where they are not big employers. They do employ people, but not to the extent of what the meatworks are doing, just for argument's sake. And they're not a big volume of irrigators here. The further you go upstream, there are big irrigation areas and big industry. I'm not saying the irrigation industry here is not big to the people that have it but, to the local economy, it's not as powerful as what it is when you get to Moree, Narrabri and Wee Waa, where irrigation is very big in the industry.

The CHAIR: Another one from me, gents. When I talk about community assistance packages, when water has been bought back previously, there has been an adjustment package or there has been some sort of financial package to try and offset the impact to a community from pulling water out. Do either of you have any experience with any of those past assistance packages and, if so, do you have ideas or improvements that would make them more effective? A good case study would be Menindee, for example.

GARY MOORING: I haven't had the experience with buybacks. I don't know how that operates. I have thoughts on ways of keeping the irrigation industry operating that are way left field. It would take a lot of time and work to get this river back to where it should be, as far as flows go, and service the communities right down the line. The fact that all the licences have been moved upstream is, to me, a real problem. That's where all the pressure started on the whole river system. And buybacks, if they put water back into the river without damaging local economies too much—we can't survive without a river but we can support other industries.

Mr STEPHEN BALI: Building on what you were saying, at some of the other hearings we were talking about the potential of saying that, for each section of the river, there should be a minimum amount of water that is there. At the moment, anyone can sell their licence back. You could have farms up here selling their licence back and walking off the farm and selling it for whatever and then, as you talked about, there is the impact economically and socially et cetera. If you actually limit the amount so that you have a minimum amount of water there—is it a good idea to leavesome amount of water there because, with market forces or individuals, you get this dysfunctional behaviour of the individual wanting to get out, but that ruins the whole town? At the same time, how do you think that would impact on business, whether from an individual or from a chamber of commerce point of view, for the area?

GARY MOORING: After the removal of Toorale, our local economy in Louth had buybacks. There is nothing from here down that would affect our chamber or our community if there was water taken away from anyone that had licences down there. The problem is from here up, where communities absolutely heavily rely on the irrigation industry because there is such a big industry and such a big area of irrigation, as I said earlier. It wouldn't affect the chamber and our economy in Louth.

JACK SANDFORD: I'd like to throw two cents in there too. This is talking historically—when Toorale went, we lost probably 20 per cent of those who were in a lot of the smaller community groups. The members were gone then, when it was sold. Even then—not to myself, but historically speaking—with the business of ours at home, it affected basically three months worth of work that was done. It all of a sudden disappeared overnight.

I know this is historic and is not going to affect today—it's already changed hands and gone—but that was the flow-on effect then. We've already been damaged by it. We are in past tense, us, but now the scope's moving up, and as Humph said, it's from the misbalance of licences. There's just too much extraction in different areas. Licences got moved upstream earlier on, and it's just not coming down to us. That's the biggest bit: The balance is out of whack.

The CHAIR: I wanted to, for a minute, get you to talk a little bit about the weirs—Banarway, Calmundi, Louth and Tilpa—and the importance of those weirs to your communities, to the Louth chamber of commerce and to the people who live in Louth. Can you expand on that a little bit?

GARY MOORING: Yes. I was placed in charge of negotiating with Roy, Rose Jackson, the local Federal member and the shadow Minister for Water to negotiate something that the community believed wasn't the right decision or the way they were going to go about it by reducing our water security for the community of Louth and landowners along it, and not just Louth but Tilpa and the other ones up near Walgett. I don't class it as a win; I class it as a dialogue that got put together, and it was explained that this wasn't the best way to go about it. If you want to class it as a win, it's a win for the environment, the fish and the people who live on the river because it now looks as though we've got some really good, positive feedback on what they're going to do with our weirs.

It was never a battle as far as I was concerned. It was just trying to get the agencies to understand that local input is the most important thing you should have when you're making any decisions along the river, and not decisions that are made by someone who's got no connection to the river and never has had. I guess the big win out of the whole thing was that the communities along the river were able to explain what they were against and how it was a better outcome for everybody involved, including the environment.

Mr JUSTIN CLANCY: Mr Mooring, going back to your comment about having some thoughts—maybe left-field thoughts—about how you can sustain the community whilst having changes to water usage in this region, I'd say to you that you've got the floor for a moment. Welcome the chance. Let us know what those thoughts are.

GARY MOORING: It's not something that's going to happen in the next 10 years; it's probably within 20 years. If you can get more water back in the stream into the river and then have the extraction and irrigation industry implemented on the bottom end of it, so that with the buybacks you're getting now, we don't actually lose that production to the State and we don't actually lose everything, we can try to work out some way of moving licences downstream so the water is able to flow past all these communities and all this dry area before it gets extracted to be used. That's my left-field thought, to keep investment growing in the State economy. To have the licences downstream is, to me, some way other than losing them altogether and losing industries altogether. It's just some way of getting the water past these communities. It's better environmentally; it's better water quality-wise. But it's just whether it's achievable or can be done.

Mr WARREN KIRBY: I want to pick up on what you mentioned earlier about the drop-off in employment with the irrigators. You made a comparison with meat works. Are there other industries that you think could be viable, if the river health was improved, that could replace the irrigators?

GARY MOORING: The industries that are viable will still be viable, but it's the security of that. If you didn't have buybacks and didn't have more flow down the river—the guaranteed security of what industries are doing now has been jeopardised for the lack of water. People have had to change the way they do things. There are other industries—our meat works is a perfect example. I'm sure there are other industries that could come along that would need not huge volumes of water but volumes of water that they could operate a good industry or business out of. I don't see where it's going to be detrimental to anyone if we had more water down the river. If buybacks have more water come down, it's going to be an opportunity for other industries to start.

Mr WARREN KIRBY: Would it be fair to say that you see that there is potential for more industry and more diversification as a result of buybacks?

GARY MOORING: Years ago we had lots of citrus fruits and seasonal crops where you grew lucerne and, if you didn't have the water, you didn't grow lucerne. But I don't know that people would go back into that sort of cropping or rotational grazing or farming thing again. I just think the expense of it is too much—and where we live and the chances that you're not going to get a crop every year, whether it be lack of water or what. The whole water thing is so complex, and it's going to take a lot of sorting out. I can't really see any great changes if we had more water down the river.

JACK SANDFORD: I was only going to say one other bit I'd probably like to throw in with the environmental water is the control of it along the times. Touching on what Humph said, usually, by the time it's being implemented to come towards us, our water quality is already too far gone. And the other bit is you've got too much dry riverbed. There's physically not enough. It's being dropped into the system, but it is just disappearing, coming down. It is not getting to us. There's just not—once you're getting down to our end of the tributaries, it

really needs infrastructure as well to help everything along. We've just got too much dry riverbed now. That's basically all it is down there. Like Humph said, there's more things—every little bit adds up to help it, but I just don't feel we are getting the full bang for buck that everyone thinks we are down the bottom end. We're not even down the bottom end. We're only halfway. There's blokes down worse off than us. But it's just you hear what comes in, and it drops in the top, and it's just disappearing. There's a lot bigger issues there than what we realise.

GARY MOORING: When it comes to environmental water, all our environmental water's stored up in the catchment. And we're finding it all the time now, at Menindee and that area, we've got a crisis of deoxidised water. Fish are dying. We need to get water to them. If you let water go from the catchment storages up there, it's 16 to 18 weeks before it gets to where it's needed, at Menindee. So the crisis that was growing has gone. It's done what it's got to do, whether it be fish kills or whether it be blue-green algae or what. Environmental water is stored so far away, and it's a long time getting to where it's needed. You can't let it go until you do need it, but you've got to understand, when you do let it go, it's 16 weeks minimum before it gets to where it is. That's the biggest problem.

The other problem that I've found since I've been here—and the Warrego runs in just below where I live. We always got a big river. We got a big flow down the Warrego, and the Warrego at Toorale was purchased for the water to come out of the Warrego to go on down for the lower end of the river. Just above Queensland border there's what they call the Cuttaburra branch-off, which is the Turra. It's a channel, and it's always been called a channel. It used to flow out there in big events. In this last event we had, when you had the Warrego River at Barringun doing 19,000 megs a day and Turra channel outlet or Cuttaburra channel outlet at Turra, which is just above Barringun, is doing 43,000 megs a day, it just doesn't seem to be like it used to years ago come all down, and Cuttaburra got a little bit out of it. The Cuttaburra's still running now, and the Warrego hardly made the river. There are all sorts of theories as to why this has happened. But there's definitely more water, in my opinion, going out to Cuttaburra than ever was before.

Mr JUSTIN CLANCY: Obviously, Toorale returning as national park has made a significant impact in terms of the local community. You were speaking of that, Jack. Are you seeing the upside in terms of water that was originally going into water licence there in Toorale in terms of additional flows going down past Louth, as a result of the buyback?

JACK SANDFORD: I don't think we are, no. I really don't.

The CHAIR: That's a really long story.

JACK SANDFORD: Yes, but as was touched on, the tributary is not getting it now.

GARY MOORING: As I say, the Warrego comes in four kilometres below my house, and there has been no upside to the water that's supposed to have been there and is supposed to be coming in. There's no upside to that.

Mr JUSTIN CLANCY: So the gates that essentially divert the Warrego onto the floodplain—

JACK SANDFORD: Don't laugh, though. I do think it is further up. What has happened there probably isn't right, either. But I remember, as a kid, if you were going north, you'd be cut off in Enngonia. Warrego would cut you at Enngonia. I have not been cut off by the Warrego in Enngonia for 15 years for more than two hours. The creek is going across to the west. The water hit Enngonia, the creek would follow, the back channels would run and the water would go out there. That was just the order they went. Now, they're backwards. The water's already going down, running into the basin before it's even getting to the road. I know there's new bridges and everything at Gumbalie and it's changed. Last time the water went over the road there by a foot. I remember going through there with it running over the fuel tanks on the trucks. You know what I mean? I know the road has been changed and the levels are probably shot different and the way we have measured it has changed 10 times, probably, since then too. But I really just don't think—the water is just not coming down the Warrego channels. I think everyone's flogging a dead cat there. There are problems further up.

GARY MOORING: There was a verbal information I go back in the early '90s that there'd been some sort of disturbance in the river channel above Barringun, and the information I got was from a gentleman that worked with Clyde Hill. Both men worked with Clyde in agriculture that was here, and they had Toorale, and they'd been up and had a look, and they believed there had been some man-made structures that had changed it. In those days, Comeroo Station was a wetlands—that was on the Cuttaburra—that got water into it, and was grazing. It got water into it when there was a major flow down the Warrego. At this point, Comeroo now is owned by National Parks. It has a huge wetlands on it, which is nearly permanent. That's happened since the '90s. My son's father-in-law lives on the Cuttaburra, west of Louth, and he says that there's definitely more water that comes down the Cuttaburra now than has been for a long time, in all flow. I haven't been privy to having a look and seeing what changes may have happened. Some of the gauges that you get reports on since 1990—the averages.

But there's definitely not as much water coming in the Warrego as there used to be, and definitely hasn't had any real input into the Darling.

The CHAIR: I am conscious of the time. I would like to thank you both for appearing before the Committee today. You will be provided with a copy of the transcript of today's proceedings for corrections. Committee staff will also email any questions taken on notice from today, and any supplementary questions from the Committee. We kindly ask that you return these answers within seven business days of receiving these questions. Again, thank you both very much for coming in. It was lovely to see you both. The Committee will now take a short break.

(The witnesses withdrew.)

(Short adjournment)

Mr ED FESSEY, Floodplain Grazier and Community Member, sworn and examined

The CHAIR: I welcome our next witness. Ed, thank you for appearing before the Committee today to give evidence. Please note that Committee staff will be taking photos and videos during the hearing. The photos and videos may be used for social media and public engagement purposes on the Legislative Assembly social media pages, websites and public communication materials. Please inform the Committee staff if you object to having photos or videos taken. Please also note that only Committee staff and media organisations are allowed to take photos and videos. If you would like a copy of those photos, please contact Committee staff during a break. Can you both please confirm that you have been issued with the Committee's terms of references and information about the standing orders that relate to the examination of witnesses?

ED FESSEY: Yes.

The CHAIR: Do you have any questions about this information?

ED FESSEY: No. I'm a floodplain grazier at Culgoa on the bottom end of the Lower Balonne system. I've been in the area since birth. My father was a returned serviceman. We went through a whole period of loss of access to water in the late 1990s and early 2000s. We were basically highly dependent on periodic flows down the Condamine/Balonne system bifurcating into the Culgoa and Birrie systems. When upstream development started to occur, we noticed a big difference in access to floodplain grazing and beneficial flooding but also, more importantly, we lost a lot of access to water, which made it very difficult to run a business.

I became very involved when we got to a stage where more than 50 per cent of our place had no stock and domestic water. From then, I've had to go on a very steep learning curve about the whole system. Lots of my lessons have been involved in the Northern Basin Review. I was a member of NBAC, which was the Northern Basin Advisory Committee, which ended up advising the Government on the Northern Basin Review. Also, I'm on the Murray-Darling Basin advisory committee. Such was the difference of opinion between the members of that committee we could never actually come to a consensus. It was bitterly divided, so much so that I think it was probably 6-4 or 5-all, plus the kick to come from the chairman. I think the Federal Government decided to go a different way. There are some lessons from that.

The CHAIR: We will now move to questions from the Committee. Before we begin the questions, I inform you that you may wish to take a question on notice and provide the Committee with an answer in writing. Ed, can you suggest any legal or regulatory reforms that might be necessary to improve water management, environmental and cultural outcomes, and water use?

ED FESSEY: I think it's important that the Basin Plan continues. We've been on a 20- to 30-year journey of really getting to understand how these systems work. In this part of the world—for members of your Committee who don't come here very often—it's probably necessary to understand the huge variability of flows here. The average flow at Bourke is roughly three million megs a year, but it has huge variability. It can vary up to 900 per cent of that. In big years, you might get up towards nine- to 10-million megalitres of flow, and even bigger. I think the number is more than 50 per cent of total volume over a 100-year cycle will occur in just 20 per cent of time. So the other 80 per cent of time you've got less than 50 per cent. If you're running an irrigation business at the end of a river and you're highly dependent on really low, infrequent, periodic flows, then it's quite difficult to run a business in these areas.

Mr WARREN KIRBY: Thank you for doing this today, Ed. Can I just get you to expand a little bit on a couple of things that you pointed out in your opening statement? You were saying that when upstream development started to occur, the flow stopped. Two parts to that. What's the nature of the development that you're referring to? Did that coincide with the millennium drought or do you see that as being something that was independent?

ED FESSEY: No, it was certainly independent to that. The Condamine-Balonne system, which we're part of, or the Culgoa system, which is the bifurcated bottom end of the Condamine-Balonne, tips into it. Over history, pre-development, it used to tip 24 per cent of the Darling flows in, and I think it got down to about something like 8 per cent or 10 per cent during the worst of times during development and before the Basin Plan. There was a significant lack of compliance across the whole of the northern Basin—probably across the whole basin—at that stage; so much so that the 2004 and 2008 events almost completely disappeared. Normally we would have got 10,000 or 20,000 megs a day across the border. We got 2,000 or 3,000 megs a day, and it had massive impacts further down the system, such as to Bourke and further down. You have cumulative impacts. You take something out; you just don't go as far. That's why I always use the fuel tank analogy. If you have a full tank of fuel, you can plant the foot a bit, but if you're running on empty and you plant the foot, you're not going to go very far, and that's the same with these systems out here.

Mr WARREN KIRBY: And the development that you're referring to?

ED FESSEY: It's just like all irrigation development across the northern Basin in particular. Most of that occurred in the late '80s, early '90s, and there was a lot of over-allocation without understanding the huge hydrological range of the rivers that they allocated water for. They had no idea that, of the figures that I mentioned to you before, 80 per cent of the time you get less than 50 per cent of total volume. When you start to think about that, you're running around with your tank half empty more than 80 per cent of the time.

The CHAIR: Can I just jump in. Development—in terms of the property we went to today, that is development.

Mr WARREN KIRBY: I just wanted to clarify that development we're talking about is irrigator development and not population increase?

The CHAIR: Storage dams, irrigated agriculture, infrastructure for irrigation development.

Mr JUSTIN CLANCY: Further to that, what are you continuing to see now after the last couple of decades?

ED FESSEY: In terms of river health and connectivity?

Mr JUSTIN CLANCY: Yes, thanks.

ED FESSEY: I think once the Basin Plan came into effect, that was one critical step, but there was no emphasis on compliance until the *Four Corners* report in "Pumped" and all of a sudden people started to realise there's a lot more to it. It's okay to have a whole suite of rules, but you've actually got to be compliant. I think that has made equally as big a difference to achieving better outcomes as buybacks have. There's a limit on that, but I certainly think that. Indeed, I think the Inspector-General of Water Compliance made that clear, I think, yesterday or the day before in Senate hearings in Canberra where he said there are only 20 per cent of those floodplain licence holders that actually have the means of measuring that water. That's still an issue.

Mr JUSTIN CLANCY: What would you like to see moving forward?

ED FESSEY: Moving forward, we've still got to continue the journey of finishing the Basin Plan off. We have to have a whole suite of ability to get the right water to make maximums for both industry and the environment. I think there's a real political issue about buybacks. Can I put to you an example that's come about over a long period of time? The irrigation industry thinks they're hard done by and they're very vocal about it, but there's an opportunity here. There's no other agricultural industry that has had such government support.

I'll go back to the wool industry in 1988 and into the early '90s. It was a $5 billion industry in those terms, or $16 billion in today's dollar terms. That industry is now worth $3 billion. When they pulled the reserve price scheme, it affected every rural community in Australia. It decimated it. There was not one red cent spent by government supporting those communities or those industries. It's a very big difference to the irrigation industry now. Whilst there's a very big understanding of some pain, they need to understand that they're very privileged to actually have that sort of support and that sort of underwriting of their industry, so much so that the industry has grown in value almost tenfold since they introduced the Basin Plan. That's a pretty significant outcome.

Mr WARREN KIRBY: You mentioned following through with the plan, but what other actions should the New South Wales Government prioritise to improve water quality in this region?

ED FESSEY: I don't think the New South Wales Government should ever do what they did in 2012, when they changed the 2012 water sharing plan. The significant changes there were they converted A-class licences from a five-inch pump to unlimited pump size capacity. That's almost like saying you've got a tank running on empty and you're allowing somebody else to suck it out of your tank. The old-style water planners had it right. They knew how important it is to keep some degree of water in the bottom of a river to actually make it flow and have better connectivity, so much so that in an event in 2019 there was something like 19,000 gigalitres in the A-class flow window that was available for extraction, and they took out 13,000 megalitres. That decimated connectivity in that period. It was unnecessary. It should never have happened.

Mr WARREN KIRBY: So is an action going forward the winding back of that or reintroduction?

ED FESSEY: The biggest message in here is you do smart, tactical purchases of water. That could be in terms of purchase of a rule or an entitlement, depending on what the requirement is and what you actually need. Highly targeted things can give you far better outcomes than bigger volumes that are recovered en masse. I think if you're very smart about how you can do it, you can get better outcomes for communities. That's the real message that I'd be giving.

Mr STEPHEN BALI: Picking up on that last point, which is similar to what some of the other witnesses have been talking about—and I liked your words where you said "smart, tactical purchases of water"—I've been noticing throughout this inquiry that it's laissez faire. The individual farmer or grazier goes, "I want out of here; I'll sell my water licence." Three or four of them do in that area and it kills the local town. You don't have employment opportunities. What you're talking about—not to put words in your mouth, but you can respond—as far as smart, tactical purchases of water is where you're looking at being highly targeted, looking at volumes and also looking at the long-term need section by section along the river, instead of just doing a holistic, one-off approach.

ED FESSEY: I think you're right. I've sat through plenty of modelling briefings and a whole heap of things, so I've got a bit of an idea of how you can change assumptions in your modelling to give you different outcomes and test scenarios. The bottom line is that old Mother Nature is highly variable. To actually get that, you've got to work from the bottom of the river and stack your goods up to make sure you get the end-of-system connectivity. You need 80,000 megalitres in the Barwon-Darling to make an end-of-system flow in half-reasonable antecedent conditions. I think if you have a really dry time, you'd probably need 100 or 120 depending on how hot it is. There is no fixed rule about ideal things, but we can get a good idea about it.

I am sort of thinking that the southern Basin has a lot of issues with the constraints and meeting the SDL limits—the 605, so to speak. There it comes down to smart things of actually why can't we pump water into certain wetlands to give better outcomes? Why do we need to put the river through there and leave the Government and the community exposed to all sorts of legal ramifications and impacts? I think we've got to be, in this day and age, smarter and be brave enough to say, "Let's try some of these suggestions which are coming from the community." I have seen plenty of these come through in my discussions with communities as we travel.

Mr STEPHEN BALI: Finally, as far as you are a grazier and your lived experiences, how are you finding it with less water and challenges and people, especially in Bourke—I'm not too sure where your farm is. How are you finding labour and getting enough workers in there? One part is how are you finding it helps you at your worksite and your farm and the other part is are you having any opportunities or potential for the CSIRO or universities or anyone to help you? Have you ever tried to reach out to other organisations to help the efficiency and operation of your farm?

ED FESSEY: Fair questions. To the first, regarding labour, probably since the '90s there has been a—we had a long period of dry time with low commodity prices across all industries, and also it coincided with the start of a really intense push into dryland agriculture and particularly cropping to the east of here. I'm not saying around Bourke, but to the east of here. There was a lot less real manifested change in the amount of labour that was actually required in the bush. The bush got hollowed out a fair bit, particularly in the western areas. They lost a lot of families that contributed to these communities and so the sense of balance in some of these communities has gone down a lot in the last 30 years.

The other thing is education and communication. We found that, during COVID, when our kids were at uni and they were working in Sydney, they actually came home during COVID and all of a sudden the Government opened up broadband and kids could actually work from home. It was a game changer for a while. If we have real-time access to communication across the whole of Australia and not just along the eastern seaboard and the occasional hotspot here and there, I think that would be transformational to rural Australia.

The second thing you are saying about what other things—I think there is amazing technology out there. At the moment, we've been accessing a data source developed with the MLA and a mob called Cibo Labs monitoring the pastures and that sort of thing and the change over time. If you are interested enough, you can actually find a way through it. It's actually having the time to investigate all the different things. If I was government, as a whole, I would be making sure that there is more research into finding out how you can actually survive these dryer times. You've got to try and keep the till ticking in a dryer time. To do that takes a lot of innovation and a lot of big nut thinking, excuse the French. You've got to make some big calls in hard times.

Mr STEPHEN BALI: Finally, your time would be taken up by managing your farm et cetera. How do you connect to the CSIRO? We hear a lot of great projects coming back from the universities that come up with these hifalutin bright ideas. I'm just trying to work out or see how it connects between the person on the farm, working hard, especially a family-type business as opposed to the larger corporates, and how do you gain access to this information? Do they reach out to you or you reach out to them, or is it just too busy at the moment and it's hard to keep up?

ED FESSEY: That's a fair question. A lot of the family farms probably find it hard to keep abreast of it, but those who have done a bit of travel, had an education and all of those sorts of things find a way to do it either through field days or even such things as the committees I've sat on through water. I've got an enormous reach into some of these organisations about a whole range of things, even the Great Artesian Basin. I sat on a board for

that for a while—not a board; it was a committee. But one of the things I was astounded at was, we had no idea of the scale of capital value of the investments people had made into the GAB, so we had an audit of all the bores, the number of kilometres of pipe in the ground and all the infrastructure that hung off it, and all of a sudden they realised—the Federal Government was whingeing about $340 million they spent on the GAB scheme. We said, "Hang on, guys. This is a $13 billion industry per annum, and you're whingeing about $340 million for a 20-year investment. It's inconsequential."

Those sorts of things, if we are going to survive some of the big droughts—there is a New South Wales university study into the last 500 years of droughts in Australia, and they found one period of 39 years where there were very low levels of tree growth, coral growth and also pollen. We've got to think about how we're going to survive. We had trouble surviving a three-year drought let alone a 30-year drought. We can't have a plan for that period, but we do have to think about it. I think they're the sorts of challenges we should be putting some resources into.

Mr JUSTIN CLANCY: Going back to your earlier comments about the northern Basin community advisory panel, you talked about some of the challenges there. I don't know whether you'd welcome the chance to—you spoke of there being lessons from that. Would you like to elaborate further on that?

ED FESSEY: The big lessons from that were that—the committee actually initiated—we knew that it wasn't just total volume that was going to fix it. We knew that the smarts of managing water intelligently at low levels and trying to deliver that outcome over a longer string was really important. So we came up with—initially we called it the toolbox, and then it morphed into the toolkit. When they gave the 70 gigalitre reduction, they promised that they were going to do all sorts of managed low flows, combining releases from certain dams to augment flows further downstream. All that chat and talk has gone, and now they're just talking about a few fishways, lowering weirs and other such rot, and it's been detrimental to probably the irrigation industry as well as all the others that hang off that water resource. The lesson there is, if you're going to say that you're going to do something, make sure you get in there and do it, because those are critical. If you want to continue the same level of extraction over a longer period of time, the only way to do that is to have coordinated flows at low levels. That fixes some of the issues that Gary and co survived. We've got to be smart about it.

The CHAIR: In terms of water recovery, what is the range of methods that you would support? If you could, put them in priority order for water recovery and what you'd support from New South Wales to meet its targets under the Basin Plan.

ED FESSEY: I think all forms of water recovery should be on the thing, whether they be a straight out buyback or you actually purchase a rule or a slice of an entitlement. I think that's where you start to make real differences, and I think we've been too focused, or government as a whole has been too focused, on the whole number rather than a smaller or more appropriate number that delivers a better, more transparent and efficient outcome. If you're going to play with rules, you have to pay the dollar for the impact of the cost of changing that rule. I'm a floodplain grazier and I support diversity of industry, so I'm not against irrigators. I'm saying, "Listen, guys. We've overreached with your allocation of water. We've got to drag it back a bit." If we've got water in the middle there, we should be thinking about how, in good times, some of this water we could actually leave with consumptive use, and other times it has to go back to the environment, depending on the size of the flow in the river. We've got to be smarter.

The CHAIR: Thank you for appearing before the Committee today. You will be provided with a copy of the transcript of today's proceedings for corrections. Committee staff will also email any questions taken on notice from today—I don't think there were any for you, Ed—and any supplementary questions from the Committee. We kindly ask that you return those answers within seven business days of receiving the questions. Thank you again for coming along today and sharing your knowledge with us.

(The witness withdrew.)

Mr TONY THOMPSON, Irrigator, sworn and examined

The CHAIR: I'd like to welcome our next witness. Mr Thompson, thank you for appearing before the Committee today to give evidence, and thank you very much for generously giving your time this morning to show us around and help us learn more about your operation here in Bourke. Please note that Committee staff will be taking photos and videos during the hearing. The photos and videos may be used for social media and public engagement purposes on the Legislative Assembly social media pages, websites and public communication materials. Please inform the Committee staff if you object to having photos and videos taken. Please also note that only Committee staff and media organisations are allowed to take photos and videos. If you would like a copy of these photos, please contact Committee staff during the break. Can you please confirm that you've been issued with the Committee's terms of reference and information about the standing orders that relate to the examination of witnesses?

TONY THOMPSON: I'm assuming I got that on email, did I?

The CHAIR: Yes.

TONY THOMPSON: I browsed it.

The CHAIR: Do you have any questions about the information?

TONY THOMPSON: No.

The CHAIR: Mr Thompson, would you like to make a short opening statement before we begin the questions? In the interests of time, I ask that it's limited to 90 seconds, but no-one sticks to 90 seconds, so you do what you'd like with the time you've got.

TONY THOMPSON: I appreciate that, Roy. I'm a local irrigator. I have two properties—one here in Bourke and one at Brewarrina. I came to Bourke in 1993 to become an irrigator. It was the first time that I'd farmed on my own. There have been some startling changes since when I arrived to what I see today. When I first came to Bourke and bought the assets that we have, we had 15,000 megalitres of water entitlement. Following the reforms of 2006, that quota was reduced to approximately 5,000 megalitres. There was no compensation. It was 100 per cent worn by me, the irrigator. As a result of that and some pretty tough seasons in between, I now remain the only irrigator on this section of the river that was here back in those days. Other businesses that were here have gone broke or have left. We've seen new players come to the area.

The thing that I wanted to highlight is the impact that these adjustments have had on this community. There was a large horticultural industry that operated here in Bourke. There were massive table grape, citrus and melon operations. There was a bus that used to transport employees from Bourke out to the horticulture everyday. It just goes to show the amount of commerce that those businesses brought to Bourke. Back in the early 2000s, there were two machinery dealerships that operated in this town: CASE and John Deere—critical if you're a farmer, like myself. Both those businesses are now gone. We also had car dealerships in this town. Mitsubishi and Nissan were here when we came and into the early 2000s—no longer. We had agronomists who used to support the industry here in this town. They no longer live in this town. There are none here.

There were at least four agronomists back in the day. We had ag resellers. One of those businesses is no longer here. Mechanical businesses that used to support our industries—they're gone. Metal fabricators—they're gone. Just general tradespeople that would operate in Bourke—nowhere near the supply of those types of people that there used to be. There were five pubs in Bourke when I first came. Now there are two. There were three clubs. Now there's one. I used to employ seven full-time staff. Now, at the moment, I employ three. I'm sorry; I've got a bit emotional. When you see this happening to your community, it's bloody tough, and it's no wonder that we can't find staff, because people don't want to stay in this town anymore. It's just continuously going backwards. And water reform is not the only reason this has happened, but water reform plays a massive part in the evolution of this town. That's just a bit on the history, and it doesn't stop. Water reform is coming at me from all angles continuously. And there's more stuff—"We want to lift the heights. We want to reduce the allocation." It's continuous.

Some of the current issues that we're having to deal with that are a bit difficult is the IDEC situation. That's the individual daily extraction limit. It was brought out a couple of years ago, and we've got irrigators that have an enormous amount of IDEC that don't use anywhere near close to what they have, and there are irrigators that have a very small IDEC that can't pump what they require. It's just stupid policy that's just making it difficult for people. And one of the other issues with this IDEC thing is the efficiency of our pumping has reduced significantly as a result of the IDEC. We may have been able to pump a certain amount of water in a week. It now might take

10 to 14 days, depending on what access we can get, because the daily IDEC number can be reduced, depending on whatever reason the department want to use. That's one of the issues we're facing.

Another one is the trading rules are very restrictive, as a result of the fact that I started with 15,000 megalitres. I now have five. Of those licences, I have been able to acquire some additional stuff but nowhere near what I need. My annual usage on a good water year is around at least 12,000 megalitres. So trading is a big issue for me now. We had carryover water in our carryover account, as a result of a number of years of drought. But that water now is pretty well used up. So trading has become a big issue for us. Finding water, now that a large body of that water that was licensed that was on this river has now been picked up by the Commonwealth—it's become very, very tough. It's very expensive, and some of the trading rules are restricting access, particularly around the use of IDEC and the trading of IDEC, which currently can't happen, even though my understanding is it's part of the water sharing plan that it should be able to happen, but it's not. That's definitely impacting the availability of water for us.

Another big issue that we're facing currently is pump recalibration. It's a difficult subject to try and articulate but, in effect, when the cap was set on the Barwon-Darling, the water metering was based on a time and event meter. We now have new technology which measures water much more accurately. The time and event meter—the ratings on those were set by the department. In my case, a pump that I now am measured at at 120 megalitres a day was rated at 80 megalitres a day. There is scope, in my understanding, in the water sharing plan for this issue of recalibration to be addressed. At every meeting we attend, we raise the issue and the department tell us that they're working on the issue, but we never see anything or get anywhere. I was at a CAG meeting here just last week, and the presentation on the calibration work was almost identical to what we'd seen three months earlier. There's just no progress, there's no appetite from the department to work on this issue, and it's an extremely important one for me, as an irrigator.

Just the last couple of things—metering, monitoring and the cost that we are asked to bear on establishing meters and so forth is extremely expensive. I have monitoring gear which some of the members today came and visited on my farm this morning. I just got a bill today for the replacement of two batteries which went flat when we last went to use them, and so I had to get someone urgently out to replace two batteries on those two meters—over $3,000 just to come and replace two batteries. This is the cost of this equipment. Because of the security, the integrity of the system, it has to be a duly qualified person that comes and does that, and the cost on this stuff is enormous. We've got a new floodplain harvesting facility going in. It's our pumping facility at our property at Brewarrina. We have a new meter to install on that. The cost on that alone will be around $40,000. We already have a meter on those storages to monitor floodplain harvest, but it has limitations. All it does is measures the amount that's in the storage, and I can't actually be irrigating water that comes off the flood plain. I have to pump it into storage and then irrigate it out on the farm, so it's complicated and it's very inefficient and very ineffective. So it's a major issue.

One other I'd want to finish on is dealing with the department these days is very difficult. I have no idea of the people I talk to. Back when I came to Bourke, there were people in town who worked with the water resources. We knew who we were talking to and we could go to them with the issues. We knew who we were talking to and they understood the issues that we have. I recently had a query with WaterNSW. I went backwards and forward with WaterNSW for months to try and get the answer. Eventually, I had to pay a consultant to give me the answers, because I just couldn't get them out of the department. So anytime you ring up, you have no idea who you're talking to. You get shuffled around. It's become a major problem. I'll leave it at that. Thank you.

The CHAIR: Thank you very much. That was helpful. Before we begin the questions I wish to inform you that you may wish to take any questions on notice and provide the Committee with an answer in writing. As Chair, I'll put the first question to you. Could you talk about what other options the State or Federal governments could have for water recovery that wouldn't have the negative impacts that we're seeing from previous recovery that you've explained—so from 15,000 megalitres to 5,000? Could that be through on-farm efficiency that would obviously need to be supported from a cost perspective by the respective governments, or are there some other strategies that you could suggest?

TONY THOMPSON: We've participated in efficiency programs. I'm not sure. If I was to look at that again, I probably wouldn't have done what I did, because I gave up a significant amount of water in return for those works. They have improved efficiency , no doubt. But I was led to believe, when all these reforms took place, that there would be opportunity for me to acquire additional, and use water out of the system to replace what I'd lost. That has proven not to be the case. I haven't got any suggestions as to where we may be able to come up with that.

The CHAIR: That's okay. I've certainly got thoughts about some government-owned properties that have water on them that maybe shouldn't. At this point I'll turn to Committee members and see who would like to put a question to Mr Thompson.

Mr JUSTIN CLANCY: Mr Thompson, thanks for your introductory remarks. After what you and your family—and no doubt other families—have been through, what does the health of the river system look like two decades down, from your vantage point?

TONY THOMPSON: We're in a bit of a purple patch at the moment. We've had five very good years of river flows. But, on the flip side, we're still getting major fish deaths at Menindee, so I don't know what the answer is. We keep giving up water, we keep getting more flows, but we still end up with end-of-system problems. When I first came to Bourke, I was able to pump down to 130 megalitres a day. There was hardly any flow going past my pumps by the time—as I say, if there were 130 megalitres a day going past, we were able to extract.

That wasn't sustainable. It created a lot of animosity in the community between irrigators and graziers; we recognise that. We voluntarily lifted those thresholds, as irrigators ourselves here in Bourke, for a period prior to the 2006 reforms. We've been very focused on trying to improve the quality. We link flow with quality. I'm not sure that's what we're getting. When we still see fish deaths with what we've had coming through the system in the last five years, it seems to defy all the attempts. So I don't know. To me, I live on the river. I think it looks pretty good at the moment, for sure.

Mr WARREN KIRBY: You mentioned earlier about the challenges with Sydney Water and people who'd contact and talk to you, and all of that sort of stuff. How could the New South Wales Government improve the way it engages with communities in the region around water policy reform and planning?

TONY THOMPSON: It's now become a Zoomfest. Once upon a time people would come and visit us here in Bourke and talk to us face to face. Now if someone wants to instil a bit of water wisdom on us, they'll hook us up on a Zoom conference and we'll tick that box. It's become pretty ordinary. I understand why. It's obviously expensive to come and service people in Bourke. There are not many irrigators, it's a bloody long way out here, it's expensive and, to be fair, there'd be times when people would come out and there wouldn't be a great response from irrigators. I like the personal touch. I like to know who I'm talking to. Nowadays you're talking to people who have no idea. I have no idea who they are. I have no confidence in what they're telling me, so much so that they're passing me from one person to another and no-one can help. This recent issue that I had, it's just mind-boggling how difficult it is nowadays to try and get some sort of information out of the department.

Mr WARREN KIRBY: Do you think that's due to a lack of experience in the staff or a lack of understanding in the staff? Do you think that personal connection, going out and getting boots on the ground, would help that?

TONY THOMPSON: That's a big part of the problem. I've been here since '93. I got to know a lot of the people who are in the department. Very few, if any of them, are still there. We're dealing with people who have no experience on this river. Water policy is extremely complex and every valley is different. When I made contact recently with the department, I got a guy who was from the Mid North Coast or North Coast. He had no idea of the system, and he told me in an email that he was told that he could not try and push this up the tree and he had to try and solve the issues himself. Fair enough, but it got to a stage where he could not answer the questions that I had. I took this up with the CAG recently a couple of meetings ago and they apologised and so forth and told me that's not the policy. I have no confidence in who I'm dealing with. I now utilise private consultants to solve problems the department traditionally would've been able to solve for me. I'm paying water charges, which I notice have just gone up another 10 per cent, so I'm paying for this but I'm definitely not getting what I'm paying for.

The CHAIR: I'm interested in learning more. I think that there are other industries where I've heard the same thing—that the office is based on the coast and the people don't understand, they're not in the community and they don't understand the sentiment of the community. I know Warren has touched on this. Having staff that are embedded in the community living as part of the community and the regular people that you deal with, it sounds like that would go a long way towards improving the interaction with the department if people are actually familiar with the subject matter and familiar to you. Is that something that you believe would help significantly, if we had people from the department actually living in our communities working with people?

TONY THOMPSON: That's how it was, and that's how it worked. We knew these people. They understood our businesses. They understood the river, they understood the policies, they understood the framework and they understood how we worked within the framework. It was a phone call. They would give us clarity more or less on the spot because they knew it. The answer is yes, but this is the problem that we have in this community that is forever shrinking. It is dying. People don't want to live here. You can't get department staff that want to work out here. We can't get staff that want to work out here. I talked about the horticultural industry.

There were hundreds of people involved in that industry, and they don't have a job here anymore. There was something like 700 jobs. There was a socio-economic study done. There was something like 700 jobs employed in the irrigation industry in Bourke. I don't know what it'd be today, but it's not a shadow of that.

Mr JUSTIN CLANCY: To that, Tony, previous witnesses were saying there's very little irrigation, if any, down around Louth now and further downstream. You spoke in your introductory remarks about how you're one of the few or the only irrigator from when you first came here in 1993. To give me an understanding, how many surface water irrigators are in this region here now?

TONY THOMPSON: There are four—one relatively small guy, me and then two larger entities. But there were never many. There might've been seven back when I came. There were more family operations. Even one of the large-scale operations was very much a family operation and was very community focused, not that the current operators aren't necessarily community focused. But it's to nowhere near the same degree.

The CHAIR: Mr Thompson, in terms of rules-based changes—and I don't expect you to disclose any personal financial information or anything like that, but perhaps expressed as a percentage—what have rules-based changes done to your business? What have they done to your profitability or viability and your asset base?

TONY THOMPSON: Sorry, you'd need to explain what you mean by rules-based—

The CHAIR: Rules-based changes. IDECs and IDELs are rules-based changes, and cease-to-pump heights, active management, the first flush rules, low water triggers and valley flow targets. Basically, there are more conditions that have to be met before you can take water that you would've been able to take in '93.

TONY THOMPSON: If we had those same rules today and if I still had my 15,000 megalitres instead of my five—I'm not sure if that's part of the rule—I don't know if we'd have a much bigger share. We would definitely have a more reliable, profitable operation. Those conditions that we had were unsustainable. I'm not here saying that some of the rules that have been brought in—there needed to be change, but we get one change done and what's next? It just hasn't stopped. It just continues to come. It's all at the expense of the irrigators. I struggle to be able to put a monetary amount on it, but it's significant.

The CHAIR: I think it's the cumulative effect of multiple changes year on year on year, and then the idea of death by a thousand cuts. Every time there's a change, it impacts you. It also impacts your property rights. As you said, you came out here with a 15,000-megalitre entitlement that you legally held and that, through rules and agreements, has been brought back to around 5,000. It's a significant drop in the amount of water. I don't think any amount of efficiency through GM crops or anything like that is going to make up for the difference in the amount of water.

TONY THOMPSON: I think one of the key indicators is the fact that I'm the only one still here. Most of the ones that aren't here left as a result of financial pressures. I think that tells the story.

Mr WARREN KIRBY: You made a point earlier about the difference between the quality of water running down and the quantity of water running down. What would be the methods that you would support to enable New South Wales to meet the targets across the Basin Plan?

TONY THOMPSON: I'm not sure. Can you maybe give me a bit more clarity as to what you mean there, Warren, sorry?

Mr WARREN KIRBY: You've made the point about the challenges that you have faced and how they have impacted on your business. We've got two competing interests—the interests to try and bring more quality water through the system and to make businesses like yours sustainable into the future. From your perspective, what would be a better approach than what is currently being undertaken by governments?

TONY THOMPSON: Where does it end? What's the evidence to prove that what's been done hasn't worked and isn't working? To me, change is slow and repair is slow. We get a large fish death at Menindee and suddenly that puts all this additional pressure on upstream even though we've had good flows for five years. I don't know. I don't have an answer. To me, we need to wait. How do you measure this stuff? How do you measure what is the improvement or what is the demise? How do you measure that? Is it correct? I feel that the time frame that we are trying to work on is way too short.

In the meantime, it just continues to be the irrigator and the community that is suffering as a result of someone coming up with a great new idea of how they can restrict access a little bit more and cease the flow rules. They come up with some other way of how we can take a bit more off the irrigator because we believe that that's going to improve the environment. We have done a lot. We have changed the flow rules significantly. Those low

flows that once were targeted by irrigators are no longer touched. We've got good flows going through the system and we are still ending up with problems downstream. I'm not sure.

The CHAIR: Mr Thompson, I want to thank you again profusely for the generous giving of your time this morning and your knowledge, and taking us out. I really appreciate that. I also want to thank you for appearing before the Committee today. You will be provided with a copy of the transcript of today's proceedings for corrections. Committee staff will also email any questions taken on notice—there weren't any, from memory—and any supplementary questions from the Committee. We kindly ask that you return these answers within seven business days of receiving those questions. I realise you are busy, so I understand that is going to be a challenge. If there are any supplementary questions, we will try and keep them to a minimum. I want to thank you very much for your time, both this morning and this afternoon.

(The witness withdrew.)

Mr FRANK OLD, Irrigator, sworn and examined

The CHAIR: I welcome our next witness. Thank you very much for appearing before the Committee today to give evidence. Please note that Committee staff will be taking photos and videos during the hearing. Those photos and videos may be used for social media and public engagement purposes on the Legislative Assembly's social media pages, websites and public communication materials. Please inform the Committee staff if you object to having photos or videos taken. Please also note that only Committee staff and media organisations are allowed to take photos and videos. If you would like a copy of these photos, please contact Committee staff during the break. Can you please confirm that you have been issued with a copy of the Committee's terms of reference and information about the standing orders that relate to the examination of witnesses?

FRANK OLD: I have.

The CHAIR: Do you have any questions about this information?

FRANK OLD: No.

The CHAIR: Would you like to make a short opening statement before we begin the questions? In the interests of time, I'm meant to ask that it is limited to 90 seconds, but no-one in the past two days has kept it to 90 seconds, so I will let you take as long as you need.

FRANK OLD: I'll keep it brief. What does the Government want our water industry to look like? Because, at the moment, particularly for consumptive users, there is a lot of uncertainty. I originally come from the Murrumbidgee system, and I was a beneficiary of having two weirs beside me: Redbank and Maude weirs. Why we don't have those sorts of structures in the Darling—I don't know how you're going to keep people here. If Bourke has lost 42 per cent of its population since 2000, as I believe, I don't think the future looks very bright.

The CHAIR: Thank you, Mr Old. We've got a series of questions that we could ask. Given your experience and your knowledge of the irrigation industry, what's your opinion on a way forward that would allow the industry to be sustainable and would balance the needs of industry, downstream communities and environment? What is some low-hanging fruit?

FRANK OLD: First of all, you've got to make sure that you preserve water all the way along. I know the current policy is to remove weirs, but you won't keep people living here without weirs. If there's no water, there's no hope. You won't have people living here. It's that simple—no water, no hope.

The CHAIR: I was remiss in one thing in that I was meant to tell you something and I didn't. I need to let you know that you can take questions on notice. If you'd like to take a question on notice, go away and come back to us within seven days, that's absolutely fine.

FRANK OLD: I've got nothing to hide.

The CHAIR: I was meant to put that in and I didn't. I'm just backtracking to get it in there.

Mr STEPHEN BALI: Mr Old, maybe you could give us a little bit of your background and what farms you ran recently? You said you came to Bourke?

FRANK OLD: Basically from the time I was married, I lived on the Lowbidgee Floodplain on the Murrumbidgee River. We developed, amongst other landholders there. At one stage, our group of five organic grain growers was the largest organic grain group in Australia. We exported all over the different countries around the world. As water became scarcer, with the pressure of not being able to source water, we ended up selling to the Government in a land and water package back in 2013. I still retain some country and a small irrigation farm there. We've also got country right in the Murrumbidgee-Murray corner that joins both rivers, and we've got country up here at Bourke. I've got one child at Balranald and two up here—a boy and a girl. They've got their families up here.

I believed in 2008 that if you bought the right properties on the river at Bourke, it would be a generational farm. Water is only a small part of it. The continued rollout of policies that erode the community fabric is a problem. I talk about water buybacks, carbon policy and, particularly in recent times, national parks. It's all putting a squeeze on good people staying in rural Australia. Most of Bourke is a transient town. There are 30- to 40-year-old people that come here for three to five years and they move on. If we're going to build Bourke into a sustainable district, we've got to have water certainty and other policies that go around that to retain the people.

Mr JUSTIN CLANCY: Thank you, Mr Old. For all the impact on the community, what does the river system look like now from your vantage point?

FRANK OLD: It goes against the grain to watch water run down the river and not be able to secure enough. Even if you had a weir like Redbank or Maude at Bourke, the river would be—because they can flush it, it won't silt up. But these low-level weirs that only top—it's like a settling pond. In time it'll just fill up with silt. I think you need to use the water properly, to flush the system out and be able to retain it for town use, recreational use, consumptive use, whatever, all the way along. I haven't been to South America. I've been to most other continents, and I've worked overseas. I don't know whether there's another country that would put up with what's happening to the Darling.

Mr JUSTIN CLANCY: Do you see irrigation here at Bourke in 10, 20 years time? Secondly, is there a township at Bourke without irrigation?

FRANK OLD: You'd like to think not. But, the way it's going—it's hard to have much faith in anyone making decisions, when the person has no skin in the game. When people have got skin in the game, I think, they think things through more thoroughly and think about it long term, not short term. These quick fixes, for the term of your office or whatever, might be fine, but that's not in the best interests of the country. They're my thoughts, anyway.

Mr STEPHEN BALI: I'm just trying to look up some information as we're talking here. This report was written a couple of years ago. It was talking about, potentially, the North Bourke goat abattoir. It was talking about a revival of cotton and grazing industries and even some local mining activity, and it was looking at those as the key areas to, over next 10 years, generate jobs. Have any of those in the past couple of years really taken off? Have you heard anything?

FRANK OLD: The goat abattoir has certainly been a real plus. It's the largest employer in the town. Unfortunately, we've probably only got about five locals working there. Read into that what you like. Is that a by-product of some of the policies that we have going around today, where our young people aren't made to work in the best interests of the country? I don't know.

Mr STEPHEN BALI: How many people do you think work at the goat industry? We can always chase that up.

FRANK OLD: There are over 200 at the abattoir, and about five locals. That's right, isn't it, Roy?

The CHAIR: Yes. They've got higher production now than when it was operating previously, since Thomas Foods took over. Last time I was out there, they were 150 people. And there was only a very small number of locals, and some of those people used to work in the old abattoir when it was operating, the one that's riddled with asbestos and rotting on the side of the road. But the production numbers—originally, I think, it was aiming to do 3,000 a day. That was meant to be good. But I think they can go as high as 4,200 at a day, which is pretty incredible.

FRANK OLD: They're up to about 4,200 at the moment.

Mr STEPHEN BALI: That should be generating more people coming into town there, if there's a hundred people from outside of Bourke but working here. Have they taken up housing here?

FRANK OLD: Most of them are fly-in fly-out.

The CHAIR: At one stage I think they had Taiwanese—this was back in the days before Thomas Foods. They had a heap of Taiwanese people that came out. They didn't last long because there was no wi-fi, and en masse they said, "We want to go home." But I think at the moment it's probably a pretty large immigrant workforce, so people who have got a visa that allows them to work. A lot of people from overseas take up the work because it's work that they can get hold of and it's paid pretty well.

Mr STEPHEN BALI: Is it seasonal?

The CHAIR: No, goats happen all year round. It can do goats and sheep out there, so it can do more than just goats. But goats for export—it is the most consumed meat in the world, so it's a good thing to have out here, especially with the number of goats we've got.

FRANK OLD: Actually, I sold that country to the abs to be built. We surround them.

The CHAIR: Is that right? I think they're on 13,000 acres. Is that right? Or 1,300?

FRANK OLD: It's 5,000.

Mr WARREN KIRBY: You've spoken about implementing weirs to hold water up along the way. Are there any other legal or regulatory reforms that you could suggest that might be advantageous to environmental, community and cultural outcomes?

FRANK OLD: Not really. It's amazing—I grew up on a system where a major flood was 12,000 to 15,000 megs going down the Murrumbidgee, and water went everywhere. I came up to Bourke, and in 2022 I had water right beside my verandah. There was over 300,000 megalitres a day going through Bourke. The amount of water you need to harness—you just can't handle that amount of water. But what you can do is have a system within the river, because the river is a natural channel, and your losses are so minimal compared to when you put it into storage. You've already got the river there. It just needs weirs in it.

The CHAIR: On that point, if I could just further explore that with you—you'd know the story of the 36 natural rock weirs that are up and down the river that were blown up by order of the New South Wales Parliament. Every time they wanted to explode one, they had to get an order through Parliament for the explosives. Anyway, most of them were blown up to allow the paddle-steamers through on a low river. Based on your experience, can you tell us what your thoughts would be on reinstating those rock weirs along the river—man-made versions of those rock weirs—which would return the river back to what it was before we started messing with it?

FRANK OLD: You're trying to reinstate what was, but we've got a population that's so much larger. I still go back to old Henry Parkes. He said, "If we don't populate the bush, someone else will," so we really need to make sure that we have people living here. The most secure way you can have people here is people that are contributing to the community, like work—whether they be farmers or whatever—but you need water security. Without water security, no-one will come here.

Mr JUSTIN CLANCY: I've got a couple of questions—the first is about the rules-based changes versus buybacks in terms of water coming out of the consumptive pool and going back to environment. What's been the impact of changing rules that impact on the amount of water that you can utilise as an irrigator? What's been the impact of that from an irrigator's perspective?

FRANK OLD: I'm a non-active ex-irrigator, but I have a licence that I've been temporarily selling. I can't blame any landholder for selling their water, not given the insecurity. Also, it's funny, money follows profit. Follow the money. One of you guys asked me, "Do you grow cotton?", or, "Why would you grow this?" There are only two main drivers in agriculture: profit and policy. You'll steer agriculture wherever you want with one, or both of them together.

Mr JUSTIN CLANCY: For me, a final question is just to go back to a conversation previously and talk about your future, just for the record.

FRANK OLD: You live by, if you don't adapt, you'll perish. If the policies are put out there today and you can't see too far forward, you need to change. To be honest, the way it's going here at the moment, most of our neighbours—and we run right to the edge of the airport—are absentee neighbours, absentee landholders. They've got a carbon project, and they don't live here. How naive can you be to think you give people a pocketful of money for looking after trees—and now some of those policies are 10 years old and they have a 25-year permanency or a 100-year permanency. Who in the blazes would come up with a 100-year permanency, because no-one lives that long, actively. The other thing is who's going to retain the responsibility for that land? That's why these places can't be sold. Once the money stops coming in, you won't sell any of these places and you wonder why the population's dwindling. Not a lot of thought's gone into some of these policies.

The CHAIR: That's a really good point. We've had a lot of problems with absentee landholders, especially when it comes to baiting programs and that sort of thing. They don't seem to care, so the neighbouring properties bear the brunt of being the breeding grounds for wild dogs and pests. They don't reply to the requests about the baiting programs; therefore they don't give permission. I've asked that it be changed to opt out instead of opt in, so they've actually got to do something if they don't want to participate. I think they won't do anything, which means that their property will get dealt with. But that's a discussion away from this inquiry.

FRANK OLD: The question was asked earlier—if I might go back a bit—of what I think about the viability of irrigation in Bourke. If someone from the Government or whoever from the clouds came with a chequebook, I can tell you that if the numbers add up, the irrigators will leave. Just have a look at how many of those people are not emotionally tied to Bourke. PSP—a Canadian pension fund—are my next-door neighbours. They're not emotionally tied to Bourke; it's just profit. Peter Harris lives further east; Bourke's only another one of his satellites. Tony Thompson's probably one of the few that genuinely lives here, who has a tie to Bourke. Will Turnbull's probably the other one. After that, I don't think you've got anyone.

The CHAIR: Mr Old, I really appreciate you taking the time to come here today to speak to us and share your knowledge and wisdom with us. I thank you for appearing before the Committee today. You will be provided with a copy of the transcript of today's proceedings for corrections. Committee staff will also email any questions taken on notice—I don't think there were any for you, Mr Old—and any supplementary questions from the

Committee. We kindly ask that you return the answers within seven business days of receiving those questions. That concludes our public hearing for today. I again place on record my thanks to all the witnesses who have appeared today, the Hansard folk, the Streaming Guys, the secretariat and the Committee members. Most importantly, I thank the witnesses who have given up their time to come and share their knowledge with us.

(The witness withdrew.)

The Committee adjourned at 16:05.