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The Australian Council of National Trusts  
Submission to the Murray Darling Basin Authority

## **Proposed Murray-Darling Basin Plan**

17 December 2010  
**Submission to the Proposed Murray-Basin Plan**

## 1.0 About the Australian Council of National Trusts and National Trusts of Australia

The Australian Council of National Trusts (ACNT) is the national voice in Canberra of the eight State and Territory National Trust bodies. The National Trusts in Australia are community-based, non-government not-for-profit organisations, committed to promoting and conserving Australia's indigenous, natural and historic heritage through their advocacy work and their custodianship of heritage places and objects.

Our Vision is

*A nation celebrating and conserving its cultural, Indigenous and natural heritage for present and future generations.*

Our Mission is

*Through advocacy, research and promotion support the work of the National Trust movement in conserving Australia's heritage.*

The National Trusts are the only Conservation organisations in Australia concerned with *all* heritage, natural and built, cultural, tangible and intangible. We are the pre-eminent independent community bodies that promote conservation of and access to Australia's unique built, natural, cultural and Indigenous heritage.

The National Trusts recognise cultural heritage to be Tangible – historic or natural; and Intangible – traditional and contemporary cultural expressions such as customs, values, ideas, language, stories, performances, rituals and ceremonies. Heritage can be classified by one or more values – aesthetic, historical, scientific, social and spiritual. Our heritage is what makes us who we are and what we believe.

UNESCO (UNESCO <http://whc.unesco.org/en/about/> defines heritage as 'Heritage is our legacy from the past, what we live with today, and what we pass on to future generations.'

The National Trust movement believes that Heritage is something we inherit from the past and value enough today to leave for future generations. Our heritage defines our identity and encompasses the land, the flora and fauna, our Indigenous history, traditions and practices, our rural and urban heritage, our past, our stories, our skills, and our relationship with our land. Heritage defines us in relationship to our environment and culture and informs the future.

Our cultural heritage includes our diverse stories, our traditions, our skills, our knowledge, our science, our songs, dance, theatre and art. They are all part of what makes us what we are as individuals and as a nation. They are all part of our cultural heritage and identity.

The National Trusts collectively own and manage over 300 properties together with extensive cultural heritage collections. These properties and collections are an integral part of Australian life and play a role in documenting and interpreting Australian identity, values and achievement. The National Trusts recognise and perform under the guidelines of ICOMOS (International Council on Monuments and Sites), the Burra Charter and the Natural Heritage Charter. In doing so, we ensure that our conservation of, advocacy for and interpretation of and educational activities about heritage are for the long-term social, spiritual, economic and environmental benefit of the community. Through this learning, heritage has been, for many, their introduction to the disciplines of history – in particular: historical significance, evidence, continuity and change, perspectives and empathy.

Through our properties, our community, public and school education programs, our advocacy, our conservation programs of natural and built heritage and our partnerships with the community the National Trusts tell the stories of our heritage and identity.

## 2.0. Our Heritage at Risk

Each year the ACNT manages an Australia-wide programme *Our Heritage at Risk*. The programme is intended to raise awareness of heritage issues in Australia by identifying those places and objects we value that are at risk. In October each year a national panel of heritage practitioners selects ten places or objects from nominations by each state and territory National Trust.

As an integral part of the programme the community is invited to participate in the nomination process by recommending to each state and territory National Trust places or objects under threat.

The ACNT, acting in response to nominations, has listed Lower Lakes and Coorong and the Murray Darling Basin as a Region at Risk for the past four years.

The significance of the system was stated as:

- *The river systems support agricultural and a wide variety of ecosystems, and have archaeological, scientific, ecological, Indigenous and European cultural significance.*
- *Lower Lakes and Coorong is an Internationally significant wetland with high ecological diversity and one of six top water bird sites in Australia.*
- *The Lower Murray supplies Adelaide's water and is a major tourist and holiday destination. It exemplifies the cultural, social and ecological values of the Murray Darling River and the threats it faces.*

The identified threat was assessed as:

*River flow has been drastically reduced in both systems, ceasing altogether in some places. 95% of the Murray is degraded due to historical over allocation of water, and only 10% of pre-European fish populations remain.*

*Lack of flows and excessive salt levels due to regulatory structures, unsustainable water extraction and drought have endangered flora and fauna in the Lower lakes and Coorong and it is now in a dire state and at risk of losing RAMSAR status. Proposals to pump in saltwater will if implemented destroy the freshwater ecology.*

The desired outcome / vision was given as:

*Both systems must be restored to health by Government and community action with support of all stakeholders. Current market-based mechanisms are failing and Commonwealth Government intervention is urgently needed to ensure sufficient freshwater to flush the lower Murray River and to reject the short-sighted engineering solutions proposed.*

The fate / outcome with no intervention was assessed as:

*Strongly suffering. Heritage and ecological values could be irredeemably lost.*

### 3.0. This submission

#### 3.1 .Introduction

The following comments and recommendations on the proposed Murray-Darling Basin Plan (MDB Plan) have been authored largely by expert committees and panels from the National Trusts of South Australia, New South Wales and Victoria whose combined interests cover much of the Basin area. Their submissions, while often reflecting concerns within their own states, are nevertheless supported by the ACNT, the National Trust of Queensland, the National Trust of Australia (ACT) and the wider Australian National Trust movement as a composite range of concerns and comments relevant not only to the environments and communities within the Basin but to those which are closely linked environmentally, economically and socially to the Basin's resources.

We, like many other organisations and individuals throughout Australia, have been anxiously anticipating the development of the MDB Plan as the only long-term solution for addressing the severe degradation of the ecology, biodiversity, environmental services and sustainability of the Basin brought about by the over-allocation of the water resources.

#### 3.2 Comments from SA National Trust

It is of huge concern that the Murray-Darling Basin Authority has opted for a range of Sustainable Diversion Limits (SDLs), the upper one of which would only return most of the Basin to a moderate level of health, leaving two region in a poor state (see below). In addition, while we have four major areas of concern that we discuss below and make recommendations for, we would like to commend the Authority on aspects of the Guide.

These are:

- The Guide's priorities reasonably reflect the intentions of the *Water Act 2007 (Cmth)*,
- The Guide appears to be well researched and supported by the technical material provided,
- The Guide is clearly written and set out. By organising the Basin's 23 catchments into 19 Regional Guides it enables readers to easily access material relating to their region.
- The Guide gives sufficient attention throughout and particularly in Chapters 7, 8, 12, 13 and 14, to acknowledging and detailing the social and economic impacts of providing for Sustainable Diversion Limits (SDLs) and more than sufficient in terms of trying to optimise all three outcomes (p.103) or balance the triple bottom line. Unfortunately it appears that this means that the Gwydir and Lower Darling catchment regions will miss the possibility of even being returned to a moderate state of health (Fig 8.3 p.112) in the near future.

##### 3.2.1. Our Concerns and Recommendations

##### 3.2.2. Determining the long-term average Sustainable Diversion Limits

In s23 (1) of the *Water Act*, it clearly requires that SDLs be established that 'will not compromise the environmental water requirements of key environmental assets....' (p.103). The authority has identified 2,442 key environmental assets, including 16 Ramsar sites that require variable flow regimes to sustain them.

In Chapter 6 of the Guide (p.57) it is determined that SDLs allowing an additional 3000GL/yr for the environment would only result in a rating of 'poor' ecosystem function for assets in about one third of the Basin in the Murray, Lower Darling, Loddon, Gwydir and Condamine-Balonne regions. Even with the maximum proposed 4,000GL/yr the Lower Murray, including the Ramsar listed Lower Lakes, Coorong and Murray Mouth are only returned to lower moderate (-) health. This seems at odds with the high importance given to this region on p.113 of the Guide.

We note that only at an increase of 7600GL/yr 'the environmental targets are all met and all catchments improve from their existing status to good flow levels' (p.74). The objectives of the Act and the Guide are very clear and the social and economic outcomes can only be optimised, as required, when the long-term environmental outcomes are also optimal.

Therefore this level of SDLs is the Trust's preferred option.

Recommendation

**For this reason the National Trust urges the Authority to act on the Precautionary Principle in determining the current environmental water requirements for returning the Basin to an acceptable level of health now and in the face of future climatic uncertainty and that it adopt, as a minimum, the SDLs in Scenario 3 for a reduction of 4,000GL/yr.**

### 3.2.3. Water trading rules

The Trust is sceptical of the model presented for water trading. The 'central tenet of water reform' has free market assumptions that 'removing barriers to trade' will improve conditions in the Basin because water will 'move to its most productive use' (p.167). The Authority appears to be relying on the assurances of a market-orientated agency, the Australian Competition and Consumer Commission, and going down the path of 'minor' changes which include to 'reduce barriers to trade' (pp169-70).

We suspect that water markets have had serious effects on the environment elsewhere, particularly in an unregulated context, and there are grounds for believing this is already occurring in the Basin.

Only a small paragraph, lacking detail, on p.170 addresses the issue of trading water between ecologically stressed and more sustainable catchments; 'to ensure the environmental water requirements of the basin are met, water trade in the Basin will inevitably require the existence of some barriers to trade to take account of the physical and hydrological configuration of the Basin's water resources.' A brief discussion then follows on efficient market functioning. There are no proposals for new water trading rules that would protect the environment and ensure ecological sustainability. How is the free market in water to be reconciled with sustainability of the environment?

We draw the Authority's attention to the Draft Water Allocation Plan for the Western Mount Lofty Ranges (AMLR NRM Board October 2010) where there is a detailed division of watercourses into Surface and Ground Water Management Zones to assist in regulating the movement of water licences and allocations and to ensure sub-catchments are not stressed.

Recommendation

**That the Authority more closely examine water trading rules and investigate the environmental constraints and outcomes of the current model to obtain a clearer picture of its impacts on the Basin environment. Water trading must not be allowed to negatively impact on the major objectives of the Plan.**

### 3.2.4. Failure to address an historical anomaly for the Lower Lakes, Coorong and Murray Mouth

At the time of Federation South Australia was allocated 1,850 GL/yr for domestic rural and urban, commercial, industrial and irrigation purposes. Included in this water was an allowance for evaporation and for the dilution of salts (and nutrients) transported from upstream.

Unfortunately, the calculations were only made for the River as far south as Wellington and did not include a provision for evaporation, flushing or dilution of the Lower Lakes, Coorong and Murray Mouth.

This area was on the verge of ecological collapse less than a year ago, threatened with widespread historically low water levels, acid sulphate soils, elevated salinity, low oxygen, high turbidity and nutrient loads and with its biodiversity impacted by invasive exotic plants and tubeworms. The bird population of the Ramsar site – one of Australia’s top ten and the most important refuge in the whole MDB system (Dr Richard Kingsford, Uni of NSW) - had crashed by 80%. The tourism and recreational industries suffered along with lake and riverside communities.

That the Authority has not increased SA’s allocation by one litre more to rectify this historical anomaly and prevent a repetition of this bleak scenario is staggering. It is an enormous oversight and if not addressed it will be a lost opportunity to provide security for the Ramsar site. Under Scenario 3, this region will only be returned to ‘moderate health’.

An allocation will need to be written into the Plan as recent events have shown; in 2007 all sections of Government and the community agreed that to improve the health of the Lower Lakes and Coorong, an increase in the volume of water available was needed. Even though this was reflected in the Murray Darling Basin Commission’s *Living Murray Initiative*, which aimed to restore 500 GL to environmental flows by 2009, by early 2010 none of the 133GL of ‘recovered’ water (from Victoria and SA) had been returned to the lower River system under that program or under the new Basin Authority.

The legal status of the Guide to the Plan and the eventual Plan is dependent on meeting the environmental objectives of the Water Act 2007 and the legitimacy of the Water Act is based on international conventions (for example Ramsar and other conventions for migratory bird and biodiversity conservation). Without an environmental flow for the river below Wellington, the Trust cannot see how the Plan and therefore the Australian and South Australian Governments can meet their international obligations to ensure the conservation of the complex ecosystems, biodiversity and migratory bird habitats.

## Recommendation

**That the Plan rectify the historical anomaly of failing to provide a water allocation for evaporation and flushing of the River below Wellington and thereby ensure the conservation of the ecosystems of the Lower Lakes, Coorong and Murray Mouth as obliged under the Ramsar and other Conventions. An increase in the allocation for this region must provide enough flow for it to return to a “good” level of health if Australia is to meet its international obligations.**

## 3.3. Comments by NSW National Trust

### 3.3.1 Background

Since its earliest days the National Trust has taken a strong interest and active involvement in the protection and conservation of rivers and wetlands.

In May 1953, the National Trust President Oliver Wyndham produced a master plan for the protection of the lower Hawkesbury River and in 1954 the Hawkesbury Scenic Preservation Council was launched to lobby for the establishment of a national park and preservation of the adjoining Kariong Peninsula.

The Trust commenced listing Landscape Conservation Areas on the National Trust Register in 1974. In August 1975 the Trust listed the Murray Valley Flood Plain Landscape Conservation Area on the National Trust Register stating that: -

*The area is considered valuable primarily because of its landscape interest – it represents the survival of the early Savannah woodland of the flood plain of the Murray, much modified by grazing, but retaining fine examples of River Red Gum, some native grasses and herbs and excellent examples of natural billabongs, rich in aquatic life. The whole flood plain (including those parts planted with exotic willows) is rich in bird life (140 species, 55 aquatic) and is worthy of Classification and preservation as a site of historic Australian landscape.*

In February 1986 the Trust listed the Macquarie Marshes Landscape Conservation Area on the Trust Register as the largest single breeding ground for waterfowl in Australia, as a drought refuge for waterbirds and a wetland habitat of international significance. The recommendations accompanying the listing called for a Plan of Management for water management of the marshes and the wildlife allocation of 50,000 megalitres of water per annum for the Marshes, initially determined in 1951 to be enshrined in the Plan.

It was also recommended that water management in the Marshes should aim to ensure a water regime capable of maintaining the maximum extent, diversity and productivity of wetland habitat and suitable conditions for waterbird breeding. Also, the wildlife allocation of 50,000 megalitres of water per year should be able to be carried over, if not called in any one year, on the basis of:

- year following that in which no allocation – carryover of 40% in addition to normal allocation;

- year following two years in which no allocation called for – carryover of 60% in addition to normal allocation.

The Trust also urged that the environmental impact of cropping activities in the vicinity of the Marshes should be closely monitored and where necessary, controlled. The growing of crops associated with significant detrimental impacts on the environment should be declared designated developments for the purposes of the NSW Environmental Planning and Assessment Act, 1977.

In December, 1985, the Trust made a submission to the New South Wales Water Resources Commission and the NSW National Parks and Wildlife Service on the “Draft Water Management Plan for the Macquarie Marshes” and the “Macquarie Valley Allocation of Water for Irrigation.”

The submission strongly recommended that the NSW Government proceed with the preparation and implementation of a Regional Environmental Plan or State Environmental Planning Policy as a matter of urgency. The Trust strongly recommended that the NSW Government should uphold its decision of November 1983 not to proceed with the provision of regulated flows for irrigation development on the lower Macquarie River below the Monkeygar Creek offtake.

In commenting on the ‘Macquarie Valley Allocation of Water for Irrigation’ the Trust noted that the report was strong on equity issues but, in countenancing a reversal of the Government’s 1983 decision to refuse allocations on the lower Macquarie, whilst at the same time proposing (in the Draft Plan) to prohibit irrigation in the Marsh area itself, the Commission is surely just replacing one equity problem with another. On environmental issues the Trust noted that the largest environmental impact of all the proposals canvassed in the report, however, revolves around two obvious facts:

1. The greater any further allocations of water in the valley, the less the surplus flows that reach the Marshes; and
2. The greater any further allocations of water in the valley, the more often the critical 25% level will be reached, with a consequent forgoing of the option of calling for the wildlife allocation.

### 3.3.2. Comments

Since the mid-eighties the situation has not improved. Eric Fisher, the Chair of the Macquarie Marshes Environmental Landholders Association and the NSW Ramsar Managers Network, said in a CSIRO ECOS 137 Aug-Sep 2007 article that the most destruction to the area has occurred over the past 25 years. This article (see Appendix A for a relevant extract and link) comprehensively sets out the issues and objectives for management and is still highly relevant.

The article concludes with a statement by Bill Johnson, Senior Scientific Officer for Wetlands and Rivers:

*We are not very far from a point where these ecosystems in the Macquarie Marshes cannot be restored and protected. It is vital that we move now – today.*

The breaking of the drought throughout the Basin does now allow some breathing space and provides an opportunity for the Murray Darling Basin Authority to determine a future direction that will produce an ecologically healthy Murray Darling River system.

Under the Water Act the Authority has three broad areas for mandatory decision-making. These require the Authority to:

- determine the amount of water needed for the environment, known as the environmental water requirement, to protect, restore and provide for the ecological values and ecosystem services of the Basin
- establish long-term average sustainable diversion limits (SDLs), which must not compromise key environmental assets (including water dependent ecosystems, ecosystem services and sites with ecological significance), key ecosystem functions, the productive base and key environmental outcomes for the water resource
- provide advice on appropriate transitional arrangements to SDLs and in particular advise on the Australian Government's share of meeting the costs of returning water to the environment as part of the risk allocation provisions of the Water Act.

The Guide to the Basin Plan gives a snapshot of the Basin and its challenges:

- The Basin is a highly significant factor in Australia's ecological health, containing some of the country's most diverse and rich natural environments.
- It is home to one world heritage site and 30,000 wetlands, of which 16 are Ramsar listed, providing critical habitat for 95 Basin state and Commonwealth-listed threatened inundation-dependent fauna species.
- The Basin is also a critical part of Australia's economy and its food security. It contributes 39% of national agricultural production and provides for the critical water supplies of more than three million people.
- The Basin is home to some two million people and is a critical cultural asset to the many Aboriginal nations who live in the Basin.

- However, the Basin is under enormous stress as a result of past water management decisions and a severe and prolonged drought. Both of these factors risk being compounded by natural climate variability and climate change.
  - Twenty out of 23 catchments in the Basin are in 'poor' to 'very poor' ecosystem health. The past decade has seen increasing water quality problems and more frequent outbreaks of blue-green algae blooms.
  - The amount of surface water diverted for consumptive use such as towns, industry and irrigation has increased from about 2,000 GL/y in 1920 to entitlements of approximately 11,000 GL/y in the 1990s. However, the impact of drought over the past decade has seen actual diversions drop significantly.
  - The combination of drought and historic diversions means that there have been no significant flows through the Murray Mouth since 2002.

The Authority's analysis undertaken indicates that the amount of additional surface water needed for the environment is between 3,000 GL/y and 7,600 GL/y (longterm average).

The Authority then considered the social and economic effects considered in developing its proposed sustainable diversion limits and based on this analysis the Authority made a number of critical judgements in developing these proposals.

First, the Authority decided only to examine scenarios for setting surfacewater SDLs at the lower end of the range of additional water needed for the environment (that is the lower end of the 3,000 GL/y to 7,600 GL/y range).

The Authority believed that reductions that exceed 4,000 GL/y will not meet the requirements of the Water Act. Indeed, reductions of this size would not represent an optimisation of the economic, social and environmental outcomes under the Water Act. The Authority therefore determined that it would only examine scenarios with reductions of between 3,000 GL/y and 4,000 GL/y.

The National Trust finds it difficult to understand how setting these reductions at the lower end of the range of additional water needed for the environment would optimize the environmental outcomes under the Water Act. In reality, from an environmental viewpoint this is a compromise.

The most important question is whether this compromise will save the river system in the long term. If it does not then there will be grave environmental, economic and social outcomes.

The role of the National Trust is to recognize Australia's cultural heritage, those places of historic, social, aesthetic and scientific value and to act to protect them for the current and future generations.

There would be no argument that the Murray/Darling River System is an iconic element of Australia's cultural heritage. But if its scientific and aesthetic and historic values continue to degrade through chronic water over-use then its social and economic values will also be adversely impacted.

In earlier campaigns to save Australia's rare rainforest communities there were years of strong resistance from those whose livelihood depended on logging and the forestry industry. But eventually the argument that these rainforest remnants had to be conserved and protected from exploitation did win out and Australia's heritage is the richer for that decision with communities finding other directions such as tourism to replace forestry.

It would be unwise to believe that the current La Niña event with its heavy rainfall and flooding is anything more than a rare respite from the longer term El Niño Southern Oscillation combined with the uncertain effects of global warming where drought and high temperatures are the norm.

In terms of the health of the river system and its wetlands the present heavy rainfall and flooding will certainly raise the health of the Murray Darling System but longer term effective decisions need to be made if both the heritage values and economic importance of the system is to be achieved. The 7,600 GL/y (long-term average) upper limit of surface water would return the river system to good health while the 3,000 to 4,000 GL/y would only return the river to moderate health. Is that lesser option really a feasible option for all the stakeholders involved?

In the longer term, there will be no farming if the river environment collapses.

### **3.4 Comments by the National Trust of Australia (Victoria)**

We strongly support measures to substantially increase environmental flows to improve the health of the river system. We note that most of the catchments in the Basin are in 'poor' to 'very poor' health, a situation that must be reversed. We recognise that increased environmental flows may have adverse impacts on some individuals and communities, but these flows are seen as essential for the long term economic viability of the Basin and for the protection of environmental values. Past decisions that have led to over allocation of water for irrigation should not be seen as an acceptable basis for determining future allocations. These should be based on the best available science related to environmental needs and best practice agriculture.

There are important institutional challenges to better managing all of the values of the Basin - understanding and protecting cultural heritage, interpreting the land's history, as well as managing for natural and cultural values. These include the challenges in working with different legislative regimes for indigenous and non-indigenous heritage, water and biodiversity. Therefore we advocate for a strategy to protect cultural values and heritage in the Basin. This strategy should link the heritage of places with opportunities to learn about and relate to our past, natural environment, and indigenous heritage. This strategy should also consider types of places (e.g. built, landscape etc.) and the themes in the Basin that they represent.

Changes in agricultural practices resulting from implementation of the Basin Plan may provide an opportunity to preserve significant heritage places and artefacts. These should be protected and interpreted to increase community/visitor appreciation and demonstrate its contribution to Australia's heritage. For instance, there is a long history of the cultural heritage of irrigation in many parts of the Basin, and attention should be given to the protection of tangible structures, as well as the stories and traditions associated with the industry.

There is also an opportunity to explore "Irrigation Tourism". The heritage of irrigation involves artefacts and structures, including dethridge wheels, channels, and pumping stations. Cultural landscapes are also associated with irrigation; most obviously irrigated vines and fruit orchards around Mildura, and in other parts of the Basin. Many of the towns associated with irrigation have fine heritage buildings, and we need to ensure that this important part of our heritage is identified and maintained if communities are to adapt to other industries and forms of agriculture.

#### 4.0 Cultural Heritage

The ACNT understands the constraints surrounding the Basin Plan document. The *Water Act 2007 (Cwlth)*, to which the M-DBA is responsible, is clear that the focus of the Basin Plan is on matters relevant to the management of Basin water resources, and not the direct regulation of land use, natural resources other than water.

We also recognize that the Basin area alone has one World Heritage Site (Willandra Lakes) and numerous other National, Commonwealth, State/Territory and locally recognized heritage places. For example, all the places listed on the Australian Capital Territory's Heritage Register (over 312 with many more nominated and awaiting registration) are within the Basin.

The Basin area can also be seen as being one of the most important regions of the Australian continent in terms of human settlement and use. The Indigenous history of use dates back to at least 40,000 years (possibly as far as 60,000) in western New South Wales, with some of the earliest human occupation sites in the world. European explorers first sighted the Basin in 1813 when Blaxland, Wentworth and Lawson found a way across the mountains from the coastal settlements north and south of Sydney. NSW Chief Surveyor, Evans, and others quickly followed them after they told of the grazing lands around what is now Bathurst. The Basin also played a part in the journeys of some of Australia's well known explorers such as Thomas Mitchell, Charles Sturt, Hamilton Hume and William Hovell and the fateful expedition of Burke and Wills. Following their explorations the Basin developed into what it is today.

Bearing in mind the role of the ACNT we therefore look forward to engaging with the Murray-Darling Basin Authority and other relevant Commonwealth authorities in the future planning of the Basin and the recognition and conservation of its cultural heritage values.

#### 5.0 Conclusion

The Australian Council of National Trusts supports the main thrust of the proposed Basin Guide, with the exception of the above shortcomings and inequities, and hopes the Authority will maintain a strong position for the protection of the environmental assets, ecological services and social and economic sustainability provided by a healthy Murray Darling River system in the face of fierce but short sighted opposition.

We also call for the cultural heritage values of the Basin to be recognized and managed appropriately in future management plans.



Dr Graeme Blackman OAM  
Chairman  
Australian Council of National Trusts  
17 December 2010

## Appendix A

The following are the relevant extracts from:

Gail Liston-Burgess, 2007 'Letting Down the Marshes', CSIRO ECOS 137 pp 20-23  
[http://www.ecosmagazine.com/?act=view\\_file&file\\_id=EC137p20.pdf](http://www.ecosmagazine.com/?act=view_file&file_id=EC137p20.pdf)

*As a farmer whose family history on the land can be counted in generations, Fisher believes there is no doubt that regular flooding has been a key to the survival of the Macquarie Marshes and its special ecological system. 'These marshes have been here for thousands of years acting as a kidney to filter water that then moves into the Murray-Darling System,' he said. 'If non-grazing was going to fix things it would have happened by now.' An article in the National Parks Journal in June 2006 reflected that 'the current condition of the Macquarie Marshes is a symbol of the failure of the NSW water reform process.' State Water is responsible for the water delivery operations for the Macquarie Cudgegong Rivers and the distribution is based on 'security' licences. These are divided into general security (mainly irrigation) licences; high security licences that pertain to towns, stock and domestic needs; basic rights and, lastly, the environment. Under the Macquarie Cudgegong Water Sharing Plan, Sri Sritharan, Customer Service Manager, Central Area, State Water, advised that there was an environmental water allowance of 10 per cent of the 160 000 Megalitres (ML) general security allocation. The resulting environmental portion would be 16 000 ML - barely enough to dampen the topsoil. Water mitigation issues are complex and at the centre of controversy in the Macquarie Marshes region. 'In the '70s the river was calculated to yield between 400 000 and 475 000 ML of water in a normal year,' Johnson said. 'Now there is about 740 000 ML allocated to extractive use. So that's getting up to twice as much as the river was ever calculated to yield.'*

*However, the water yields meant nothing because there was no water to release. NSW had been in the grip of what was considered the worst ever drought, and Johnson's view of the water supply is that 'there is too much allocated and too much used.' Backed by a lengthy history of recording and researching activities in the Macquarie Marshes, NSW University's renowned environmental scientist Professor Richard Kingsford reiterated the two principles that relate to the Macquarie Marshes: bad management and poor science. 'There has been a lot of research done, but not much "real" research... I mean recognised research that has made its way into peer review journals. The rest is there to confuse.' Kingsford believed that a lot of this confusion came from people not wanting to confront the issues because they are unpalatable. 'There are tough decisions to be made and communities and governments do not like to make tough decisions,' he said. More importantly, he claimed that for the most part people still do not understand that water taken out of the catchment is water that would have ended up in the Macquarie Marshes. Already questions are surfacing as to whether the two NSW water plans, the Wetland Recovery Program and RiverBank, would effectively help address the issue of water allocations. Factor into the mix the Federal Government's National Water Initiative (NWI) that is designed to pump \$10 billion into active water management across the nation, and there is a lot of money, but not much direction.*

*'I don't know if RiverBank is enough,' Kingsford said. 'I do know there are ways of being efficient with water, particularly in relation to evaporation from irrigation channels. My concern is that under the PM's plan, taxpayers put in 89 per cent of the money but only get 50 per cent of the water. With rivers in such desperate straights we should be retiring as much water back to the rivers as we can.'*

*Extended drought has restricted vital flows to the marshes, exacerbating their decline.*

Johnson stated, 'There is now a very strong commitment to buy water from the irrigators and return it to the environment. It appears to be working successfully in NSW.' However, in the real world you can only buy water that is available to buy, and there is concern from the irrigation sector that the purchasing of water is only a band-aid. ' The 40 000 to 50 000 ha of the core marsh contains the reed beds and red river gums,' Hogendyke said. 'To buy back the land, rather than water, at a value of \$800 a hectare would cost \$26 million - a better deal than buying licences.' But this is a non-negotiable discussion on the part of the graziers who would be disenfranchised from properties that have been held by their families for more than 100 years. Noted freshwater ecologist, Professor Peter Cullen, from the Australian Government National Water Commission, has a substantial background in studying and understanding environmental flows, nutrients and wetland ecology. He is concerned about the central problem of competing interests. ' You have to wonder whether the states have the technical capacity to work it all out. The communities involved will use every device to challenge, delay and cause problems to halt actions now. Putting it off for another five years will not only mean more money but more damage to this sensitive ecosystem. 'But I think the NWI does give us the framework to address the issues. It says that the environment comes first. Now the governments will have to determine what actions to take - the question is whether we have the governments able and prepared to stand up to those vested interests.' Bennett said, 'From my point of view we would like to see a far more cooperative effort. For a while we all got along quite well, but then the drought came along. But now each group is in their corner and not interacting. ' If there is going to be research then it needs to be done on how to manage the system effectively. Of course, a great solution would be a flood.' But, with drought lingering, the prospective issues of climate change appear to be a new catalyst that could bring all parties together - including the irrigators, graziers, researchers, management authorities and wildlife experts - to review and negotiate how best to manage the Macquarie River System and perhaps salvage the integrity of the wetlands. 'We have to start now, we don't have time any more,' Johnson argued. 'We are not very far from a point where these ecosystems in the Macquarie Marshes cannot be restored and protected. It is vital that we move now