

SUBMISSION TO SENATE SELECT COMMITTEE ON MURRAY DARLING BASIN PLAN AND CONSTRAINTS MANAGEMENT STRATEGY

FROM: The Upper Goulburn River Catchment Association (UGRCA) **Date:** 2nd September 2015
Written by UGRCA representative Jan Beer

INTRODUCTION

The members of the UGRCA are most appreciative of the opportunity to air their concerns regarding the severe impacts that the proposed environmental flows will have on their properties, livelihoods and communities. We would also like to take the opportunity to thank Senator Madigan for his untiring effort in bringing about this inquiry.

On behalf of the many landholders in the Upper Goulburn Catchment between Eildon Weir and Seymour I would like to make the Senate Committee aware of the widespread concerns regarding the Constraints Management Strategy and the many severe and detrimental impacts that the proposed intentional flooding would have on private property.

Firstly it is inconceivable that the Murray Darling Basin Authority(MDBA) and Commonwealth Government can put forward a “relaxed constraints” scenario and then proceed with a strategy, whereby they state they know how much water needs to be recovered and delivered to create healthy river systems throughout the entire Murray Darling Basin, yet they don’t know whether that water can actually be delivered. And delivered without massive social, economic and environmental ramifications. As farmers state it is like putting “the cart before the horse.”

When the Murray Darling Basin Plan came into being all focus was on delivering water to the environmental indicator icon sites and in our case specifically, the Lower Goulburn Floodplain. The Upper Catchment was completely ignored, simply being viewed as the donor region for environmental flows. As we know, from past experience with the North-South Pipeline, donor regions always suffer more “disbenefits” environmentally, socially and economically than they do benefits.

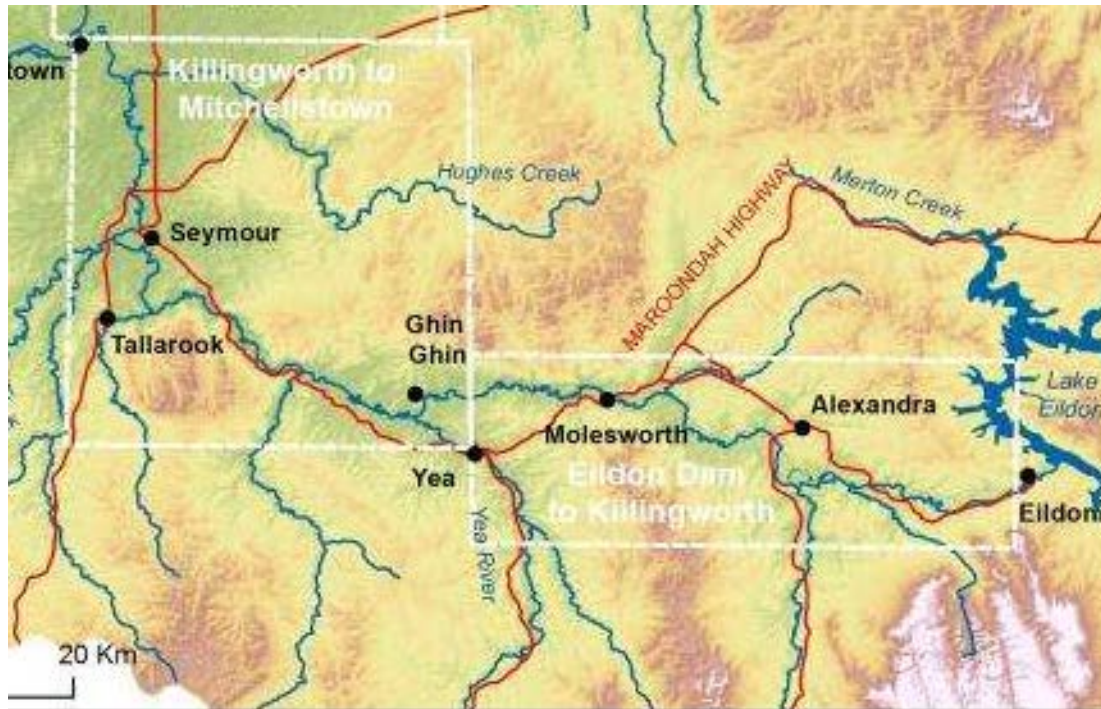
Compounding this, has been the fact that the upstream tributaries below Eildon, which incidentally provide 50% of flows to the Goulburn, have been completely ignored, with absolutely no investigation of impacts to landowners along these floodplains.

The MDBA expressly stated that “localism had been hard-wired in the Basin Plan.” I presume this means that the local knowledge, experience and advice of landowners and communities would be considered as regards the feasibility and impacts of the constraints strategy.

Many landowners who will be affected, have had no contact whatsoever with any MDBA representative and many are still totally unaware of proposals to flood their properties, despite the fact that the Business Case re Constraints will be finalised by November 2015, meaning decision makers will be deciding on proposals that affect their livelihoods.

The MDBA have been told many, many times by members of the Technical Advisory Committee in the Upper Goulburn that flows of 20,000ML/day at Molesworth are totally untenable as impacts are simply too severe, and have been asked to remove that flow from their documents. Obviously the

MDBA are not listening as the 20,000ML/day proposal still remains as an option for Ministerial Council to consider and will be devastating to local enterprises.



The MDBA propose flows of up to 20,000ML/day between Eildon and Molesworth, and flows of up to 30,000ML/day between Killingworth and Mitchelton.

The above flows are referred to by the MDBA as “**small overbank flows**”. This is totally incorrect-see photos below. The MDBA seem not to understand why property owners are so angry at the proposed flows. Local landowners know that these flows are NOT “small”, but are damaging and detrimental resulting in a heavy clean-up work load, costly erosion and fencing repairs and pasture renovation.

If these flows of 20,000-30,000ML/day between Eildon and Seymour occur up to 6 years out of every 10, it would be impossible to restore these high value river flats to their full productivity because of the cumulative impacts from continual flooding, thus rendering these highly productive flats valueless. No flood easement can compensate this loss.

The MDBA states on Page 36 of the Goulburn River Reach Report that they are not “**trying to create or change how often moderate and major floods occur (floods such as those occurring in 2010, 1993, 1981 and 1974). These are recognised as being damaging and disruptive to communities...**”

But that is exactly what the MDBA is proposing- they will be replicating large flood conditions, as is clearly shown by the photos below, taken of the Goulburn River in flood at Ghin Ghin in September 2010 with a flow of 29,218ML/day. Proposed MDBA environmental flows at this site are 30,000ML/day.

The MDBA are either totally ignorant or choose to disregard the magnitude and impacts of the flows that they are proposing, or they simply view landowners as incidental or secondary to the main aim of achieving flows of 40,000ML/day in the Lower Goulburn Floodplains.



A 30,000ML/DAY FLOW IN THE GOULBURN RIVER AT GHIN GHIN 5TH SEPT. 2010

DETAILS:

Photo taken 5th September 2010 at 9.12am of Goulburn River at Ghin Ghin Bridge
Flow gauged 5th September 2010 at 9.15am at Trawool just downstream was **29,218ML/day**
Release from Eildon 5th September 2010 was **430ML/day**.
The MDBA proposed environmental flows past Ghin Ghin are up to 30,000ML/day.

The MDBA have openly stated that they have NO existing flood footprint data relating to flows of this magnitude, or what they call low level flooding, so therefore have no knowledge or understanding of the flood footprint and impacts on landowners. That is so very obvious to locals who have tried to inform them for the last 2 years, that flows of 20,000ML to 30,000ML/day should be removed from all considerations by decision makers, as the impacts from these flows on a frequent basis of up to 6 years out of every 10 can simply not be tolerated by landowners.

It is particularly galling to note that the MDBA document Hydrologic Modelling of the Relaxation of Constraints in the Southern Connected System states “regulated flows in the Tumut River have to be limited to 9,000 ML/d at Oddy’s Bridge and 9,300ML/d at Tumut to prevent flooding at Tumut and to minimise bed and bank erosion. These constraints are represented in the Murrumbidgee model and given that these constraints would be hard to overcome, they were not relaxed in the modelling for this study.”

The Goulburn River at Molesworth also has a channel capacity of 9,500ML/day, where flows should be limited to prevent excessive and extensive flooding. Why the differentiation of treatment?

Even the proposed flows of 12,000 and 15,000ML/day in the Eildon to Molesworth reach will completely inundate the river flats of some properties, thus meaning an easement would be required over the total floodplain component of these properties.



Flooding of Yea River flats at the confluence of the Yea with the Goulburn River on 5th Sept. 2010
Backing up of floodwaters from the Goulburn River creates severe flooding.

This is the “**small overbank flow**” (according to the MDBA), that occurs when there is a flow in the Goulburn of 30,000ML/day. Also, according to the BOM and MDBA this flow is **not “exceeding minor flood” levels**. Is it any wonder that landowners are extremely angry that a Government would even contemplate deliberately creating floods of this magnitude.

Landowners **WILL NOT ACCEPT** being deliberately and frequently flooded for a longer duration than is natural.

Landowners are adamant they do not want an easement taken out over their farms. In many cases an easement would have to cover the entire floodplain component of their property.



Yea River property, as shown above, when not flooded

Unless **ALL** landowners consent to negotiate easements it will be impossible to progress the Constraints Strategy, as the Commonwealth Government have stated that “easements will not be forcibly acquired”.

Landowners in the Upper Goulburn Catchment have very clear memories of having easements imposed on them with the construction of the North South Pipeline, and are not in the least inclined to suffer the same treatment from a Victorian Government ever again.

As a river operator, Goulburn Murray Water will bear the risk of massive third party impacts associated with the delivery of proposed environmental water. Currently GMW will not release more than 9,500ML/day from Eildon Weir as they cannot exceed the river channel capacity at Molesworth so as not to inflict third party impacts on landowners or communities, otherwise they will be liable for damages incurred.

The Basin Plan has said that the States will be responsible for implementing the plan, therefore GMW as a government agency and the river operator, will be liable for any losses to third parties caused through intentional and deliberate flooding of private property, meaning that potential liability for delivering water to downstream floodplains, is quite frankly enormous.

Which leads to the question of why there has been no property-by-property assessment, no detailed risk analysis, no socio-economic study or no cost/benefit analysis undertaken in the Upper Goulburn Catchment.

There has been no evaluation of the loss of prime agricultural land and consequently loss of food production and what domino economic affect this would have and already is having on our farmers,

towns, Shire Councils, communities, regional infrastructure development such as saleyards, loss of employment opportunities.

There has simply been a massive push to roll the Basin Plan forever forward because we are told that THE PLAN must “be delivered on time and in full”. Governments should be reminded that their first duty of care is to their citizens.

The Basin Plan has stipulated that the Victorian Government has **until 30th June 2019** to implement policy that allows environmental water to be released from Eildon Weir on top of high flow events from unregulated tributaries.

The Constraints Management Strategy Public Feedback Report, Page 16, states that policy **“to allow the call of held environmental water from storage during unregulated flow events (a policy measure to allow the ability to build on flows and allow flows throughout the river)”** needs to be implemented.

“These policy measures are included amongst other constraints measures. Their implementation will improve the capacity of environmental water to achieve maximum environmental benefits. “

This is a deliberate attempt to remove all legal liability and responsibility from river operators when floods caused by man-made manipulated flows cause damage to private property. As all landowners along the floodplains know, this will not be **“if”** this occurs but **when**, as it is impossible to accurately forecast the floods that come down the fast flowing upstream tributaries with little notice.

Local farmers have been extremely perturbed at the number of large, mature red gums that in recent years have been falling into the Goulburn River, and attribute this to the continual rise and fall of the river levels. Associated with this of course is bank erosion and bank slumping. We are also concerned that potential environmental impacts of the proposed flows in the upper catchment will be left for landowners to deal with at their own expense.

Anyone can clearly see the damage that has already been done to communities and food production in the north of our state, with fraudulent water savings concocted with some very creative figures and accounting. Not content with that the MDBA and state and Federal Governments are now intent on destroying food production along the lush and extremely productive, high value floodplains of our river systems, for that is exactly what frequent flooding of prolonged duration will do.

CONCLUSION

The Upper Goulburn River Catchment Association knows that the impacts of the proposed flows of 20,000ML/day to 30,000ML/day are completely under-estimated by the MDBA. Floods of this magnitude cannot be tolerated by landowners and food producers at the increased frequency of up to 6 years out of every 10, and prolonged duration.

Landowners are extremely angry at the size of the proposed floods and most emphatic that they do not want an easement placed over their properties. They find it hard to believe that the MDBA and State and Federal Governments would even contemplate proceeding with a project that will destroy their lifetime of hard work and investment, devalue their properties and reduce the nation’s food security.