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Submission Number: 393
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SUBMISSION TO THE

HOUSE OF REPRESENTATIVES INQUIRY

INTO THE IMPACT OF THE

MURRAY-DARLING BASIN PLAN

IN REGIONAL AUSTRALIA



6th January, 2011.

The Secretary of the Committee
House Standing Committee on Regional Australia
House of Representatives
Parliament House
CANBERRA ACT 2600

To Whom It May Concern:

Dear Sir/Madam,

**RE: INQUIRY INTO THE
IMPACT OF THE MURRAY-DARLING BASIN PLAN
IN REGIONAL AUSTRALIA**

Thank you for the extension of time regarding the applications. Please find enclosed our submission to your Committee on the impact of the above Plan in Regional Australia, and the implications of leaving the Water Act as it stands.

Thanking you.

Yours truly,

*Frank Valenzisi,
CEO,
GetSet Inc.*



6/1/2011

1A, 11-13 Belah St
LEETON NSW 2705

The Secretary of the Committee,
House Standing Committee on Regional Australia,
House of Representatives,
Parliament House,
CANBERRA. ACT. 2600.

SUBMISSION TO THE HOUSE OF REPRESENTATIVES INQUIRY INTO THE IMPACT OF THE MURRAY-DARLING BASIN PLAN IN REGIONAL AUSTRALIA

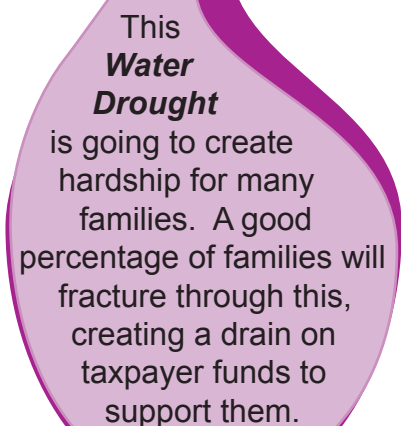
In response to the proposed Murray Darling Basin Plan (Plan), we submit the following:

As an organisation which has been successful for the past 14 years in running a community based *and funded* program to give year ten students an opportunity to work for a day a week for 20 weeks in the workplace, we can see that jobs and a life in our community is at risk for these students, and other students in the area. Our organisation, like many in the area, **provide jobs** which keep people in our community, who, in turn, are able to **volunteer and engage** in many ways. Currently, there are six people directly employed here. We have a board made up of a wide cross-section of the community.

The Basin Plan has not taken into consideration *properly* the **flow-on effects** of reducing the water supply to an area which has been *purpose-built* for irrigation, and has grown and prospered over many years, with a multitude of industries and jobs being created in its wake. Many city jobs depend on industries from our area, and **devastating an area like ours with a decision such as this makes no commercial sense**. We have already been through a drought, which is devastating in itself, but this Plan is, in effect, **a drought without end. A drought without any hope of recovery.**

This *Water Drought* is going to create hardship for many families, and a good percentage of families will fracture through this, creating a drain on taxpayer funds to support them.

If the water is removed from the area, with no prospect of it returning, real estate is going to fall dramatically, and we have already seen a general slump across the region. This is going to dramatically affect families whose homes will be devalued, and their efforts to improve it over the years will be lost if values



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halve, which is a distinct possibility.

There was **no need** for the Murray Darling Basin Authority (MDBA) **to take into consideration ANY social or economic impact on ANY communities serviced by the Murray Darling System**. Mike Taylor has said as much in his resignation interviews. HE knew that the **MDBA had “legally and properly” acted according to the law** in formulating the proposed Plan. **Both major political parties knew this as well.**

The reason the MDBA didn't have to take any social and economic implications into account was that the Water Act 2007¹ (the Act), is subject to certain International Conventions, Treaties and Agreements on various environmental issues.

The Federal Government is able to **over-ride** the States concerns (individually or collectively), and indeed, any **individual citizens** concerns (*including any Social or Economic impact the destruction of productive areas may have*), **because** Australia is party to these International Agreements, entered into via the External Affairs Power² of the Constitution.

In search of a **utopian, or apparent environmental “outcome”**, the Federal Government is able to over-ride the States and their citizens because it invoked the External Affairs Power³ to bring the Act into being. Using the **Tasmanian Dam High Court judgment**⁴ as a precedent, the Federal Government has used, and has shown it certainly intends to further legislate, to enforce Ramsar⁵ or any other International instrument alluded to in the Act to over-ride the States, and their citizens, who are an intrinsic part of the fabric of regional Australia.

The International instruments referred to in the Act are:

- a. the Ramsar Convention
- b. the Biodiversity Convention
- c. the Desertification Convention
- d. the Bonn Convention
- e. CAMBA
- f. JAMBA
- g. ROKAMBA
- h. the Climate Change Convention
- i. any other international convention to which Australia is a party and that is:
 - i. relevant to the use and management of the Basin water resources; and
 - ii. prescribed by the regulations for the purposes of this paragraph



Therefore, **legally, the MDBA only had to take into account the “environmental” considerations**, in accordance with the above agreements.

We have no issue with providing dams for the Lower Lakes, Adelaide, and the “environment”, however, we do take issue with the **removal, decimation and/or upheaval of people, industries and production by taking**

1 Water Act 2007 (and subsequent amendments)
2 S 51 (xxix) – Constitution - Commonwealth of Australia
3 S 51 (xxix) – Constitution - Commonwealth of Australia
4 Commonwealth Vs Tasmania – landmark decision by High Court 1/7/1983
5 The Ramsar Convention

away what water the irrigation areas have been able to depend on, because the area has been built around a system purpose-built to provide water.

If there was a will by governments to build dams, we could be much more productive if we wished to as a nation, OR, we could simply put the money into dams which would have been used to steal people's livelihoods by taking their jobs, eroding the equity in their homes, and driving them out of the area.

Many **other countries are building very large dams**, and are probably party to the same agreements. Therefore, there is no **reason not to build more dams**. Had we had the foresight to build dams over the last ten years, we would have had all the dams full in this one year, which would safeguard all those communities depending on the Murray-Darling River System for the next ten years, **even if we had no more production!**

In doing away with the current environment (*and Ramsar does provide for the protection of Rice paddies*⁶), the MDBA is upsetting duck migration routes as they land and devour much rice seed, while providing a habitat as well; shaking up a whole micro-biological eco-system developed because of the cropping practices in inland Australia, as well as ignoring the needs of humanity and food security.

The Ramsar Convention, according to its website, provides for rice paddies:

“Wetlands are also important storehouses of plant genetic material. Rice, for example, which is a common wetland plant, is the staple diet of more than half of humanity”.

The MDBA recently had a contract advertised for the destruction of Willow Trees along channel banks and other areas. Willows prevent erosion by holding channel banks together, are an important instrument of transpiration, protect micro eco-systems under their shady canopy, and provide shelter for birds and native creatures.

What “*environmental rules*” say the MDBA can ignore the current eco-systems, and make judgments which claim that another, soon to be established eco-system will be better than the one being destroyed? Who judges this? By what value is this established? Which International Agreement takes precedence? By what value is *this* established?

Michael Taylor, in answering a question from Leeton Shire or Leeton Chamber of Commerce at the Griffith meeting⁸, that there would be funds made available for farmers to exit, but that the MDBA had made no provision for small business to exit their businesses. They will just fold, owing the banks a lot of

money, and probably lose their houses because they have invested in an area in good faith. ***What craziness do we impose on PEOPLE?***

What the Government and MDBA is doing to people here now, we would not do to animals under these same international environmental instruments! Do we need to establish an organisation like the RSPCA for people? The **Royal Society for the Prevention of Cruelty to People (RSPCP)** will be sorely needed if the Government does not revoke the Water Act.

Similarly, Mike Taylor said that there had been no provision or consideration given to food security in the Plan. Again, this is madness, because food security is going to be a major issue in the coming years and decades. This is clearly indicated by the current take-over offer for the Rice industry.

The lack of food security is at risk for ALL Australians. Why should we import poor quality cheaply produced third world food at a premium price rather than eating our own produce, which is produced efficiently, cleanly, and relatively greenly, especially when compared with those nations we would be importing from? The

6 Ramsar: The Convention uses a broad definition of the types of wetlands covered in its mission, including lakes and rivers, swamps and marshes, wet grasslands and peatlands, oases, estuaries, deltas and tidal flats, near-shore marine areas, mangroves and coral reefs, and human-made sites such as fish ponds, rice paddies, reservoirs, and salt pans.

7 Ramsar website

8 14th October, 2010

MDBA is facilitating poor health for all Australians, most of whom will be unable to afford to pay for good Australian produce.

Mike Taylor also said at the Griffith meeting that the research and science which had contributed to the Plan was world class. The *research and science* that went into the MDBA statement that **only** 800 jobs would be lost is pitiful. Everyone in the MIA knows that there will be more than 800 jobs lost, and the loss of flow-on jobs will compound further. Clearly, this is a gross underestimation, and none of it is based on good research or science.

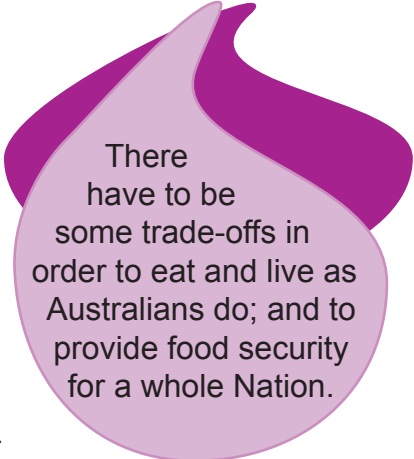
How then can the rest of this *world class research and science* be relied upon?

It is also interesting that this very same research and science was not able to calculate correctly the amount of water that was required by the environment, with a new figure coming out after the Griffith meeting and Volume 1's release.

Common-sense and the Australian people are being ignored. The RSPCP is urgently required. Governments are not legislating for the benefit of it's citizens, but for the benefit of people **who do not even live in Australia**, and for an *environment* which is **not defined!** This is what legislating through the External Affairs Power does.

A good example of this is the current World Trade Organisation (WTO) decision (29/11/2010) to allow apples in from New Zealand. Australia has not allowed apples to be imported from NZ since 1921 in order to keep its own industry free of fireblight. Now, because we are party to an international treaty, the WTO, and other international instruments, **Australia is forced** to allow the NZ apples to be imported. On the back of this, China is now exporting apples to Australia. All this will be to the detriment of our own industries, and further erodes our own food security, with **AQIS impotent to act**, and **our quarantine laws being run by internationalists** without reference to what is good for Australia. Australian's rights have been quashed under the International instruments of the UN.

It is clear that the Water Act MUST BE REVOKED. The Liberals implemented the Act and the current government is following through with it. The Act must be repealed totally, and the process begun again. More emphasis needs to be put on **building capacity** to store water by engineering more dams. It is only the political will which is required. "*Greenies*" who want to save the environment to the exclusion of all else, including food security and the destruction of existing biodiversity, are not green at all. They are green vandals. Our farmers and communities are the **true greenies**, who want to **conserve** their farms and industries for their grandchildren. It is not in their interests to devastate the environment, or undermine their livelihoods, as is happening here. There have to be some trade-offs in order to eat and live as we do. Otherwise, we would immediately stop all air-traffic, and take cars off the roads to reduce our carbon footprint!



There have to be some trade-offs in order to eat and live as Australians do; and to provide food security for a whole Nation.

The MDB Plan is providing the rope for people to hang themselves, or the bullets for people to suicide. There WILL BE more suicides. This is NOT the role governments should be playing. Ironically, the current floods across Australia and the associated loss of production on top of years of drought **will** result in devastation and suicide; *yet damming some of this very same water could provide ten years of water-proofing to Regional Australia.*

We are resolute in our contention that the Governments (State and Federal) and the MDBA need to **revoke the Water Act**, and start again. The reason for Mike Taylor's resignation **reinforces this submission**. If there can't be agreement between the States, then so be it. It cannot possibly be worse than it will be for our families, communities, jobs and industries if the status quo stands.

Yours truly,

Frank Valenzisi,
CEO
GetSet Inc.

NB: Endorsement from Board Members next page

**GetSet Board Members,
Employees and Community Endorsements of this
Submission to the Inquiry:**

Name	Occupation or Business Board Member is associated with:
Emily Currie	Chair, GetSet Inc., and Co-Proprietor of Hydro Logic Irrigation Services T/as Think Water Leeton
Peter Kennedy	Board Member, GetSet Inc
George Weston	Director, Weston & Weston Refrigeration and Air-conditioning P/L
Trish Papalkar	Careers Advisor, Leeton High School
Greg Horton	Principal, Leeton High School
Graeme Terlich	Retired Careers Advisor, Narrandera High School 1984 to 2009
Carmel Cristofaro	GetSet Inc
Tania Speer	GetSet Inc
Jenny Clark	GetSet Inc
Fiona Smith	GetSet Inc
Jeanine Bird	GetSet Inc
Angelina Cristofaro	Farmer - Leeton
Carl King	Sales Consultant – Raine and Horne Leeton
Joseph Puntoriero	Director – Valpun P/L, T/as Raine and Horne Leeton
Dominic Fondacaro	Farmer – Hilview Citrus P/L
Sue Gavel	Resident – Leeton
John Gavel	Chairperson – Leeton Jumpstart Fund

