

Dear Senate

Please find attached 6 papers that our team have written on water related issues over the last 12-15 months. I have also attached two newspaper articles from the Australian and the Daily Telegraph (2005) that relate to some of the issues discussed in the papers.

While I realise that the Senate does not normally accept published material for an Inquiry, I hope that the material here will be used in some way as it is relevant to the issue at hand. I am sorry that I am not in a position (due to work commitments) to deliver this material as a single separate unpublished document for the Senate Inquiry. Nevertheless, the material is relevant to the matter under consideration and has come about as a result of my work and commitment to and lecturing on river and water issues in Australia. If the committee is interested, I can, at a later stage, deliver a 50 minute presentation on the definition of rivers (and their value) and some of the legal problems that have arisen due to the inadequacy of the NSW legislation.

With respect to the terms of reference, the papers by Taylor and Stokes (2005 - 2 papers), Ives et al. (in press), Lamaro et al. (in press) and Taylor and Peterson (in press) are relevant to the protection of rivers (Terms of Reference point 2).

While our research has focused on NSW rivers, the definition and protection of riparian rights is relevant across Australia. In particular, the definition of what is a "river" is extremely vague in each of the State and Territory's legislation and it is an issue that we have noted and wish to pursue in due course. The two Taylor and Stokes papers will provide the basis for how we will address this issue across the whole of Australia. Our research on this matter has revealed that the definition of rivers across Australia is varied and in general does not adequately reflect the true nature of the Australian landscape. For the most part, the definition of a 'river' and thus their protection reflects a Eurocentric perspective. Consequently, this leaves loopholes for developers to exploit and frequently results in conflict between the various stakeholders. The end result is often a visit to the Land and Environment Court, which is expensive and time consuming for all parties.

The paper by Ives et al. (in press) presents the findings from a pilot study examining the value of riparian (river) buffer width and how that adequately protects river systems and adjacent biodiversity. Again, the width of the riparian buffer is always a matter of debate and negotiation in areas undergoing development of any sort. Currently there is a lack of clarity and science behind the decisions with respect to riparian buffer width made by State departments while the desires of developers are underpinned by a paucity of knowledge of the true value of a riparian buffer from a triple bottom line perspective. This area of conflict is considered in Taylor and Peterson (in press).

A final paper by Taylor (submitted to the Australasian Journal of Environmental Management) is also included. While this considers the current water problems in Sydney, the message embedded in the paper is same for all Australians - a change in

attitude towards water recycling/reuse is required if we are going to absorb increasing population numbers.

I hope that the papers will be of interest to the Senate Enquiry.

Please feel free to contact me if you have any further questions (note I will be in Tasmania Nov 27 - Dec 3).

Regards

Mark Taylor

PS. The place of publication for the papers by Ives et al.; Lamaro et al; Taylor and Peterson will be the "9th Annual Environmental Research Conference, Hobart, 2005" ([www.ere.org.au](http://www.ere.org.au)). Note, these have been refereed and accepted for publication and will be available early December.

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