

Review of the Operation of the Cap

Dr Tony McLeod

Project Manager

GPO Box 409

Canberra, 2601

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Comments by: Darling River Food and Fibre

Contact details: Phoebe Chick (Executive Officer)
PO Box 84
Bourke, NSW, 2840
Ph: 02 6870 1575

Introduction:

Darling River Food and Fibre (DRFF) is a community and industry based group, representing interests from Brewarrina through to the Menindee lakes on the Darling River. The group representation includes the irrigation industry, local business groups, community members and the local shire council.

DRFF is concerned that the incorrect application of the Murray Darling basin Cap could be disastrous to local industry and community groups on the Darling River.

The purpose of this submission is to give a clearer understanding of the problems posed by Cap management on the Darling River. This submission will show how the irrigation industry on the Darling River can continue to flourish whilst both adhering to the concept of the Murray Darling Basin Cap and striking a balance between consumptive use and environmental needs.

DRFF has produced numerous reports and publications on river health, hydrology, sustainable development, the NSW water reform process and other relevant issues. These reports are all available through our office, if required.

The MDBC Cap:

Presently we are being asked to accept Cap policies that will severely impact the social and economic well being of towns along the Darling River. This coupled with other water reforms, the lack of scientific information and disregard for any socio-economic impact assessment, demands the need to halt the path of the current reform process and implement a plan that will ensure both a sustainable irrigation industry and a healthy Darling River.

DRFF can support the implementation of a Cap on diversions in the Murray-Darling Basin, if it was for true environmental benefit, and protected security of supply. This Cap would need to be scientifically established with realistic objectives and an eventual outcome that had long-term environmental, social and economic gains. This is both a realistic and achievable aim on the Darling River.

Various organisations in our region submitted thoughts regarding the initial review of the implementation of the Murray Darling Basin cap on diversions. These thoughts are still relevant and we would encourage you to revisit these submissions in addition to the submission below.

DRFF welcomes the opportunity to work in partnership with the Department of Land & Water Conservation and the Murray Darling Basin Commission in formulating a better method for implementing a sustainable management strategy on the Darling River.

In 1995 the Murray Darling Basin Ministerial Council (MDBMC) elected to introduce a “cap” on diversions from the MDB. The purpose of this Cap was as an interim measure to curtail the growth in irrigation extraction until an audit could be carried out to determine the extent to which extractions could be continued. This interim Cap was also meant to allow time for the ecological needs of the basin to be determined. To date local irrigators have still not been officially informed in relation to the permanency of the Cap. This issue of communication is an aside to the main Cap debate, however it should be noted as of importance.

DRFF is not at odds with the notion of a Cap on extractions. In fact, a “cap” is a logical means of controlling a limited resource from over development. Following please find an outline of our major concerns in relation to Cap, as well as a number of alternative management solutions.

The Project Board has concluded that the Cap has been an essential first step in providing for the environmental sustainability of the river system of the Basin. Without the Cap there would have been a significantly increased risk that the environmental degradation of the river system of the Murray-Darling Basin would have been worse.

DRFF agree that water is a precious resource that must be carefully managed to cater for social, economic and environmental needs. Local irrigators have long acknowledged the need to ensure the long-term health of the Darling River. We need a sustainable economy and a sustainable riverine environment.

We see the need to have an adaptive management plan to achieve a sustainable outcome. Neither the environment nor the local/regional community will benefit from a statewide “blanket” approach to water reform that does not take into account specific issues in each valley as a number of critical matters were not addressed in the original Cap model.

Sustainability needs to be defined in the first instance by determining a flow regime which relates to actual needs under present developed circumstances and not by assuming that flow patterns can be made to revert to those which existed prior to irrigation development. The present attitude seems to be that all of the flow is required for the environment with a flow regime being determined by academics using a theoretical approach to historic data instead of accepting that circumstances have changed and will continue to change as local and world populations increase.

Page five of the review report states “a clear correlation exists between increases in diversion, our single biggest intervention in the MDB, and decline in river health”. This statement is unfounded and calls for urgent attention. We require a more transparent definition of sustainable river systems and a far more comprehensive identification of the contributing factors to that health. We then require an appropriate tool to manage those contributing factors. The Cap does little to address the multitude of factors contributing to the health of our river systems such as urban pollution, carp or introduced plant species.

Page nine of the report suggests that the “immediate costs of the Cap, on the agricultural sector, through forgone development have not been significant”. Members of the Bourke community have seen mainly negative impacts from the Cap. Work of a capital nature that

would have provided employment and income to the region has all but ceased. It is not possible to even fund efficiency works when the nett Cap effect on water entitlement to any individual farm is still not identifiable. Cap has had a further depressing effect on a local economy already struggling with high unemployment and economic depression.

In the unregulated section of the Barwon & Darling rivers, the removal of the Cap would not automatically result in an explosion of development. Due to the 'flow related' water extraction regime, development has only been possible where it is sustainable. Removal of the Cap would allow reversion to a system of development in relation to demonstrable resource availability, and more importantly an ability to identify the asset worth of stable access right. It would not have any assessable impact on downstream access rights as extraction only occurs when base environmental flows have been guaranteed.

The formulation of the Cap policy appears to have been based on a knee jerk reaction to an inadequate scientific study on river health. DRFF have demonstrated that Cap in itself is not the best method of controlling hazards, which effect riverine health. A better form of approach would be to develop management techniques in regard to controlled river flows that relate to user needs and environmental requirements.

The introduction of the Cap was done in an ad hoc manner in 1995 with the first Audit document, which was based on elementary information. Since that time, very little has been done to obtain additional information to verify that the Murray-Darling basin was under the degree of risk specified, or that the Cap was based purely on the precautionary principle.

It appears that little or no consideration has been given to the fact that the Australian population is now 19 million people, and it is impossible to maintain the environment in the form that existed 200 years ago or even 20 years ago. There is a need for a more practical approach to the fact that increased population requires ongoing development and resource management, as well as attempting to maintain the environment in a sustainable manner.

However the Project Board has concluded that there is no certainty that the Cap on diversions at its current level represents a sustainable level of diversions – the level at which it is set being that which existed at the time when it was decided to introduce a Cap. Further the Project Board recommends that as better information informs our management of the Basin’s resources, the level at which the Cap is set should continue to be refined to reflect our increased understanding. It is likely that such refinements may lead to the lowering of the level of the Cap in some valleys. Indeed, some jurisdictions have already increased the environment’s share, via access restrictions in addition to that required by the Cap, as part of their longer-term direction of improved water management.

Most Australians agree that irrigation represents a huge benefit to the nation in terms of jobs and wealth generation, and provision of adequate supplies of food & fibre. The question is – how much water should be taken? And probably more importantly – how much should be taken at particular times in the climatic cycle? Cap does little to address the importance of this question.

On the Darling River local irrigators use a tiny amount of the flows which come down the river and end up passing Wilcannia to flow into Menindee Lakes.

Studies carried out by DLWC using the IQQM modeling show that Darling River irrigators use less than 7% of flows on average. In many years it is a lot less.

Irrigated agriculture accounts for 64% of the value of all agricultural output in the Bourke region, and 45% of total employment in the Bourke region is directly or indirectly reliant on irrigated agriculture. In 1998 this was achieved with a little over 2% of the water that flowed past Bourke.

In 1996 the local irrigators put a proposal to the DLWC to increase river heights. At that time we were able to pump the river down to 390 megalitres per day. We knew this was unsustainable so we offered to raise these thresholds to 1000 megalitres per day, in return for greater access to the high flows. Adoption of this plan would have effectively rectified the only real “irrigation problem” on the Darling River – that of extraction during periods of low flow.

The River Management Committee finally adopted our recommendations on this matter more than a year ago, but the new thresholds have still not been implemented due to government inaction in installing the right gauges to manage these new thresholds.

Despite this, our local industry has continued to shepherd the low flows through to downstream communities, to ensure decent water quality in summer and the dissipation of blue-green algae and or water quality problems.

We have, and continue to call for an independent riverine research centre to be established in Bourke to collect and collate flow data and relate to identifiable benchmarks of sustainability. Such a facility would be strongly supported by local irrigation and industry representatives and provide a vital tool in the sustainable management of our water resources. There is a disturbing lack of government support such a research centre.

Refinement of the Cap as a result of increased understanding of the complex functioning of our ecosystems should work both ways. Whilst our increased knowledge may suggest a need to lower Cap our increased knowledge will also create greater efficiencies in water consumption, greater knowledge of environmental requirements and an increased understanding of the complexities of biodiversity, which will be required to support our growing global population.

The validity of current Cap levels is of great concern to local irrigators. A house is only as good as the foundation it is built upon, and irrigator Cap compliance will be an issue until the foundation of Cap is transparent and fair.

At no time to date has there been any determination of environmental needs other than to state that all flows are required for this purpose. Until such time as the QLD section of the catchment is controlled and managed, it will be impossible to decide whether more or less water can be made available for extraction. The whole process needs to be considered on the basis of sharing the available resources in the most practical way to provide the most benefit for all concerned rather than giving all preference to an unknown and undetermined environmental requirement. Water extraction has a basin wide impact that is not addressed through the implementation of a blunt Cap across valleys and out of touch with the intricacies of individual ecosystems.

The PB considers that there is compelling evidence that the Cap has already delivered significant economic and social benefits to the Basin community and that the net benefit will increase over time.

Socio-Economic assessment of the impact and outcomes relating to Cap has only commenced in recent months. This socio-economic assessment is anticipated to run until at least the end of 2000 to have any meaningful figures and results.

Interim assessment undertaken by DRFF suggests that water entitlement losses imposed by Cap of up to 45-55% of maximum extraction limits will have a severe impact on local production. Further losses in the order of \$20 million per annum and job losses of up to a further 100-150 full time jobs could be expected. This is likely to increase the predominance of welfare towns in the Western part of NSW.

Following the decline in the wool industry in recent years, the emergence of irrigated agriculture as an alternative, viable agricultural industry has enabled the strong ties, which family farming has forged within the community, to continue.

The MDBC's Cap proposal, which for the Barwon-Darling irrigators could mean a reduction of 55% of existing irrigation quota and the threatened extinction of small but innovative schemes, is totally abhorrent to the very families and communities whose drive and determination have developed this unique part of Australia.

Page eight of the report suggests it is difficult to attribute specific impacts to Cap. In a community such as Bourke where irrigated agriculture contributes to 45% of the local employment it becomes very easy to attribute specific impacts to Cap

In the case of the Barwon and Darling system the NSW Government committed to the Cap without understanding its validity, definition or impact.

Security of supply has not been achieved due to a lack of concrete resolution of the sleeper/dozer issue. Whilst it is stated that this is outside the jurisdiction of the MDBC it should be realized prior to making statements such as the above.

Page three of the report states, “the Cap itself does not attempt to reduce basin diversions, merely prevent them from increasing”, yet Barwon and Darling river license holders are facing cuts of up to 55% of their allocation! There is obviously a section missing in this puzzle!

The standard of the “Economic and Social Analysis” report contributed by Marsden Jacob and Associates is deplorable. It would be impossible for the Cap Project Board to make well informed comment based on a report that:

- does not even mention the costs/potential costs involved with Cap implementation
- does not deliver an in-depth analysis of benefits related to Cap implementation
- only considers the Cap in isolation from other water reform impacts currently affecting irrigation communities

We suggest that the Cap Project Board publicly release terms of reference for a consultancy to consider:

- the macro and micro economic/social costs and benefits of Cap implementation
- the relationship between the cost/benefit outcomes of the Cap and the cost/benefit outcomes related to other water reform issues
- the relationship between the Cap and available resource

The results of research conducted for the Review make it clear that, in the absence of the Cap, the erosion of security of supply for irrigators and other users would have been significant. These analyses were performed on several systems across the Basin reflecting diverse agricultural practices and climatic conditions.

Irrigators are in general agreement that the net benefit of the Cap will increase over time but that further work needs to be carried out to understand individual valley/irrigator impacts

Until such time as property and water rights are determined in the manner required by COAG there will be no changes to security of supply for irrigators on regulated sections of rivers. There is no security of supply to irrigators on unregulated rivers as they are dependent on rainfall or in the case of the Barwon- Darling, on excess flows from regulated tributaries of the Queensland catchment, which provides no security at all.

Page 10 of the report suggests that without Cap there would have been a high activation of sleeper and dozer licenses. To date the issue of sleeper and dozer licenses has not been addressed on the Barwon and Darling Rivers and thus Cap has done little to protect the security of supply for irrigators as it relates to the activation of previously inactive licenses.

This section also suggests that in the absence of Cap there would have heightened social tensions between irrigator groups, between river valleys and between urban and rural Australians. This comment is childish and self-destructive. Urban Australians depend on rural Australians for the production of food and fibre and for a valuable contribution to our balance of payments, rural Australians in turn depend on urban Australians, Cap will do little to affect this on-going interdependence.

Through guaranteeing security of water supply at the valley level, the PB views the Cap as having provided a more certain climate for long-term investment and development, particularly in high value agriculture and value adding processing, as well as providing benefits to the environment.

Cap certainly has the potential to provide a good basis for security and trading however this has not been satisfactorily addressed on a state level.

Irrigators are in general agreement that the implementation of the Cap has provided a higher security of water supply at the valley level. Only with the implementation of a secure individual property right, through the Water Management Bill 2000, will security for long-term investment be realized.

The PB considers that the Cap has provided a mechanism for restraining, in an orderly fashion, growth in diversions while enabling economic development to proceed.

We are of the view that the Cap has not restrained growth of diversions in an orderly fashion. The Cap was implemented as a blunt instrument designed to limit total diversions. The constructors of the Cap and implementing authorities essentially left valley communities to “sort out the mess” in relation to equitable sharing of Cap limits without provision for an adjustment period to allow this.

Yes, Cap certainly provides a mechanism for restraining growth in diversions however on the Darling, which is an event river, this also restricts access to the high flows, flows during which diversions have very little, if any measurable impact.

There is no doubt that the Cap restrains growth of diversions, but in its present form it is also a limiting factor to any form of economic development.

Page nine of the report suggests that other economic benefits such as tourism will result through Cap. These economic benefits will not be realized in communities such as Bourke, as the removal of employment opportunities in irrigation will create a welfare town that deters tourists and is likely to create a spiral of community decline.

The PB recognises that this strong positive conclusion will not be the perception of every stakeholder in the Basin. However, the PB concludes that the overall benefit of the Cap, especially from ensuring security of supply at a valley level and providing an environment within which water trading and related reforms could be developed, has been a positive one.

There could be benefits from managing the available resource in each valley and ultimately the whole of the Murray Darling catchment but to attain this would require more appropriate controls at State level and a better and more practical approach from decision makers in the MDBC. There is a need to get out and talk to users, and not to just support the proposition that all the rivers are degraded and that the availability of supply has to be reduced to provide for supposed environmental needs.

Darling River Food and Fibre recognize that many of the major costs incurred by irrigators in recent times have stemmed, not from the Cap in isolation, but from the concurrent implementation of several other water reform initiatives. The Cap has defined the property rights between states and rivers (to a certain extent) but has done nothing to define the rights of the individual.

It is therefore not appropriate for the Project Board to consider the Cap in isolation. It has been the cumulative effect of all of these reforms, in addition to Cap, which threatens the social and economic viability of our regions.

Darling River Food and Fibre have indicated our concerns, in relation to Cap, on a number of occasions. As an association and on a broader community level we have been proactive in offering well researched, community based management alternatives, which have not been appropriately considered. The above Project Board statement and its lack of regard for ongoing community feedback is extremely disappointing.

The PB identified several equity issues (notably Cap arrangements for QLD and ACT) of longstanding duration that require urgent resolution. In addition there are several more recently identified equity issues also requiring attention. The effective management of these issues will necessitate a total catchment management approach to water management that embraces both surface and groundwater resources

Darling River Food and Fibre is of the understanding that approximately 80% of submissions were received from NSW and of those a similar percentage focused on the equity and/or the history of use argument. Irrigators recommend that rather than abrogate responsibility for the effects of Cap implementation the Project Board should seek to address these issues. If the Project Board requires resubmission of our original Cap response documents, our office would be only to willing to make them available.

Darling River Food and Fibre have consistently supported community resource planning in consultation with government. We believe, on the understanding that each valley's obligations to the health of the Basin are met, that valley ownership and therefore responsibility of the management of natural resources will provide solutions appropriate to those affected by any decision making process. In addition, we believe that the current Cap should be set as a point of reference for the future by which any increases or decreases in extraction limits can be benchmarked against by individual valley communities.

The Water Management Plan would incorporate the environmental needs of a river. These needs must be scientifically defined, locally driven, outcome based and auditable. Under this framework, there would be no purpose served by imposing extractable limits in addition to a Water Management Plan.

The PB focused on equity issues arising from the implementation of the Cap between jurisdictions and between river valleys within States. In several cases, the submissions received by the Review of the Operation of the Cap raised equity issues that are about the details of the implementation within valleys which are outside the jurisdiction of the MDBC and MC processes. The vast majority of such issues related to the recognition of licensed entitlement versus history of use, specifically in NSW (the sleeper/dozer issue). Such issues need to be dealt with by the particular jurisdiction concerned. In order that all submissions receive appropriate attention, these submissions and that of the CAC have been referred to the appropriate Government for consideration and reply.

The MDBC cannot continue to set rules and then abrogate themselves of the responsibility for their equitable implementation. At the very least, the MDBC should be aware of the effects of their policies and take responsibility for both the positive and negative impacts.

The current actions of the MDBC in relation to the Cap encourages buckpassing between agencies and differing levels of government and results in the denial of natural justice to those who are impacted by reforms.

The current options for cap implementation on the Barwon and Darling Rivers raise all sorts of equity issues that will make cap implementation very difficult to achieve.

These include issues relating to history of use vs. licensed entitlement, Barwon River irrigators vs. Darling River irrigators, historical equity issues between regulated valleys vs. the unregulated section of the river, and issues relating to the unequal treatment of unregulated rivers in Queensland vs. New South Wales.

We do not believe implementation of the Cap should discriminate against outback towns on unregulated rivers where diversions are so small compared to flows, and where there is such little impact on the river.

The work of the IAG on the ongoing implementation of the Cap and compliance of actual diversions with Cap target diversions has provided a clear direction for the finalisation of the implementation phase of the Cap. The PB generally supports the IAG recommendations.

On the unregulated Barwon and Darling River system the NSW Government has not made a genuine effort to quantify the pre 94' Cap level of development. Nor has it precisely framed a definition that equitably encompasses the water extraction capacity that existed at the 94' Cap date.

The IAG has, in the past five years, landed claims of Cap exceedence against this region, when the figures on which they base those arguments are within the orders of accuracy of the measuring parameters used. There is not sufficiently accurate computer modeling, data collection facilities or data history available to allow the IAG to make the claims that it does.

No clear direction for the finalisation of the implementation of the Cap is apparent at this time. There is an urgent need for the Audit group to seek more opinions from stakeholders or water users, rather than relying on scientific and consultancy opinions that do not appear to understand anything other than the environmental requirements.

The Cap was implemented as a blunt instrument designed to limit total diversions. The constructors of the Cap, and implementing authorities, essentially left valley communities to "sort out the mess" in relation to equitable sharing of Cap limits without consultation regarding the construction of frameworks for sharing cap limits or a reasonable adjustment period.

Significantly, effective compliance tools (computer simulation models used to determine Cap target diversions) have not yet been developed and the PB recommends that a high priority be given to the finalisation of these models.

We agree that an acceptable compliance tool has not yet been developed for statewide implementation. The group also felt that accountability for previously developed models and monies spent should be demonstrated.

Page eighteen of the report makes the suggestion that modeling tools currently available are inadequate and yet Cap figures have been set utilizing these figures – this appears inappropriate.

The Review has found that VIC and SA have complied with the Cap, while QLD and ACT are yet to complete the establishment of their respective Caps. Nevertheless, it is apparent that in QLD there has been significant growth in storage, which will impact on the water available for alternative consumptive and environmental uses. In NSW, the Cap has been breached in the Barwon-Darling system, with other valleys being within Cap limits.

It is not correct to state that the Barwon-Darling system has breached the Cap as to date no Cap figure has been determined by the State Minister for this section and it is still under consideration by the River Management Committee concerned. The original figure quoted in the 1995 Audit document was shown as 274GL and at no time has that figure been exceeded. South Australia has unreal expectations regarding its share of the available water when it requires that Lake Alexandrina and Lake Albert be kept in an unnatural fresh-water storage condition rather than being returned to their coastal tidal lake situation. This requires nearly 10 times the Cap figure for the Barwon-Darling and has no relationship to the supply of fresh water to Adelaide and much of southern South Australia.

The most important challenge in Cap implementation is to finalise the arrangements under “Schedule F- Cap on Diversions” to Murray Darling Basin Agreement. This schedule is the primary tool for defining Cap arrangements especially those concerned with assessing compliance and its consequences.

Darling River Food & Fibre agree that the finalisation of arrangements under “Schedule F-Cap on Diversions” to the Murray-Darling Basin Agreement should be given priority. The group recommends that for improved confidence in and support of the Cap, irrigation communities should be party to these negotiations. As the definition of Cap arrangements will vary significantly across each valley, the group believes broad principles for these arrangements should be developed at a state level with regional management through River Management Plans.

With the intent of improving the operation of the Cap through the development of fair and meaningful compliance arrangements, the PB invites comments on the following modifications to Schedule F which have been recommended by the IAF

*Removal of references to end-of-valley flows as a method for Cap compliance

An end-of-valley flow regime takes into consideration the important fact that on an unregulated river system the key water management imperative is not so much how much water is extracted but when.

Analysis of the DLWC's IQQM model shows that even though there has been an increase in the development levels on the Darling (and including the increased development on the Barwon River) the flow regime at the end of the system (and indeed right along the system) has not been greatly altered.

At all of the five gauging stations from Brewarrina on the Barwon River to Wilcannia on the Darling River the flow regime from no flow to around 1,000 megalitres per day was significantly improved (up to 14% reduction in no to low flow days). Flows from 1,000 to 5,000 megalitres per day were impacted (reduction of up to 4% of medium flow days). Flows above 5,000 to 10,000 megalitres per day had minor impacts (approximately 2%). Flows over 10,000 megalitres per day were unaltered.

An end-of-valley flow Cap model would ensure that maximum benefit has been achieved for the river, the economy, and the social fabric of the communities that depend on the river.

Current development levels on the Darling River are sustainable, and have no measurable increased impact on the flow regime that was experienced at the 1993/94 levels of development, in fact it is better with the introduction of the low flow rules.

*Arrangements for remedial actions in the case of Cap exceedence. The recommendation of the IAG is that States be required “to ensure that cumulative diversions are brought back into balance with the Cap”

The participants agreed that “Schedule F-Cap on Diversions” is only as effective as an implemented compliance regime.

The application of sanctions will be extremely difficult while ever there is socialization of the Cap. Provided that individuals (or groups) can be identified, any sanctions should be targeted at those responsible for Cap breach. As responsibility for compliance should lie with valley communities, so too should the imposition of and sanctions.

In order that each water user, valley and State is aware of their obligations and rights prior to the enforcement of any sanctions, an individual property right must exist. DRFF will therefore not condone any remedial action for breach of the Cap in the absence of a secure individual property right.

The group recommends an appropriate adjustment period prior to the implementation of this compliance regime be effected, with sanctions applicable after this time. Compliance in relation to the Barwon-Darling may need to be negotiated outside what is deemed an appropriate time frame for other NSW valleys.

- Re-setting the commencement date for accounting for diversions under the Cap to start with the 2000/01-water year.

The commencement date for accounting should not be fixed until Queensland and the ACT have complied with all requirements and an accurate method of metering is established on unregulated rivers.

With the implementation of the Cap nearing completion in most jurisdictions, there is now the opportunity to take the “next step” and to consider the environmental outcomes of the Cap from a whole of Basin perspective. The PB supports the introduction of a regular Sustainable Rivers Audit, which would cast the Cap as an input to Basin health, rather than an outcome in itself. Whereas the Cap is seen as the first step towards achieving the longer-term objective of the Initiative, a Sustainable Rivers Audit can be viewed as the next step in the process of achieving this objective.

In line with the NSWIC Blue Paper, irrigators recognize that there should be an environmental, social and economic audit of each individual river system. However, we agreed that the model for a Sustainable Rivers Audit that was proposed by the PB could risk becoming a high-handed approach to the environmental management of the river system unless local communities are intrinsically involved. Any audit should recognize the value of local knowledge from irrigation communities who best understand the balance of requirements at a valley level. A strictly “top-down” approach advocated by the Project Board may not allow an individual valley the ability to have input into and therefore ownership of the assessment of that valley’s overall health.

A Sustainable Rivers Audit would be an appropriate approach for the future provided the matter is addressed in a reasonable manner and does not give total priority to an undetermined environmental need. The available resource, water, is needed to satisfy the continuing development and growth which will be required to sustain the rural economy in the future as well as providing for the environment. Too much stress is being placed on the “degradation” of rivers which in fact have not suffered to anywhere near the severe extent reported by scientists adopting text book approaches to the problem.

Sustainability should relate to all needs and consider the way in which water has to be shared to satisfy all requirements most appropriately.

Are there any other issues raised in the draft report that you wish to comment upon?

The draft report has failed to consider a number of issues raised in the past. These relate to the failure of the Department of Land and Water Conservation to adequately investigate the figures being used in flow modeling and to provide adequate information to the various committees formed to advise the government on the implementation of the Cap in this State. This has led to a great deal of uncertainty regarding the justification of some of the more severe restrictions being proposed and has made acceptance of changes most difficult. The whole process appears to be addressed to giving full priority to the environmental needs (which have never been determined) rather than to sharing the available resource in the most beneficial way.

The water reform process must take a turn back to the initial start point of the Water reform process and revisit the COAG purpose for change:

“The major goal in water resource management is to achieve the highest and best value of the limited resource for community benefit whilst ensuring that use of the resource is ecologically sustainable”.

Darling River Food and Fibre wish to re-examine the implementation of the Cap on the Darling River, by looking at all options.

The options being advanced by our organisation are balanced options which could see the Cap successfully implemented in a fair and equitable way, to the benefit of all players – irrigators, the environment, downstream users and river communities.

Flows in the Darling River are highly variable, both seasonally and in volume. Therefore a Cap definition built around river flow regime management is more relevant than any benchmarking against levels of development.