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## SUBMISSION

to the  
**NSW Department of Planning,  
Industry and Environment**

on the

## **Draft Border Rivers Regional Water Strategy**

### **Introduction**

The Clarence Environment Centre (CEC) has maintained a shop-front presence in Grafton for over 30 years and has a proud history of environmental advocacy, where water issues have been a recurring concern. Therefore, when invited to sit in on a zoom briefing on the proposed regional water strategies, I regret to report that it generated a depressing feeling of *deja vu*. The same glib assurances have been given time and again for various reincarnations of the Murray Basin Plan, and the Water Sharing plans that these strategies are presumably going to change. Every one of those previous plans promised to protect environmental flows and water quality. Instead, all we got was scandal after scandal, revealing massive water theft and roting of the system, while the rivers ceased to flow altogether, causing unprecedented fish kills and the decline and demise of entire ecosystems as a result.

How can we have any faith in these new strategies when “enabling economic prosperity” is high on the list of objectives? If history has told us anything, it is that the moment “economic prosperity” is threatened, the environment will get ‘screwed’ as a first response.

### **The Strategy – more of the same**

The stated objectives are to “*deliver and manage water for local communities*”, “*Enable economic prosperity*”, “*Recognise and protect Aboriginal water rights*”, and finally, “*Protect and enhance the environment*”.

The options identified to achieve these objectives include the building of the Mole River dam; raising the Pindari Dam; raising the Mungindi Weir; Piping water to stock and domestic water users in the unregulated section of Boomi River; fiddling with various ‘break-out’ weirs; putting in more

bores to access ground water, and of course, “inland diversions from the east”: e.g. taking water from the Clarence River, to fill the proposed Mole River dam, which is identified as an option.

The reality is that the Border Rivers region already has numerous dams, the results of previous grandiose schemes, none of which are really effective and, more often than not, are mere ‘puddles’ surrounded by hundreds of hectares of weed-infested wastelands. Hence the idea of taking water from the Clarence River catchment. Similar schemes have been mooted for almost 100 years, and all were discarded because they were economically unviable.

Firstly however, we need to acknowledge another reality, that water is not infinite, and that flows in all of Australia’s rivers have been significantly reduced through extraction for agriculture, mining, and urban water supplies. Water in NSW’s biggest river system, the Murray – Darling, rarely flows into the ocean as a result, and building more dams will not, and cannot, make that happen. We also need to acknowledge that greed and community attitudes in some quarters will ensure that none of water captured in those additional storages will ever be allowed to be ‘squandered’ on a few threatened species at the expense of profits.

It is our strong belief that the building of new water storages will have the same effect as previous dams, which was to increase the amount of irrigation (**i.e. Objective 2, “Enable economic prosperity”**), **which in turn will ensure that no additional water will ever be made available for environmental flows.**

The recent Zoom presentation spoke enthusiastically about the climate modelling and the wealth of historical data now available to help predict future water availability, all seemingly embraced without serious consideration of human induced climate change. For example, when the climate has remained virtually static for thousands of years, then experiences a one degree of temperature rise over the past 40 to 50 years because of climate change, of what possible relevance do 500-year-old tree-rings have?

## **Key issues that need to be addressed**

- Consideration of inter-basin transfer of water, particularly across the Great Dividing Range, must be dropped as an option. This strategy has been investigated time and again and found to be economically, environmentally, and socially unviable and unacceptable.
- Water efficiency programs need to consider the security of what is termed “secure yield”. While the focus is on dual-flush toilets, and restrictions on hosing driveways, protecting the quality of that water from pollution receives no attention whatsoever.
- There needs to be a review of the mapping of mining leases across Australia, to place urban drinking water catchments off-limits to mining exploration and extraction.
- There must be a review of the forestry regulations that currently allow clear-felling and intensive industrial style logging, with hopelessly inadequate buffers for water courses, which is currently leading to unacceptable levels of turbidity in urban drinking water.
- Urgent consideration is needed to exclude cattle and other livestock from all creeks and rivers greater than 2<sup>nd</sup> order streams. Currently, the pollution through excrement is compounded by the loss of billions of tonnes of topsoil annually, as a direct result the the damage being caused to riverbanks by trampling livestock. This could require financial input from government.
- Intensive horticulture must be regulated. The industry cannot be allowed to continue building dams, clearing vegetation, polluting waterways through erosion and nutrient and pesticide runoff, without regulation that takes the cumulative impacts of these matters, particularly water use, into account.
- The 100% harvestable right, that we understand is allowed in some areas, must be reduced.

- The scale of floodplain harvesting also needs to be drastically cut.
- There needs to be a review into water trading laws. Water is a public resource that should be shared equitably, not owned to be sold for profit!
- Give more consideration to dual-reticulation, and latest technology, like solar desalination.
- Finally, the issue of climate change must be taken seriously as a matter of extreme urgency. Scientific experts across the globe have been warning us for close to half a century that, if we fail to keep global warming below 2 degrees C, we risk catastrophic climate conditions that will make any water strategy meaningless. Entire ecosystems will break down, agriculture in inland Australia will become impossible, and entire industries will collapse.

**These are some of the issues we believe have not been adequately considered in the current regional water strategies.**

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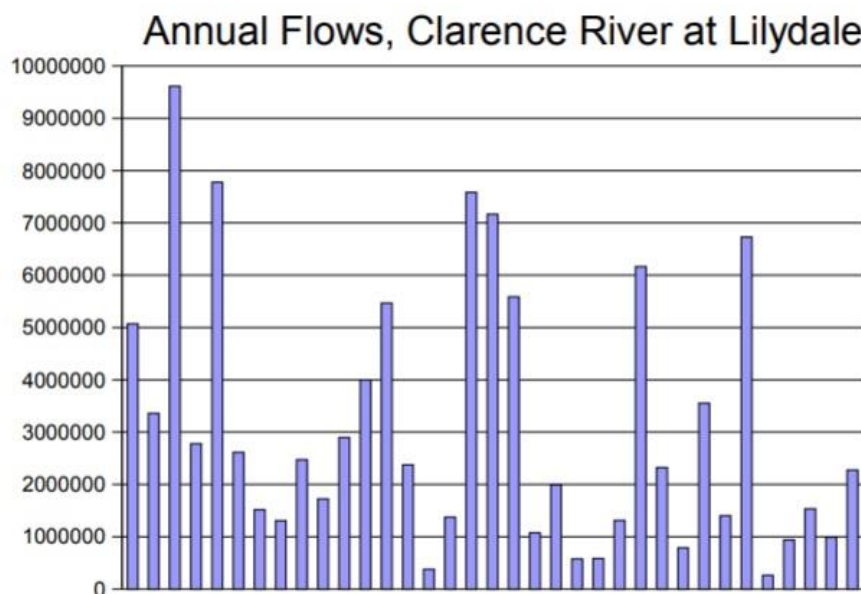
### **Turning coastal rivers inland – The decadal revival of Bradfield's grand vision**

Being cognisant of the problem of filling any new dam on the Northwest Slopes, proponents expand on the immediate water needs of the region, by promising “environmental flows” and grand plans for the drought-proofing of inland NSW. This is done by proposing to fill them from the supposedly inexhaustible supply of water flowing to waste in the ocean along coastal river systems.

The Clarence River has been a constant target for such proposals for close to 100 years, beginning with Bradfield's 1928 vision of 'turning around' numerous east coast rivers. As in that case, every subsequent proposal has been dismissed because they made no economic or environmental sense.

Despite this, the proposals keep on coming, supported by mythical facts and figures that have been passed down through time. One classic example is the Clarence River's 5 million megalitre average annual flow. This was the basis of the Snowy Mountains Engineering Corporation's (SMEC) 2007 feasibility study into the damming of the Clarence River to provide water to South-east Queensland.

The Clarence Environment Centre investigated that claim after finding that the average annual flow recorded over the 35 year life of the gauge at Lilydale, on the edge of the tidal pool near Copmanhurst, was a mere 3,072,884ML per year, and in the 15 years to 2007, the average was under 2 million megalitres, with 6 of those years delivering less than 1 million (see table below).



**Table 1. Annual flows of the combined river flows in the Clarence River measured at Lilydale between 1970 and 2006**

We have not had the time to check the last 13 years, but suspect the average has likely dropped even further over that period as a result of increased extraction for irrigation on the Upper Clarence for a burgeoning, and entirely uncontrolled Blueberry industry.

So where did the 5 million megalitre figure come from? SMEC's desktop study claims to draw on a previous study, the NSW Water Resources Commission's "Possibilities for Inland Diversion of NSW Coastal Streams" (Rankine & Hill 1981). That report also led to the 1988 "Inland Diversions – Where to from here" investigation by the then NSW Department of Water Resources. The report on that seminar also makes the 5 million megalitre claim, but also reveals that the Rankine and Hill report was "a preliminary investigation", and that: "The, Consultant's desk-top exercise relied on readily available information...".

Undoubtedly one of the sources of that 'readily available information' that has perpetuated the myth was a report presented by the Clarence Valley Interdepartmental Committee on Water Resources (June 1975). The CEC obtained a copy of that report (The Jackadgery Multi-purpose Dam Project), which again made the claim (p 6) that the Clarence "has a long-term average annual runoff of some 5 million megalitres." Unfortunately, that 37-page report does not provide a single reference.

The Lilydale gauge began recording in 1070, and our guess is that when the June 1975 report was written, they took the 4 years of readings from that gauge which, as shown above, do average out at 5 million megalitres, **courtesy of one year with the highest annual flow ever recorded.**

To have made that 5m megalitre average flow claim, knowing it was obtained from only 4 years of available data, including a major flood year, is ethically questionable. However, it has been equally reprehensible for subsequent consultants to undertake multi-million-dollar studies and accept previous pronouncements without question to avoid doing the hard work themselves.

**While the exact origin of the 5 million megalitre myth may never be known, someone believes it makes for more compelling reading than the real figure of 2 to 3 million, especially if you are proposing to pump almost half of it inland.**

We think it is worth mentioning some of the known impacts of inter-catchment transfer of water, as provided by the NSW Department of Water resources some 30 years ago, factors that remain unchanged, but barely considered in the Border Rivers strategy.

### **Consequences of River Diversions (specifically relating to the Mann River) As identified by NSW Department of Water Resources (Don Geering, 1988):**

- Reduced visible amenity, more prominent mud banks and riverbank slippage, resulting in a reduction in the health of riverbank vegetation with an increase in weeds.
- The prawn-trawling industry relies on 'freshes' in the river to trigger spawning runs. As these freshes would become less frequent, the multimillion-dollar industry would be jeopardised.
- Many freshwater fish species such as the Australian Bass and the Eastern Freshwater Cod rely on large water flows to trigger spawning runs. The reduction of flows is likely to severely impact fish populations, and adversely influence recreational fishing.
- Fish diseases such as Red Spot appear to be related to poor water quality. Reduction of flows will tend to further concentrate pollution and increase these problems.
- Fish populations could be seriously affected to the detriment of commercial fisheries, tourism, and recreation.
- Tidal prism. Reduced flows will result in salt water being pushed further upstream. Tidal velocities will tend to increase, with possible effects on bank stability.
- Dams occupy land that could otherwise be productive and serve to sterilise economically and environmentally valuable areas.

- The Mann River is a designated wilderness area, with much of its surrounding forests world heritage listed. The proposed storages will significantly affect those values and lead to substantial tourism loss.
- The Eastern Freshwater Cod survives only in a very limited area.
  - The proposed dam sites contain much of the species' best remaining breeding sites.
  - Recent research indicates that some aquatic plants, critical to fish species for food and shelter, succumb to higher levels of salinity, placing those fish species at risk.
  - The Eastern Freshwater Cod is an endangered species under greater threat of extinction than the Giant Panda

### **Other known impacts resulting from inter-basin transfer of water:**

- Changes in water temperature – full impacts not known.
- Reduction of nutrient flows onto the floodplain and into the ocean.
- Interruption of sedimentary flows, also critical to fish species such as endangered Eastern Freshwater Cod.
- Destruction of threatened species and endangered ecological communities.
- Destruction of threatened species' habitat.
- Massive fragmentation of forest habitats by pipelines, power lines, and inundation of river valleys.
- Regulation of flows does away with the natural rise and ebb of water levels following each rain event.
- Potential erosion and siltation of receiving waterways, which may not be accustomed to such volumes of water.
- Potential transfer of species, vertebrates and invertebrates, into waterways in which the species may not exist, the impacts of which are not known.
- Potential transfer of aquatic weeds into rivers that may not currently have those problems.
- Potential transfer of diseases such as the fungal root rot pathogen *Phytophthora cinnamomi*, a listed key threatening process under both State and Federal legislation.
- Potential increased flooding in the receiving river system.
- Climate change implications through loss of carbon-storing forests and construction emissions.
- Many of the above impacts are not restricted to the construction phase (dam, pipelines, power lines etc).

### **Relevant quotes:**

***“It is apparent that any proposal to divert substantial quantities of water from the Clarence would present significant risks to the health of riverine ecosystems, and those activities and values dependent on them.*** (Commissioner Peter J. Crawford, Healthy Rivers Commission: Final Report, November 1999 (page 156)).

***“It is important to note that freshwater flows through catchments or into the ocean are not wasted. It is an essential element of downstream ecosystems.”*** (The Hon Malcolm Turnbull, Minister for the Environment and Water resources, 2007).

***“...we move beyond last century's solutions. Building a dam... would be an expensive, ineffective response - it would take years to build and even longer to fill, not to mention the damage done to the surrounding farmland and natural areas.”*** (Late Premier of NSW, the Hon Bob Carr).

***“In environmental terms, the no dam option would be highly desirable and beneficial”***  
(Recommendation of the World Commission on Dams)

## Water Efficiency programs

Water efficiency, and the need for it, goes without question. However, to then read that the intent is to: “*Improve water security for regional communities and encourage water efficiencies measures for industries to maintain and **drive regional economic growth** and productivity*”, is a major concern. Under that scenario, the following suggestion that “*This option could also be used to enable more water to be left in rivers for environmental purposes during droughts*”, is, in our opinion, sheer fantasy.

For discussion on water efficiency plans, and because we are not familiar with the water efficiency measures undertaken in towns across the Border Rivers region, we need to use to use our own ‘Coffs / Clarence Regional Water Supply’s strategies as an example.

The Coffs / Clarence water efficiency plan begins with what is termed “secure yield”, or the amount water, the availability of which, is adjudged as being guaranteed. Water efficiency measures are imposed accordingly, to ensure demand does not exceed supply, i.e. ‘secure yield’.

Clarence Valley and Coffs Harbour Councils are currently reviewing their efficiency plans, and the CEC has identified what we believe to be serious short-comings, issues we also believe are not properly addressed in the Regional Water Strategies.

First among these is the matter of population growth, something governments across Australia actively, and thoughtlessly, encourage to achieve unsustainable economic growth.

In the Clarence Valley we have just added a new ‘township’ the size of Maclean, called the new correctional centre. At the same time Council has approved massive urban developments at Iluka, West Yamba, Gulmarrad, and Junction Hill, yet the water efficiency plans make no mention of population growth, presumably hoping to solve the water supply shortfall either by more efficiencies, or an increase in ‘secure yield’. i.e. build more storage capacity.

However, the greatest concern is the complete focus on consumption efficiencies, with the complete omission of any consideration of protecting the supply side of the equation, including, threats posed by mining, logging, grazing, and intensive horticulture in urban drinking water catchments.

## Threat to water resources from mining

The Coffs Harbour – Clarence Valley local government areas share a number of things in common, and the most important of those is the Coffs – Clarence Regional Water Supply. That water is sourced from the Dorrigo Plateau, to the west of Coffs Harbour and south of Grafton.

The Plateau is renowned for its high and reliable rainfall, and rugged mountain scenery, clothed in tall Eucalyptus forests and world heritage Gondwanan rainforest. However, for the past 15 years at least a number of minerals exploration companies have been drilling across the area searching for anything that is worth digging up. Heavy and rare metals are a high priority, but many of those are either highly toxic, or require toxic processes to extract them. There is already a serious pollution problem from historical antimony mining on the Plateau, and with gold and copper both having been found, the risks to water sources are very real if mining was to occur.

Only last month we saw an announcement by Christopher Wilson Investments, about two mining leases that they have taken out totalling a massive 198 sq kms, much of it across the regional water supply catchment. In the past, in response to our expressing concerns at these exploration activities, we have been ‘fobbed-off’ with statements such as “*it’s only exploration, just drilling a hole in the ground, there’s no environmental threat at all*”.



While this may be true, having been granted a licence to explore for minerals, the company in question would have a justifiable expectation of being allowed to extract that resource. Frankly, it would not be fair, having allowed the exploration to take place, potentially at the cost of millions of dollars, for the government to reject that mining application.

Again, we are constantly assured that any mining application will have to meet Australia's stringent regulations, and safeguards, and yes, strict conditions will be applied. However, even if compliance monitoring and enforcement efforts are dramatically increased (frankly, they are currently abysmal!), accidents can, and most likely will happen. It is only 2 years since ABC broke the story that the moth-balled Baal Gammon copper mine in northern Queensland had leaked into the previously pristine Walsh River and Jamie Creek, south-west of Cairns, near the township of Watsonville. As a result residents were told by the Queensland Government not to drink, swim or use the water.

How would the Coffs Clarence community cope if something like this was to occur on the Corrigo Plateau? As we see it, the risks are unacceptable, yet Council washes their hands of the entire issue, claiming it is a State Government responsibility.

As we see it, the mining leases need to be re-mapped across the whole of Australia to identify sensitive areas, drinking water catchments,

heritage sites, and places of environmental significance, and scenic beauty, where mining simply should not occur, and declare them off-limits.



Red iron sludge, green algae and white deposits in Jamie Creek. (ABC News: Alexandra Blucher)

## Re-use and recycle

We are surprised to find no mention in the draft strategy of private household water tanks and dual reticulation. This would appear to have been seen as the domain of local councils, to be dealt with in water efficiency plans. We acknowledge that State Government has covered some of these through new building construction regulations, like BASIX. However, we believe these measures should be expanded and extended to retrofitting of existing dwellings and business premises.

Also, whatever happened to solar desalination? In 2000, that was touted as the emerging solution to water supplies in coastal areas. After all, sea water is one resource that is increasing,

## Impacts on water supplies from forestry operations

As with mining, the timber industry's activities across the Dorrigo Plateau, and most likely across other urban drinking water catchments in NSW, are having a very negative impact on water quality. Pristine forests will filter water run-off to drinking water standard, but whenever the region experiences heavy rain, the water from the Nymboida River is unusable, sometimes for weeks, because of turbidity caused to a large extent by the activities of Forests Corporation, particularly with their clear-felling of pine plantations.



***This is the scene of the Clouds Creek state forest pine plantation, clear-felled and cultivated as far as the eye can see. This work was undertaken across drainage lines almost to the river itself, and the erosion potential was huge. This type of stupidity simply has to stop.***

Forest Corp's high intensity logging operations are almost as bad, with massive soil disturbance, and a mere 5m buffer along drainage lines, and no buffer at all if the drainage line or gully doesn't happen to be marked on the topographical maps.

Native forest logging of state forests has been losing millions of dollars annually for 2 decades, so taxpayers are not only footing that bill, they are also having their drinking water polluted in the process. Why is this even being allowed to continue?

As well, most, if not all, state forests in the Nymboida River catchment are leased out for cattle grazing, with cattle trampling creek banks and defecating in the waterways. Again, why is this allowed?

There are also grazing properties all around the Nymboida weir which is the 'take-off' point for the Coffs – Clarence regional water supply. Few of the river and creek banks are fenced to prevent their cattle from accessing our drinking water. **Clearly, neither councils nor state government are showing any interest in protecting water quality to an acceptable degree.**

## **Climate Change**

Potable water is likely to be a lot scarcer as the planet heats up. Water stored in dams, and conveyed along open irrigation channels, will dissipate faster through greatly increased evaporation rates from their expansive surfaces. For the same reason, land will dry out across the entire landscape, meaning that when rain does fall, the parched soils will absorb more, and less will flow into creeks and rivers. Irrigated land will be particularly affected by increased evaporation, making the demand for agricultural water even greater. The regional water strategy does not take this issue seriously

The issue receives only a single mention, under a section on the need to revise water sharing plans. Even then it is only mentioned as a contributing factor, rightly identifying that: *“Reduced rainfall, increased evapotranspiration and any additional regulation and storage of flows will likely lead to longer and more frequent cease-to-flow periods, lower average flows and longer dry periods, increasing the need for environmental water to support ecological outcomes”*. However, this, we are told, would entail: *“Adaptative adjustments to planned environmental water (that) will be required to respond to changing environmental conditions and needs.”* **This is meaningless!**



## **A burgeoning intensive horticulture industry, starving creeks and rivers of water and polluting what remains.**

The CEC, among others, has long held concerns about the unregulated nature of farming operations in general, and in particular, the burgeoning intensive horticultural industry. In the past we have highlighted four main issues, land clearing, water use, plastic pollution, and pesticide run-off. But first, some history.

As far back as 2007 we began to express concerns about practices being perpetrated by those engaged in the blueberry industry, urging ministers and regulatory bodies to impose regulations that would require the preparation of a development application and water management plan.

None supported the introduction of any such measures, although individuals within those agencies admitted, unofficially, that there was a problem. The official reasons given included the nonsensical comment from the Minister for Primary Industry at the time, who stated he was not in favour of regulations, because their imposition *“might encourage non-compliance”*! Recent reports from the EPA, following a long-overdue compliance blitz on water use, that close to 90% of the properties they had investigated, were non-compliant, proves our point. But it still doesn't solve the overall problem, the cumulative over-use of water.

Eventually, the complaints from the public were so loud and varied, that the Inter-agency Blueberry Advisory Committee was formed in about 2016 (provided with no enforcement powers of course). By 2017 the committee had reported widespread illegal land-clearing, including repeat offenders, and the conclusion that *“growers are prepared to pay fines as a business cost”*. Complaints about water use, pesticide use and spray drift; poor worker accommodation and site safety, along with observations that erosion control was virtually non-existent, were also reported by the committee.

**Incredibly, none of this appears to have rung alarm bells with those councils and agencies that should have had concerns about water quality. Reports of excessive nutrient and pesticide run-off into Coffs Harbour's creeks, released by Southern Cross University, have not resulted in any real preventative action.**

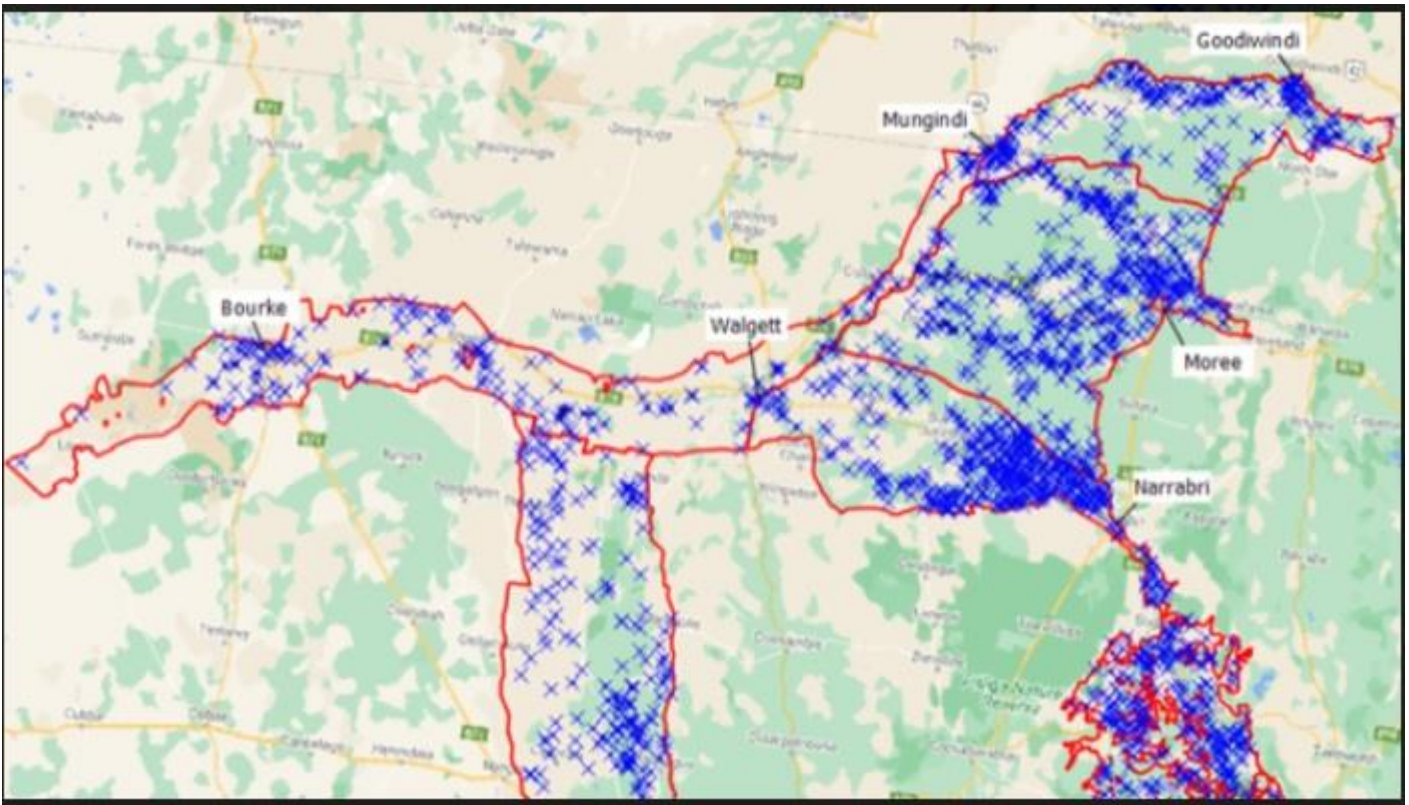
**More surprisingly, intensive horticulture, and its misuse of “harvestable rights” receives no mention at all in the Border Rivers' Draft Strategy.**

We acknowledge that landholders' harvestable rights differ along the coast to those west of the Dividing Range. However, both are currently being widely rorted by irrigators. Dams large enough to contain a property's harvestable rights can be constructed without approval, but are frequently built to a far larger capacity (see latest EPA report on issues found near Coffs Harbour). Also, there is no metering requirements, allowing irrigators to empty, refill those dams, and empty them multiple times annually if there is water in them, meaning they are removing far more than their entitlement.

### **Floodplain harvesting**

West of the range, where we understand landowners are allowed to capture 100% of the water that falls on their properties, a similar thing is happening, with floodplain harvesting involving massive retaining walls being built that prevent any water entering the rivers.

The following is an ABC image highlighting that very problem in the Border Rivers area and reported this week on the ABC's Country Hour



That report identified that, according to two former senior employees of the Murray-Darling Basin Authority: *“There has been a 140 per cent increase in the volume of water harvested from floodplains and moved into on-farm storages in northern New South Wales since 1994”*.

This simply cannot be allowed to continue if the failing environmental health of the lower river system is to be addressed. We are confident that the architects of the floodplain harvesting idea, never envisaged the scheme being rorted to allow some river-front landowners to capture and store such massive amounts of water, far more than the 100% rainfall run-off from their own land. If it was envisaged, we believe the issue should be immediately referred to ICAC.

Again, this problem was highlighted by the ABC, this time on 14<sup>th</sup> July 2020, **but there has still been no action by any government to resolve the matter.**

Clamping down on these schemes and enforcing harvesting rights would see the immediate release of millions of megalitres from these man-made inland lakes. **However, not a single mention of this option appears in the Draft Strategy; only building more dams.**

As it is, we assert that the 100% harvestable right must be reviewed as a matter of urgency. In fact we wonder how it was ever allowed in the first instance, because if every landowner took advantage of that, it stands to reason that no water would reach any of the rivers, which is essentially where we are now.

Another matter we believe should be reviewed as a matter of urgency, is the water trade. The current laws apparently allow people to become very rich buying and selling water rights to other people, sometimes living hundreds of kilometres away. In fact, it is our understanding that those trading in water do not even have to be users, or even own property. If this is the case, there is clearly something fundamentally wrong, and the practice must be stopped.

## Regulatory failure

Finally, we come to regulatory failure, a widespread problem that is costing the environment dearly.

Intensive horticulture on the Mid North Coast is a case in question. Numerous complaints have been made by individuals and organisations (including the Clarence Environment Centre which began its campaign to have the industry regulated as far back as 2007), about the lack of regulation and compliance monitoring in relation to the industry. An inter-agency blueberry advisory committee was formed early on in response to the deluge of complaints on all aspects of the industry's operations'

That Committee had no powers to prosecute, merely to advise, and "encourage" best practice. However, that Committee noted widespread problems (Committee's minutes - 15<sup>th</sup> February 2017), from illegal land clearing and dam building, causing erosion and pollution of streams, to excessive and careless pesticide use, under-payment of workers, use of illegal overseas labour, to harassment and threats to neighbours. More significantly, they identified that many in the industry regarded fines as a cost of doing business, a clear case of regulatory failure. If just one orchardist, found to have illegally cleared land, had been ordered to rehabilitate that land, illegal clearing would be stopped overnight. Instead, they were prepared to pay the fine and continued in business.

In 2017, the Clarence Environment Centre forced one water extraction licence application to a Tribunal hearing in Grafton. The whole process took over a year during which time there was considerable consultation and official exchanging of evidence. However, at the very start of the hearing, a taxpayer-funded lawyer, brought in by the Grafton office of the then Water NSW, successfully prevented us from giving evidence. **We have never received any explanation as to why Water NSW was so keen to 'gag' us, but that was the level to which the agency went to ensure that no regulation was imposed, or there was any scrutiny of the industry. That, to us, was collusion**

It was not until 2019, 12 years after the Clarence Environment Centre had first raised concerns, that State Government undertook a reported "blitz" on water use by horticulturalists in the Coffs Harbour region. Their media release claimed: ***"Compliance with water take rules in the North Coast is a regulatory priority in response to public concern that has been received"***. According to the Natural Resources Access Regulator (NRAR), during the first 2 stages of that "Blitz", in May 2019 and February 2020, their investigators visited 31 properties and found 28 to be allegedly non-compliant with NSW's water laws.

This finding that almost all orchardists in the area were flouting the law, and despite the industry having been warned beforehand about the proposed inspections, clearly shows their total disregard for regulations. In fact, 16 months after the first stage began, the third stage investigation is still finding breaches, What we find remarkable is, after all the tax-payer support and mentoring the industry has received over the past decade from agencies like Local Land Services, NRAR now reports it ***"has been working with industry groups and stakeholders in the region to educate and improve compliance and attitudes to water laws"***. No real prosecutions have taken place it seems, just more taxpayer funded advice, ***"using industry newsletters, video and web-based conferencing"***.

After 15 years of blatantly ignoring regulations, serious action needs to be taken against these serial offenders, yet governments at all levels are still refusing to require development applications or water management plans to be presented for approval by the intensive horticulture industry. As it is, they can take a bush block, clear it of vegetation, build dams and transform the entire forested countryside into a sea of plastic without the need for any approval whatsoever.

They are putting other industries and human health at risk, and they must be pulled into line. As stated earlier, water is a very precious commodity, and must be treated accordingly.

## **In conclusion**

The lack of concern for water quality, shown by our political leaders, legislators, and regulators, is mind-boggling, and something needs to be done to rectify that.

We strongly believe that more dams are not the solution, Australia must plan within its water means, and not continue to expand its agricultural activities, or urban populations beyond the point where adequate water cannot be guaranteed without causing environmental harm. Our state and local government planners continue to expand populations in the pursuit of “growth”, and then scamper about in a panic when they run out of water.

We note the Strategy’s comments about consideration of a “*shift from seasonal crops to permanent plantings*”, which we see as an excellent idea, but should be expanded beyond consideration of ground water. We believe it is imperative to be lot smarter about the crops we irrigate and perhaps focus on dry-land food crops rather than fibre. We need to protect water from all polluting activities, including agricultural and urban run-off, drilling and hydraulic fracturing for gas mining, and underground mining that might impact aquifers. We also need to stop the exploitation of underground water supplies from water mining for bottled water, an activity that not only depletes underground water supplies but adds massively to the plastics pollution problem.

We thank the Committee for the opportunity to comment

Yours sincerely

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