

# SRI Update

04/02/2021



## From SRI CEO, Sophie Baldwin



Happy New Year to all our SRI landholders. If last year was anything to go by, it looks like we are in for a hell of a ride in 2021 but we remain as determined as ever to see water and prosperity return to the region.

On a personal note this year has been pretty hectic as I have tried to negotiate my way around my new role as executive officer.

When I first started I thought I knew a fair bit about water but evidently my knowledge barely scratched the surface. It has been a steep learning curve and I am sure it will continue to be that way well into the future.

The water space is certainly challenging but throw in a Chair who never seems to sleep, and things hit a whole new level. Even though he turned 60 this year, harvested his largest ever wheat, barley and canola crops and sold a few farms, Chris shows absolutely no sign of slowing down in the fight for water. Which ultimately is a good thing for all of us.

The water space is frustrating, corrupt and at times makes you want to bang your head against a brick wall, but advocacy for our region is so important and remains at the forefront of everything we do.

I am extremely proud of our little team who continually punch well above our weight for the size of our resource. We might be small but we are mighty and we have made some pretty big inroads last year especially around the legality of flood plain harvesting, the class action against MDBA, establishing a southern basin advocacy group- Southern Connected Basin Communities, our Food for Thought magazine which showcased just a small percentage of our wonderful farmers, Lloyds Walk, Eureka Flags and of course the endless rounds of letters, submissions and other work we do.

On a positive note it has been wonderful to see and hear the enthusiasm and positivity around this year's harvest. While it has largely been due to favourable weather conditions it has been great to see our landholders remain focused on the real issues surrounding the basin plan, water policy, reliability and allocation.

Enjoy the feeling of full silos and a bumper cropping season and for many of you, your first rice crop in a few years. It's going to be a busy 2021



*Image: Kellys Grains, Finley*

## LHA MEETINGS

We are hosting a series of special landholder meetings to discuss future funding of SRI and the impacts of the impending FPH licensing on allocation in the future. These meetings are crucial for the future of irrigation in the Riverina and we urge you all to attend – we only have 5 months until licensing and it is critically important we stand up and fight before water leaves our region forever.

Meetings will be held:

February 16 Caldwell Fall 5pm contact Alistair Starritt

February 16 Wakool Club 7pm contact Darcy Hare

February 17 Pretty Pine Rec Reserve 5pm contact Jon Gatacre

February 17 Deni Sportsmans Arms 7pm Andrew Crossley

February 18 Finley RSL 7pm contact Ben Wilson

## Dates to remember

Friday February 5 -COVID-KEITH Minister for No Water tour.

- Yarrawonga Weir (Vic side) 12 noon,
- Cobram 2pm and
- Tocumwal 4pm.

## What's happening?

The third FPH regulation from Pavey is expected sometime in the new year, we will then be busy lobbying for its dismissal and focusing the next six months on advocacy for a fair and reasonable FPH licensing regime, in line with basin law.

We have it under pretty good authority Keith Pitt is looking to build a pipeline around the Barmah choke despite having no consultation with the south about FPH and the impacts of sending such large volumes of water downstream. It seems his advisor may be putting the interests of the north above the south and is not telling the full story.

We will continue to work hard behind the scenes lobbying, seeking legal opinion and gathering evidence to expose the double standards and corruption that continues to plague implementation of the basin plan.

## Submissions

Barwon-Darling Water sharing Plan - November

IPART (increased water fees and charges) – November

ACCC- end of January

NSWDPIE – water ownership/trading submission

## Flood Plain Harvesting

Despite completing legal due diligence and winning the argument FPH is an illegal process without an appropriate meter or license it seems the fight is merely just beginning.

FPH is set for licensing June 30.

Water minister Melinda Pavey is looking to license a select group of irrigators in the north with around \$4 billion in compensatable licenses 2.5 times above the 94 cap limit. The cap is the legal limit and was introduced to prevent further growth in extractions in the Murray-Darling Basin. The southern basin operates within the 94 cap limit while the north will have their own special cap limit created especially for them, even though they have had access to free water for the last 27 years while we have had to pay for every single ML.

And to top it all off, these irrigators will also have access to an additional 500 per cent on top of their license in any given year if they have available water in their account.

NSWDPIE have confirmed they will issue 390GL of FPH licenses plus 500% carryover in any given year to irrigators in northern NSW alone, despite the WMA stating a maximum of 210GL across the entire basin.

NSWDPIE also confirmed there are no end of flow targets for the Darling River as a condition of the licensing process, effectively allowing the Darling River to be sucked dry taking downstream community and environment with it.

Traditionally the Darling contributes around 39 per cent or 721,000ML of the 1850GL required by law to South Australia under the Murray-Darling Agreement. When the Darling is offline this shortfall (shared 50-50 with Victoria) is drawn from the productive pool directly affecting your allocation to the tune of around 40 per cent (this is one of the reasons NSW Murray general security allocation reliability has reduced from 84% to 48% over the last 20 years).

We only have six months to fight this process and we need to make as much noise as we possibly can to highlight this corrupt and unfair process. Write letters to the paper, jump on Facebook, message politicians we must get anyone and everyone to hear our plight because once this water is taken from us IT IS GONE FOREVER!!

We are also setting up a fighting fund because this process will not be cheap. This fight will be above and beyond our budgeted MIL and landholder funds and we have an expensive six months ahead of us as we tackle this in the media, legally and on a professional front.

## Lloyd's walk for water

It was a jubilant Lloyd Polkinghorne who walked into Hume Dam like a rock star after walking 300kms from Barham. Many people had made the journey to the dam to welcome him in and the Eureka flags were proudly on display. Lloyd's walk was always about promoting the damage the basin plan is inflicting on our region and he garnered a great deal of additional support during the walk. He intends to use the momentum generated in 2020 to further educate the public and is hoping to hold another event mid year, we will keep you posted. Well done Lloyd and congratulations on also being appointed as the new deputy chair of speak up. We look forward to following your work in 2021.



## Eureka Flags

The sale of Eureka flags contributed around \$3000 to Lloyd's Walk for Water and while the walk is over, we encourage people to keep their flags proudly flying. The flags are spreading further afield and are a powerful sign of unity across the southern basin, something the National Party do not like. SRI still have flags for sale and while we are no longer selling them as a fundraiser, they are available for \$10, contact [admin@southernriverinairrigators.com.au](mailto:admin@southernriverinairrigators.com.au) if you would like one posted out.



## Southern Connected Basin Communities (SCBC)

SCBC is a united group with a goal of a thriving southern basin community. It is starting to gain some serious momentum as we fine tune the constitution, set up a website and get to work. We have a focused and dedicated group of people who are determined to share their extensive wealth of knowledge to ensure a better basin future for us all.

Our footprint stretches from Menindee in the north of the state, through Victoria and into South Australia, and we represent business, the environment and community.

We are united and powerful and government can't dismiss us when we represent such a large and diverse group of people.

We envisage SCBC to be the tool to deliver public information around issues like FPH because of the credibility and size our footprint gives us, and we intend to become an influential group well into the future.

SCBC was formed after it became apparent NSWIC and other representative bodies were looking to only serve the interest of those in the north and include **Central Murray Environmental Floodplains Group, Murrumbidgee Valley Food and Fibre, Murrumbidgee Industry and Agriculture Communities, Southern Riverina Irrigators, Upper Goulburn River Catchment Association, Murray Valley Private Divertors, Speak Up Campaign, Sunraysia Horticulture Industry, Darling River Action Group.**



## Class Action

The class action is continuing to tick over with recent developments including the addition of the Commonwealth of Australia to the proceedings as the second defendant alongside MDBA. The Commonwealth has been added to the proceedings because a number of key MDBA decision makers (the Delegates) were in fact employees of the Commonwealth at the time, making the Commonwealth potentially vicariously liable.

The defence raised the legal argument which the MDBA seeks to rely on the Civil Liability Act 2002 (NSW). Although this is quite a technical point of law, it is an important issue that required the Plaintiffs to bring an application to 'strike out' these points in the Defence. As a consequence, a one-day hearing for the Plaintiffs' strike out application has been set for April 9, 2021.

In the interim, we will continue to prepare the Plaintiffs' lay evidence and expert evidence in order to limit any delays with the progress of the proceedings as a whole.



## NSWDPIE Meeting

In December Chris, Darcy and our legal representative Tim Horne met with NSWDPPIE in what could best be described as a fiery and robust meeting. In brief summary, basically the NSWDPPIE have every intention of licensing FPH in the north to levels well above the 1994 cap (as set out by law in the Water Management Act) and have no intention of implementing an end of system flow target for the Darling River.

NSWDPIE continue to ignore a key principle of the basin plan to have a connected river system and they are also ignoring the severe negative social, environmental and economic impacts licensing to increased levels will have on the southern basin.

SRI remained firm in our request for an end of system flow of target of 721,000MI for the Darling River and with Chris pulling the punches, Darcy backing him up with the appropriate facts and figures and Tim online to decipher their legal terminology I think it would be fair to say NSWDPPIE could not refute our logic.

A leaked email chain by NSWDPPIE confirmed the department chose to only contact groups who aligned with their own way of thinking rather than be open and transparent with their communication as required by law. The mysterious and unexplained disappearance of many SRI email addresses from the departments database was also discussed and suffice to say contact has been reinstated. It seriously beggars belief that a government organisation is allowed to continue to operate in this manner.

## ZOOM MEETING WITH PITT

MRSRG were given the opportunity to participate in a short half an hour zoom with Federal Water Minister Keith Pitt in January. Chris spoke on behalf of SRI about the impacts FPH and the proposed licensing will have on future allocations and the southern basin in general. While Chris' time was only brief, he was able to get his message across effectively. He was clear in his delivery to Pitt including explaining how metering irrigators in the north (to see how much of our water they are taking) isn't the answer and doesn't fix the problem – additional water wouldn't need to be sent down the Barmah Choke if there was an end of system flow target for the Darling-Baaka. The proposed licensing of 390GL with an additional 500 per cent carryover is the problem along with lack of compliance by state and federal government to the sustainable levels of cap diversions and the Water Act's 210GI of allowable FPH licensing across the basin. Pitt's response was metering would increase levels of confidence across the basin.

## COVID-KEITH, the Minister for No Water

You might have started to see our good mate COVID-Keith popping up on Facebook.

COVID-Keith has decided he needs a tour of the basin to see for himself what is happening. He spent a few hours travelling through the Barmah Choke and even had a little swim in his suit because he forgot his speedos.

COVID-Keith thought the water temperature was perfect although he was a little concerned by MDBAs 'massive sand slug' that is apparently blocking the choke. He was very surprised to learn the sand was from gold mining 140 years, but because MDBA have such a great track record when it



comes to managing the choke, COVID-Keith saw no real reason for any concern and has taken them for the word, after all they are an 'independent science-based organisation', he was heard to mutter under his breath.

Friday Feb 5 COVID-Keith will be at the Yarrowonga Weir (Vic side) from 12 noon and will then travel to Cobram 2pm and Tocumwal 4pm. Please come along and make yourself known, COVID-Keith really wants to listen to the local community.

Next week he is heading up to Menindee to see the Darling-Baaka and will call in to towns along the way. He has a fairly full schedule and is really looking forward to connecting with the basin community.

## Message from Chris Brooks, SRI Chair

The next six months are critical and we must continue to fight but we are running out of money. We have only been able to get as far as we have by using our own landholder funds and money from MIL but that is now gone.

This water belongs to our region to produce food and support the Southern Basin environment and no government ever, has the right to make changes that so negatively impact our region while favouring their constituents in the north.

We must fight collectively to retain our sovereign rights, like we have never fought before.

We have to unite all the locals first and if that means exposing our enemies then so be it. I am taking no prisoners in the next 6 months and want to know if you are in or out!

We are in the process of setting up a fighting fund and we need urgent financial support from our landholders to fund the political, legal and media challenges we face.

We only have one shot at this and we can't be complacent

The last few years have been tough and have shown without water our community, our industry, our environment and most importantly our next generation have no future at all.

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