

Submission; Re 6B Broken Creek Proposed Trade Rules,

Background.

Prior to the 1960's irrigators on Broken Creek had licenses that allowed them to irrigate a set area of land. This changed with a Parliamentary inquiry into the Broken and Nine Mile Creeks. This inquiry recommended that the Broken and Nine Mile Creeks be brought into the irrigation district and that irrigators would be given full water rights and have to pay the same as irrigators supplied by gravity. Water was to be supplied basically approximately two thirds from the Goulburn system and one third from the Murray system.

The other side of this was that SR&WSC could then outfall supply channels and construct massive drains to drain the Shepparton and Murray Valley irrigation districts.

This has led to degrading of Broken Creek's water quality and instream habitat.

In the 1990's GMW and the GBCMA proposed that new drains be constructed. One of these was the Muckatah drain. Those on the creek had had enough of the poor treatment of Broken Creek, so much so that they objected to the planning amendment.

This resulted in what was then the largest mainland mediation, resulting in the authorities hiring Broken Creek Improvement's consultants to redesign the drain so that it would perform as claimed, rather than the old style drain as it was originally designed. Other major outcomes of mediation was that new weirs, with fish ladders, were installed in the lower Broken Creek and that the Broken Creek Strategy was compiled by SKM and the input of GMW, GBCMA and the community as partners.

In the early 2000's GMW and GBCMA's introduced a nutrient management strategy that stopped flows from Broken Creek entering the Murray River. Locals tried to warn the authorities that this would end in disaster, but to no avail, see attached newspaper articles for the results. These disasters, provided evidence needed for us to insist on environmental flows.

Recently irrigators on Broken Creek were moved by GMW management from Murray Valley District to the Shepparton District. Irrigators were told that this was to better reflect that the majority of water is supplied from the Goulburn. If this is not the true reason, then GMW management have lied to the irrigators on Broken Creek. We now fear that the substantive effect of the change to the Shepparton District did not provide us with the more secure access to Goulburn system water we were promised.

Broken Creek is unique. It is a highly modified stream, a supply channel, water sourced via the Murray and Goulburn, a drainage channel, now a conveyor of IVT's, but in the end and most importantly a native stream.

This uniqueness is why; when water trading was introduced Broken Creek has its own trading zone, 6B.

Trade Allocations.

Trade allocations provide the commercial and administrative authority for us to extract water from our creek. Any change to how water is used from the creek impacts us. All changes will have winners and Losers – because the resource is limited and the demands are greater than supply.

In such circumstances we expected to have shared with us the regulatory change impact documentation (“RCID”) that explored the impact of change options, and compared it with the status quo. No such documentation has been produced. If it exists we would like to review it. If it does not exist we are astounded. Why hasn’t even a simple risk management strategy been done for Broken Creek to explore the impact of the proposed regulatory change?

Why change trade rules if it is unknown what the risks are?

While the current negotiations/consultations have been fruitful to a degree, I don’t believe that they rightly balance our long established farming and environmental needs for water with the burdens we endure as the long term custodians of the Broken Creek. (As evidenced historically above) . We expect greater fair access to water from our creek in its modern managed form. Our rights and entitlements should be greater than is proposed, changes to our rights to date should reflect our intimate and longstanding relationship with the Broken Creek and our positive contribution to its utilisation of Goulburn water. The proposed changes do not adequately reflect our entitlements to more secure water.

Our access to water should not be prejudiced by past poor decision making, and land use in the lower reaches of the Murray system and the over commitment of the Barmah Choke and Lower Goulburn River.

However – by stark contrast – the effectiveness of Broken Creek has been made possible in substantial part by our active and constructive involvement in its strategic and day to day management. Most of the key initiatives in Broken Creek can be traced back to our suggestions and/or support.

Broken Creek is used to transfer both Murray and Goulburn water efficiently and to that extent irrigators on Broken Creek should have the benefit, up to their delivery share. The creek and channels that supply it should be able to deliver enough water to cover all delivery shares without causing environmental or supply issues. If this is not the case there should be a buyback of delivery shares on The Broken and Nine Mile Creeks.

There is also a cost issue, irrigators on Broken Creek and the channels that supply it are paying full delivery share cost to maintain the infrastructure, both in the creek and channel systems that supply it. IVT’s currently do not contribute to this cost in the same way.

Due to its uniqueness of supply, both from the Murray and Goulburn systems, it’s out fall into the Murray River below the Barmah Choke, and GMW changing Broken Creek to Shepparton district to better reflect the source of the majority of water supply, it is logical and equitable that irrigators on Broken Creek should be able to benefit from Goulburn water as they have in the past. This uniqueness is why 6B zone was created in the first place. Irrigators should be able to trade in zone 1A water for the full irrigation season.

While it is outside of the scope of the Goulburn to Murray trade rule review, trade from zone 6 should be allowed in a way that reflects the amount of water that is supplied to Broken Creek zone 6B, from the Murray zone 6

IVT's could and should replace environmental flows in the creek. This is a win, win situation.

We also suggest that the monitoring that has started must be continued as some bank stability issues may not show immediately, if flows are increased.