

**Representing
Victorian
Recreational
Fishers**



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Submission to licence application #WLCM0006-17 (Rubicon Station Pty. Ltd.)

To Whom It May Concern,

I am writing on behalf of VRFish, the peak body representing Victoria's 838,000 recreational fishers. VRFish welcomes the opportunity to provide our submission and represent the views of Victoria's fishing community on this important matter.

Overall, VRFish strongly opposes the application of a licence to construct a weir and off-take for the purpose of a mini-hydro scheme on the Rubicon River. Our grounds of submission are based on the following rationale to be taken into account, in accordance with Section 40 of the *Water Act 1989*.

1. Granting of the licence may unacceptably affect existing water users and waterways.

The Rubicon River has a rich angling history over many decades and is deemed to be culturally significant amongst anglers, specifically those targeting salmonid species. Trout are an important recreational species in Victoria in terms of the social and economic benefits they provide to both anglers, and regional communities. More anglers in Victoria target trout than any other freshwater species, and as such, anglers travel from all over Victoria to fish the revered Rubicon River. In 2017, the Rubicon River was recognised as one of just four Victorian special trout waters affording the fishery with stricter and conservative management controls.

Recreational fishers inject substantial economic benefits (\$7.1 billion annually) into regional communities, which supports a variety of jobs in tourism, retail and hospitality (approx. 34,000). Granting of this licence would have considerable adverse impacts on the self-sustaining wild trout populations within the Rubicon River, which will not only impact trout fishers, but the prosperity of the local communities. We would also like to draw attention to the *Water and Catchment Legislation Amendment Bill 2017* currently before the Legislative Council. This legislation recognises the importance of recreational water values for the health and well-being of all Victorians and these values must be considered in decision making process by water managers.

2. Environmental features may be unacceptably affected by the granting of the licence.

As a major tributary of the Goulburn River, the upper Rubicon River provides vast areas of spawning habitat for brown and rainbow Trout. The construction of the proposed development will not only destroy crucial instream and riparian habitat, but significantly affect the ability of both trout and native fish to successfully reach suitable spawning habitat. Whilst we understand that a fish ladder has been considered during the design of the weir, it is well-documented within fisheries management literature that fish ladders are by no means an absolute migratory solution, and their installation drastically reduces the percentage of fish that can migrate upstream and potentially spawn. There are many on-ground examples in Victoria and Australia where constructed fish ladders have not fully achieved their objectives. Given that a number of instream man-made barriers already exist within the river, any compounding impacts to migration could have devastating effects on the future viability of the current self-sustaining wild trout population. We encourage water managers to adopt policies and workplans to remove instream barriers, not create new ones.

The construction of the proposed weir and the diversion of vast quantities of water (up to 6000 L/s at peak flow) will have significant impacts on river ecology, geomorphology and hydrological diversity. All of which will impact resident flora and fauna. In early 2017 VRFish and a number of our affiliated clubs and associations were provided with an environmental impact report that was commissioned by the developer. This report raises numerous environmental issues associated with the development, yet provides brief unsubstantiated assumptions and conclusions, based on minimal on-ground assessment and investigation. Issues arising from the construction and permanent change in flow regime such as erosion, turbidity, sediment loads, water quality and temperature, loss of instream and riparian habitat, and the abundance of flora and fauna all require thorough investigation.

3. Granting of the licence will be inconsistent with government policy regarding conservation and preferred allocation or use of water.

As part of the Victorian government's *Water for Victoria* plan, \$1 million dollars has been committed over four years (2016-2020) towards the *Angler Riparian Partnerships Program*. The funding is used between the nine regional Catchment Management Authorities (CMAs) and recreational angling groups to deliver riparian improvement works in areas of high priority for local fishers. The Rubicon River is considered to be a high value asset for anglers and has already benefitted from a number of environmental projects under this, and other funding agreements which improve and restore riparian zones, increase water quality, and buffer the effects of hot weather on water temperature. The proposed hydro development, and the environmental impacts that will be induced by its construction and operation are in stark contradiction to this State Government policy and funding. Loss of riparian vegetation, removal of instream habitat, and the significant changes to flow regime resulting in degraded water quality and higher temperatures, are a complete slap in the face for fishers who have invested thousands of volunteer manhours improving the environmental values of the Rubicon River for the long-term.

VRFish insists that any decisions made on the application for the proposed development must also consider the State Government's *Water for Victoria* plan that recognises recreational values as one of its nine priority themes. It highlights that *"a local waterway can be the lifeblood of a community, attracting and retaining people in the area, and providing an income for local businesses."* The economic and social benefits that recreational fishing provides in the local area are second to none, and under *Action 7.1* of the government plan, *"the government will explicitly incorporate recreational values in state-wide and regional water planning processes"*.

The impacts to recreational fishing through the granting of this licence are also inconsistent with the State Government's \$46 million dollar *Target One Million* policy, which aims to grow recreational fishing participation and get more Victorians fishing, more often. This policy has also proclaimed the value of Victoria's trout fishery through the introduction of a minimum size limits and modified bag limits at key waterways, including the Rubicon River.

4. Issues regarding availability and quality of water may be compounded by the granting of a licence.

A number of water quality issues already exist within the Rubicon River catchment. This includes erosion from uncontrolled riparian grazing, turbidity from the desilting of power generation storage dams, and nutrient runoff from agriculture and aquaculture. Anglers and CMAs have worked hard over many years, investing their time and taxpayer funds to help rectify these issues and improve water quality within the Rubicon River. VRFish, on behalf of our Victorian fishers, are deeply concerned about the compounding water quality effects this development will impose on the river through its significant change in flow regime and ecology. Drawing up to 50% of total flow during peak times, from a large section of the river between the offtake and outflow is simply unacceptable. The environmental impact report supplied to VRFish fails to address any compounding effects this project may have on water quality. VRFish insists that any compounding environmental effects must be fully investigated and taken into account.

5. The granting of the licence will unacceptably affect the management of the waterway and its surrounds.

VRFish is concerned about the ongoing ability of recreational fishers to access the applicable section of waterway and adjoining Crown Land if the project is allowed to proceed. There are also many unanswered questions regarding ongoing maintenance of adjoining Crown Land frontage, monitoring and compliance to relevant environmental and land management legislation, and the ability of the Goulburn Broken CMA to actively access and manage the waterway and Crown Land water frontage to maintain and improve its environmental values.

6. The granting of a licence will unacceptably affect the needs of other potential applicants.

Whilst VRFish is unaware of any future potential licence applicants, the effects of drawing large volumes of water from a considerable section of the river, the negative impact to

water quality, and the drastic change in hydrology and river ecology is highly likely to affect the needs of both current and future licence holders and applicants.

In conclusion, VRFish is fully supportive of innovative and clean renewable energy sources, however any developments must not come at the expense of the environment, our social wellbeing or our regional economies. Any activities that directly conflict with recreational water values and associated environmental values will be staunchly opposed by VRFish to the fullest extent. In an era where catchment and fisheries managers around the world are actively removing weirs, dams and barriers to fish migration, it is socially unacceptable to allow the construction of this project. The Rubicon River is a high value community asset and should not be exploited for personal wealth or gain, especially when there is little to no value in this project to the local community. The licence application presents an unacceptable risk to recreational and environmental values of the Rubicon River and should not be granted.

VRFish looks forward to working collaboratively with Goulburn Murray Water to ensure that the Rubicon River continues to be managed sustainably as a high value public resource with environmental, economic and social benefits for the Victorian community and current and future generations of fishers.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'R. Loats', written in a cursive style.

Mr. Robert Loats
Chairman
Victorian Recreational Fishing Peak Body

22 December 2017