



Nature Conservation Council

The voice for nature in NSW

13th July 2022

DPE – Water
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Submission: Western Regional Water Strategy

The Nature Conservation Council of New South Wales (NCC) is the state's peak environment organisation. We represent over 170 environment groups across NSW. Together we are dedicated to protecting and conserving the wildlife, landscapes and natural resources of NSW.

We welcome the opportunity to comment on the first draft of the Western Regional Water Strategy (RWS).

NCC supports options that manage demand for water, and increase access to non-rainfall dependent water sources.

We acknowledge the climate change predictions across the Regional Water Strategies that are under development, and the significant work undertaken to improve modelling and data.

In the Barwon Darling, it is predicted there could be a 42% reduction in flows in just 40 short years.

Effective management and preparation for the future, when water sources along with their ecosystems will be under ever greater stress, has never been more important.

This submission will look at all of the long-listed options presented under the six areas of challenge identified in the RWS.

Thank you for the opportunity to participate in the consultation.

Your key contact point for further questions and correspondence is Melissa Gray, Water Campaigner, available via mgray@nature.org.au and 0431 471 310. We welcome further conversation on this matter.

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Comments on long list options – Western Regional Water Strategy

Improving water security for towns and industries

NCC strongly objects to options that will be harmful to the environmental and cultural values of the Barwon-Darling/Baaka:

- ✗ Promote groundwater desalination for industry and towns.
- ✗ Seek to increase secure and reliable access to groundwater for towns
- ✗ Review groundwater extraction limits
- ✗ Maintain water-related amenities during droughts
- ✗ Investigate potential pipelines for surface water and groundwater sources.
- ✗ Modify or renew town weirs

Options that should be shortlisted and prioritised:

- ✓ Investigate managed aquifer recharge feasibility and policy
- ✓ Better manage the Great Artesian Basin – deliver the Great Artesian Basin Strategic Management Plan and continue the existing Cap and Pipe the Bores Program to 2030 or 2040.
- ✓ Assess the possibility of water recycling projects
- ✓ Investigate residential and non-residential water use efficiency in towns
- ✓ Determine potential for covered off-stream storage
- ✓ Investigate options to secure water for small communities
- ✓ Study the resilience of water-dependent industries

a. Continued increasing reliance on groundwater is not sustainable as we head into a drier future

Most groundwater sources in NSW are fully allocated, with 24 sources being over allocated, meaning extraction is continually and significantly over the Sustainable Extraction Limit. Groundwater recharge is predicted to decline by 15% on average by 2060.¹ Demand for groundwater increased significantly between 2017–18 and 2019–20 from roughly 11% of the state's overall metered water use to 27%, mainly due to extended and severe drought.²

Groundwater dependent ecosystems (GDEs) are important environmental assets, as described in the RWS. Efforts to improve the condition of GDEs would be undermined by increased groundwater extraction.





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b. Weirs are inefficient

Using in-stream water storages for communities by replacing or expanding weirs is environmentally damaging and inefficient. Town water reserves should be off river, in lined dams and preferably covered to reduce evaporation.

Weirs reduce critical low and medium flows. Rivers have to flow to be healthy.

Delivering on Aboriginal people's water rights and improving access to water

Addressing the chronic dispossession from water access rights suffered by First Nations Peoples in NSW should be addressed as a matter of priority.

NCC supports all efforts to meet the Cultural Water requirements of First Nations Peoples as described in the Echuca Declaration,³ and in line with the 2020 National Agreement on Closing the Gap.⁴

- ✓ River Ranger Program
 - ✓ Support long-term participation of local Aboriginal people in water-related matters
 - ✓ Review Aboriginal cultural water access licences
 - ✓ Fund water entitlements for Aboriginal communities
 - ✓ Secure flows for water-dependent cultural sites
 - ✓ Shared benefit project (environment and cultural outcomes)
 - ✓ Integrate Aboriginal knowledge into groundwater decision making
 - ✓ Incorporate Aboriginal history of water and culture in the Northern Basin into water data
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- ✗ The option to develop infrastructure to maintain water in Cawndilla Creek is not supported, and should not be presented as automatically shortlisted. This project is a part of the opaque 'Better Baaka' program, a rebadged version of the contentious Mendindee Lakes Rescoping Project. It is not clear to the community how this project feeds into the Sustainable Diversions Limit Adjustment Mechanism framework.

Protecting and enhancing natural systems

- ✗ Fully implement the NSW Floodplain Harvesting Reforms in the Barwon–Darling Valley

NCC does not support the implementation of the current floodplain harvesting reforms as they stand. The rules allow accounts to accrue with up to 500% carry over permitted. Generous



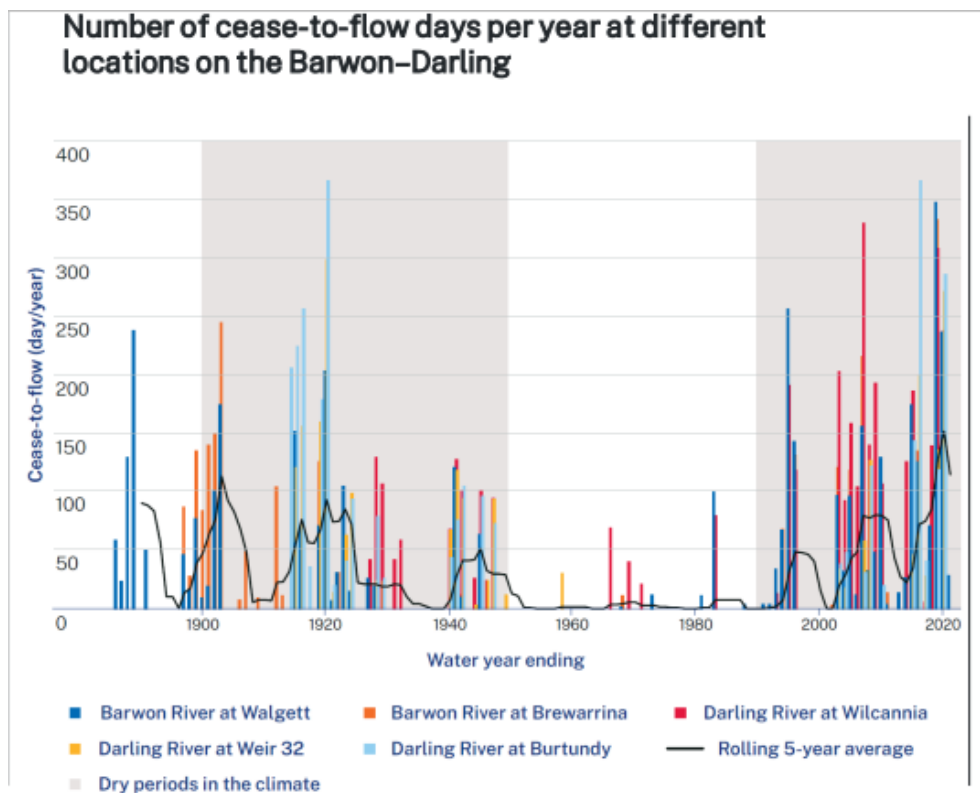


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rainfall runoff exemptions are allowed, when all water captured should be licenced. The volumes being proposed to be licenced are not environmentally sustainable, as required by the Water Management Act. The flow targets presented in the draft water sharing plan rules will likely not protect the environment, according to the Director of the Healthy Floodplains Project and the NSW Environment and Heritage Group.⁵

The cumulative environmental and cultural impact of decades of floodplain harvesting has never been assessed.



*Regional Water Strategy Water Sharing Plan Amendments Floodplain Harvesting licencing presentation
June 2022 – page 8*

The graph above shows that the Barwon Darling has experienced periods of low and no flow before, which is the commonly accepted lived experience of river communities. However, it wasn't until the short and severe 2017-2020 drought that the Darling River dried up into a series of disconnected green pools from Bourke to the Murray River. Previous to the 2017-2020 drought, never in recorded history nor in First Nations memory, had millions of fish and fresh water mussels perished during a drought.



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NCC maintain that the reduced capacity of the Barwon-Darling/Baaka to withstand drought has come about because of the cumulative impact of decades of unrestrained floodplain harvesting. The environmental and cultural impact of floodplain harvesting in the Barwon Darling must be assessed before water access licences for floodplain harvesting are handed out.

NCC is supportive of options that actually improve the environmental condition of the Barwon-Darling/Baaka River, which is listed as an 'Endangered Ecological Community'.

- ✓ Implement fish-friendly water extraction
- ✓ Improving floodplain connections: modifying or removing floodwork structures causing adverse impacts
- ✓ Remediate fish passage
- ✓ Restore riparian habitat and re-establish threatened fish species
- ✓ Remove constraints to enable flows to reach important ecological sites
- ✓ Improve protection of groundwater dependent ecosystems
- ✓ Consider listing the Menindee Lakes under the Ramsar Convention on Wetlands of International Importance
- ✓ Develop and implement technology to create fish refuges
- ✓ Recognition of Queensland 'gifted' water

Managing the impacts of poor water quality

- ✓ NCC is supportive of options 30 to 35.

Making water information more accessible and meaningful

- ✓ NCC is supportive of options 36 to 43.

Options that increase transparency of water management information are strongly supported. NCC considers that the only way to assure confidence in water management in NSW (as per priority one of the State Water Strategy), is for the development of a Water Register that enabled the public to freely access from a single source all details of entitlements, including: name of holder; licence number; licence conditions; water entitlement; water allocations; meter readings; real time water account balance; and all trading activities. It is also important that any convictions from non-compliant water take are available.

Improving connectivity across the Northern Basin





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NCC conditionally supports:

- Review the North-West Unregulated Flow Plan rules – if they are based on the environmental watering requirements of the systems.
- Develop critical dry targets for the Barwon–Darling River – if they are a considerable improvement on the targets presented to the Connectivity Stakeholder Reference Group in 2021. The targets presented to the group suited an ephemeral river. The Barwon-Darling/Baaka is not an ephemeral river. NCC strongly objects to any policy direction that would artificially turn the Barwon-Darling/Baaka River into an ephemeral system.
- Modify and remove non-town weirs – all weirs should be removed, including town weirs. This would allow the passage of critical low flows, support the journey of threatened Murray Cod larvae that must float downstream, and allow fish migration. Water for consumption should be stored off-river.
- Making 6 of the 7 Intersecting Streams free-flowing – no ‘Better Baaka’ options should be short-listed before public comment has been collected.
- Deliver replenishment flows from the Border Rivers, Gwydir, Namoi and Macquarie valleys – ‘Held’ environmental water should never be used as base flows. The water for replenishment flows is provided by the relevant water sharing plans.
- Review cease-to-pump flow-class thresholds.
- Better protect a range of flows under a changing climate – all environmental water should be protected from extraction regardless of the impact on water users. Environmental watering needs should be prioritised over extractive needs, as per the principles of the Water Management Act 2000. Any financial compensation that may be considered for loss of economic activity would be preferable to the irretrievable loss of environmental condition of an Endangered Ecological Community.
- Deliver water down the Great Darling Anabranch.
- Develop sustainable total daily extraction limits for the Barwon Darling Water Sharing Plan.
- Review how the Menindee Lakes are operated.

NCC strongly objects to the option:

- × Regulate the Barwon–Darling River

Dams don’t create water. They let it sit, become infected with algae and evaporate. Once a system is regulated, the system is operated for financial return and even more water is extracted. The cost of regulating the Barwon-Darling would be prohibitive. This option should not be shortlisted.





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References

¹ NSW draft Groundwater Strategy 2022

² 2021 State of the Environment Report - EPA

³ [MLDRIN Echuca Declaration 2007](#)

⁴ [Closing The Gap Agreement 2020](#)

⁵ Email to [REDACTED] sent 11 February 2022. [Obtained through Parliament standing order 52.](#)

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