

13 July 2022



Regional Water Strategies
NSW Department of Planning and Environment
Parramatta

Dear Regional Water Strategies team

WESTERN REGIONAL WATER STRATEGY

The National Parks Association of NSW (NPA) appreciates the opportunity to comment on the Western Regional Water Strategy.

NPA's mission is to protect nature through community action. Our strengths include State-wide reach, deep local knowledge, evidence-based input to policy and planning processes, and over 65 years' commitment to advancing the NSW protected area network and its professional management. We also provide outstanding opportunities for experiencing and learning about nature through our unrivalled program of bushwalking, field surveys, bush regeneration, and other outdoor activities.

Background

Over the past 200 years, many rivers, wetlands, and floodplains in New South Wales have had their natural flow regimes disrupted because of dams, weirs, floodplain development, and water regulation and extraction. Indeed, the Barwon-Darling has suffered significant ecological impacts from poor water management over many decades. This includes the world's longest blue-green algal bloom in the early 1990s and the historic fish kills in the 2019 drought. These events show the network of rivers in the Barwon-Darling is an ecosystem in crisis.

Indeed, the NSW Government has recognised the importance of the region by making progress on building a world-class network of national parks and reserves to protect and showcase the State's most important natural assets (see Figure 10 of your Consultation paper). A key part of this focus includes several large scale protected areas in western regions of the State. Given the significant investment, the NPA recommends that the regional water plan should be aligned to ensure these ecosystems are conserved in a healthy and resilient state, and that the integrity of the region's aquatic and semi-aquatic wildlife is conserved.

General comments

The NPA believe that the resilience and health of people living in western NSW can only be underpinned by diversification in the longer term. We do not support options that are likely to encourage more water dependent industries or strategies that embed the dualism/narrowfication of power relations within local communities. The growing of the local economy through attracting more water intensive industries is only a short-term vision and must not be supported.

head office:



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Specific issues

This submission is in response to the long list of options developed in the Draft Western Regional Water Strategy: a total of over 50 options. These options are listed under six board directions.

In terms of Improving water security for towns and industries and the fourteen options listed, the NPA does not support:

- Option 8 the value of water related amenities to the local communities is well documented and the value of such assets exceeds that that the market dictates. We believe there is a role of local government in purchasing the water for such purposes and accountability should be on the elected officials who fail to make it a priority.
- Option 10 to provide various pipelines across the landscape. This is because the impacts associated with the development on downstream flows and ecology will exacerbate the critical condition of the river system.
- Option 11 to replace town water supply weirs is not supported because a significant body of research demonstrates that weirs cause significant loss of habitat for native fish flow specialists, such as the endangered Murray Cod. Large weir pools increase the area of still water in the river. Fish need a diversity of lentic and lotic habitats throughout their lifecycle.

We believe Option 12 to determine potential for off-stream covered storage should be given a high priority as the CSIRO's prediction on rainfall and runoff in the future suggests declining water security for towns and small communities is of critical importance. We also believe Option 14, consistent without our overall priority to increase diversification with regional communities must be a priority.

In terms of delivering on the Aboriginal people's water rights and improving access to water and the eight options listed. Aboriginal people and their cultural traditions have always been closely linked to rivers and wetland. The impact on First Nation communities from the current approach to water management is clearly apparent and negative. The NPA opinion is that the options specified still entrench an imperialistic view of water management on indigenous communities. The approach is blinded by only perceiving participation as occurring within the bounds of the existing water management framework. There is a fundamental need change the current approach towards one of empowerment by local communities. We refer to literature such as:

- Tsatsaros, J. H., Wellman, J. L., Bohnet, I. C., Brodie, J. E., & Valentine, P. (2018). Indigenous water governance in Australia: Comparisons with the United States and Canada. *Water*, 10(11), 1639.
- Jackson, S. (2018). Water and Indigenous rights: Mechanisms and pathways of recognition, representation, and redistribution. *Wiley Interdisciplinary Reviews: Water*, 5(6), e1314.
- Hartwig, L. D., Markham, F., & Jackson, S. (2021). Benchmarking Indigenous water holdings in the Murray-Darling Basin: a crucial step towards developing water rights targets for Australia. *Australasian Journal of Water Resources*, 25(2), 98-110

We are not supportive of Option 20: the shared benefit project. Water for the environment plays a vital role in sustaining the health of rivers and wetlands and supporting their ecological values. It is at present a limited resource well below the allocations most scientist believe are critical to maintaining healthy ecosystems. While cultural and ecological values can coincide, it is not a forgone conclusion. There is the danger that specifically connecting both outcomes will reduce an already limited 'pool' of resources available to restore critical habitat.

In terms of the seven options listed under Protecting and enhancing natural systems, the NPA generally supports options proposed to improve the environmental health of river systems. Projects to improve habitat, provide better migration opportunities and remove some of the threats to native fish populations are highly necessary in the Darling/Baaka and should be commitments under the RWS. However, we make specific comment on the following:

- The commitment to fully implement the NSW floodplain harvesting reforms is not supported. The NPA appreciates that floodplain harvesting is a form of unspecified take and should be licenced and monitored but the current approach has only increased the frequency and duration of zero flows in some reaches and had substantial impacts along the entire river. Specifically, it has impacted: (i) low flows, which are now frequently below lotic thresholds, and (ii) the magnitude of near-annual flow pulses, have been reduced by over 90%. In other words, the cumulative effect of floodplain harvesting means the river is predominately lentic (still water) which is a threat to the lotic fauna which would naturally occur in the area. This policy needs fundamental revision in terms of its modelling, carry over, and existence of end of stream flows. And consistent with our overall outcome we support Commitment 4: Modify or remove harmful floodplain structures. It is critical that this occur before new water access rules are implemented.
- Commitment 3: Implement fish-friendly water extraction. The installation of pump screens on all large pumps in the Barwon-Darling should be mandatory with industry funding the cost. This is the situation overseas, and Australia should not be a laggard in what is widely regarded as good practice.
- Option 23 Remediate fish passage I supported but the NPA would like to see further specifications that stipulate the design should be consistent with research that reduces fish mortality through the passage and encourage both upstream and downstream movement of fish populations.
- Option 24, Option 25, Option 26 and Option 27 are strongly supported
- Option 28: Develop and implement technology to create fish refuges. This option should include options such as fish hotels and other instream infrastructure.

In terms of Improving connectivity across the Northern Basin.

- The review of the Northwest Plan rules (Commitment 5) should aim to achieve as many of the EVRs in the Barwon Darling Long Term Water Plan as possible through implementation in all years - the objectives currently proposed are too limited. Slight revision of the existing riparian targets for each river reach could meet some EVRs concurrently with needs of basic rights holders and limiting risks of blue-green algal blooms, whereas the totally unacceptable proposal to replace them with a simplistic target of 195 GL in Menindee Lakes will not protect basic rights let alone environmental values. EVRs requiring higher flow levels should be met to whatever extent is possible, rather than not protecting any flow for, for example to enable fish to disperse, spawn or migrate, just because the high targets needed in one reach of the river or for some species cannot be fully achieved.
- In relation to targets for flow protection in critical dry conditions, it is very important that enough flow be protected to avoid further endangering the flow-dependent ecosystems and species of both the Barwon and entire Darling/Baaka. Triggers for imposing restrictions should include lack of flow in any reach of these rivers or Menindee Lakes being below 450 GL or drought or lack of flows in tributaries. Triggers for lifting restrictions should require both 450GL to be stored in Menindee Lakes and that a set of targets based on several EVRs being met in each reach of the Barwon-Darling.
- The NPA endorses Option 45 to make more of the streams that cross from Queensland into NSW free flowing by buying back 15 GL of water licences to improve connectivity and secure environmental flows. Wetland, aquatic, and floodplain ecosystems in many protected areas, including national parks, depend on near-natural flows from one or more of the intersecting streams or from these and other Barwon-Darling tributaries.

Conclusions

Given significant government resources have been allocated to identify key environmental assets in the region as conserve key ecosystems, there is a significant opportunity to improve both the ecosystem integrity of the region and the health and resilience of regional communities. However, it will not be realised by focusing on encouraging more water dependent industries. The changes the NPA outlines about considered to be a pathway to encourage prosperous regional communities and long-term environmental sustainability.

NPA can be contacted through [REDACTED] or on [REDACTED].

Yours sincerely

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National Parks Association of NSW

protecting nature through community action