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SUBMISSION

Draft NSW State Water Strategy

Introduction

The Inland Rivers Network (“IRN”) is a coalition of environment groups and individuals that has been advocating for healthy rivers, wetlands and groundwater in the Murray-Darling Basin since 1991.

IRN has participated in a range of consultations regarding water policy and plans and welcomes an opportunity to comment on the Draft NSW Water Strategy February 2021 (draft Strategy).

We give in principle support to the Vision, Objectives and Priorities of the draft Strategy, however, fail to see how these will be met over the next 20 years.

While the document provides some useful background to the current status of water management in NSW and the Murray-Darling Basin and recognises key future challenges, it fails to outline a clear strategy that will guide sustainable water use and demand into the future.

Current Condition of Water Sources

A key failing of the draft Strategy is the lack of information about current condition of water sources in NSW, particularly the large inland river and groundwater systems.

The Status and Issues Papers released by DPIE-Water in 2016 for the development of Water Resource Plans under the Murray-Darling Basin Plan produced useful information in regard to the status of each water source. Maps included High Ecological Value Aquatic Ecosystems (HEVAE) in each surface water source and changes in water levels in the major groundwater

or aquifer systems in each catchment. We note the reference to this work (p74) but no clear indication of how this will inform decisions within the draft Strategy.

IRN considers that this information is critical background to developing and interpreting a strategy for future sustainable water use in NSW. An understanding of current baseline condition will assist in making decisions about the resilience of the water sources, particularly those with poor environmental rating and downward trends in ecosystem health.

There is an obvious relationship between surface water and groundwater sources and an overlap between HEVAE and Groundwater Dependent Ecosystems (GDEs).

The protection of the condition of high ecological values and groundwater levels must be taken into account when considering options for increasing water use and water security in regional NSW. This is particularly important when considering increased dependence on groundwater for town water supply and industry during drought.

The draft Strategy also fails to recognise the value of ecosystem services provided by healthy rivers and groundwater sources. The emphasis on economic and population growth in the draft Strategy is a key problem when the capacity and resilience of water sources and their services is not fully recognised, understood or valued.

We note that the draft Strategy has identified a river condition report conducted in 2012 (River Condition Index Fig 17 p 75) and this work is planned to be updated in early 2021. It is critical that this work informs the option selection process within Regional Water Strategies.

NSW Water Management Act implementation

IRN commends the proposed incorporation of climate modelling into management of NSW water sources and reference to the legal priorities of the Water Management Act 2000 (WMA). Although these priorities are not being met in water planning outcomes, as recognised in the recent ICAC report.

We have major concerns with the current NSW Water Sharing Plans under the WMA and Water Resource Plans under the Basin Plan, as set out in the many IRN submissions on individual plans. These will cause long-term failure to protect rivers, wetlands and groundwater sources, basic rights and downstream water users, particularly in the Barwon-Darling/Baarka.

The draft Strategy does not provide clear and adequate direction to ensure that the timing and quantities of water use are limited to ecologically sustainable levels, as is required by NSW laws. Ecological sustainability of water use should underpin both land use activity now and the NSW Government's approach to the challenges of a changing climate.

Murray-Darling Basin Plan

IRN does not support the NSW Government position on the Murray-Darling Basin Plan and the ongoing threats to pull out of the process. We do not support the approach as outlined in the draft Strategy (p39).

NSW has borne the '*lion's share*' of the work for the Basin Plan because NSW makes up 56% of the Basin and is the largest user of water. The Basin Plan came into effect in July 2019. The fact that NSW still has 267 GL outstanding to meet agreed recovery targets is a failure to redress the over-extraction of water and improve environmental resilience in the face of climate change.

The final volume of water recovery agreed to by all jurisdictions was a significant compromise for environmental recovery.

IRN does not support that the agreed 2024 deadline for the full implementation of the Basin Plan is extended. NSW has not participated in this bi-partisan agreement in good faith and has not undertaken agreed tasks and projects in a timely manner over the past 9 years since the Basin Plan was adopted.

Recognition of First Nations rights, knowledge and access to water

IRN commends the draft strategy for prioritising First Nations water needs and cultural connections. Many communities with large First Nations populations are at the end of rivers or on the Barwon-Darling/Baarka. The reinstatement of all flow regimes to these communities must occur to provide critical human needs and, as stated in the Minister's forward, the right of every person in NSW to safe drinking water.

Key Issues

1. Water Sharing Plans have a 10 year life span and many have been locked in prior to the draft Strategy. Key regulated river available water determinations are not based on the most recent drought on record or best available science. This is the major cause of failure to meet town water demand during the 2018/19 severe drought.
2. New dam and infrastructure announcements have been made without a business plan, cost-benefits analysis, hydrological studies or indication of who will bear ongoing costs.
3. The process to assess the volume of Floodplain Harvesting (FPH) in the NSW Northern Basin is highly inadequate with lack of data for modelling, constant changes in policy and direction, a gift of rainfall runoff exemptions to the irrigation industry and poor proposed management rules.
4. The importance of connectivity has not been clearly recognised or adequately planned for:
 - connectivity between surface water sources and downstream environments or water sources, especially the connecting roles of the Barwon-Darling/Baarka - the Strategy should aim to restore the naturally high duration and frequency of this connectivity
 - connectivity between river channels and their anabranches, billabongs, floodplain wetland systems, and
 - connectivity between surface water and groundwater sources.
5. Water trading has been introduced for water to go to the highest value use. However, the social and environmental impacts of this policy have not been clearly understood. This has led to perverse impacts on regional communities and river management operations eg loss of dairy industry to nut production and very high damaging summer flows in the Murray River.
6. The draft Strategy must be responsive to new evidence based knowledge arising from independent reviews. For example:
 - Recommendations by the Murray Darling Basin Authority for changes to any plans supporting Water Resource Plans as part of the accreditation process;
 - Finalised 30 year Integrated Water Cycle Management Strategies for NSW's 92 local water utilities;
 - Evaluation of government's Safe and Secure Program

7. For full transparency and to rebuild community trust all relevant documents must be publicly available. For example:
 - NSW Fish Passage Strategy;
 - Independent review of the climate risk method for the NSW Regional Water Strategies Program
 - A NSW Water Register that includes all details of water entitlements; water allocations; meter readings; real time water account balance and all trading activities, as well as any convictions from water theft.
 - Final Business Cases for new dams and weirs proposals

Recommendations:

1. Recognise current baseline condition of all water sources in NSW to ascertain capability to withstand further stress under climate change predictions.
2. Respect and have regard to all relevant legislative requirements for water sharing and management.
3. Concentrate on demand management into the future rather than a focus on supply measures:
 - Agriculture is the largest user of water in NSW. Unsustainable irrigation practices, for example flood irrigation of cotton and rice crops, are no longer acceptable under climate change scenarios predicting less water availability.
 - Potable town water supply should not be used by large scale industry, for example, chicken processing plants in Tamworth.
 - Provision of advanced purified recycled water facilities in all urban areas.
4. Protect the environment and communities of the Barwon-Darling/Baarka through implementation of flow targets for Wilcannia, Lower Darling and the Great Darling Anabranch in all NSW Northern Basin Water Sharing Plans.

The Barwon-Darling/Baarka is the connector between all of the rivers of the Northern Basin, between the Northern Basin and the Murray River and the Southern Ocean. Historically, water has flowed at Wilcannia 85% of the time; the once-abundant freshwater mussels in the river required water and frequent flow and are scientific evidence of past flow regimes. The health of the Barwon-Darling/Baarka is an indicator for the whole system.

The Gwydir Water Sharing Plan includes flow targets for the Barwon-Darling/Baarka. This should be replicated in all NSW Northern Basin valleys, particularly in regard to managing access to floodplain harvesting.

5. Base all infrastructure projects on transparent business cases, including all options analysis, with clear communication about who will be responsible for management and cost recovery.
6. Public release of all relevant studies, reviews, strategies, reports and new knowledge relating to water in NSW.

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