



Nature Conservation Council
The voice for nature in NSW

[REDACTED]

Department of Planning, Industry and Environment
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Via nsw.waterstrategy@dpie.nsw.gov.au

To whom it may concern,

Submission on the Draft NSW Water Strategy

The Nature Conservation Council of New South Wales (NCC) is the state's peak environment organisation. We represent over 160 environment groups across NSW. Together we are dedicated to protecting and conserving the wildlife, landscapes and natural resources of NSW.

NCC welcomes the opportunity to provide feedback on the Draft Water Strategy for NSW (the Strategy). NCC supports the proposed intention of the twenty-year Strategy; to improve the security, quality and resilience of the state's water resources over the long term.

NCC welcomes the acknowledgment of the impact of climate change on the future of NSW water resources. We also welcome the introduction of the concept of a capped system in which economic activity can exist, if managed sustainably. Water is a scarce resource in Australia and climate modelling indicates that water resources will diminish further in the future. Effective and sustainable management of our water is therefore a critical responsibility of the NSW government.

The draft Strategy's release amid other important consultation and reform processes, including floodplain harvesting rules and half-finished water sharing plans is concerning. The strategy's relationship with the changing shape of water policy in NSW is unclear. Indeed, the Strategy reads less as a driver of reform or overarching framework, and more as an educational document on the activities of the Department of Planning, Industry and Environment – Water (DPIE Water).

Failures of water management in years gone by have led to the freshwater systems of the Darling-Baaka and the Basin beyond becoming endangered. There are too many straws in the glass. Over-allocation, industrial agriculture, forestry and extractive resource industries must be recognised for their role in harming our rivers. This strategy does not achieve that.

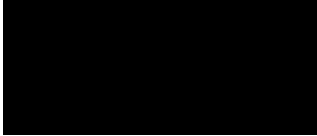
This submission will therefore list basic principles to which the final Strategy must adhere. Failure to act meaningfully on the causes of empty riverbeds and fish-kills threatens the viability of the system, its wildlife and the communities that depend on it for their livelihoods and wellbeing.



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NCC welcomes further discussion. Your key contact point for correspondence is Strategy and Operations Director, Jacquelyn Johnson, available at jjohnson@nature.org.au and on (02) 9516 1488.

Sincerely,





1. Introduction

Our laws, the NSW Water Management Act and the Commonwealth Water Act, recognise the first order importance of repairing the ecological health of NSW Rivers. Effective and sustainable management of our water resources, keeping rivers alive and connected from source to sea, is a significant responsibility for the NSW and federal governments.

Safe and sufficient water is a major part of our right to a healthy and sustainable environment. However, right now, water pollution, water scarcity and water-related disasters are denying communities in NSW, particularly vulnerable and marginalised groups, their right to a safe environment.

The NSW Water Strategy must match legislated priorities in practice.

2. Principles

A meaningful NSW Water Strategy will adhere to, implement the following principles:

- **First Nations have inherent rights to use and manage waterways, to sustain cultural traditions and build sustainable livelihoods for communities.** These rights are recognised in international agreements and protocols, as well as in Australia's domestic law and policy. In all water management contexts, Government must address the ongoing denial of First Nations rights and be led by meaningful consultation with, and response to, the needs of Indigenous communities.
- **Connection of environmental water across valleys, right through the river system is essential.** Connected rivers define a river basin. Rivers must connect for native fish survival and drought resilience. End of system flow targets, and clear consistent definitions of environmental water must form the basis of the rules that establish how water is shared.
- **Water management must be based on the most recent drought of record and up-to-date data.** Climate change is impacting our rivers and wetlands now. We can only increase our resilience if we use the most up to date scientific data about our water. The Government needs to include data from the most recent droughts when working out how much water to sell to irrigation and incorporate climate predictions into all Water Sharing Plans and Long-Term Water Plans.
- **Floodplain harvesting must be managed in a manner that ensures the protection of floodplains and river systems from overallocation of water.** Interim floodplain harvesting licences are necessary until all metering, modelling and good management rules are in place. The new system cannot lock in new floodplain harvesting property rights before it is working well.
- **Water management practices must prioritise efficient water use and demand management because new dams and new weirs will destroy river, floodplain and wetland health.** The Strategy appears to legitimise proposed dam schemes, and this is a



concern. Dams are backwards looking technology. Dams adversely affect the natural flow of rivers and create hydrological, ecological, biological and cultural heritage problems. Rather than make new water, they deny water to the environment and people downstream. Dams are not a just or equitable solution to over-allocation.

- **Investment in purified recycled water for all urban water supplies is necessary.** As water becomes scarcer our communities must be able to re-use what we have, reducing the demand for water.
- **The extraction of non-renewable resources near or in aquatic systems, including aquifers, riparian areas and floodplains must be constrained by the precautionary principle. There must be no exemptions for water use by mining and irrigation industries.** A recent Independent Commission Against Corruption report into water management in NSW found the Government favoured irrigation over the environment and First Nations concerns to the point where they were breaking their own laws. It is time for the NSW Government to honour the priorities of the NSW and Commonwealth Water Acts and stop allowing exemptions to extractive and non-renewable industries when it comes to water use.
- **The Strategy needs to recognise that over extraction is also occurring in the state from which a good deal of water is coming -- Queensland.** In this state as well, there are too many straws in the glass. NSW needs to apply its influence, together with Federal government, to get the Queensland regulations around the use of Water consistent with those in NSW, and to ensure equitable water flows over the Queensland to NSW border, during floods and in drought.
- **Performance indicators are an essential tool to monitor the outcomes of all water management processes.** The Strategy should include defensible performance indicators that are clear and defined. Up-to-date, evidence-based baseline data ought to be used to assess the adequacy and performance of water management processes and in turn direct ongoing adaptive management. Monitoring results should be maintained on a central database that is publicly accessible. Sufficient flexibility to change provisions must be included in any system of evaluation. The Strategy should allow for changing tack where results of monitoring indicate a need to do so.
- **Water policy in NSW requires better communication because everyone has a stake in water.** Local communities should be engaged in all aspects of water resource management. Yet, water policy and the plight of the Murray Darling Basin remains a complex and difficult issue to engage with. More of the community, particularly in Sydney, deserve a better understanding of what the NSW Water Strategy aims to do, and the present status of our rivers. This Strategy is an opportunity to explain water management better, in more places and spaces and in plain English. The Strategy does clearly explain policy settings however it is missing goals and indicators regarding the ongoing education of the community and improved public access to relevant information.

Thank you for the opportunity to provide feedback on this Strategy.