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12/03/2021

Submission to Floodplain Harvesting Consultation (Gwydir)

Thank you for the opportunity to respond to this.

As I write, Lake Menindee and Lake Cawndilla are still dry, (for years now). Lake Wetherall is merely a weir pool along the Darling River channel. Our water minister claimed “connectivity”, mislead the public when releases from Lake Wetherall flowed to Wentworth, yet no flow had reached Menindee from Wilcannia. Then the first flush was full of salt.

Please find below explanations to the Questions in “Have Your Say”

**8.) Do you support the proposed 5-year account management rules?**

A) No, but yes if a loan from the river, not owed by the river.

**8.1.) Reason:-**

It is blatantly obvious to anyone downstream that during dry spells that affect the rest of the catchment, is when the whole Darling – Baaka River requires the most support in the way of a distant flood actually reaching as far downstream as possible.

These proposed rules will not assist downstream flow when it is most needed. This is openly admitted in these proposals.

The River should never be in debt to licence account holders. Floodplain Harvesting should always be the icing on the cake, not the expectation every possible year, what many in the Gwydir valley reap.

Only after some very wet years in the northern basin should floodplain harvesting be considered as a possibility. ie: after the health of the entire system has had time to be nourished. I realize water sharing plans and commence to pump and cease to pump rules are entwined here. The problem is, if FPH rules allow God-given permanent rights to take 3 or 5 years water take in 1 given year, and that was one of the very few flows that year, WAKE UP! A possible 20,000 ML at Menindee or Wentworth in a poorly year could be 100% of flow, if elsewhere has only had enough rain events to wet the river banks. Your rules must accommodate this without relying on water ministers to call for a 324 embargo (as experience has proved they can't be relied upon).

I have been observing the downstream effects of the expansion of floodplain harvesting for 2 decades now. I find any excuse to grant licences that allow floodplain harvesting from any catchment valley of the Darling River in relatively dry years to be in breach of the Water Act.

I am not against floodplain harvesting during the massive floods that bless the floodplains every 5 to 15 years, but taking from the Gwydir floodplain every 2 to 3 to 4 years, with a full licence, will do naught to remedy the dire situation that the Darling, Lower Darling, and Menindee Lake system is still in. I acknowledge the end of system in the Gwydir is at its wetlands (unless exceptionally large

flood events), however during this submission I am also acknowledging the other waterways that should reach the Barwon.

**SOLUTION : Adaptive Management -**

Use statistical distributions: Map standard deviations for historical yearly flows above Menindee. (Note I have not tested what volumes would be identified using this strategy, however the concept is sound as it is intended to isolate both the highest and lowest percentiles to determine both safest and riskiest times for floodplain harvesting.) Only allow floodplain harvesting with 4 criteria:

- 1) Ensure Menindee Lakes have more water in them than at the present time, 3 years supply for Lower Darling absolute minimum. Wetherall and Pamamaroo should always be full before even thinking about floodplain harvesting above.
- 2) Long term weather forecasts predict reasonable rainfall weather events sufficient to replenish downstream public storages.
- 3) During the past 2 years if yearly flows lie within a standard deviation from the mean, (or average) flow, floodplain harvesting may be appropriate using 1 years account.
- 4) If the past 2 years' yearly flows lie above the mean, (above average), and if a rain event is predicted to be in the top 13 percentile, a 5- year account **loan** could be made to the licence holder (if very large flood predicted).

When a years cycle does not reach the standard deviation, floodplain harvesting licences should be ceased until the above criteria are met.

This would hypothetically agree to the reduced volumes of water required in the account management rules pertaining to your proposed 5-year account. Without allowing for take during inappropriate timing.

Unused flows from the floodplains could be scooped up by downstream class A B C and floodplain licences in the Barwon. However, (as a thought bubble), these flows could be protected by being classified as part of the cultural flows while the above criteria are met. This may be worthy of consulting with the 1<sup>st</sup> nations people of NBAN and the Native Title holders of the Baaka -Darling River below Bourke.

***19.1) Do you support the proposed amendment provisions?***

Access rules need to be introduced to protect environmental flows. Allow improved monitoring, understanding and evaluation of downstream outcomes from floodplain harvesting to be responded to. However, I fear that this will be manipulated by the irrigation lobby to seek out further water extraction entitlements.

ICAC NSW released their report 1 in November 2020. The report found misuse of official information by the deputy director general of DPI-Water, **and much other evidence showed priority was given to productive water users over the rights of other stakeholders. "Clear alignment between the department's strategies and goals and those of the irrigation industry"**.

**"This is in contrast to the Water Management Act's water sharing priorities that require the water source and its dependant ecosystems and protection of basic landholder rights must not be prejudiced by any other right."**

*I ask you to consider the following question for all of the proposed amendments:*

**What wording in this proposed legislation will favour large upstream irrigators, at the expense of The River and floodplain environments which support smaller family irrigators, and all those downstream, all the way from Mungindi, the Border Rivers, Gwydir, the Namoi, the Macquarie, to Menindee Lakes and down to Wentworth on the Murray River?**

**Further feedback:-**

**Downstream outcomes report:**

- a) Summing up, the benefit to Menindee of 1.8%/ year, (an average of 28.3 GL) if the proposals for licencing the Border rivers and Gwydir floodplain harvesting are accepted, I find is somewhat misleading. Although a negligible impact on diversions and allocation for the lower Darling or Murray, It doesn't mention the benefits possible in a drying year, for Cultural flows, environment, towns, domestic and stock.

I find this as once again ignoring the priorities set out by the Water Act, and biased towards and placating particular irrigators, as also reported by ICAC.

- b) Reading the same figures, I could summate by explaining how an increase of an average of 28.3 GL to Menindee Lakes from the Border Rivers and Gwydir could be a complete turn around for the whole length of the Barwon- Darling River during a dry summer, or autumn, if allowed to flow downstream in a drying year. This could be well over 50% of the total flow for 1 year, which ridicules the quoted 1.8% of average flow as stated. **If downstream benefits of flow must await for several very wet years, as has been the case progressively during the past 2 decades, very little benefit will ensue, as we are experiencing less frequency of very wet years.**

As there has been suggestions that the rules for the Border Rivers and the Gwydir Valley can be a blueprint for legalising Flood Plain Harvesting in the other Northern valleys, I don't have much faith this will assist any downstream lack of flow that has been exacerbated by illegal Floodplain Harvesting.

- c) I was disturbed that the figure 12) “ **Modelled downstream effects of licensing floodplain harvesting** “ depicting 100% low security licence take from the Lower Darling did not depict water take after 2008. That is plain ignorant of the devastation that has occurred to the Menindee Lake system since, affecting the Lower Darling. Glossing over the fact that this is not where the Menindee Lake system is now. And definitely not where the Menindee Lake system will ever be again if this government gets its way, especially if climate change, or excessive land clearing brings less. A bad summary to this report.

**d) THE QUESTIONS WE ASK HAVE NOT YET BEEN APPROPRIATE FOR FINDING SOLUTIONS:**

**Inappropriate:** "What is the minimum we need to leave for the river and her floodplains?"

**More appropriate:** Ask this question: **"As I am the Darling River, and The Gwydir Valley is part of my catchment, (however small), when can I afford to share my water flows that have not yet reached my downstream obligations? "**