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7<sup>th</sup> August 2020

### **Submission on the Independent Assessment of the Management of the Northern Basin First Flush Event Draft Report**

I am writing in response to the Independent Assessment of the management of the northern basin first flush event draft report. My husband and I own and operate our family irrigation farm in the northern basin located on the MacIntyre river and were subject to section 324 restrictions placed on floodplain harvesting in February during the first flush event. The report covers many improvements that need to be made in managing extreme events. I agree with the draft report's comments regarding NSW Government's poor management of the event which lead to missed opportunities that cannot be regained, which was the case for our business.

I am supportive of the existing Water Sharing Plans in place to prioritise water use for critical needs above other water uses. NSW Water Sharing Plans have been developed over years of consultation with stakeholders, communities and agencies and are the best effort to serve the wider community's best interests.

Although the 2020 First Flush event achieved good outcomes for many communities in what was a very extreme drought leading up to the event, I do not support the report's proposal to write first flush rules into the Water Management Act and Water Sharing Plans without further investigation and justifying the impact on all water users and communities (see points below). Also, I do not support the use of section 324 restrictions for ongoing use, they are ad hoc and cause confusion and angst among communities and undermine trust in water management.

During the 2020 Northern Basin First Flush event, our closest gauge on the MacIntyre, Terrewah gauge, had flows of over 9,000 ML/day. Along this stretch of river, the flow exceeded the maximum capacity the water can stay within its banks, so water leaving the main channel was lost in seepage and evaporation and more water would have broken out into the Queensland side of the river which Queensland entitlements could legally access, leading to an extremely inequitable situation in our area. It seems only practical to protect flows for critical downstream needs up to the maximum capacity the river channel as per WSP rules. First flush rules as proposed would continually result in the same outcome of lost water resources and inequality between state water users in our region.

The draft report fails to analyse the difference between the outcomes that would have been achieved if existing Water Sharing Plan rules applied compared to the actual outcomes of the 2020 Northern Basin First Flush Event. I am not supportive of first flush management rules being implemented without quantifying and costing the impact of such rules. Downstream water users had more beneficial outcomes of the 2020 Northern Basin First Flush Event than the northern tributaries. In addition to fulfilling high priority needs, Barwon-Darling entitlement holder's restrictions were lifted and WSP rules resumed allowing them to pump

water that was forgone from other entitlement holders. I realise the draft report highlights the poor management of the 2020 Northern Basin First Flush Event, this example purely demonstrates how critically important creating first flush rules needs to be done fairly and not at the detriment of other water users. Afterall, water cannot be returned upstream and therefore management of first flush events must be well managed as to not achieve inequitable outcomes for irrigation producers across NSW.

I am only supportive of implementing first flush rules into Water Management Act and Water Sharing Plans providing;

- “Payback Mechanism” as proposed by Border River Food & Fibre is implemented. Whereby, water that is foregone by water users to service higher priority needs would be “loaned” from the water user and “repaid” during flood and high flow events. This would allow DPIEW to utilise first flush rules to achieve critical outcomes in extreme drought conditions and allow irrigation producers to make up lost income in high flow and floods conditions. This would be an equitable outcome for critical human needs, environment, and downstream and upstream water users.
- “Connectivity” is defined, and realistic expectations are applied. I disagree with the report’s Recommendation Point 1. The term “connectivity” is used frequently in the draft report however it fails to be defined. There seems to be very unrealistic expectations that the northern basin river systems permanently flow and are connected all the time, which is not the case historically. To expect the northern basin rivers to be “connected” is misleading to the general public, eroding the public’s faith in management of the northern basin.
- NSW Government provides clearer definition of how regions are classified as Stage 4 Drought and the relationship between regions in differing drought stages and impact on other regions water access. I believe the only equitable approach is for all regions to be in stage 4 drought in order to trigger first flush rules
- The triggers and outcomes of first flush rules must be developed in consultation with all communities and water users and must be transparent and quantifiable
- As per report Recommendation Point 8. There is better modelling and forecasting leading up to and during a first flush event and that there are clear triggers to reinstate WSP rules. As per the draft report “significant data gaps relating to flows out of Queensland, floodplain harvesting and flow data, channel capacity and allowances for water to move to downstream locations” I completely agree. It seemed there was very little allowance for flows from Queensland contributing to the Barwon-Darling river flows, if this and the above mentioned points had been taken more accurately into account, I believe the result would’ve been a fairer outcome for all.

An inconsistency in the draft report caught my attention, under “Incident Response Guides”, “how first flush targets can be modified during an event if circumstances warrant.” Doesn’t this go against everything mentioned above regarding what is aimed to be achieved by implementing first flush rules?

To restore the public’s, water user’s and community’s faith in NSW Government’s management of water in NSW the rules and expectations must be accountable, transparent, quantifiable, and equitable.

Kind Regards,

Georgia Brown