

**Public Feedback**

**Independent Panel Assessment – Management of the 2020 Northern Basin First Flush Event**

August 2020

The Speak Up Campaign thank the Independent Panel for the opportunity to comment on the draft assessment on the Management of the 2020 Northern Basin First Flush Event.

It is quite obvious from the first draft the Panel acknowledge communities across the Murray Darling Basin are critical of the management of the first flush down the Darling earlier this year.

Our communities are dependent on flows down the Darling. When the Darling is offline and not contributing to flows across the South Australian border, staple food producers in southern NSW and northern Victoria are impacted. To meet the needs of South Australia and downstream commitments, the Murray and its tributaries (and to lesser extent the Murrumbidgee) are run at higher levels for excessive periods, sometimes to the extent of exceeding channel capacity to meet those demands. To cover the conveyance of running the river at these excessive levels staple food producers are not allocated water until conveyance needs are met.

The volume of Menindee Lakes is therefore crucial, in particular to NSW Murray irrigators., We were watching the flood events closely in hope that they would reach Menindee. Flood plain harvesting which prevents water entering the waterways leading to the Darling, Menindee and then the Lower Darling play a critical role in our allocation. Even if our dams contain substantial volumes of water, if the Darling is offline NSW Murray irrigators stand slim, if any chance of an allocation. While their Victorian counterparts may have more secure allocation, many are now reliant on the temporary water market which sky rockets when NSW Murray is on low or no allocation.

Our organisation became concerned about the transparency and management of the First Flush when we noticed the Water Minister pushing through a Water Management (General) Amendment (Exemptions for Floodplain Harvesting) Regulation 2020 bill late on a Friday afternoon in early February. We immediately contacted one of the Minister's advisors seeking clarification of the implications of this amendment, however the response was very bureaucratic and did not alleviate our concerns.

We watched on as the NSW Minister for Water patted NSW on the back for putting pressure on Queensland to ensure the first flush made its way as far downstream as possible by ensuring an embargo was in place to protect those flows. However, away from the spotlight it appears there was urgency to protect those without floodplain harvesting licences (which were not yet legalised), followed by lobbying to allow exceptions to this embargo.

Decisions were made on the run and it appears these decisions were made due to lobbying; this has further eroded the trust southern basin communities have in the NSW government to make decisions with the best interest of the entire state in mind.

Making decisions in “real time” allows for very little consultation and as a result the impacts of these decisions on other valleys and regions is not understood or taken into consideration in the process.

While we commend the recommendations to improve consultation, communication and education on the principles and objectives of water departments managing first flush events, we feel there has been a critical oversight in the recommendations.

The Southern Connected System is dependent on the volumes of water held in Menindee Lakes. If there is no or little water held in Menindee then the Darling makes no or little contribution to flows to the South Australian border. The management of Menindee has been outlined by the NSW Government below -

*The Menindee Lakes storage is owned and operated by New South Wales with a long standing arrangement under the Murray Darling Basin Agreement. This Agreement requires the Murray Darling Basin Authority (the MDBA) to include the water held within the lakes as part of the shared resource of the River Murray System, and use the water in the lakes when the volume is above 640 GL until it next falls below 480 GL.*

*Once the total volume of the lakes falls below 480GL, the held water is no longer considered a shared resource of the River Murray System and the water is managed by New South Wales to meet local demands. Some of the water within the Menindee Lakes system is considered dead storage and cannot be accessed for release. The dead storage volume within the system is 125 gegalitres.<sup>1</sup>*

The management of the first flush directly impacts food producers and their communities in the Southern Connected System, particularly the NSW Murray Valley. The NSW Murray will be directly impacted by low or zero allocation, this flows onto northern Victoria as with less water in the system there is less water to trade. While Victorian food producers may have better allocations, staple food producers in northern Victoria are now heavily reliant on the

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<sup>1</sup> [https://www.industry.nsw.gov.au/data/assets/pdf\\_file/0017/191312/menindee-lakes-system-fact-sheet.pdf](https://www.industry.nsw.gov.au/data/assets/pdf_file/0017/191312/menindee-lakes-system-fact-sheet.pdf)

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temporary market and when Menindee is off-line they face exorbitant water prices which see more forced out of business every year.

The first flush is vital to wetting up the Northern Basin and floodplains. Taking water from this event reduces the amount of water which makes it further downstream from subsequent events, as water from following events will be required to wet up dry river / creek beds and floodplains. This results in less water making its way to Menindee and thus impacting on water availability in the Southern Connected System (SCS).

We ask the Independent Panel to consider further the impacts on other valleys and communities as a result of departmental management of the first flush event, furthermore we seek that the panel makes recommendations the SCS (particularly the NSW Murray Valley) is considered when they are making 'real time' (and any time) management / policy decisions. This must include ensuring water makes its way to Menindee Lakes.

Thank you for the opportunity to highlight the impacts to SCS communities as a result of lack of consultation and management decisions from NSW Departments.

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