

Hello and thank-you for the opportunity to provide this submission:

Whilst we understood the need to allow the first flow to pass by 'unimpeded' for the replenishment of the entire Murray Darling basin following the very prolonged dry period, the way in which this was managed by the NSW Government was absolutely deplorable.

We live and operate our farming businesses on a flood plain.

At 5:34pm on Friday 7 February 2020 we received the text message: *"NSW Govt has placed Temporary Water Restriction on Flood Plain Harvesting across the Northern Basin from 7 February up to and including 28 February."* We understood that this s324 order effectively placed an embargo on the take of floodplain harvested waters.

This was the first communication we had ever received concerning the implementation of floodplain harvesting restrictions – a text message; after the close of business on a Friday afternoon; with significant rainfall predicted over the coming weekend. Hardly a Government operating in a transparent manner, especially keeping in mind we also have been in severe drought conditions, the worst drought in living memory, and people's livelihoods are at stake, including those of irrigated landholders.

As it currently stands, we understand that the capture of rainfall runoff from within irrigated properties is also included in our floodplain harvesting entitlement volume, which had the intent of legitimising floodplain harvesting. The only problem being, we still don't know what our floodplain harvesting entitlement is, because these entitlements haven't, as yet, been issued to us by the NSW Government. We haven't even been given an indicative volume of our entitlements, which are long overdue.

When we conducted the floodplain harvesting expression of interest and irrigator behaviour questionnaire (IBQ) in 2013 / 2014 we were considered in the Gwydir valley for floodplain harvesting. The Gwydir valley Floodplain management 2016 – management zones clearly shows our properties in the Gwydir valley. We received a copy of this map in December 2017.

However, we were subsequently advised in May 2018 that *"The Department also determined that your land is predominately impacted by Namoi valley overland flow. Consequently, your floodplain harvesting claims will be considered during the assessment process for the Namoi."* Further that *"you will be advised of your proposed floodplain harvesting entitlement in the second half of 2018. Floodplain harvesting access licences will be issued to registrants in all valleys on 1 July 2019."*

On Saturday morning, 8 February 2020 we received significant rainfall which generated considerable runoff.

We subsequently found out via ABC media on Wednesday 12 February that a 3 day temporary suspension of s324 order had been in place for February 10 – 13. We had not received any communication from the NSW Government concerning this. The Water NSW helpdesk couldn't even answer questions concerning the temporary suspension - in fact they hadn't received the notification either (pers comms. Water NSW helpdesk operator 'Romana' 12 & 13 February). On

another occasion in this same period, Water NSW advised me *“we don’t do floodplain harvesting; you will need to contact the Department.”* Yet, Departmental staff cannot be contacted directly, as all calls need to go through the Water NSW call centre that won’t provide direct contact numbers. Further, announcement wording was ambiguous and we couldn’t identify if we were entitled to take water or not.

On 20 February 2020, NSW Government Industry made available to us designated floodplain maps which are ambiguous – I’m not actually sure now if we are located in the Narrabri - Wee Waa or Gwydir Designated Floodplain. Surely roads or folios could be depicted on these maps for clarity?

It is furthermore insulting that on 11 February 2020, a Departmental email from the Early Warning Network (EWN) stated *“We are aware that landholders are seeking further clarification on the floodplain harvesting order and its application”* and further that *“the Department is unable to provide individual decisions about whether a landholder has the legal right to take as this decision always rests with the landholder.”*

What exactly is the NSW Government doing? – it appears more intent on covering its own butt and bowing to community backlash against poor water management and administration following the 4 Corners *“Pumped”* story and image correction by threatening compliance and prosecution rather than working with stakeholders and providing timely, useful, concise advice to landholders and irrigators. Further, a 21 February 2020 update from the Natural Resources Access Regulator (NRAR) on the Healthy Floodplains project states *“Namoi valley will receive their information in April 2020”* (water supply work approvals etc) - the NSW Government is clearly ‘making it up on the run’ and not even adhering to their own timelines. It seems parallels could be drawn between water management by NSW Government and the Australian Government’s 2011 live cattle export ban.

Irrigators and landholders need very clear, concise, transparent timely information, communicated directly between the Department and landholders. Notifications need to clearly identify water sources, as in our case, are not always linked to nearby rivers / streams. I don’t believe the decision to implement an embargo on Floodplain Harvesting was decided by the NSW Government late on a Friday afternoon, so quite clearly the other stakeholders (ie landholders and irrigators) weren’t brought along with this administrative decision. No targets or volumes were communicated with us.

For a Government, the licensing of floodplain harvesting, and the recent implementation of temporary water restrictions to floodplain harvesting is being conducted in a very tardy manner. It is a mockery and completely unacceptable the late, vague notifications and that not even indicative entitlement volumes, have been issued, years after they were to be issued.

It is creating considerable uncertainty. What would happen if a similar rain event occurred on a weekend or public holiday? Such a heavy storm event may only occur once in a 5 year period, and we may miss an opportunity to use overland flow in lieu of precious groundwater. Hardly managing water in the best interest of the State.

Thanks again,

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