

Independent panel assessing the management of the 2020 Northern Basin First Flush event

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Dear Dr Craik and Mr Claydon,

Thank you for the opportunity to comment on the Draft Report of the Independent Panel Assessment of the Management of the 2020 Northern Basin First Flush Event.

The Lower Darling Pastoralist Group represents the interests of many pastoral family businesses along the length of the Lower Darling, covering over 1 million acres of pastoral country. The group represents the interests of pastoral holdings which depend on the Lower Darling for stock and domestic supply. Our families, businesses and communities are dependent on a healthy river. A number of families in this group have been sustainably farming in the region for over 150 years and have an intimate understanding and knowledge of the Lower Darling ecosystem from early white settlement.

Our families and businesses have been significantly impacted by mismanagement of our river system, and have experienced two extended periods of cease to flow since 2015, both lasting over 400 days. We know first-hand the physical, emotional, social and financial impact of a dying river, having what has historically been a thriving ecosystem die before our eyes.

When the rain which resulted in this flow event fell, the Lower Darling had experienced over a year-long cease to flow event – this event was unprecedented. The river and country were in ecological collapse. It is critical that an event like what we saw in 2019 never be permitted to occur again as a result of mis-management. It is therefore essential that there be improvements in the way rainfall and flow events are managed – protecting first flush rules are a key component of this.

We support the findings of this review, in particular:

- The management of a complex and multiple rainfall event using an adaptive management approach was a first in NSW.
- There were environmental and social benefits throughout the length of the system which resulted from the protection of flows.
- Whilst there were significant wins from this event, future events can be better managed.
- The agencies involved were ill-prepared for a flow event, which significantly hampered the management of the first flush.
- There was a lack of transparency in decision making from the community's perspective, connected in part to communication issues.
- There was a lack of data available to inform real-time decision making, in particular on floodplain harvesting and flow entering NSW from Queensland.

We support overall the recommendations of the draft review, and make the following comments in regard to gaps or areas to be addressed:

**Recommendation 1:** This recommendation is fundamental to protect first flush events. There is a need to clearly articulate what is meant by achieving connectivity of the system, and how this can be implemented. Statements in Recommendation 7 directly contradict this recommendation.

**Recommendation 7:** Aspects of this recommendation do not enable, and in some cases contradict, Recommendation 1.

- Extreme Events Policy: A stated principle is: “When an event has met local targets and is no longer expected to contribute to meeting downstream targets or is in excess of that required to meet downstream targets, some local extraction relief could be allowed.” This fails to recognise that major flow events are commonly the result of multiple rain events. This principle fails to prioritise connectivity and consider that subsequent rainfall events may occur. If this principle was enacted, and there were short delays in the subsequent rainfall events in February-April, we would not have seen the same achievements that were made during this event. We recommend this principle be removed.
- Extreme Events Policy: We would suggest a principle which reiterates the importance of system connectivity including the achievement of an end-of-system flow target.
- Water Sharing Plans: Trigger for protection of first flush rules should apply when the WSP area and/or downstream WSP areas are in drought OR have a cease to flow event OR risk to critical environmental and human needs are present.
- Water Sharing Plans: To ensure connectivity as stated by Recommendation 1, we would state that access should not be allowed until critical needs (as detailed) have been or are forecast to be met in all downstream WSP areas, not just for that specific WSP.
- Incident Response Guides: We would recommend that the Incident Response Guides be updated to identify what the specific needs for the local WSP area AND all downstream WSP areas. This will support Recommendation 1’s connectivity throughout the whole system. Without consideration of the needs of all downstream WSP areas, there will not be adequate protection of first flush events.

Kind regards,

**Katharine McBride**

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on behalf of the Lower Darling Pastoralist Group