

## Feedback on First Flush Draft Report

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To: independent panel first flush mailbox <independentpanel.firstflush@dpie.nsw.gov.au>

I confirm that I was a registrant for the Panel's webinar on the 27<sup>th</sup> July, and would like to make a comment on the Panel's first recommendation and on the reply of Wendy Craik to my question.

I was expecting a more independent and robust draft report from Wendy Craik and Greg Clayden, ostensibly well-credentialed panel members.

Unfortunately, from their performance at the webinar, they have turned out to be apologists for the cotton growers, or more particularly, the flood plain harvesters.

I questioned their assertion that ' the decision-making framework and flow forecasting were reasonably robust ' ; pointing to the lifting of the embargo within days of it being imposed, in early February,

they blandly accepting that infrastructure damage would have been suffered ( what, to illegal levees, perhaps ? ) being sufficient justification, as Wendy Craik asserted in answer to my question.

As pointed out in the SMH on 20 February, the bureaucrats hunted around the irrigators, a day or so after the embargo was lifted, seeking examples of the apprehended infrastructure damage.

The Panel was aware that at that early stage it was quite uncertain how substantial any subsequent rain events would be, so if they were half fair dinkum about their first recommendation about connectivity,

they should have come down hard on WaterNSW for prioritising the flood plain harvesters over the higher priority downstream critical needs, instead of commending its systems as ' reasonably robust ' .

I would respectfully submit the Panel should very substantially dilute, if not eliminate, their accolade for WaterNSW's ' reasonably robust ' systems, and at the very least, point to the huge flaw in the ' system ' which

permitted a blatant politically motivated decision to favour a few large scale irrigators ( who harvested a significant volume of water in just a few days before the huge outcries prompted the Minister to recant and

reimpose the embargo.

The Panel's credibility as genuinely independent in making its findings and recommendations is jeopardised if there is an appearance or impression, as there is in the draft report, of their ' going soft ' on WaterNSW

and its ' system ' .

In terms of Recommendation 1, I would respectfully suggest that ' connectivity ...for the length of the river ' should more specifically spell out that connectivity means all the way to the Lower Darling's connectivity

with the Murray at Wentworth.

In my opinion, this reinforcement is necessary as the history of the behaviour and attitudes of many northern irrigators, WaterNSW officers and the NSWIC has shown their belief that the concept of ' connectivity '

extends downstream only a bit beyond Bourke, not even Menindee, let alone Wentworth.

Were the history otherwise, the environmental, ecological, economic and social devastation wreaked upon Menindee and the Lower Darling would never have been allowed to occur.

Thank you for the opportunity to provide this feedback.

I await with interest the Panel's final report.

Yours faithfully,

Keith E Richards OAM,

