



870 Ophir Rd  
Summer Hill Creek  
NSW 2800

[www.cwecouncil.com](http://www.cwecouncil.com)

Department of Planning and Environment  
Western Region  
Level 1, 188 Macquarie St. Dubbo

[www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

April 14, 2020

**Re: Retention of the 108 ML/Day Extraction Level Restriction as Included in the Conditions of Consent for the Operation of the Macquarie River Pipeline.**

To whom it may concern,

I am writing to you on behalf of the Central West Environment Council (CWEC), which is an umbrella organisation representing conservation groups and individuals in Central Western New South Wales, working to protect the environment for future generations.

In this letter CWEC wishes to express its concern about Orange City Council's attempt to reduce the cease-to-pump trigger for the Macquarie River Pipeline to a permanent 70 ML/day, which is a significant departure from the 108 ML/day extraction level as required in the conditions of consent for the operation of the pipeline.

The 108 ML/day extraction level was established by NSW Planning as the result of an independent assessment conducted by Barma, Brewster and Kingsford/Mc Cann. The reports from this assessment clearly state the reasons for establishing a 108 ML/day trigger. This volume was supported by the Independent Planning Commission in the approval of the pipeline project.

CWEC understands that 108 ML/day is a balanced and responsible trigger for the continued optimum use of the Macquarie River pipeline, based on the above assessment. The temporary emergency rate of 38 ML/day is clearly unsustainable long term and must be terminated as soon as Orange's emergency water situation is over. It is also obvious that the 70 ML/day change to the extraction rate as sought by Council is unacceptable. This figure appears to have been selected by Orange City Council without the support of any environmental assessment.

Many river ecologists accept that the health of a river is indicated by the health of its fish populations. Brewster established that 92 ML/day was the minimum flow rate in the section of the Macquarie River in question to allow fish passage between rock pools. This is important because of the presence of the Native Fish Recovery Project in the locality, and as it relates to the EPBC Act.

Any changes to the trigger should be referred to the Federal authorities, Dept. Environment and Energy: EPBC 20/11/6202 for assessment. To our knowledge Council has not done this.

In applying for a drastic readjustment of the Macquarie River pipeline extraction rate, Orange City Council is choosing to ignore previous conditions imposed by Planning authorities, also ignoring evidence reported through independent assessment. The 108 ML/day trigger was arrived at through a legitimate legal and environmental process. To make arbitrary changes such as this would make a mockery of the environmental processes that currently govern New South Wales' planning and infrastructure decisions.

Based on the above, Central West Environment Council requests the following.

- △ That the existing 108 ML/day be retained following the cessation of the need for the temporary measures put in place under the Critical Needs Bill. 108 ML/day has been established as a sustainable cease to pump trigger as established through independent hydrological research.
- △ That the temporarily approved trigger of 38ml/day approved under the Water Supply Needs Bill be removed immediately as soon as Orange's combined water storage (Suma Park and Spring Creek dams) reaches 50% capacity.
- △ That Orange City Council's application for a permanent 70 ML/day change should not be approved because of the obvious discrepancy between this figure and the 108 ML/day which has been scientifically verified and endorsed as sustainable by the Department of Planning, and included in the conditions of consent for the operation of the pipeline.

Yours sincerely



Cilla Kinross

President, Central West Environment Council

**References:**

Brewster Consulting: Independent Review of Hydrology Modelling Macquarie River to Orange Pipeline.

Richard Kingsford and Justin McCann: Adequacy of environmental assessment of the proposed Macquarie River pipeline to the city of Orange.

Barma: Independent Peer Review. Orange and Region Water Alliance submission to NSW Planning on the EA for the Macquarie pipeline.