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## **SUBMISSION**

### Barwon-Darling/Baaka Floodplain Harvesting Regulation

Central West Environment Council (CWEC) is an umbrella organization representing conservation groups and individuals in central west NSW working to protect the local environment for future generations.

While CWEC recognizes the need to regulate floodplain harvesting in NSW, we do not support the approach being taken by the NSW Government to enable the continuation of the diversion of large volumes of critical overland flows in the Barwon-Darling/Baaka valley. We have been similarly critical of the approach taken to the proposed regulation of floodplain harvesting in the Macquarie valley – a key contributor of inflows to the Darling/Baaka.

Better management of all flows in this important river system is critical to ensure restoration of resilience and recovery from the ecological collapse caused by past over-extraction. Large blue-green algae blooms and major fish kills must be prevented.

We think it is particularly inappropriate for the large irrigation industry to be granted new, large access licences when the requirements to provide native title licences under the NSW *Water Management Act 2000* and cultural water under the Murray-Darling Basin Plan have not yet been met.

It is very difficult to understand the volume of water proposed to be licensed for floodplain harvesting extraction in the Barwon-Darling/Baaka from the available documents on public exhibition. CWEC deplores the lack of transparency in this

process. We note that there are significant data gaps that impact the certainty of the models developed to assess the appropriate volume. A key flaw in the NSW Floodplain Harvesting Policy is the focus on extractive rights with no comparable investment in understanding environmental, cultural and social impacts.

We urge that all unapproved floodplain works and those identified to adversely impact ecological and cultural values on the Barwon-Darling/Baaka are remediated or removed before works access licences are granted. It is particularly important that no floodplain works are licensed for floodplain harvesting access in the ecologically and culturally sensitive Zones A & D on Barwon-Darling/Baaka designated floodplain.

Comments on proposed rules:

1. Accounting –  
CWEC supports annual accounting only with no carryover.  
CWEC supports a 1 ML unit share or less for an initial water availability determination for each individual new license.  
CWEC supports a 1 ML unit share or less for subsequent annual water availability determinations for each individual new license.  
CWEC objects to an exemption for rainfall runoff on developed fields. All water take must be accounted for through the licensing system.
2. Trading –  
CWEC does not support any trading of floodplain licences. This will cause environmental and cultural harm and will be too difficult to regulate.
3. Access to flows –  
CWEC supports the placement of strong rules to manage resumption of floodplain harvesting after dry periods. The end-of-system flow targets set for the main tributaries are not adequate. These flows must be protected from extraction in the Barwon-Darling/Baaka.  
CWEC objects to the low triggers set within the valley for resumption of access. The target in Menindee Lakes must be 450 GL to protect the ecological values of the lake system and to ensure connectivity with the Lower Darling and Lower Murray.
4. Protection of held environmental water -  
The Australian taxpayer has purchased water to be managed for environmental outcomes. Flows generated by the release of environmental upstream of the Barwon-Darling/Baaka, including from Queensland, must be protected from extraction if they enable overbank flows.
5. Amendment provisions-  
CWEC supports strong amendment provisions in the water sharing plan to enable reduction in access to floodplain harvesting when new information is gained through the metering process and better understanding of return flows from the floodplain.

CWEC welcomes the opportunity to provide feedback on this important new regulatory process. We stress the importance of protecting the environmental, cultural and downstream social values and the need for adaptive management to repair past ecological damage.

Yours sincerely

A handwritten signature in cursive script, reading "C. M. Kinross", is centered on a light gray rectangular background.

President