



24th January 2020

Mr Jim Bentley
Chief Executive Officer – Water
DPIE Water
Level 10
10 Valentine Avenue
Parramatta NSW 2150

Re: Section 324 pumping restriction in the northern Murray Darling basin.

Dear Jim,

As a follow on from previous correspondence between our groups and the Department on the issue of Section 324 orders in our regions and in light of the pre-emptive order utilised over the Christmas period and the current order in place, our groups would like to raise a number of matters with you regarding the processes around pumping restrictions.

We recognise that in times of drought, difficult decisions around sharing limited water must be made. We understand your focus will remain on the critical aspect of accessing water supplies for firefighting requirements and securing critical human needs. As members of the Northern Basin, our communities appreciate the efforts of government to implement good policy decisions and processes to meet these requirements.

However, ensuring that these decisions use the best information available and are consistent and transparent, and outcomes evaluated are our key concern.

To this end, there is a genuine need for a substantial review of the Public Interest Test. This should include details of the metrics used, the process undertaken and agreement on transparency. This would help regional NSW communities better understand the outcomes your government seeks to achieve and the options used to manage climatic conditions. Attached to this document is the NSW Irrigators Council correspondence on this matter prior to, and after, the Water Amendment Bill 2018. We ask that a formal review and process for the application of the Public Interest Test be implemented and applied urgently.

Discussions by WaterNSW this week between groups in each of the regions have provided additional light on technical requirements and are a positive step forward. However, much more work and evidence are required at a valley scale to demonstrate that a consistent, transparent process is being utilised in making a decision to temporarily restrict a flow or not, in the public's interest, noting the Minister's intent that impacts to water users are to be considered.



Further suggestions include:

- Definition and consultation on critical targets for each valley – environmental, stock and domestic, Basic Landholder Rights and town water supplies. What volumes are required, how do we know that these critical needs have been met and are we monitoring them?
- Assessing the capacities of each of the regulated and unregulated systems to contribute to critical targets both instream and downstream. Noting that significant work has been undertaken on targets in the Barwon Darling but not other systems.
- Definition of channel constraints, to allow for some sharing of flows greater than these capacities upstream.
- Assessment of river management efficiencies – can we deliver remaining held water during unregulated events and minimise our current dam deficits.
- Assessment of cumulative impact – is this a multi-system or multi-valley event.
- Socio-economic considerations – the timing of the event, the opportunity cost to industry of not being able to access that event versus the cost of alternative options (in regards to town water supplies).
- Exploration of pay-back mechanisms to offset socio economic impacts.
- Clear and efficient process for removal of flow restrictions when critical targets have been met.

The inconsistency in the application of the current northern valleys regulated and unregulated 324 order, as well as, local operational decisions around where water can be directed within a valley must be discussed as the decision framework remains unclear to industry at this point.

We trust that this feedback will help to inform that process and we seek a meeting with you and Water NSW CEO David Harris and relevant staff on either the afternoon of the 5th or anytime on the 6th of February when all NSW Irrigators Council Executive Officers will be in Sydney. We look forward to further discussions with you.

Yours Sincerely,

Jon-Maree Baker
Executive Officer
Namoi Water

Zara Lowien
Executive Officer
GVIA

Ian Cole
Executive Officer
Barwon-Darling Water



namoi water

Handwritten signature of Tim Napier in blue ink.

Tim Napier
Executive Officer
BRFF

Handwritten signature of Grant Tranter in black ink.

Grant Tranter
Executive Officer
MRFF

cc. Minister for Water, Property Housing The Hon. Melinda Pavey, David Harris CEO Water NSW