

**Submission  
No 52**

**IMPACTS OF THE WATER AMENDMENT (RESTORING OUR RIVERS) ACT  
2023 ON NSW REGIONAL COMMUNITIES**

**Name:** Ms Janet Walk

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In tendering this submission, I would like to reference the Ken Henry findings on his recent review of the NSW Biodiversity Conservation Act 2016 (BCA).

“Governments need to put nature protection first by overhauling these key laws and backing them in with adequate resourcing.”

“Inadequate safeguards, significant decision-maker discretion, and lax biodiversity offsetting rules have left our native species and natural landscapes at risk.”

The ecosystem as a whole is degenerating rapidly before our eyes. And while there is much talk and many pieces of legislation to allegedly to prevent it's collapse the review reveals that the opposite is happening.

Without adequate water in our rivers there is no possibility of our healthy communities, biodiversity or life itself.

The nature of Excluded Works exemptions means there is no assessment of the accumulated level of water take via the exemptions. The total volume of water taken under these exemptions isn't known by the NSW Water Group, or any other NSW government agency, nor is it accounted for in the Murray Darling Basin Plan. This "loop hole" allows vested interests to a bypass legislation at the expense of the Water Sharing Plan. Ultimately, it is competing users and the natural environment (the only habitat we've got) that is the price.

An example is that at a recent mining proposal in the Central West, the Bowdens Silver Project. The development application proposes to collect an average of 924 megalitres of rainfall and runoff each year from the site under the excluded works rules This water is unlicensed and will be used in processing of silver lead and zinc. Due to its further contamination by its use will not be able to be rehabilitated and returned to the system.

Therefore these "exemptions" for excluded works need to be reformed and included in the allocated take from the environment and competing users.

Thank you for considering this submission.