

Submission
No 174

**INQUIRY INTO RATIONALE FOR, AND IMPACTS OF,
NEW DAMS AND OTHER WATER INFRASTRUCTURE IN
NSW**

Organisation: Central Darling Shire Council

Date Received: 9 February 2021

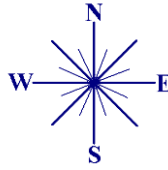
CENTRAL DARLING SHIRE COUNCIL

CONSTITUTED 1 MAY 1959

ABN: 65 061 502 439

E-mail: council@centraldarling.nsw.gov.au
Website: www.centraldarling.nsw.gov.au

PLEASE ADDRESS ALL
CORRESPONDENCE TO:
THE GENERAL MANAGER
P. O. BOX 165
WILCANNIA NSW 2836



PHONE (08) 8083 8900
FAX (08) 8091 5994

COUNCIL CHAMBERS
21 REID STREET
WILCANNIA NSW 2836

10/2/2021

SUBMISSION NSW LEGISLATIVE COUNCIL INQUIRY

**Inquiry into the rational for, and impacts of, new dams, and other water infrastructure
in NSW.**

Recommendations

- 1. *The lower Darling must be managed to deliver a healthy and connected river.***
- 2. *Local government and communities of interest must be part of the ongoing management discussions and decisions.***
- 3. *Government must listen to stakeholder comments and feedback.***
- 4. *Important spiritual and cultural values of the Aboriginal populations along the river must be recognized in all management decisions and this community needs to be engaged in the active management of the river system.***
- 5. *There is a need for a cooperative and collaborative approach to be adopted if long-term solutions are to be agreed upon and implemented.***
- 6. *Critical urban infrastructure capital investment such as town water supply, storage, treatment plants and storages for remote rural Councils must be owned and funded by central government. This must include depreciation as the capacity to pay is not sustainable in these communities.***
- 7. *Strategic worst case scenario planning must be undertaken for critical human needs water supply, given the highly variable flows in the Darling system.***
- 8. *Government must plan, fund and deliver capital projects in a timely manner.***
- 9. *Finalise and fund the Western Weir Strategy***
- 10. *Develop cross border water use arrangements to deliver a healthy Darling River.***

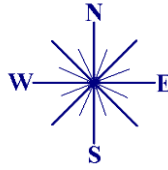
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Background

Central Darling Shire encompasses an area of over 53,000 square kilometres, about the size of Tasmania, making it the largest Local Government Area (LGA) in New South Wales. Conversely, population figures for the Shire are the lowest with 1,837 residents dispersed throughout and surrounding the towns of Ivanhoe, Menindee, Wilcannia and White Cliffs, and its localities of Darnick, Mossgiel, Sunset Strip and Tilpa.

The Council has the lowest rate base in NSW.

The Shire is characterised by a small aging and declining population. About thirty-eight percent of the population consists of Aboriginal people who live mainly in Ivanhoe, Menindee and Wilcannia.

The principal economic activities within the Shire include pastoral, horticultural, agricultural, mining and tourism. Rural grazing properties represent the largest land use within the Shire, accounting for 97% of the entire area.

The Central Darling Shire is bounded by the Shires of Bourke, Cobar, Carrathool, Balranald, Wentworth and the Unincorporated Area.

A Lower Darling Community

Central Darling Shire has the largest river length in NSW being located on the lower Darling River, and its community has a long and historic connection to the river.

The River System has long held important spiritual and cultural values to the Aboriginal populations along the river and this needs to be recognized in all management decisions.

During the early European settlement of the region the river provided a important transport route with Wilcannia being the third largest inland port for transport of the regions agricultural production.

Due to the latest drought and the resultant period of no flow in the river, the community has experienced first-hand the following impacts:

- towns with severe water restrictions, having to source bottled water for drinking

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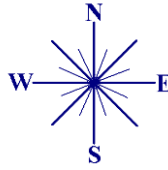
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- devastating fish kills at Menindee
- drying of the region's wetlands
- the loss of cultural connection by our First Nations peoples to the river

The community sees the management of the river as a "whole of catchment basis" to ensure connectivity and to deliver to downstream communities a healthy, reliable, and resilient water resource. No subsection of the catchment can be considered in isolation.

The Inquiry

Council welcomes the opportunity to make the following comments in respect to the Terms of Reference.

Menindee Lakes - Water allocation

Since changes to NSW water rules in the Northern Basin in 2012, the Menindee Lakes and the Lower Darling River have faced critical water shortages for more than 50% of the time. During this period, there has been 3 extended cease-to-flow events in the Lower Darling River, there were 3 fish kill events in the Menindee weir pool (a scale which has never been recorded in either European history, or indigenous culture) and the Darling Anabranch has only flowed once.

The formation of the Menindee Lakes Sustainable Diversion Limit Adjustment Mechanism (SDLAM) Project Stakeholder Advisory Group began in mid-2019 and was orchestrated mostly by the former NSW Land and Water Commissioner, with help from MDBA community engagement officers and staff from DPIE (water).

Central Darling Shire Council is a member of the Stakeholder Advisory Group (SAG). The group consists of 25 peers, selected representatives from community groups that represent Indigenous nations, irrigators, pastoralists, stock and domestic water users and local government. There are representatives from the Menindee Lakes, the Great Darling Anabranch and along the Darling River from Wilcannia to Wentworth, being an estimated 1100 kilometres of river.

From the very first meeting of the group, and every subsequent meeting, the single main issue that has been raised is: ***giving priority to fresh water through-out the Darling River system, from the Queensland border to Wentworth.***

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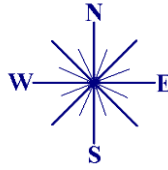
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The critical human needs for towns, cultural and stock & domestic water needs of riparian landowners, must be provided for before access to irrigation is allowed in the Barwon-Darling and Northern Tributaries.

Critical flow triggers in the Barwon-Darling and Lower Darling, and storage volumes in the Menindee Lakes, need to be determined to ensure the protection of the health of the river is made a priority before access to water for irrigation is allowed during dry and or low flow years. The purpose of flow triggers and targets is to provide for turning over water in weir pools, providing for fish passage and providing for the dispersal of blue-green algae in the lower Darling River system.

Similarly, a volume target for Lake Wetherell and Lake Parmamroo in the Menindee Lakes Scheme, should be set to provide for up to two years water security for the Lower Darling to prevent the potential for future fish kills. Such a volume would be consistent with the original intent of the management of the Menindee Lakes, to provide two years drought reserve for far-west NSW.

The Group seeks:

1. Draw water past Burke, Louth, Tilpa, Wilcannia, Menindee & Pooncarie to ensure a healthy connected river.
2. Provide for cultural outcomes conducive with a healthy river system.
3. Provide critical human needs of towns, and stock & domestic water needs of riparian landowners.
4. Aligns with recent government reviews.
5. Provides water quality, fish passage and connectivity.

Council has long recognized the importance of the Menindee lakes ecosystem and is sponsoring a proposal to have the Lakes listed as a Ramsar site. Support has been obtained from the Western Division of Councils, The Far West Joint Organisation of Councils, Regional Development Australia Far West NSW, Murray Darling Association and Local Government Association NSW.

The loss of water in the Menindee Lakes has had a devastating impact on the community socially, economically, and environmentally and this has been well documented in previous reports.

The most recent being:

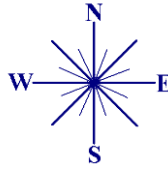
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Water security for inland Far Western Towns

Local Councils along the river system are local water utilities and depend on a connected healthy flowing river to extract water for human consumption for urban settlements and have a strong interest in management decisions in the operation of the river.

The Councils of Walgett, Brewarrina, Bourke and Central Darling met in Sydney in late 2019 following the Local Government Conference and considered the issue of Water Security. The meeting agreed that the drought conditions and water shortages being experienced along the system should not be repeated and actions should be taken as far as possible to mitigate any chance of recurrence.

It was noted that the current situation is causing significant financial, emotional, and social stress to all those living along the Darling /Barwon River system.

Representatives agreed that:

- The solutions will require a bipartisan and cooperative approach at all levels of government and pledged to work alongside the other tiers of government.
- There is an urgent need to finalise the Western Weirs Strategy and Plan and clearly articulate the plan to all communities along the river system.
- There is a need to utilise the weir strategy including the existing storages to ensure that each community reliant on the system as their primary water source, has access to a minimum (2) year's supply of water with such water held in storages quarantined accordingly for that purpose.
- New weirs that are constructed and designed must allow for the periodic flushing of storages as the opportunity rises
- Provision is made for the construction and equipping of groundwater bores to all urban supplies, that can supplement the increased urban weirs storage and further enhance town water security during dry or low flow periods.
- Recognition be given to the importance of the social, and recreational benefits to be derived from a permanent water supply including the cultural benefits derived by the Aboriginal community.

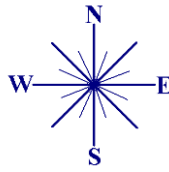
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Water supply Infrastructure in Central Darling Shire

Central Darling Council is a local water supply authority supplying the Towns of White Cliffs, Wilcannia and Ivanhoe.

Wilcannia draws its supply directly from the Darling River from a weir. A new weir was proposed some 30 years ago, and it was finally funded by the State and Federal Governments(\$30m) for construction to commence late in 2021. Funding for the construction of the weir was always beyond the capacity of the local community and assistance was only achieved when it appeared Wilcannia would run out of water in 2019, when funding was announced by the former Water Minister, Niall Blair.

An issue to emerge during funding was that Government believed asset ownership of the weir rested with Council. This took considerable negotiation to resolve that it belonged to the state. This should never have been an issue as the weir has always been maintained by the state. Clear asset ownership must be established by an audit. This should be addressed by the Western Weirs Strategy.

Planning and funding for critical human infrastructure such as water supply must be undertaken as a priority and be conducted in a timely manner not at the point of impending disaster.

Council believes a new approach is required for the funding of urban capital water infrastructure (treatment plants and storage) for Far Western rural and remote Councils with a small rate base such as Central Darling. These communities find it difficult to fund the required capital cost/contribution, let alone meet the annual depreciation costs. Council has received State Government funding of \$12m to upgrade the Water Treatment Plants at White Cliffs, Wilcannia, and Ivanhoe as well as the water reticulation system at White Cliffs. However, once construction has been completed, legislative accounting practices require Council to recover the estimated depreciation cost of \$417k/year (over 30 years) from these communities. Rate Payers in Central Darling Shire are paying rates, fees and charges well above those in urban and semi-rural councils, whereby any further increases services fees and charges will result in residents relocating away from the Shire or defaulting on their payments. This will result in a circular motion of decline in our economy throughout the shire.

An alternative model is that the state government should meet the full cost of all new capital works which would mean they would own the asset and could contract out to the local authority, operational aspects thus removing the burden of depreciation on the local authority.

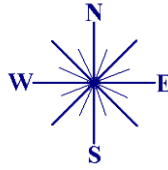
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Central government has a clear community service obligation to deliver a potable water supply to far western communities where they do not have the capacity to pay.

Climate Change/State Water Agreements

There is general community acceptance that climate change is impacting our weather and that we all must adapt to meet the emerging challenges.

Council supports adaptive water management but is concerned that there is not an integrated catchment management approach across state borders or for a River System such as the Darling. A Fair Go for all along the river must be achieved to ensure first flush events triggered by rainfall in the upper catchments can flow along the river course to ensure connectivity before capture for irrigation.

Conclusion

It is appreciated that balancing the needs of the various stakeholders along the river to develop workable solutions is incredibly difficult and we trust the issues raised in this submission can contribute to the development of the policy framework.

We see that:

1. Maintaining the lower Darling as a healthy and connected river is essential for our region's way of life.
2. Local government and communities of interest must be part of the ongoing discussions.
3. Government needs to listen to stakeholder comments.
4. Important spiritual and cultural values to the Aboriginal populations along the river must be recognized in all management decisions and this community needs to be engaged in the ongoing, active management of the river system.
5. There is a need for a cooperative and collaborative approach to be adopted if long-term solutions are to be agreed upon and adopted.
6. Critical human urban infrastructure capital investment such as town supply storage and treatment plants for remote rural Councils must be owned, and funded by

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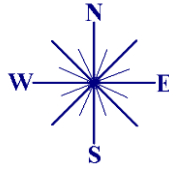
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7. Strategic worst case scenario Planning must be undertaken for critical human needs water supply, given the highly variable flows in the Darling System.
8. Government must plan, fund and deliver capital projects in a timely manner.
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Bob Stewart

Administrator

Greg Hill

General Manager