DHARRIWAA ELDERS GROUP

Rationale for, and impacts of, new dams and other water infrastructure in NSW

Above: A blue coffin for the death of the river was left in the Ngamaay River after a community mourning ceremony and protest was held in Walgett, March 2019. This photo shows the devastation caused by preferencing irrigators over the environment and communities. Walgett's drinking water, water for gardens and green spaces, source of river food and experiences shared on the river by generations - were wiped out for months in 2018 and 2019. We entreat the inquiry committee to consider the health, social, emotional and economic impacts on Walgett and similar towns of the proposed NSW dams which we think will only benefit dam-building companies, NSW Treasury and irrigators.

Submission into the Portfolio Committee No. 7

Planning and Environment inquiry

from

Dharriwaa Elders Group

22 September 2020

This submission relates to the Mole River and Dungowan Dams and the Macquarie regulating storage.

Thank you for the opportunity to make a submission into the inquiry into the rationale for, and impacts of, new dams and other water infrastructure in NSW.

Dharriwaa Elders Group understands that the Portfolio Committee No.7 - Planning and Environment, is conducting an inquiry into the rationale for, and impacts of, new dam and mass water storage projects proposed by Water NSW including Wyangala, Mole River and Dungowan Dam projects, the Macquarie River reregulating storage project and the Western Weirs project, particularly:

a) the need for the projects, including the historical allocation of water and consideration of other options for ensuring water security in inland regions,
b) the economic rationale and business case of each of the projects, including funding, projected revenue, and the allocation and pricing of water from the projects,
c) the environmental, cultural, social and economic impacts of the projects, including their impact on any national or state water agreements, or international environmental obligations,
d) the impacts of climate change on inland waterways, including future projections, and the role of dams and other mass water storage projects in ensuring security of water supply for social, economic and environmental outcomes
e) water infrastructure technologies that may promote enhanced environmental outcomes, and
f) any other related matter.

Dharriwaa Elders Group

Dharriwaa Elders Group is from Walgett, a river town of about 2,100 people, the majority Aboriginal. Walgett is where the Baawan (Barwon) and Ngamaay (Namoi) Rivers meet, upstream of the town of Bourke. Walgett is in Gamilaraay Country, close to the borders of Ngiyambaa and Wayilwan Countries, and is now home to Gamilaraay, Yuwaalaraay, Ngiyambaa and Wayilwan Aboriginal Nations, as well other Aboriginal and non-Aboriginal people.

Dharriwaa Elders Group agrees with the statement in the Committee's media release that inland rivers are the lifeblood of the communities that live along them and the surrounding environment.

Rivers have always been, and remain central, to Walgett culture and life. Rivers provide drinking water and food, water for birds and animals, gardens and food security. For Aboriginal people the health of the river and the health of people come first.

In recent times Walgett's Aboriginal community has suffered from drought, climate change and the river drying up. The lack of water and food security is of great concern to Elders. There is a widespread belief that Walgett's current situation is due to the way water is managed, and that irrigators upstream of Walgett have been favoured, over people downstream. It is a failure of a

system that is required by law to manage the rivers in the interests of all Australians.

The condition of the rivers

The wellbeing of surface and groundwaters is our prime concern. We are witnessing the drying and dying of the Namoi and Barwon Rivers, and the life that depends on them. Healthy rivers were one of our most important sources of food, and we can no longer feed our families.

The carrying out of cultural and family activities in and around the water has been severely affected by the poor condition of the rivers. Our concerns extend to the communities downstream of Walgett also.

Background to the new dams

The Prime Minister and the Premier of New South Wales announced several water infrastructure projects in October 2019; the expansion of Wyangala Dam, the new Dungowan and Mole River Dams, and a re-regulating storage on the Macquarie River.

The NSW Parliament passed the *Water Supply (Critical Needs) Bill 2019* last year. This legislation is intended to smooth the path through assessment and approvals processes. The New South Wales Deputy Premier, John Barilaro, said construction for the Wyangala and Dungowan Dams will begin by October 2020 – before the consultation and the Environmental Impact Statement are due to be finalised.

The Prime Minister, Scott Morrison, announced in June 2020 that he will reduce the approval times under the Environmental Protection and Biodiversity Conservation Act for infrastructure projects.

Dharriwaa Elders Group specific concerns about the projects

The dams are being rushed through without proper processes being followed. Public consultation won't be finished until after the construction starts. The Environmental Impact Studies are incomplete or inadequate, or won't be finished until after work starts.

We address the terms of reference below.

a) *The need for the projects, including the historical allocation of water and consideration of other options for ensuring water security in inland regions*

Dharriwaa Elders Group believes that the projects are not needed. The problem is not too little water, but too much water allocated to irrigation. River and water management in NSW must undergo a complete change. The first step should be that the NSW Government manages the rivers in a manner consistent with the Principles of the *NSW Water Management Act 2000.* The NSW Natural Resources Commission released a report into the Barwon-Darling Water Sharing Plan in 2019. It states;

> *Priorities under the Act are clear*
>
> *The Act makes it clear that water sharing is not about balancing uses and values, it is about firstly providing for the environment and secondly recognising basic landholder*

rights above other uses. The relevant water sharing principles are found in section 5(3) of the Act (water sharing principles), and are part of a broader set of water management principles. The Act specifies that:

- *a) "sharing of water from a water source must protect the water source and its dependent ecosystems, and*
- *b) sharing of water from a water source must protect basic landholder rights, and*
- *c) sharing or extraction of water under any other right must not prejudice the principles set out in paragraphs (a) and (b)."*

Further, section 9(1) of the Act provides that "It is the duty of all persons exercising functions under this Act:

- *a) to take all reasonable steps to do so in accordance with, and so as to promote, the water management principles of this Act, and*
- *b) as between the principles for water sharing set out in section 5(3), to give priority to those principles in the order in which they are set out in that subsection." [1]*

Steps towards this is ensuring that all rivers have end-of-system flows before water is allocated to irrigation.

b) The economic rationale and business case of each of the projects, including funding, projected revenue, and the allocation and pricing of water from the projects,

The business cases, where they exist, have not been made public. Accurate estimates of the cost of these three projects is not known. Based on the information available, the projects are estimated to cost between eight hundred and fifty million and one billion dollars.

The feasibility study for the Mole River Dam shows the poor use of money building this dam, and the poor practice used in an effort to justify it.[2] It states that a Mole River Dam is not economically viable at the NSW government recommended discount rate of between three and ten percent. The study states that the discount rate needs to be lower than 3 percent, and that crops will need to change away from cotton, for the dam to be viable. Almonds are used to justify this change. There are no almonds grown in the Border Rivers region. The Murray-Mallee region used as a comparison with the Border Rivers.

c) The environmental, cultural, social and economic impacts of the projects, including their impact on any national or state water agreements, or international environmental obligations,

The Mole River and Dungowan Dams and the Macquarie regulating storage affect our Country directly by holding more water in the dams and reducing flows downstream. Evaporation from

[1] NSW Natural Resources Commission. 2019. *Final report, Review of the Water Sharing Plan for the Barwon-Darling Unregulated and Alluvial Water Sources 2012.* NSW Government, Sydney.
[2] Jacobs. 2017. *Mole River Dam Feasibility Study*, WaterNSW.

the surfaces of new and larger bodies of stored water will mean less water in the rivers. The water stored will be used for irrigation and town water supply in the Border Rivers, Peel River and Macquarie River, at the expense of flows to people and the environment, particularly on the lower reaches of the rivers.

We are concerned that the projects may not meet criteria under the *Environmental Protection and Biodiversity Conservation Act 1999*. There may also be a requirement to consider them under the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984.*

The projects will damage and destroy Aboriginal Cultural heritage.

The Macquarie storage will drown important Murray-Cod habitat in the mid-Macquarie River.

WaterNSW modelling shows that flows to the Ramsar listed Macquarie Marshes will be reduced.

d) The impacts of climate change on inland waterways, including future projections, and the role of dams and other mass water storage projects in ensuring security of water supply for social, economic and environmental outcomes

Rivers are already drying from a combination of drying conditions and over-use of water for irrigation. Rivers need to flow. The Barwon-Darling Rivers did not dry up before large scale irrigation, even in the Federation Drought, and the droughts of the 1920s and 1940s. Holding more water in mass storages in upper and mid catchments comes at the price of reduced security of water for social, economic and environmental outcomes downstream.

e) Water infrastructure technologies that may promote enhanced environmental outcomes

There are better ways to provide water and food security for river towns. Firstly, the rivers should flow before water is allocated for irrigation.

Towns like Walgett need enhanced engineering capability so that risks from climate change emergencies to our drinking water infrastructure and thereby public health can be managed.

Drinking water quality projects must be prioritised to meet obesity prevention strategies and targets. In Walgett we know that sugary drinks are more likely to be consumed than water. Also there is a long-held loss of confidence in the quality of drinking water.

More regular chemical testing must be undertaken by NSW Health and NSW DPI Water so that health impacts of industries upstream are understood and mitigated.

Waste water recycling and other water saving measures and infrastructure must be installed in towns like Walgett so that precious river water is not squandered and more water is preserved for the environment. Recycled water should be used to water cemeteries, ovals and other green spaces in our towns.

Water efficiency measures in communities must be supported so that community gardens and household gardens can operate using less water, and so that the reverse osmosis systems can process larger percentages of the total daily drinking water required.

Key people working for Council need appropriate remuneration and an invigorated approach to recruiting supported in regional NSW so that we can attract professionals with appropriate skills to live and work in regional NSW to operate our infrastructure.

A new regional water utility must be created (could be the Orana Water Utilities Alliance[3]?) to provide capability to member Councils in this regard, to reduce key personnel risks. Towns like Walgett need effective reverse osmosis systems to provide safe drinking water. The recently installed Walgett RO system is not capable of producing the quality of water our town requires - its size only cuts the current sodium levels in Great Artesian Basin water by half to approx. 150mg/L where 20mg/L is safe for people with severe hypertension or congestive heart failure

> *"Medical practitioners treating people with severe hypertension or congestive heart failure should be aware if the sodium concentration in the patient's drinking water exceeds 20 mg/L."*[4]

Currently Walgett Shire Council is not capable of fluoridating the drinking water despite NSW and Commonwealth governments spending millions installing the equipment necessary. A regional water utility needs to be established to ensure fluoridation in Walgett and similar towns.

The Australian Drinking Water Guidelines must include health guidelines for sodium.

New affordable, accessible local protein production for local consumption must be prioritised and subsidised to compensate for the loss of river foods in our community's daily diet.

f) Any other related matter.

These dams will undermine the outcomes and objectives in the *Water Management Act 2000*, the *Water Act 2007*, and the Murray-Darling Basin Plan. Their construction does not meet the requirement of the *Water Act 2007* that the Murray-Darling Basin be managed in the national interest.

[3] https://www.oranajointorganisation.nsw.gov.au/water-utilities

[4] Page 927, National Health and Medical Research Council, Natural Resource Management Ministerial Council, 2011, *National Water Quality Management Strategy, Australian Drinking Water Guidelines version 3.5 updated August 2018*