

NSW FIRST FLUSH ASSESSMENT,  
C/O DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT,  
LOCKED BAG 5022, PARRAMATTA NSW 2124.

5-6-2020

*Submission by email*

[independentpanel.firstflush@dpi.nsw.gov.au](mailto:independentpanel.firstflush@dpi.nsw.gov.au)

Dear Independent Panel,

**Re: NSW First Flush Assessment**

Cotton Australia welcomes the opportunity to make this brief submission to the “First Flush Inquiry” and looks forward to further engagement with the Panel.

Cotton Australia is the peak body representing Australia’s cotton growers and ginners, many of whom are irrigators and operate across the irrigation valleys of North-West New South Wales.

Cotton Australia is an active member of the New South Wales Irrigators Council (NSWIC), and also works closely with the valley-based irrigator groups across the North-West. These groups are best placed to give detailed information on how the February event was managed, and feedback on the of deficiencies in the process.

While Cotton Australia generally endorses the submissions made by the organisations referenced above, should the views expressed in those submissions be different with the views expressed in this submission, the position of Cotton Australia is the position expressed in this submission.

### **General Comments**

Cotton Australia accepts that due to the extreme drought antecedent conditions, and the associated critical water needs along the length of the Barwon-Darling river system an embargo on access was not unexpected, and it was understandable that the NSW Government implemented one to ensure critical human needs were met.

Cotton Australia also acknowledges that the flows that were generated from rainfall events across South-West Queensland and North-West NSW did not all originate from one rainfall event, but from a number of events that tended to roll into each other, and therefore the volume of flows changed significantly over time, adding complexity to forecasting.

However, as the last of the flows from this series of weather events draw to a close, it appears highly likely that in excess of 600,000 megalitres will reach the Menindee Lakes and well past 700,000 megalitres will pass the last point of irrigation extraction at Bourke, many times the original target of 30,000 to -60,000 megalitres at Menindee.

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Further, we are now in a position that the Lower Darling General Security allocation is at 30%, the second highest in NSW, behind the 50% allocation awarded to the tiny Upper Namoi entitlement. There is no doubt that the management of this event has seen an unnecessary transfer of irrigation induced economic and social activity from the tributary valleys of North-West NSW to the Lower-Darling.

Cotton Australia acknowledges that irrigators along the main trunk of the Barwon-Darling did eventually receive good access in accordance with their licence conditions once the embargo was lifted along it in early and mid-March, but the tributaries were granted little or no access until the event had passed.

#### *Water Sharing Plan Rules*

While there has been much focus on the term “First-Flush”, as if it was a new concept, Cotton Australia contends that each Water Sharing Plan has significant access rules embedded in them to ensure a “First-Flush” or alternative end-of-system connectivity from flow events.

Cotton Australia does not intend to document those rules in this submission, but urges the Independent Panel to consider them in detail, and commission modelling on what would have been the flow result along the Barwon-Darling and into Menindee Lakes, if those rules had been allowed to operate free of an embargo.

**Recommendation 1:** That the Independent Panel carefully consider all the existing water access rules that form part of the Water Sharing Plans for the north-west NSW catchments, how they contribute to connectivity and end-of-system flows, and commission modelling demonstrating what flows would have reached Menindee if the rules were followed, without the imposition of an embargo.

#### *Targets, Pre-Planning and Communication*

While the implementation of an embargo was not unexpected, given the antecedent condition and critical water needs, there was very little if any pre-event communication, around expected targets and scenarios. The NSW Government, through its Department could have pro-actively communicated situation updates as the drought extended, and clearly articulated targets that had to be met to either avoid or end an embargo situation.

As it happened, the only conclusion irrigators and other community members could draw, was the Department was developing targets on the spot, and then shifting the “goal-posts” as the flow forecasts grew. It would be much better if targets and scenarios were well communicated and consulted on prior to the event.

Further, the Department needs to be very clear, and communicate the purpose of any embargo.

In the management of this flow, not only did the Department easily ensure critical water needs, and ensured environmental connectivity, but by maintaining the embargo it shifted economic and social wealth from the top of the Basin, to the bottom. This is way outside the purpose of an embargo, and really impinges on the purpose of a water sharing Plan.

**Recommendation 2:** While generally opposed to Section 324 Embargos, Cotton Australia does believe that if the NSW Government is going to implement them, there should be a structured process to develop and consult on possible management options linked to a range of flow scenarios, and clear purposes identified, which do not stray from meeting critical human and environmental needs.

#### *Flow Forecasting*

The management of flow forecasting during this event was extremely poor. Government relied on forecasts that were either developed far too late, where overly conservative, failed to take into account flows (Queensland flows) or where the result of a combination of all the deficiencies.

While Cotton Australia acknowledges government will always lean on the modelling advice of its own modelers, there was a lot of other information that both at the time and in retrospect more accurately assessed flows, and if accepted would have clearly validated an earlier lifting of the embargo.

There is a critical need to improve the accuracy and timeliness of modelling, and a special effort needs to be taken to ensure the long-term accuracy of modelling flows out of Queensland.

**Recommendation 3:** That systems be put in place to ensure accurate and timely modelling, including the full inclusion of Queensland flow data.

*Queensland Access*

It was extremely disappointing to see calls for restriction to be placed on legitimate irrigator access in Queensland, supposedly to increase flows in NSW.

It must be recognised that Queensland was managing its access under its MDBA accredited Water Resource Plans, which have end-of-system flow requirements, and further, the fact that so much water did make it across the border, and eventually into Menindee shows the plans working as they should.

*If Additional Rules Are Recommended*

While Cotton Australia is not advocating for additional “First-Flush” rules, should they be recommended, the Panel must ensure they recognise channel capacity, existing rules, travel times and other factors to ensure no entitlement-holder is unfairly disadvantaged, and the rules do not facilitate a catchment-to-catchment transfer of social and economic wealth.

**Conclusion**

Cotton Australia hopes the Independent Panel will carefully assess the existing rules, consider what the result would have been if those rules had been allowed to run, carefully consider what desired outcomes should be managed through either embargos or additional rules, and ensure the primacy of existing Water Sharing Plans are upheld in all but the most exceptional circumstance.

Where exceptional circumstances do require further action, then those situations need to be well considered, and communicated in advance, to ensure outcomes are met, without unfairly disadvantaging upstream communities.

Cotton Australia urges the Panel to engage further, and directly with impacted irrigators and their representative organisations, and if it requires further information from Cotton Australia please contact Michael Murray, General Manager – [michaelm@cotton.org.au](mailto:michaelm@cotton.org.au) or 0427 707868.

Yours sincerely,



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Cotton Australia