



I N L A N D  
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Thursday 28 May, 2020

**Comment on Referral 2020/8654:** WaterNSW/Water Management and Use/near Tenterfield/New South Wales/Mole River Dam Project

## Introduction

The Inland Rivers Network (“IRN”) is a coalition of environment groups and individuals that has been advocating for healthy rivers, wetlands and groundwater in the Murray-Darling Basin since 1991.

IRN has strongly objected to new dams in NSW because of their extreme impacts on natural flows and water quality in river systems and on dependent threatened species, wetlands and Matters of National Environmental Significance (MNES).

The proposed new 100 GL dam on the Mole River has not yet been adequately assessed and is likely to have greater impacts than those identified in the referral document.

WaterNSW, the proponent, fails to identify that the Mole River, a tributary of the NSW Border Rivers is in the Murray-Darling Basin. The purpose of the Basin Plan is to address over-extraction of water and declining environmental health in these river systems.

The Border Rivers Water Resource Plan has a requirement to meet a Sustainable Diversion Limit under the Basin Plan. This responsibility is not recognised in the referral document.

The apparent key justification for the Mole River Dam Project is to provide more water for extraction for the irrigation industry. This contradicts the agreements signed by the NSW Government to meet Basin Plan objectives.

The referral document also fails to recognise that the Border Rivers are highly connected to the Barwon-Darling water source which is the main connector between the Northern and Southern

Basin. Any additional reduction in flows in the Border Rivers will have a cascading impact throughout the Basin, down to the Ramsar listed Lower Lakes and Coorong.

IRN considers that the referral document and attachments submitted for the Mole River Dam Project are very limited in information and demonstrate a poorly considered project in regard to environmental and social impact.

## **Comments on the Referral:**

### **1. Justification for proposed action**

The description and justification for this proposed action is very poor. The Mole River Dam Project appears to benefit a few downstream irrigators at the expense of the environment and river health.

The description of high evaporation rates in on-farm storages, as a justification to disrupt the hydrology of a river system that is recognised to be in a healthy condition, cannot be supported.

The assessment of the Mole River under the Water Resource Plan process, High Ecological Values Aquatic Ecosystem (HEVAE) identification, has scored the Mole River as having high instream values. This is not noted in the referral document.

The justification for the project ignores the impacts of climate change and predicted lower rainfall and inflow patterns. Recent reports released by the Murray-Darling Basin Authority and the Interim Inspector General have noted a significant decrease in rainfall and runoff in the last 20 years. This is the reason for more intense droughts and higher evaporation rates.

The Interim Inspector General report states that ‘inflows from the NSW tributaries and lower Darling have experienced the greatest proportional reductions.’<sup>1</sup>

The building of a new dam will exacerbate downstream environmental, cultural and social impacts caused by lower inflows and is not the correct response to climate change problems. Water Sharing Plan rules for the NSW Border Rivers surface water source do not recognise the most recent drought of record when making available water determinations. Therefore, this project will not result in the proposed outcome of providing a more secure water supply for industry. It will only result in using more water faster.

The rationale behind the NSW Water Supply (Critical Needs) Act 2019 is not met by this project. It will not provide town water supply or critical human needs. In fact, the project will decrease access to basic rights, stock and domestic and town water supplies downstream in the Barwon-Darling.

Towns and localities on the Barwon-Darling listed under NSW Water Supply (Critical Needs) Act 2019, such as Walgett, Bourke and the Darling River between Bourke and its junction with the Murray River, will be further impacted if the Mole River Dam Project goes ahead and captures more flows from the highly connected NSW Border Rivers.

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<sup>1</sup> Interim Inspector General, April 2020. Impact of lower inflows on state shares under the Murray–Darling Basin Agreement p9

There are no towns or localities listed with a critical water supply in the vicinity of the Mole River Dam Project.

Details about the impact on biodiversity, the environment and cultural heritage are lacking for this project.

As already stated, there is a failure to identify that the Border Rivers are in the Murray-Darling Basin with associated commitments to the Basin Plan.

## **2. Consultation**

There has been no consultation or contact with IRN in regard to this project. We are a Peak state-wide group representing environmental and regional interests in regard to water management in NSW. IRN is not recognised as a stakeholder in the Scoping Report at 7.1.1.

We consider that community consultation on this project has been very poor and there is little information available in the public domain other than a two page fact sheet on WaterNSW website with misleading information in regard to environmental benefits of the project.

## **3. Matters of national environmental significance (MNES)**

This proposed action will have a significant impact on the vulnerable Murray Cod through an additional major barrier to fish passage in the Northern Basin. There is no evidence in the referral document or WaterNSW Project Scoping Report that this impact will be mitigated.

There was an undertaking in the adoption of the final Sustainable Diversion Limit for the Northern Basin that existing barriers to fish passage would be improved. The Mole River Dam Project will add a significantly large barrier that is likely to cause a continued decline in population of the vulnerable Murray Cod.

Reduced flows downstream of the proposed dam will reduce connectivity to downstream rivers and further impact on habitat of the vulnerable Murray Cod, particularly drought refugia. No environmental offset will be able to compensate this impact and no environmental offset for reduced flows and reduced connectivity is offered in the referral.

The proposed action may have a significant impact on some migratory bird species due to changes in hydrology and capture of minor floods that may replenish billabongs and drought refugia downstream.

IRN considers that the assessment of impacts on migratory bird species must be undertaken as a controlled action.

## **4. Description of project area**

4.1 The description of the hydrology of the project area fails to identify the high level of connectivity of the Border Rivers to the Barwon-Darling. Flows from the Border Rivers, particularly low flows during dry times, are important inflows into the Barwon-Darling to replenish water holes and drought refugia.

4.2 The description of the current condition of environment relevant to the project area provides no evidence to substantiate the claim that condition of native vegetation is poor. No

on ground surveys have been conducted. The fact that the majority of the inundation area is woodland habitat will cause a significant impact on MNES in the area.

4.3 The description of Indigenous heritage values is very limited because no on ground surveys have been conducted to verify the level of impact on cultural heritage.

4.4 The description of existing or proposed uses relevant to project area makes reference to the Border Rivers Water Sharing Plans. However, the referral document fails to mention the Border Rivers Surface Water Resource Plan and NSW Government commitments to the Murray-Darling Basin Plan to manage water extractions to the agreed Sustainable Diversion Limit for the Border Rivers

Also there is no information provided about the current use of freehold land in the proposed inundation area.

## **5. Measures to avoid or reduce impacts**

This section of the referral is very poorly completed. The requirement to describe measures to mitigate environmental impact is not met.

While there is mention of the possibility of fish passage being included in the project design, no commitment is made and no description of the measure is provided.

No other measures are outlined to avoid or reduce impacts.

No information is provided in regard to measures to avoid or reduce impacts on MNES.

## **6. Conclusion on likelihood of significant impacts**

IRN does not agree with the conclusion that there are unlikely to be significant impacts on migratory birds. There is no assessment of the impact of changes in hydrology to downstream flows and migratory bird habitat through the capture of 100 GL of low, medium and high flows in the Mole River.

## **7. Environmental record of proponent**

Water NSW has demonstrated poor environmental management of past projects.

A legal requirement under the NSW Fisheries Act to construct three fish ways on weirs in the Macquarie River system (at Gin Gin, Gunningbar and Marebone), to offset the impact of upgrades to Burrendong Dam, have not been met after 9 years.

There is no certainty that impacts on the vulnerable Murray Cod will be mitigated through this project even if the construction of fish passage is a condition of approval.

We also note that a previously referred dam project, the Augmentation and Safety Upgrade of the Chaffey Dam on the Peel River, has resulted in local extinction of the endangered Booroolong Frog. This is because the agreed biodiversity offset areas do not contain a population of this endangered MNES.

## **8. References**

The three documents provided as reference sources are very preliminary documents with no comprehensive information on which to make a decision.

## **9. Proposed alternatives**

No alternatives to the proposed action are provided in the referral document.

Alternatives should include improved efficiency in water use, improved management and design of on-farm storages, changes in rules in Water Sharing Plans, diversification of industry and crops in the region so that regional economies are not so heavily water dependent.

WaterNSW, as the proponent of the project, has a conflict of interest because the proposed action will provide increased income for the agency, through more regulated water allocations and therefore, sales.

There is no justification to include this project in the NSW Water Supply (Critical Needs) Act 2019. It will not be providing critical human needs. In fact, it is likely to further threaten downstream critical human needs by prolonging drought conditions.

The environmental and public cost of the project will vastly outweigh any perceived benefits to a small population. These costs have not been adequately identified in the Scoping Paper or the referral document.

Yours sincerely



Anne Reeves  
Hon Secretary