# Logo_Colour2 Lachlan Valley Water Inc

# ABN 38 597 032 631 Sustainable, productive and efficient water use in the Lachlan Valley

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**Media Release**

**11 December 2023**

“WaterNSW Steals Water from Lachlan Producers”

Water users in the Lachlan Valley recently received a rude shock when they opened their September water allocation statement to find that WaterNSW had taken some of their water allocation without warning. Not only had WaterNSW taken the water, but the Department of Planning and Environment (DPE) had used an incorrect formula to do so that further negatively impacts water users.

The application of the incorrect Evaporation Rule and without industry consultation is another example of the incompetence and lack of customer engagement displayed by DEP and the restructured WaterNSW team according to Lachlan Valley Water Chairman, Tom Green.

The Evaporation Rule is a formula that is applied to Water Access Licence (WAL) holders General Security (GS) accounts, to reflect evaporation of water from Wyangala Dam (and potentially Lake Cargelligo and Lake Brewster) for carried over water that wasn’t used in the previous year. It seeks to work out what percentage of the stored water would have evaporated, and then apply this to the WAL water allocation by reducing the allocation, basically “taking” the water.

“We can’t begin to fathom the levels of incompetence or the depths of arrogance required by new WaterNSW organisation that it taken to get us to this point” says Mr Green. “We sat down in 2018 with WaterNSW and worked out a rule that everyone agreed to and was content with. For the last 10 months we’ve been asking WaterNSW and the Department of Planning and Environment for information we could share with our members so they knew what to expect when it was to be applied from September this year. We heard nothing, then boom! We wake up one morning to find water taken from our accounts and when pressed, WaterNSW advise they’ve worked out a different rule and still cant explain why the rule everyone previously agreed to wasn’t applied!”

Mr Green said that a “back of the envelope” calculation showed the new rule penalises WAL holders twice that as what the previously agreed rule would have. “What we suspect was that the rule agreed to in 2018 was lost during the restructure of WaterNSW along with other vital operational knowledge, and time and time again we’ve essentially been told “we know boats” when we’ve voiced our concerns. God help us when there’s another flood event like 2022. We have lost confidence in WaterNSW’s operational ability and their willingness to engage with their customers” he said. Mr Green said they even though Lachlan Valley Water had supplied DPE with a copy of document containing the 2018 agreed rule, on DPE letterhead, DPE and WaterNSW chose to ignore it and blindly pushed on with a rule they knew was detrimental to the water users.

Mr Green said that water users understand and agree that evaporation needs to be considered, however is vital that a fair and effective rule be applied so as not to unjustly penalise water users. “WaterNSW and the Department have advised that they are reconsidering the formula used in the rule, but here we are nearly two months down the track and still no progress. And no indication if water users will be recredited. It’s a complete farce” said Mr Green.

An extract from a Department of Planning and Environment information sheet regarding Evaporation Reduction on 5 October 2023 states:

“*The notion of tracking carryover water and its usage in accounts over time and calculating a*

*reduction due to evaporation on the remaining carryover balance each quarter, such that*

*those using their carryover water (or moving it to an unaffected account) could reduce their*

*carryover reduction compared with those using allocation water, was initially found by*

*system developers to be excessively complicated and costly to implement.”*

Mr Green says that the 2018 rule being excessively complicated and costly was “rubbish”. “We worked with DPE and WaterNSW during the 2108 State Advisory Panel to agree to a rule that they could implement and was cost effective. It reeks of bum-covering to mask their complete incompetence” Mr Green said.

It’s understood that Lachlan Valley Water’s repeated requests to meet and collaborate on the rule have been largely ignored by both DPE and WaterNSW. Lachlan Valley Water wrote to both the Deputy Secretary of the DPE, Amanda Jones, and WaterNSW Chief Operating Officer, Andrew George last week, again requesting an urgent meeting and seeking to have the matter rectified before government department shut down this week. “We just got the brush off, and a token offer to catch up in the new year. That doesn’t address the current issue, doesn’t begin to address it, nor does it even an attempt to begin address it” Said Mr Green.

The effects of El Nino and the continued escalating costs of state and federal reforms are already being felt by producers, with proposed water buy-backs set to reduce the consumptive pool further. “We don’t need WaterNSW pinching additional water because someone forgot to pick up a filing cabinet from the Dubbo office during the restructure” said Mr Green.

Lachlan Valley Water is calling on WaterNSW and the Department of Planning and Environment to use the rule agreed to during the 2018 State Advisory Panel process and immediately recredit water users the difference for the water taken in September this year.

For more information contact Lachlan Valley Water Chairman, Tom Green on 0427 877 971, or email [eo@lvw.com.au](mailto:eo@lvw.com.au)

Lachlan Valley Water (LVW) is the valley-based industry organisation representing surface water and groundwater users in the Lachlan and Belubula valleys. Our members include irrigators, stock and domestic water users, other industries including mining, landholders exercising basic land rights and all categories of licences except for those held by environmental water managers.

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