

## MEDIA RELEASE

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# Water users need certainty on floodplain harvesting

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Water users across NSW are looking for bipartisanship and goodwill to end the uncertainty and confusion over floodplain harvesting since the exemption regulation was disallowed last month.

NSWIC CEO Claire Miller said the exemption regulation was a stop-gap until floodplain harvesting was licensed in northern valleys by 1 July 2021, and then in southern valleys later.

“The regulation was poorly drafted, poorly communicated, and poorly timed,” said Ms Miller. “This created confusion about its purpose and allowed misinformation to thrive.

“But the result is irrigators across NSW are left uncertain what to do if it rains heavily tomorrow. No water users are immune, as highlighted in a Weekly Times article today.<sup>1</sup>

“We need our elected representatives to put politics aside and come up with a solution to address the shortcomings in the original regulation and give water users compliance certainty.”

Floodplain harvesting is defined as the impoundment of water on a designated floodplain. It includes overland flow and rainfall runoff. Water supply works capturing flows will be taken into account when determining licence volumes, if built before 3 July 2008. Total aggregate water take, including floodplain harvesting, will be within the Basin Plan’s sustainable limits.

Every landholder is required to capture rainfall runoff from their property to meet works approval obligations under the *Protection of the Environment Operations Act 1997*, to ensure potentially contaminated runoff does not enter waterways.

“This means irrigators are stuck between inconsistent laws that both require them to capture water, and simultaneously to not capture, that same water,” Ms Miller said. “It’s a mess.”

“NRAR has indicated it will consider each case on its merits, including the pathway to licensing compliance. Our worry is that a pathway is only set out for northern valleys by 1 July 2021. So where does that leave our southern irrigators?

“The NSW Government committed to licensing this form of take in 2000. The frustration is successive governments have taken 20 years to get around to it. Licensing remains the only enduring solution, but it is almost certainly going to rain before 1 July 2021, so we – everyone in the State - needs certainty in the meantime.”

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<sup>1</sup> <https://www.weeklytimesnow.com.au/news/national/satellite-images-reveal-southern-murray-darling-basin-irrigators-are-floodplain-harvesting/news-story/65e9c4246a1c5808d9a1be2288af4157>