



## MEDIA RELEASE

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# New regulations to cutback floodplain harvesting to comply with state's water usage limits

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Regulations to limit floodplain harvesting were today gazetted, requiring cutbacks to comply with the state's water usage limits, as well as metering obligations.

NSW Irrigators' Council (NSWIC) described the regulations as *the right thing to do*, in order to safeguard water users and their communities, and the environment right across the Basin.

Policy Manager of NSWIC, Christine Freak said, "These regulations require water sourced from floodplains to have to comply with the state's water usage limits and be subject to the same requirements and obligations as all other water sources".

The *Murray-Darling Basin Cap on Surface Water Diversions* was introduced in 1995 as the limit on how much water can be extracted, however, there has been no mechanism to properly account for floodwater diversions within this limit, until now.

The regulations come as previous temporary efforts to manage floodplain harvesting were disallowed out of concerns temporary exemption measures may reduce the momentum to complete this proper licensing and metering process, and finally get it done right.

"It is not acceptable in the 21st century to have an entire water source left unmanaged and excluded from the state's water usage limits and obligations, so this is a necessary reform to change that."

The new requirement will be enforced by requiring farmers to hold a volumetrically limited licence, and for the first time, be required to meter floodwater use.

"Importantly, these regulations do not involve new or more water to irrigators - quite the opposite - licensing will cutback the amount of floodwater that can be accessed when it does flood."

"Without licensing, there's no cutback, no accountability, and no safeguards."

Brendan Griffiths, an irrigation farmer and university academic said, "This more sustainable level of floodwater diversion will mean more water stays on the floodplain or flows downstream when it floods, with official reports highlighting the positive outcomes the policy will have for native fish, native vegetation, waterbirds and important ecosystem functions.

"This reform does however come at a cost to the impacted communities who will need to adjust to a future of less floodwater access."

As the name suggests, floodplain harvesting requires a flood event, where rivers are full and overflowing. The most recent flood event has led to forecasts for nearly 1000GL of water to reach Menindee Lakes.<sup>1</sup> Floodplain harvesting cannot occur without a flood.

“Climate change means floods will be fewer and further between, making it increasingly important to account for every drop of water, even when it floods,” said Christine Freak.

### Downstream flow targets

The industry is aware of calls for downstream flow targets and additional safeguards to be developed, and understands that work has been planned.

“Irrigators also support calls for review and any refinement of existing triggers to be developed to improve connectivity for downstream critical human and environmental needs in times of drought, but want a scientific, not political, solution,” said Christine Freak.

Evidence indicates that the best way to improve connectivity is to manage water in the river channel, not that has already spilled into vast floodplains that may never again reach a river. We support an evidence-based approach that can be most effective at actually realising these important objectives.

“Drought management is an incredibly important conversation to ensure critical human and environmental needs are prioritised, but it’s a separate conversation to flood management.”

The industry is on the record<sup>2</sup> calling for clear and transparent downstream targets to prioritise critical human and environmental needs during the most recent drought.

“Irrigators support a rules-based approach but to do that properly and scientifically takes time. In the meantime, our industry has a responsibility to ensure floodplain harvesting is cutback to be compliant with the state’s water use limits and properly metered, which these regulations require of irrigators,” said Christine Freak.

Whilst there remains further work to do, there is diverse stakeholder support for these foundations of establishing this compliance framework, and requirements that floodwater will need to be metered and measured. These regulations do not establish licence volumes. Consultation continues on the next steps of the process, which involves determining the actual licence rules, which will be written into Water Sharing Plans for each valley.

Today is an important step to meeting requirements under the Basin Plan and National Water Initiative. This reform is the result of a work program that has been nearly two decades in the making.

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<sup>1</sup>[https://www.watarnsw.com.au/\\_data/assets/pdf\\_file/0007/166408/Operations-Update-26-April-21-Barwon-Darling-flow-event-March-2021.pdf](https://www.watarnsw.com.au/_data/assets/pdf_file/0007/166408/Operations-Update-26-April-21-Barwon-Darling-flow-event-March-2021.pdf)

<sup>2</sup><https://www.nswic.org.au/wordpress/wp-content/uploads/2020/02/2020-02-18-NSWIC-Calls-for-Clear-Plans-for-Drought-Recovery.pdf>