
MEDIA RELEASE

Irrigators supported environmental reform, Upper House did not, leaving unlimited floodplain harvesting in place

06/05/2021

The NSW Upper House has voted for continued unlimited water take, to the detriment of the environment and communities right across NSW.

The Upper House voted to disallow regulations to limit and meter floodplain harvesting (the take of floodwater, when it floods).

The NSWIC legal advice from a leading law firm is unequivocal: disallowing the regulations to reduce, licence and measure floodplain harvesting means continued uncontrolled and unlimited floodplain harvesting that is not subject to rules or metering obligations.

This is the outcome no one wanted. This legal advice is consistent with previous advice from the Crown Solicitor, and further advice from the Crown Solicitor has been sought as further clarification.

All stakeholders have expressed support for limiting, licensing and metering, so it is simply unreasonable for the Upper House to play politics, and stoke division against community expectations.

“Our communities have worked hard to have proper regulation implemented because it’s the right thing to do, it’s been on the table for two decades now. We have done this in good faith. These political games jeopardise the support for governance in affected farming communities,” said NSWIC CEO Claire Miller

Our position is clear and remains unchanged, although we will need to consult with our membership as this has been a blow to their good-faith commitment to this reform.

Irrigators have supported this water reform, and did our due-diligence, and it’s disappointing others did not, and have made a poor decision.

The Upper House has made its decision in an attempt to circumvent due process and force downstream targets that are needed for droughts – not floods. Clearly, these are two separate processes and policies.

“The priority must be getting flood management safeguards into place through reducing, licencing and measuring floodplain harvesting, and getting on with the work to properly develop more drought management safeguards ready to improve connectivity in the next big dry.”