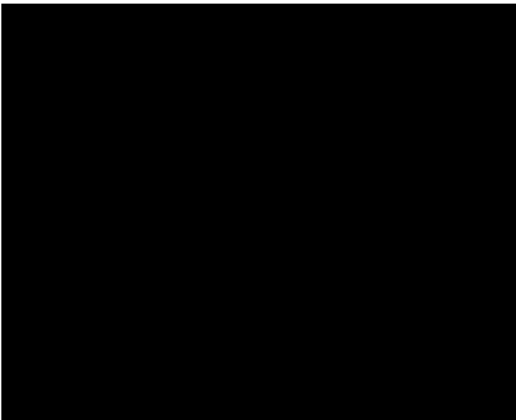


DPIE – Water  
Locked Bag 5022,  
Parramatta NSW 2124  
[floodplain.harvesting@dpi.nsw.gov.au](mailto:floodplain.harvesting@dpi.nsw.gov.au)



Friday 12 March 2021

## **Floodplain Harvesting rules for Gwydir Regulated and Unregulated Rivers**

### **Introduction**

[REDACTED]

[REDACTED] recognises the importance of bringing Floodplain Harvesting (FPH) under regulatory control in NSW to meet the requirements of the Murray-Darling Basin Plan and to return over-extracted water to rivers and wetlands for long-term environmental repair.

The climate change predictions for inland NSW regions indicate a major decrease in water availability in the landscape due to lower rainfall and runoff, higher evaporation rates and higher temperatures. This has major implications on the resilience of environmental and cultural values that have been compromised through increased water extraction over time, especially through the growth of FPH in the Gwydir Valley.

The massive expansion of the irrigation industry that has occurred in the Gwydir Valley over the past 30 years based on free, unmeasured and unmanaged access to flood flows has caused significant environmental and social damage to other water users in the NSW Northern Basin.

The Gwydir Valley supports the internationally significant Gwydir Wetlands that are largely flood dependent and require a range of flood flow volumes, frequency and duration to support wetland vegetation, native fish and water bird habitat.

The cultural significance of the Gwydir River, its wetlands, billabongs and lagoons also depend on flood flows. As does groundwater recharge and connectivity to downstream water sources, especially the Barwon-Darling River.

## **Process to manage FPH in the Gwydir Valley**

██████ considers that an ongoing bias towards supporting unsustainable irrigation practices is inherent within the process being rushed through to license FPH in the Gwydir Valley.

The NSW Government has had a policy in place since 2013. This has been amended in favour of industry outcomes in 2018 and 2020, to the detriment of all other water users, including the environment.

The most recent, and belated report on exempting rainfall runoff is a case in point.

Once again the irrigation industry is being handed free access to water that no other agricultural industry enjoys. Rainfall runoff has been managed under the 10% harvestable rights rules. All other water take for commercial purposes must be covered by a water access licence.

Water interception and extraction in the Gwydir Valley will not be under the Plan Limit or 1993-94 Cap Limit while ever unmeasured, free access to rainfall runoff is granted.

The proposed volumes of FPH to be licensed, at about 97 GL, is too great a gift in the form of new, compensable private property rights plus approximately 30 GL of exempt rainfall runoff, for free.

The modelling used to arrive at these estimates lacks key data inputs including actual harvested volumes, characteristics of flow pathways, return flows, losses between farm and river gauges and a range of other important data sets.

██████ does not support the proposed management rules that provide maximum access to available flood waters. These will not lead to a level of recovery for the environment and downstream connectivity flows needed to repair the cumulative impacts of 30 years of unfettered flood extractions.

██████ is also concerned that a large number of unapproved works exist on the Gwydir floodplain with no clear or accountable process of removal or management.

## **Rules to manage new FPH licenses in the Gwydir Valley**

██████ supports that the initial determination of access to flood flows under new FPH licences is limited to 1 ML per unit share. This is critical for protecting flows to drought affected areas downstream, including overdrawn groundwater sources.

An annual accounting rule with no carryover is also critical to ensure that access to flood flows is limited to 1 ML per unit share.

Access rules to ensure that flows from the Gwydir Valley contribute to important flow targets in the Barwon-Darling system are an essential inclusion to the management of FPH access licenses.

The targets have been developed to protect flows for basic landholder rights requirements along the Barwon-Darling River, provide opportunity for the passage of fish across the major weirs in the Barwon-Darling River and to protect flows needed to suppress blue-green algae.

These access rules are currently implemented in the Gwydir Regulated Water Sharing Plan to manage access to supplementary flows.

Because of the large volumes of water proposed to be licensed for FPH in the Gwydir Valley, these same flow targets must be included in both the Gwydir Regulated and Unregulated Water Sharing Plans to manage access to flood flows.

**Objects of the *NSW Water Management Act 2000 (WMA)***

The hierarchy of priorities in the objects of the WMA is first to meet environmental needs and second to meet basic rights.

FPH licences should be at a similar level of priority as Supplementary Water licences in that water availability determinations are restricted first so that higher priority water uses are met.

Obligations to meet the requirements of the international Ramsar and Migratory Bird Treaties in regard to water needs of the Gwydir Wetlands and also First Nations cultural values must be considered when managing access to flood waters through FPH licences.

The granting of new, compensable private property rights is a financial gift to the irrigation industry in the NSW Northern Basin that must be managed to ensure that water sharing is conducted under the priorities of the WMA.

Yours sincerely

