

## Managing floodplain harvesting in NSW

### Key facts

- **Floodplain Harvesting Policy:** Floodplain harvesting is the capture and use of water flowing across a floodplain. Historically, floodplain harvesting extractions have been unlicensed and unmonitored in NSW. In 2013, the NSW Government introduced the Floodplain Harvesting Policy to stop unconstrained floodplain harvesting by bringing legitimate floodplain harvesting activities into a licensing framework.
- **Managing extractions:** We need to manage all extraction of water in NSW so it does not exceed the sustainable diversion limits (SDLs) set by the Murray–Darling Basin Plan. These SDLs build on existing limits set out in the NSW water sharing plans, which are set at or below ‘cap conditions’, i.e. the volume of water that can be taken under 1993–94 levels of development and management conditions. In 2008, an embargo was placed on works that facilitate harvesting of water from a floodplain. Only works not affected by the embargo will be eligible for a licence and given approval to harvest floodplain water under the Floodplain Harvesting Policy. If required, floodplain harvesting licences in combination with account management rules will be used to return any growth in diversions back to the sustainable diversion limit.
- **Modelling:** We have made a significant investment in data and hydrological modelling to accurately quantify floodplain processes and the floodplain harvesting components of water sharing plan limits. NSW Department of Industry, together with the Murray Darling Basin Authority (MDBA), has commissioned an independent review of NSW Floodplain Harvesting Policy implementation, the results of which are expected to be presented to stakeholders in May 2019.
- **Monitoring and auditing:** With the release of floodplain harvesting water access licenses, compliance measures must be established to ensure a fair system of floodplain access and reliable water supply for downstream users. To support future water security, the NSW Government requires floodplain take to be measured and reported.
- **Environmental impact:** The purpose of the NSW Floodplain Harvesting Policy is to manage floodplain water extractions more effectively in order to protect the environment and the reliability of water supply for downstream water users, consistent with the NSW *Water Management Act 2000* and Commonwealth Basin Plan requirements.

### Floodplain Harvesting Policy

The NSW Government is currently implementing the NSW Floodplain Harvesting Policy as part of broader water management reforms across the Murray–Darling Basin. The policy aims to:

- provide clarity and certainty around how floodplain harvesting is managed in NSW
- protect downstream users and the environment from the effects of unconstrained floodplain harvesting
- secure the social licence for legitimate floodplain harvesting activities to continue
- provide a licensing regime that will form the basis for effective compliance and enforcement.

### Modelling

To implement the policy, we have made a significant investment in data and hydrological modelling to accurately quantify floodplain processes and the floodplain harvesting components of water-sharing plan limits. Licensed floodplain harvesting extractions will be created through amendments

to the *Water Management Act 2000* regulations and will provide certainty and security for eligible floodplain water users, allowing them to access the resource within water sharing plan limits.

To improve stakeholder confidence, the department, together with the MDBA, has commissioned an independent review of NSW floodplain harvesting policy implementation, including independent peer review of revised floodplain harvesting modelling in Northern NSW. The focus of the independent review is to ensure that the modelling is technically robust, based on the best available information and that implementation of the NSW Floodplain Harvesting Policy is consistent with relevant legislation and other related policies.

## Monitoring and auditing

NSW Department of Industry and the Natural Resources Access Regulator are committed to implementing a robust new floodplain harvesting monitoring and auditing framework to promote accountability, sustainability and fair access to Murray–Darling Basin water resources. With the planned release of floodplain harvesting licences, the NSW Government needs an effective monitoring and auditing system that will drive voluntary and positive action, and deter unlawful activity.

## Impact on the environment

Under the NSW *Water Management Act 2000*, water extractions, including floodplain harvesting extractions, must be taken under an appropriate water access licence, a basic landholder right or a licence exemption.

The purpose of the NSW Floodplain Harvesting Policy is to manage floodplain water extractions more effectively in order to protect the environment and the reliability of water supply for downstream water users, consistent with the act and Commonwealth Basin Plan requirements.

## Managing extractions

The NSW Government will ensure that floodplain harvesting fits within the sustainable diversion limits set by the Basin Plan. We will use floodplain harvesting licences in combination with account management rules to return any growth in diversions back to the sustainable diversion limit.

We are currently undertaking an independent peer review process to build confidence in the implementation of the NSW Floodplain Harvesting Policy. As part of this process, we will examine the efficacy of different entitlement and account management rule combinations in achieving the policy objectives.