



SUSTAINING THE BASIN | HEALTHY FLOODPLAINS

NSW Floodplain Harvesting Policy

April 2017

What is floodplain harvesting?

Floodplain harvesting is the capture and use of water flowing across a floodplain that is not covered by another extraction category such as an access licence, harvestable right or capture of irrigation runoff in tailwater return systems according to license conditions or best management practices.

The NSW Government finalised the NSW Floodplain Harvesting Policy in May 2013. The Floodplain Harvesting Policy is now being applied state wide to bring floodplain harvesting activities into a statutory licensing and approvals framework under the *Water Management Act 2000*.

Why do we need a Floodplain Harvesting Policy?

This policy provides a framework for the management of water extraction from our floodplains for the benefit of existing water users and the environment. It ensures that eligible floodplain water users have the security of a water licence that is compensable under the *Water Management Act 2000*.

Under the Policy, the amount of floodwater available for extraction in NSW will be capped and shared among water users. All works undertaking floodplain harvesting extractions will require an approval from NSW DPI Water before being used to capture floodplain harvesting water.

Works on a floodplain in north-west NSW



What are the key points in this policy?

- Under the *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 NSW Floodplain Harvesting Policy provides a framework for licensing floodplain harvesting extractions.
- The NSW Floodplain Harvesting Policy applies to all floodplain harvesting within New South Wales.
- Floodplain harvesting extractions will be managed within existing long-term average annual extraction limits (LTAAELs). There will be no growth in overall extractions on a valley-wide basis as a result of the implementation of the policy.
- All floodplain harvesting activities will require a water supply work approval and a floodplain harvesting access licence authorised under the *Water Management Act 2000*. The period for submitting a ‘registration of interest’ (ROI) to obtain a floodplain harvesting licence has now closed for all five northern valleys concerned (Gwydir, Upper and Lower Namoi, Border Rivers, Macquarie, Barwon-Darling).
- Only works constructed on or before 3 July 2008, or for which a valid application under Part 2 or Part 8 of the *Water Act 1912* or the *Water Management Act 2000* was made on or before that date, are eligible for assessment under the policy.
- Not all works that are capable of floodplain harvesting will necessarily be authorised for floodplain harvesting activities. For example, works for which an application for an approval was required and not made on or before the 3 July 2008 cut-off date will not be authorised for floodplain harvesting. A floodplain harvesting access licence may not be issued for the full volume a work is capable of harvesting or historically harvested as of the 3 July 2008 cut-off date.

Floodplains in the central west of NSW



How is the policy being rolled out in NSW?

The floodplain harvesting policy is being implemented in NSW in five stages:

1. **‘Registrations of interest’** –DPI Water asked water users to submit an ROI to obtain the necessary authorisations to undertake floodplain harvesting activities. This stage has now ended across all five northern valleys.

2. **Determining eligibility** – The ‘registrations of interest’ will be examined against eligibility criteria to determine which works used or proposed for floodplain harvesting will qualify for further assessment. The criteria are available from DPI Water licensing staff in Tamworth.
3. **Issuing work approvals** – Eligible works and applications for such works will be assessed to determine their capability to harvest floodplain water, and where a work lacks an approval or is proposed to be operated outside the terms of an existing approval, for their impacts on the environment. Based upon the information gathered through the capability and environmental assessments, DPI Water will issue work approvals to individuals.
4. **Incorporating floodplain harvesting in water sharing plans** – Existing water sharing plans will be amended to set a floodplain harvesting long-term average annual extraction limit (LTAAEL) that is separate from the limit applying to other licence holders and establish rules for the management of floodplain harvesting licences. For new plans, these actions will be taken as necessary at the time the plan is made.
5. **Issuing floodplain harvesting access licences** – DPI Water will notify licence holders of the terms and conditions of floodplain harvesting access licences that are to be issued. Water accounts for individual licences will be credited with initial allocations.

Can I trade this water?

It is expected that trading of floodplain harvesting licences (known as permanent trade) will be permitted as soon as water sharing plans are amended to allow for floodplain harvesting. Trade of allocations (known as temporary trade) will be considered when appropriate accounting, monitoring and compliance processes are in place to facilitate such trades.

Where can I get a copy of the Floodplain Harvesting Policy?

Copies of the floodplain harvesting policy are available from www.water.nsw.gov.au

More information

information@water.nsw.gov.au

Free call 1800 353 104

www.water.nsw.gov.au

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