

**Submission
No 273**

INQUIRY INTO FLOODPLAIN HARVESTING

Organisation: Gwydir Cotton Growers Association (CGA)

Date Received: 13 August 2021



Submission to NSW Legislative Council
Select Committee

“Inquiry into Floodplain Harvesting”

August 2021

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1 Summary and Purpose

This document has been developed by the Gwydir Cotton Growers Association (CGA) on behalf of its members as a formal submission to the NSW Legislative Council Select Committee Inquiry into Floodplain Harvesting.

This document aims to represent the concerns, views and experiences of our members, not as individuals but as a local industry. Each member reserves the right to express their own opinion and is entitled to make their own submission.

1.1 Primary messages

- 1. Irrigation is important to our businesses and community, and we all need certainty.**
- 2. We are sick of being persecuted publicly through lack of government regulation.**
- 3. Floods are important for our region to recover economically from drought, and to be better prepared to survive the next one.**
- 4. Uncertainty around what the industry can and can't do is undermining business confidence.**
- 5. Licensing floodplain harvesting and keeping rainfall runoff from irrigated fields on farms are both historical behaviours, and provide a balanced solution.**
- 6. Licensing floodplain harvesting and keeping rainfall runoff from irrigated fields on farms is not new water nor does it create additional water that wasn't already used and managed by farmers.**

2 Introduction

The Gwydir Cotton Growers Association (CGA) as the representative body for cotton growers in the Gwydir Valley supports and welcome the opportunity to contribute to the 'Inquiry into Floodplain Harvesting.

The Moree Plains Shire region is highly dependent on agriculture and irrigated agriculture for economic activity contributing over 72% of the value of gross domestic product (cotton is around 60%)¹.

The Gwydir River is an inland terminal river network which means that the rivers become a series of branching channels that distribute their flows across large areas especially during flood times. This distribution of water represents the watercourse areas of which the Gwydir including the internationally recognised Gwydir Wetlands. This natural geomorphology means the Gwydir River under natural conditions would have a very low ability to contribute to surrounding catchment inflows.

The natural hydrology of the Gwydir has been altered via modification of the river and operations with an increase in end-of-system connectivity since irrigation development.

¹ 2010 2011 Agricultural Census Report – agdata cubes, 71210D0005-201011 Agricultural Commodities, Australia

Despite this there remains limited capacity to securely move water through these systems as channel capacity constraints limit daily flows.

Since the early 2000's the NSW Government has been working to transition all forms of water take into the Water Management Act. During the development of the first Water Sharing Plan for the Gwydir Regulated River Water Source in the early 2000's, the NSW Government realised that they could not achieve full transition of all water licences to the Water Management Act framework. They instead provided a commitment to a "separate category of licence" and noted "*it is the Government's intention that floodplain harvesting works and taking of water from floodplains be licensed and managed. It will take a number of years to complete the process. However, the water sharing plans must signal the basic principles that will govern the process.*"²

Now in 2021 we are still waiting for licencing and management of floodplain harvesting. As a result, irrigators are being unjustifiably singled out in social and mainstream media despite the fact that the lack of floodplain harvesting licences is the fault of government, not users.

3 About the Gwydir Cotton Growers Association

3.1 Our region

The Gwydir Valley Cotton Growers Association (CGA) represents cotton growers and the businesses that service cotton production in the Moree Plains Shire Council region (MPSC) of Northern NSW.

Our mission is to strive for a strong and vibrant local community and cotton industry that works in partnership together.

We value being accountable to our members and our local community, leadership through respect, collaboration and evidence-based conversations and our industry, its people and our community.

The Moree Plains Shire region is highly dependent on agriculture and irrigated agriculture for economic activity contributing over 72% of the value of gross domestic product (cotton is around 60%), employing 20-30% of the population and accounting for almost 90% of exports from the Shire³.

The 2011 agricultural census estimates that the total value of agricultural commodities for the Moree Plains Shire region was \$911,951,079 up from \$527,744,851 in the 2005-06 census. This is an estimated 7.83% of NSW's total agricultural production from a 1,040,021Ha

² Historical version of the Water Sharing Plan for the Gwydir Regulated River Water Source https://legislation.nsw.gov.au/view/html/inforce/2015-10-16/sl-2015-0629#sch.3-sec.Section_3

³ Cotton Catchment Communities CRC Communities and People Series 2009

principally used for agricultural crops⁴. More recently the ABS⁵ estimated that in 2017-18 that the agricultural production in North-West NSW (where Moree is located) was valued at \$2.1 billion.

The main broad acre irrigated crop is cotton with irrigated wheat, barley and Lucerne also occurring depending on commodity prices. The total developed broad acre irrigated area is approximately 90,000 ha, although recent analysis indicate that maximum planting area is now 70,000ha, with planted area above 50,000ha very rarely cropped in one year.

Changes in water availability either through climate or government policy has had a direct impact on the productivity of the region as well as on the local economy. Analysis by the Murray Darling Basin Authority highlighted this relationship during the northern review and revealed that for both Moree and Collarenebri social and economic indicators declined through 2001 to 2011 including education, economic resources and disadvantage, resulting in an estimated 200 jobs lost due to the implementation of the Basin Plan in the region⁶

3.2 What we do

Our Role is to ensure we have a respected and viable organisation that is engaged with its members, the broader cotton industry and the local community. To improve the connections of the local cotton industry within our communities and support each other, and to represent and be a voice for the needs of our industry members to key stakeholders

The Gwydir CGA is voluntary, funded by a cotton growers and partners membership fees. Much of the activity of the association revolves around providing cotton growers and partners (agricultural distribution representatives, agricultural consultants and finance organisations) information on cotton production, marketing or other industry issues through Area Wide Management meetings, or information forums. The Association does also undertake programs to maintain and improve the sustainability of members on-farm activities, which can be funded by government or research and development corporations.

The Association is managed by a committee of cotton growers and partners and contracts administration requirements to the GVIA. They work in consultation with the industry body Cotton Australia.

3.3 Contacts

Gwydir Valley Cotton Growers Association

ABN: 93 442 174 064

⁴ 2010 2011 Agricultural Census Report – agdata cubes, 71210D0005-201011 Agricultural Commodities, Australia

⁵ 4610055008DO001_201718 GROSS VALUE OF IRRIGATED AGRICULTURAL PRODUCTION–2017-18

⁶ <https://www.mdba.gov.au/publications/mdba-reports/northern-basin-review-report>

Chairman: Mick Humphries

Secretary: Louise Gall

4 Response to Terms of Reference

4.1 The water regulations published on 30 April 2021

1. The Gwydir CGA support the implementation of the Water Management (General) Amendment (Floodplain Harvesting) Regulation 2020 because it replicates the clear and transparent process implemented as part of the Healthy Floodplains Project within the current regulatory framework. The implementation will have the following key benefits:
 - a. Protect the environment and users from further growth, providing certainty to communities who rely on floodplain flows.
 - b. Restrict future growth will maintain and improve floodplain flows to environmental assets.
 - c. Mandate measurement and reporting.
 - d. Improve compliance options through volumetric monitoring as well as controls of floodplain works and
 - e. Improve the community's confidence in water management.
2. The Gwydir CGA support the implementation of the Water Management (General) Amendment (Floodplain Harvesting Measurement) Regulation 2020 as it reflects the conditions in the Floodplains Harvesting Measurement Policy and because it mandates a fit-for-purpose, repeatable, auditable measurement and reporting approach for floodplain harvesting take that can be verified by the regulator which is consistent with all other major forms of water take.
3. The Gwydir CGA support a measurement approach supported by a strong and proactive compliance framework utilising the most current technology, this regulation should enable:
 - a. The measurement and reporting of take by individuals,
 - b. The monitoring of valley-wide take within valley-limits (currently estimated but to be actual volumes); and
 - c. The compliance of floodplain structures to standardised floodplain management plans.
4. The Gwydir CGA recommend that the draft regulations are amended to refer to "a floodplain harvesting measurement period", clearly defining the point when overland flow is being taken and when the exemption would not apply
5. The Gwydir CGA supports the implementation of the Water Management (General) Amendment (Exemption for Rainfall Run-off Collection) to provide state-wide consistency and to incorporate the long-standing activity of retaining rainfall runoff within irrigation developments to prevent contaminated water impacting the river systems.

4.2 Importance of Licencing and measuring floodplain harvesting

It is water that drives the economy in the Gwydir whether its rain, river flows or floods where water inundated 1,000s of hectares across the Gwydir floodplain, water is the life blood of our

economy. Given the critical importance of water, there must be fair and equitable access to water with clear rules aimed at sharing water when its available. Floodplain harvesting must be licensed and metered across the whole state, like all other forms of take.

Our members have engaged in good faith over the last 20-years, in the interests of securing certainty for our industry and our community that relies on floodplain flows. We have made this commitment despite knowing it is at the detriment to our current levels of water availability, because we recognise and advocate for a sustainable future for our industry, our local environment, and our communities.

Licensing any historical form of take is not without its challenges, many of our members are water users and will be subjected to further regulation, reduced water and increased costs. It has been estimated that our community will have on average a \$93M economic impact from loss of water access through licensing floodplain harvesting, and overland flows. We however recognise the importance of remaining compliant to legal limits and providing certainty for our community. However, decisions on how to achieve these limits must consider the socio-economic impacts on community, the transition to new rules must not inflict sudden, irreversible economic hardship. Water buybacks destroyed communities such as ours, this cannot happen again.

Any water reform or change in water availability affects local workers, businesses, schools, medical facilities and the well-being of our towns. The Gwydir has felt the impacts of this reform over the last 10-15 years following the Basin Plan and drought. The licensing of floodplain harvesting will provide certainty for our region community, the businesses of our members and our essential local agricultural industry, but implementation must include a practical trading framework.

Floodplain harvesting licensing must balance the highly variable nature of floods in northern ephemeral systems, allowing access when our rivers and floodplains are inundated and water is most abundant, to store for future use. This provides our community and the industry certainty around water available for irrigation, and the ability to smooth out the peaks and troughs of water availability in a highly variable system.

Regulation should take into consideration our local community. Currently the discussion is only about the risk to the environment and downstream communities with no reference to us. Upstream communities must be considered, they are no less important than other communities on the system. Drought hit everyone hard including the environment, farmers, local businesses, and the community.

The 2019 drought hit hard with the lowest rain fall on record, floods provide an opportunity for business to recover and keep staff on or even employ more people. Floodplain harvesting licensing will enable balance between community and environment, so it's clear there is sharing, and both can take advantage of the opportunities floods present.

It is illogical for anyone to suggest no water should be captured and set aside when our communities and landscape are full and over-flowing with water. It is the most sensible time to be capturing water to be stored for later use when we get our next drought.

It is time the NSW Government and NSW Parliament, did their job and made rules for all NSW water uses. It is unacceptable to leave some water users outside the regulatory framework.

All water users must be treated in a fair and equitable manner and that should include those that floodplain harvest.

5 Conclusion

Floodplain harvesting is an historical form of take, the licencing of floodplain harvesting does not provide any additional water, in fact is reducing the water that is available to our members. The Gwydir CGA support the licencing and measurement of floodplain harvesting to provide a fair and balanced approach to sharing water in the state. The organisation also supports the exemption of rainfall runoff across the state. This will enable contaminated agricultural water to be kept on farm preventing down stream environmental impacts. Additionally, it ensure that all water users are treated in a fair and equitable manner.

If you do not implement these regulations State-wide, then the system of inequity and unjustified persecution will continue. The implementation of licences will ensure that when the next flood occurs our region is entitled to its fair share. With floodplain licences in place, our members can access that water without fear of public persecution or prosecution by regulators. A failure to license all forms of water take, means our members will continue to be the target of a vicious hate campaign fuelled by a lack of understanding and misinformation. This constant vilification is destroying the reputation and mental wellbeing of so many of our members.

Governments of all affiliations have allowed this to occur through their inaction on regulating floodplain harvesting for more than 20 years. It is time we stopped playing politics with people's livelihoods and the sustainability of our regional communities and economies. This needs to be fixed now, while there's water to share.