

## **INQUIRY INTO FLOODPLAIN HARVESTING**

**Organisation:** Murrumbidgee Private Irrigators Incorporated (MPII)

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# **Murrumbidgee**

## Private Irrigators Inc

**Submission to**

**Select Committee on Floodplain Harvesting**

**August 2021**

## Introduction

Murrumbidgee Private Irrigators Incorporated (MPII) appreciates the opportunity to make this submission to Select Committee on Floodplain Harvesting. MPII represents regulated and unregulated water users in the Murrumbidgee valley outside of the Irrigation Corporations, Murrumbidgee Irrigation and Coleambally Irrigation Cooperative. MPII is a member of NSW Irrigators' Council and support the submission made by NSWIC.

## Background

MPII is supportive of regulation of all water take in the Murray-Darling Basin and views the water entitlement framework used in NSW as a key mechanism for both the community to have certainty that rules are followed and that users have their rights protected and can employ staff and invest in their businesses with confidence.

## History of FPH as it relates to the Murrumbidgee

This Floodplain Harvesting (FPH) reform, while complex, is one of the final parts of the NSW water reform that commenced with the Water Management Act 2000 (WMA). The FPH process is an indictment on the difficulties of **all** NSW governments over the last 25 years to manage water policy in this state. Despite diligent efforts made by many politicians, some bureaucrats and other commentators over this time, it remains the role of government to enact laws and regulations that are reflective of a mix of views from community and industry. Frozen

Further delay in this reform will only confirm the inability of NSW government to manage this reform for impacted water users in the five northern valleys, all water users in NSW and the broader community in NSW. Active delay by other interests will make those groups and individuals party to the incompetence that has lasted over 20 years.

The membership of MPII should not be impacted by the enactment of this regulation, and many of our members would be impacted if this regulation does not proceed in full as it was intended.

## Communication

Communication of these proposed reforms and the impacts both locally in the five impacted areas and across NSW have been poorly explained and the agenda has been hijacked by parties who have motives other than best practise water and natural resource management.

The false proposition that stopping FPH will result in fewer periods of low flow is at best incorrect and is an example of the misinformation that has been peddled in this space. It would be apparent to any reasonable conversation that FPH only occurs when water is on the flood plain, and generally water is on the flood plain during a flood. While low flows are of great concern to the community including those both upstream and downstream, derailing the FPH reform will not solve this critical issue.

## Local Context

Active FPH does not occur on scale in the Murrumbidgee valley. However MPII is concerned by numerous impacts of the package of reforms being picked apart through the political process and the potential for unintended impacts on MPII members.

These impacts include the Rainfall Runoff provisions without coverage from enduring exemptions. The promised exemptions for the areas outside of the five in the northwest of NSW are concerning in themselves in that the exemptions for the Murrumbidgee and other areas could be at some point repealed or rolled back and have unintended impacts on MPII members.

As with many other areas of the NSW, irrigation developments, both private and within schemes in the Murrumbidgee, have regulations that require the holding of water on farm to prevent contamination of water ways. These regulations are in direct conflict with the rainfall runoff provisions and the politicised process has not assisted in any way.

MPII is concerned with the precedent that has occurred as a result of unconstrained FPH on supplementary water users in the NSW Border Rivers and Gwydir system in 2021. Surely the hallmark of good natural resource management cannot be that the actions of one group of users can result in a reduction of access for another group of users? This is not a cap and trade system, maybe we should call it an uncap and impact third party system? If this is anything other than a one off during implementation of the FPH regulations, there are massive issues for the whole of the irrigation industry in NSW.

#### FPH reform in northern NSW

MPII does not have a view on the reforms as they impact the five northern valleys in NSW provided that the following occurs,

- Regulations are implemented and allow operations in the Murrumbidgee to continue without impact from red tape
- Exemptions to the FPH requirements for the Murrumbidgee are enduring and not eroded over time or overturned
- The FPH regime is implemented in a transparent manner to allow confidence in the system and adherence to the Sustainable Diversion Limits

#### Conclusion

MPII urges the Select Committee to act reasonably and use their platform to inform themselves, the community and interest groups that the reforms are required for sensible natural resource management.

The evidence clearly shows that FPH regulation will allow this water resource to be limited to the levels agreed to almost thirty years ago. The rhetoric and posturing suggest a different and illogical path and it is incumbent on the Committee to clearly articulate the path forward. Surely, that is down the path of regulation that was started upon by a Labor government over 20 years ago and hopefully this coalition government can complete the reform.

We believe the Committee should insist that the government implement the regulations in full at the earliest reasonable opportunity.

Executive Officer  
Murrumbidgee Private Irrigators' Inc.