

8 February 2020

A section 324 order was made on 7 February to prevent floodplain harvesting take:

[Government Gazette No 30 of Friday 7 February 2020](#)

What is the effect of the section 324 order for floodplain harvesting?

The order restricts the take of **all floodplain harvesting**, except for floodplain harvesting that is:

- taken passively into on-farm storages (cannot be restricted by a pump, pipe or regulator), or
- taken through irrigation tailwater return drains.

All other floodplain harvesting is restricted by the order.

The intent of this order is to restrict access to floodplain harvesting where this is both possible and practical. Overland flow that is either taken passively (cannot be restricted by a pump, pipe or regulator) or through irrigation tailwater return drains is not restricted by this order.

Water users are encouraged to take reasonable steps to ensure that they can account for any changes to the volume of water in on-farm storages during this period of restriction.

If water is captured as a result of the exceptions above, can I then move that around my property?

Yes. However, water users are encouraged to keep records of their activities so they can account for any movement of water, or changes to the volume of on-farm storages during this period of restriction.

What will NRAR's approach be?

The Natural Resources Access Regulator (NRAR) is a risk-based regulator that responds to alleged breaches of water law in NSW. As noted in its [Regulatory Policy](#), NRAR employs a graduated and proportionate approach to any breaches of water laws. This is based on the severity of the breach (its effect on the environment and potential harm to people or property) and the regulated entity's culpability, cooperation and approach to the breach and the public interest.

Why is this restriction on floodplain harvesting necessary?

We are experiencing our worst drought on record and it is impacting water users right across NSW. Detailed explanation on the reasons for decision are available on the Department of Planning, Industry & Environment website here: [Temporary Water Restriction - Northern Basin Floodplain Harvesting - Water in New South Wales](#).

How does this fit with the broader water management reform for floodplain harvesting?

The NSW Government is continuing work on implementation of its Floodplain Harvesting Policy in the Northern Basin, as outlined in an action plan ([Floodplain Harvesting Action Plan](#)) released last year.

As part of this Plan an [amendment](#) has been made to the *Water Management (General) Regulation 2018* to provide eligible water users with a temporary exemption from licensing requirements on floodplain works constructed before 3 July 2008.