



CIA Water Use Policy & Guidelines 2014

1. Policy Statement

Coleambally Irrigation Co-operative Limited (CICL) recognises the need to limit the environmental impacts of irrigation recharge on the shallow aquifer or water table. Indeed, CICL is legally obliged to do so under the conditions of its Combined Water Licence issued by the NSW Office of Water (NOW). Accordingly, CICL has the objective of limiting the area within the CIA where the water table is between 0-2m of the surface, to below 10,000 ha.

Within the CIA, water usage is to be considered on a **total farm irrigation intensity** basis within limits established in this document. CICL's CIA Water Use Policy & Guidelines 2014 (Policy) therefore replaces the previous CIA Water Use Policy 2013, CIA Net Recharge Policy 2010 and prior Rice Environmental Policy. Notwithstanding, rice production using traditional methods must only occur on land tested and classified as 'rice suitable'.

2. Policy Principles

The following principles underpin this Policy:

- The acceptable Net Recharge limit for long-term sustainable irrigation in the CIA is deemed to be 100 ML per average-sized farm (220 ha)
- Net recharge is to be monitored through water-table depths and annual groundwater analysis
- Rice production using traditional methods must only occur on land tested and classified as 'rice suitable'
- There is a direct relationship between the area under rice production and the extent to which net recharge must be managed, but all farms need to be able to demonstrate that recharge is being managed effectively
- A minimum level of irrigation intensity may have to be established at some point in time, depending on the height of the water table, to avoid soil salinisation

3. Farm-based Irrigation Intensity

As part of its ongoing compliance responsibilities associated with the tracking of net recharge management, CICL will undertake an annual assessment of farm-based irrigation intensity across all broad-acre farms within the CIA. This policy does not apply to farms gazetted for purposes of horticulture or located within the Kerarbury Channel or West Coleambally Channel Water Management areas.

Farm-based irrigation intensity will be examined against the below criteria:

- Water-tables must not be within 2m of the surface across an area of the CIA which is greater than 10,000 ha (based on September piezometer data gathered annually) – in the event this area limit is exceeded, the total farm water use permitted (including on-farm bores) may be reduced to a maximum of 5.5 ML/ha in the following irrigation season
- Total farm water use (including on-farm bores) should not exceed 7.2 ML/ha per irrigation season unless a farm owner (Owner) has entered into a Water Use Averaging Agreement (Agreement) with CICL
- The CICL Board (Board), following consultation with the CERC, has the prerogative to adjust the 7.2 ML/ha water use limit, if it deems that environmental factors warrant the adjustment

4. Connected Farms

Farms which are connected by a common on-farm supply or drain/drainage system (that has been inspected and deemed adequate by CICL for the type and level of supply and drainage), can average water usage across the total area of the connected farms and do not require an Agreement to do so. However they can average water usage across the total area of the connected farms over three (3) consecutive irrigation seasons but must enter into an Agreement to do so.

This recognises that CICL can only accurately monitor water usage at a connected farm level.

5. Water Use Averaging Agreements

To allow Owners greater flexibility, CICL allows for water use to be averaged over three (3) irrigation seasons (Term) subject to the Owner having completed an Agreement and CICL endorsing that Agreement. All of the related detail is specified in the Agreement, but the key elements are:

- An Agreement is only required for averaging over time

- Where an Owner is permitted to average across individual or connected farms, the average use across the Farm/s cannot exceed 21.6 ML/ha over the Term and cannot exceed 9 ML/ha per irrigation season in any single irrigation season, however:
 - If the Board decides to adjust the Water Use Limit of 7.2 ML/ha,
 - The annual maximum water use limit of 9 ML/ha will be adjusted by the same proportion (percentage), in the same irrigation season as announced by the Board. Any unused portion cannot be carried over to the subsequent irrigation season/s
 - The total water use limit of 21.6 ML/ha over the Term will be adjusted by the same magnitude as the Board's adjustment, for any water used in the same irrigation season as announced by the Board. Only water that is used from an adjustment made by the Board will be added to the total water use limit for the Term
- Where an Owner enters into an Agreement to average on separate farms that are not connected, the averaging is by time and not by area i.e. the averaging is over the Term with each property being treated separately and the maximum water use permitted on each individual farm in any single irrigation season under the Term is 9 ML/ha
- Owners applying to enter into an Agreement must gain neighbour consent to the Agreement (although CICL has the authority to make the final determination and may disregard a neighbour's objection if it considers the objection is unreasonable)
- Owners seeking to enter into an Agreement must be prepared to be subjected to additional monitoring of their water usage, water quality and drainage if CICL considers those measures are warranted
- Owners seeking to enter into an Agreement must acknowledge that CICL has the right to terminate an Agreement in the event that:
 - An Owner breaches the conditions of the Agreement and/or their obligations to CICL (as specified in CICL's Rules)
 - Groundwater monitoring establishes a significant increase in the water-table
 - CICL considers the Agreement is adversely impacting neighbouring farms
 - CICL determines its high water-table 'trigger' has been or is in danger of being breached in the subsequent irrigation season
- Where an Agreement is terminated because it is considered to have breached the conditions of the Agreement and/or CICL's Rules, the Owner will be ineligible for a refund of fees paid in respect of the Agreement. However should CICL terminate an Agreement for reasons that

are not attributable to the Owner, they will be entitled to a prorated refund of the associated fees.

6. Breaches

Owners who appear to breach CICAL's irrigation intensity limits will be informed of the potential breach and invited to an interview with CICAL to explain their water usage and cropping activity. If it is established that an Owner has breached the Policy, CICAL may draw on the range of penalties specified in its rules.

7. Penalties

Penalties for breaches of this Policy include: reductions in farm water usage limit up to two (2) times the breach, monetary fines, mandated testing, land retirement and/or refusal to supply water (under the Water Supply contract).

In the case of a breach of an Agreement CICAL may terminate an Agreement at any time within the Term. Irrespective of when the breach was established, CICAL may also elect not to enter into a like arrangement with the Owner/s in the future. In determining whether to apply a restriction on the farm's water use for the following irrigation season, CICAL will take into account the extent to which the Owner/s may have gained additional benefit under the Agreement before making its determination.

8. Appeals

If the Owner/s disagrees with CICAL's assessment of and actions in relation to a breach, an appeal can be made firstly to the CEO, then to the Board. If the Owner/s is/are not satisfied with the Board's decision, then the Owner/s can request CICAL convene the Independent Anomalies Committee. If no resolution is reached, the Owner/s has/have recourse under common law.

9. Rice Soil Suitability

Rice production using traditional methods must only occur on land tested and classified as 'rice suitable'. Any limit that is set in this regard on a farm (as recorded by CICAL) is to apply in perpetuity (including after a change in ownership) unless otherwise recorded.

10. Related Services

CICL is able to assist Owners through the provision of a pre-sowing measurement service (although the details are valid for one season only) and the provision of EM-31, GIS and soils information.

11. Management of Chemicals

CICL operates under increasingly stringent environmental obligations and the actions of individual Owners can have ramifications for all Owners. Owners must utilise only approved chemicals and strictly observe any related application rates/methods and withholding periods. Owners are also required to observe the drainage obligations that are specified in CICL's Rules (Division 8) – these obligations are a key part of the contractual arrangement under which CICL supplies water and CICL is within its rights to withhold supply if owners do not meet these obligations.

12. Administration

The Manager, Licensing & Environmental Compliance has responsibility for the administration of this Policy within CICL.