

Report card for the Middle Lagoon Tributaries Water Source

Report card 14 of 27

Water source context

Water Sharing Plan:	Bega River Area Regulated, Unregulated and Alluvial Water Sources 2023
Extraction Management Unit (EMU):	Murrah-Wallaga Extraction Management Unit
Area:	28 km ²
Inflowing water source:	Nil
Receiving water source:	Nil
Groundwater-dependent ecosystems:	Identified at the plan commencement
Approximate average annual rainfall:	925 - 950 mm

River flows

80 th percentile:	No gauge located in this water source
------------------------------	---------------------------------------

Basic landholder rights

Domestic and stock rights estimate:	31 ML/year
Native title rights:	0 ML/year

Licensed water entitlements

Total surface water entitlement:	6.5 ML/year of Domestic and Stock access licences 8.3 ML/year of Unregulated River access licences
Total groundwater entitlement:	0 ML/year
Local water utilities entitlement:	0 ML/year

Rules

Managing Access Licenses

Each water access licence has its own share component (volume of the licence) and a water allocation account that acts like a bank account where water is credited or debited.

- Water is credited to an account by an available water determination or if water is traded in (purchased) during the year from other licence holders
- Water is debited from the account when water is extracted or traded out (sold). Total extraction from a work (pump, bore, etc.) will be measured via metering or logbooks.

Carryover and Individual Account Limits

Domestic and stock, unregulated river and aquifer access licence accounts:

- Carryover of water remaining in a water allocation account is permitted at the end of each water year up to 1 ML per unit share or 100% of share component (where expressed in ML).
- The maximum water account debit in any 3 consecutive water years is the volume of water allocated to the account over those 3 years from available water determinations plus any adjustments made for allocation assignments (trades) or water allocation re-credited into the account.

Table 1 Draft rules for granting access licenses

Type	Current rules	Proposed rules
<p>There are limited purposes for which a new licence will be granted. It is anticipated that most additional water needs will be sourced from the market. One reason a licence may be granted is for Aboriginal cultural purposes. Other reasons are identified in Clause 10 of the <i>Water Management Act General Regulation 2018</i>.</p>		
Aboriginal cultural access licence	Permitted up to 10 ML/year per licence, subject to assessment	No change.
Aboriginal community development access licence	Not permitted.	No change.

Table 2. Draft surface water access rules

Type	Current rules	Proposed rules
Cease to pump	Take is not permitted when there is no visible flow at the point of take.	No change.
Take from in-river dams	Take is not permitted when the dam is below full capacity unless otherwise specified on the water supply work approval for the dam.	No change

Type	Current rules	Proposed rules
Take from natural in-river pools	Take is not permitted when the pool is below full capacity.	No change
Take from natural off-river pools	Take is not permitted when the pool is below full capacity unless otherwise specified on the water supply work approval.	Take is not permitted when the pool is below 50 % capacity unless otherwise specified on the water supply work approval.

Table 3 Draft alluvial groundwater access rules

Type	Current rules	Proposed rules
Take of alluvial groundwater	Take is not permitted when there is no visible flow in the river at the location closest to the supply work used for extraction.	No change. If the location closest to the water supply work in the river is a pool, then take is not permitted if the pool is below full capacity.

Table 4 Draft exemptions from access rules

Type	Current rules	Proposed rules
Health and hygiene	For access licences specified in the plan, no more than 20 kl/day for the following reasons: <ul style="list-style-type: none"> • fruit washing • cleaning of dairy plant and equipment for the purposes of hygiene • poultry watering and misting • cleaning of enclosures used for intensive animal production for the purposes of hygiene. 	No change to the access rule except for the addition of “vegetable washing” (maximum take of 20 kl/day) as an exempt purpose.
Domestic use	No exemptions beyond year 3 of the plan.	Up to 1 kl/day may be taken for domestic use under a domestic and stock access licence.
Stock use	No exemptions beyond year 3 of the plan.	Take of stock water under an access licence is no longer exempt from the access rules.
Specific purpose	For an access licence specified in Schedule 3 of the plan.	For access licences listed in the schedule of the plan.

Type	Current rules	Proposed rules
Location	Groundwater works greater than 40 m from the river are exempt from the access rules.	No exemption based on distance. All groundwater works located in the alluvium will be subject to access rules.
Aquifer interference activities	Take may occur for an access licence that nominates an aquifer interference approval.	Access rules do not apply to the take of groundwater or surface water under an access licence for which a planning approval is in force if: <ul style="list-style-type: none"> the licence holder complies with an approved water management plan, and in the Minister's opinion, the licence holder is not reasonably capable of complying with the access rules.

Note: Water taken under basic landholder rights (domestic and stock rights, harvestable rights and native title rights) are not subject to the access and trade rules set by water sharing plans and therefore have not been listed in the above table.

Table 5 Draft rules for constructing surface water supply works

Type	Current rules	Proposed rules
In-river dams	Permitted on first and second order streams only, subject to assessment.	No change.
All surface water works	Permitted, subject to assessment.	Not permitted within 200 m upstream of coastal wetlands defined in the State Environmental Planning Policy (Resilience and Hazards) 2021 or within 3 km upstream of Ramsar wetlands, unless assessed to pose no more than minimal harm.

Note: the distance rules for groundwater water supply works are detailed in the [Report Card for the Draft Rules for Groundwater Water Supply Works](#).

Table 6 Draft water trading (dealing) rules

Type	Current rules	Proposed rules
Trading covers conversion of access licence to a new category (for example from unregulated river to aquifer), assignment of rights dealings (trading of a licence), share component dealings between water sources (trading of entitlement between water sources), water allocation dealings (trading an annual allocation) and water supply works dealings (relocation of an extraction point).		
INTO water source	Prohibited	No change.
WITHIN water source	Permitted, subject to assessment.	No change.
Conversion of aquifer to unregulated river access licences	Prohibited	No change.
Conversion from unregulated river to aquifer access licences	Permitted subject to assessment.	No change
Conversions to high flow access licences	Prohibited.	No change.

Key factors for decisions

- A medium risk at low flows to insufficient water for freshwater riverine ecosystems has been identified for the water source. No suitable reference gauge has been identified. Access rules reflect this.
- This water source flows to Middle Lagoon. A high risk at low flows and medium risk at high flows to insufficient water for estuarine ecosystems has been identified for the water source. Trade and other rules reflect this.
- The *State Environment Planning Policy (Resilience and Hazards) 2021* identifies coastal wetlands in this water source, which require protection from over-extraction.
- The *Marine Estate Management Act 2014* requires the Minister for Lands and Water to have regard to the NSW Marine Estate Management Strategy.

Public exhibition

The Department of Planning and Environment seeks feedback from the public on the suitability of the proposed rules for this water source.

The draft Water Sharing Plan for the Bega River Area Regulated, Unregulated and Alluvial Water Sources 2023 and supporting fact sheets are available from the department's [Public Exhibition website](#).