

A new water sharing plan for the Murrah–Wallaga area

A summary of proposed changes for the Murrah–Wallaga area included in the draft *Water Sharing Plan for the Bega River Area Regulated, Unregulated and Alluvial Water Sources 2023*

Water sharing plans are the primary legal framework for managing water access and sharing in NSW. The plans are valid for 10 years from their start date.

Near the end of its 10-year term, the Natural Resources Commission (NRC) formally reviews a plan to identify any changes necessary to deliver better outcomes for all water users, including the environment.

Under the *Water Management Act 2000*, the minister may, on the recommendation of the NRC, extend a water sharing plan for another 10 years or replace it with a changed plan.

In 2021, the NRC completed its review of the South Coast water sharing plans and recommended their replacement. The replacement plan is due by 1 July 2023. A copy of the NRC report is available from the [Publications page \(current work\) on the NRC website](#).

This fact sheet summarises the proposed changes for the Murrah–Wallaga area, which range from new and changed water sharing rules, to administrative changes.

Merging of 2 water sharing plans

As part of the replacement of water sharing plans, the NSW Department of Planning and Environment takes the opportunity to consolidate plans where appropriate. We have combined the Bega and Brogo and Murrah–Wallaga plans as they have common communities, industries and local government.

The department has drafted a new water sharing plan – the *Water Sharing Plan for the Bega River Area Regulated, Unregulated and Alluvial Water Sources 2023*. When finalised, this plan will replace the current water sharing plans for:

- Bega and Brogo Rivers Area Regulated, Unregulated and Alluvial Water Sources 2011
- Murrah–Wallaga Area Unregulated and Alluvial Water Sources 2010.

Access rules

In the draft plan, the department proposes changes to access rules in the Murrumbidgee–Wallaga area. The following water sources are affected:

- Narira Creek
- Dry River
- Murrumbidgee River
- Bermagui River.

Refer to the water source Report Cards for more detailed information.

The current plan refers Dry River and Murrumbidgee River water sources to gauge number 219018 (Murrumbidgee River at Quaama) and Narira Creek water source to gauge number 219016 (Narira Creek at Cobargo). Using the same gauges, the rules in the draft plan propose a cease-to-pump level at 1.4 ML/day and a new B-Class flow at 10 ML/day.

We consider that flow conditions in the Bermagui water sources are similar to that in the Narira Creek water source. The draft plan therefore proposed updated access rules, with a cease-to-pump level of 1.4 ML/day referenced to gauge number 219016 (Narira Creek at Cobargo)

The proposed increases to the cease-to-pump levels are to improve the protection of low-flows and maintain ecosystem health and diversity.

Trade rules

In the draft plan, we continue to allow trade within each water source. It is still banned between water sources that are not hydrologically connected (that is, water sources that do not drain into each other).

In the Murrumbidgee–Wallaga area, the current plan only allows trade into the Narira Creek and Dry River water sources. In the draft plan, we propose maintaining this, but only into higher (B-Class) flows and only up to a total maximum of 220 ML for each water source. We have set maximum volumes to ensure the risk remains low that increased extraction in the higher flow classes will affect riverine ecosystems.

There is limited scope to increase trading in the Murrumbidgee–Wallaga area because it has small, low-yielding catchments that are hydrologically disconnected.

Aboriginal community development licences

In the draft plan, we propose to allow Aboriginal people to apply for Aboriginal community development licences into B-Class flows for the Narira Creek and Dry River water sources, to a maximum of 220 ML for each water source. This maximum volume will decrease proportionally as entitlement increases in the water source as a result of trade in.

Additional water source

The proposed plan includes a new water source – the Bega River Area Coastal Floodplain Alluvial Groundwater Water Source. We have changed the plan map to reflect this.

This new water source includes the majority of alluvial groundwater below the tidal limit within the water sharing plan boundary. We propose a long-term average annual extraction limit of 429 ML for this water source. We can grant licence shares in this water source through a controlled allocation process.

Trading within the water source is permitted, subject to our assessment of how trading affects other water users and the environment. Trading into the water source will be prohibited.

New definition for long-term average annual extraction limits

The long-term average annual extraction limit (LTAAEL) determines the maximum amount of water that can be extracted from a water source over the long term.

In response to recommendations from the NRC, we have split the LTAAEL for all water sources in the Murrumbidgee–Wallaga area, except the Bega River Area River Coastal Floodplain Alluvial Groundwater Source, into 2 components.

- The **standard LTAAEL** applies to take from all flows (except take that can happen from high-flows only) and includes all basic landholder rights extraction. This is a fixed volume.
- The **higher-flow LTAAEL** applies to extraction that can only happen from high-flows. This volume can vary as we convert licences to high-flows or grant them in high-flows such as licences for initial fills of dams.

Including basic landholder rights in the standard LTAAEL and fixing its volume allows us to manage any growth in water extraction. If extraction increases to more than 5% above the standard LTAAEL (from licensed take or basic landholder rights take), then we will announce a reduced available water determination to bring extractions back down to the extraction limit. The reduced determination can only be applied to licensed water users.

Updated groundwater-dependent ecosystem map

Recent work by the department has identified more high-probability, high-priority groundwater-dependent ecosystems.

The map in the draft plan includes the additional groundwater-dependent ecosystems. We refer to these ecosystems as groundwater-dependent vegetation ecosystems.

The draft plan includes rules that restrict or prohibit new water supply works (bores) within specified distances of the groundwater-dependent ecosystems.

Water supply works approvals

Since the start of the 2010 water sharing plan, we have identified new information.

- **Coastal wetlands** – Coastal wetlands have been identified in the Murrumbidgee–Wallaga area of the Coastal Wetlands and Littoral Rainforest Area Map of the State Environmental Planning Policy (Resilience and Hazards) 2021. These wetlands are in the following water sources:
 - Baragoot Lake tributaries
 - Bermagui River
 - Bobundra Creek
 - Cuttagee Lake tributaries
 - Dignams Creek
 - Middle Lagoon tributaries
 - Murrumbidgee Estuary tributaries
 - Murrumbidgee River
 - Narira Creek
 - Nelson Lagoon tributaries
 - Wallaga Lake tributaries
 - Wapengo Lagoon Tributaries.
- **Risk assessment** – We have completed a risk assessment for the water sources in the water sharing plan area. In the assessment, we consider the ecological values in the area and the likelihood that extraction of water will affect these. We combine the ecological value and likelihood to create a risk rating for each water source. We have identified that these water sources have high ecological value:
 - Bermagui River
 - Bobundra Creek
 - Cuttagee Lake tributaries
 - Dignams Creek
 - Dry River
 - Middle Lagoon tributaries
 - Murrumbidgee River
 - Narira Creek
 - Wallaga Lake tributaries
 - Wapengo Lagoon tributaries.
- We updated risk maps for **potential acid sulfate soil** in 2011.
- The *Marine Estate Management Act 2014* began operating since the last water sharing plan was developed. This Act requires the Minister for Lands and Water to consider the **NSW Marine Estate Management Strategy** when managing water sharing.

As a result of this new information, the replacement water sharing plan proposes the following changes to rules for water supply works approvals:

- prohibiting construction or amendment of in-river dams in water sources we have identified as having high ecological value and that currently have the prohibition in place (the result is that there are no water sources in the Murrumbidgee–Wallaga area where in-river dams on third-order or higher streams are permitted)
- prohibiting the issue of water supply work approvals, except for the exercise of basic landholder rights, in areas where there is currently no water development. Specifically, this is in the Baragoot Lake tributaries, the Murrumbidgee Estuary tributaries and Nelson Lagoon tributaries water sources.
- prohibiting construction or amendment of water supply work approvals where there will be more than minimal impact on Coastal SEPP wetlands in water sources where they exist
- prohibiting groundwater works on land classified as having a high probability of having acid sulfate soils.

We have also changed the rule for take from (natural) off-river pools. Previously, take was not permitted unless the pool was at or above 100% capacity. The draft plan proposes that we will now permit take when capacity is at 50% and higher, unless flows are in the very low-flow class.

Distance rules for groundwater bores in alluvial aquifers

In the draft plan, we propose new rules to govern the minimum distance between groundwater bores and certain sites or areas. The plan proposes that water supply works must not be granted or amended within an area classed as having a high probability of containing acid sulfate soils, based on the Acid Sulfate Soil Risk Map the department maintains.

Similarly, we propose new rules governing the minimum distance between groundwater bores and contamination sites or groundwater-dependent areas. New or amended water supply works will not be granted:

- within 500 metres of a contamination site identified by the plan
- within 250 metres from the edge of a contamination plume and an onsite sewage system
- between 250 metres and 500 metres of the edge of a contamination plume where drawdown will occur within 250 metres of the edge of the contamination plume
- 100 metres from a groundwater-dependent, culturally significant site if the bore is for basic landholder rights, and 200 metres for all other bores
- 100 metres from a high-priority, groundwater-dependent ecosystem identified on the groundwater-dependent ecosystem map for basic landholder rights bores or 200 metres for all other bores.

The new plan proposes to change distance rules for new bores near existing bores on neighbouring properties. Distance restrictions in the 2010 plan were smaller than other coastal water sharing plans. To prevent effects on bores on neighbouring properties, we will apply these standard distances:

- 200 metres from a bore on a neighbouring property (whether it is used solely for basic landholder rights or licensed extraction)
- 100 metres from the boundary of another property, unless the licence holder of the bore on the neighbouring property has given written consent.

Estimated water requirements for basic landholder rights and licensed take

We propose to update the estimated water requirements of basic landholder rights to take into consideration recent data sets for urban areas, number of dwellings and land use. We also propose to update the total volumes or unit shares specified in the share components of all access licences to reflect current information. The draft plan outlines estimates of these volumes at the time of public exhibition.

Effects of increased harvestable rights

In May 2022, the harvestable rights for coastal catchments in NSW increased from 10% of rainfall run-off to 30%, dependent on a catchment-by-catchment assessment.

This has the potential to reduce flows that reach rivers. To protect instream and downstream ecological values and other water users who rely on river flows, we propose including an amendment provision in the plans. This would allow us to change the plans if there is significant uptake of additional harvestable rights.

The proposed amendment provision requires the department to monitor the uptake of harvestable rights by year 3 of the plan. If uptake has grown to above 10% of rainfall run-off, we may review access and trade rules for the water sharing plan.

More information

To read the draft water sharing plan and other fact sheets, visit [the Water pages of the department's website](#).