

Outcomes of public exhibition

The *Water Sharing Plan for the Bellinger River Area Unregulated and Alluvial Water Sources 2008* is due to expire on 30 June 2020. In line with the *Water Management Act 2000*, the Natural Resources Commission (NRC) completed its independent review of the plan in 2018, and recommended plan replacement.

The plan will be replaced on 1 July 2020 by the *Water Sharing Plan for the Bellinger River Area Unregulated and Alluvial Water Sources 2020*. As part of the planning process, the draft water sharing plan for the Bellinger River Area was publicly exhibited from 17 February 2020 to 28 March 2020.

The public exhibition period provided valuable feedback from stakeholders that helped to develop and inform the changes that are proposed for the Bellinger River Area water sharing plan. This fact sheet outlines the main changes.

Submissions

We received 13 submissions on the draft *Water Sharing Plan for the Bellinger River Area Unregulated and Alluvial Water Sources 2020* raising 29 issues for consideration.

The issues raised in each submission were sorted into two broad categories: for consideration or out of scope, then aligned with the corresponding themes in the water sharing plan.

How issues were considered

The NSW Department of Planning, Industry and the Environment (the Department) examined the nature of the issue raised and considered the follow questions for each:

- Is the issue within the scope of the water sharing plan?
- Is the issue consistent with the *Water Management Act 2000*?
- Are existing programs/processes or other departments addressing the issue?
- Does it relate to water charges, costs, operational activities or licensing matters outside of the scope of the water sharing plan?
- Is it likely to have an impact on water availability for basic landholder right users and licence holders, and if so, how?
- Can current statutory mechanisms enable the change, or is legislative change required?
- Is it consistent with current policy settings, and if not, is development of robust alternative, policies feasible within the timeframe to develop the water sharing plan?
- Are there additional costs for the NSW Government?
- Is a full investigation of the issues feasible within the timeframe of developing the water sharing plan?

Key issues raised from public consultation

Based on the considerations outlined above, the NSW Department of Planning, Industry and Environment completed an assessment of all the issues raised in submissions. Seventeen key issues fell into the category of requiring further consideration. After this consideration, three additional changes to the draft water sharing plan were made. These key issues, and the Departments response, are as follows:

Key issue raised	Department of Planning, Industry and Environment - Water response	Change to the draft water sharing plan
Increased cease to take levels could jeopardize crops and irrigated agriculture, particularly through critical crop watering times.	Increased cease to take levels reflect updated flow data and installation of new gauges. Flow percentiles remain the same as those in the 2008 plan.	<p>Included review provisions to assess impacts of change on irrigated agriculture and the environment and investigate flow data and hydrology modelling to verify percentile flows.</p> <p>Included an ability to amend the cease to take levels depending on the outcome of the review.</p>
New flow reference point for Bellinger River water source does not reflect flows at point of take for some licence holders.	<p>Intent is to reference licensees to the rules at the most appropriate flow gauge.</p> <p>Agree there were some licence holders in the Bellinger River Water Source where an alternative gauge to the one proposed in the draft plan is more appropriate.</p>	<p>Split the Bellinger River Water Source into an upper zone above the Never Never Creek confluence and a lower zone below the Never Never Creek Confluence.</p> <p>Licensees in the upper zone referenced to the Thora gauge and in the lower zone referenced to the Fosters gauge.</p>
Introduction of 24 hour commence to take may increase number of days of reduced access.	Rule introduced to protect a proportion of fresh flows critical to river health.	Nil.
Request for high flow conversions in Bellinger River Water Source.	Proposal accepted as increased demand for high flows would not jeopardize town water supply or river health.	Applications to convert a total of up to 568 unit shares of unregulated licences into high flow access only in the Bellinger River Water Source. High flow licences will be subject to C class flow cease

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		to take (134 ML @ Thora and 325 ML @ Fosters gauges).
Maintain connectivity between surface and groundwater.	<p>Current plan protects take of upriver alluvial groundwater by subjecting groundwater take to surface water daily take rules.</p> <p>Coastal floodplain groundwater is considered to be weakly connected to surface water. Take of this groundwater is not subject to surface water take rules.</p>	Nil.
Controlled allocations not a fair process.	Matter is beyond the scope of the water sharing plan.	Nil.
Improve the proportion of coastal floodplain alluvial groundwater that is protected for the environment.	100% of water stored in the alluvial aquifer and 75% of recharge to the aquifer is protected for the environment.	Nil.
Review Department's harvestable rights policy to provide additional water.	Harvestable rights policy being reviewed, though not a matter for current water sharing plan.	Nil.
<p>Increase LTAAEL for floodplain alluvial from 350 to 1050 ML.</p> <p>Consider establishing LTAAEL for entire plan area and a volume for surface water LTAAEL</p>	<p>350 ML provides for current and estimated future licence demands. Where these future demands are met, consideration may be given to increasing the LTAAEL to 1050 ML.</p> <p>Shall consider Plan area LTAAEL and entire volume for surface water LTAAELs as medium term consideration for all coastal water sharing plans.</p>	Nil.
Monitor salinity and Bellinger River snapping turtle.	Plan provides for salinity investigation, and monitoring and evaluation of plan would consider the impact of the plan on the Bellinger River Snapping Turtle.	Native turtles explicitly referenced in environmental objectives.
Environmental objectives may constrain irrigated water use.	Objectives are established to protect river health as the first priority as required by the <i>Water</i>	Nil.

<p>Include water quantity objective to sustain river health.</p> <p>Include indicators as an early warning system for monitoring environmental sustainability.</p>	<p><i>Management Act 2000.</i></p> <p>A large number of objectives in the plan relate to water quantity so no further objectives necessary.</p> <p>May consider such a system as a medium term consideration for all coastal water sharing plans.</p>	
<p>Instantaneous flow gauge data is corrected and then published on Real Time Data portal subsequent to and replacing the published instantaneous data.</p>	<p>Department shall investigate this matter to resolve which data shall determine the rule that applies on any one day.</p>	<p>Nil</p>
<p>Trade rules difficult to understand due to fragmentation of plan area into water sources and management zones.</p>	<p>Division of the plan area into water sources is necessary to ensure that access and trade rules protect river health and equity between licensees.</p> <p>Rule summary sheets are available to clearly explain the trade rules in each water source.</p>	<p>Nil.</p>
<p>Distance rules between town water supply exploration bores should be less than 200m.</p>	<p>The plan provides for an exemption to the distance rule where the bore is for monitoring purposes or where no more than minimal harm on existing take can be demonstrated.</p>	<p>Nil.</p>
<p>Distance rules from high bank should be increased to protect surface groundwater connectivity</p>	<p>Distance rules are accompanied by surface water take rules that apply to bores within 40 m of high bank of river.</p>	<p>Nil.</p>
<p>Prohibitions on in-river dams may jeopardise future water supply.</p>	<p>Prohibition does not apply to town water supply dams. Aim to encourage off river dams through high flow conversion. Prohibition serves to protect significant river health and equity between existing water users.</p>	<p>Nil.</p>
<p>Include review and amendment provisions to assess whether access rules referenced to Fosters</p>	<p>Since staff gauges are the 2008 flow reference points in adjacent water sources, 2008 rules in these water sources protect only</p>	<p>Nil.</p>

<p>and Never Never Creek gauges are suitable for protecting flows in adjacent water sources.</p>	<p>visible flow at point of take.</p> <p>The 2020 rules include the visible flow rule, together with a percentile flow cease to take, 24 hour commence to take, and 8 hour restriction on take during low flows. These provide greater protection for the environment than existing rules.</p>	
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More information

The *Water Sharing Plan for the Bellinger River Unregulated and Alluvial Water Sources 2020* and supporting information are available from the NSW Department of Planning, Industry and Environment's website <https://www.industry.nsw.gov.au/water/plans-programs/water-sharing-plans>

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