

# Report card for the Upper Nepean Rivers Water Source

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## Water source context

Water Sharing Plan:	Greater Metropolitan Region Unregulated River Water Sources
Extraction Management Unit:	Upper Nepean and Upstream Warragamba
Area:	58,319.1 ha
Inflowing water source:	Nil
Receiving water source:	Maldon Weir Water Source

## River flows

Low flow index:	Dependent on dam releases from Avon, Cordeaux and Cataract Dams
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## Basic landholder rights

Domestic and stock rights estimate:	162.1 ML/yr
Native title rights:	0 ML/yr

## Licensed water entitlements

Total surface water entitlement:	620,213 ML/yr (213 ML/yr unregulated river licences)
Local water utilities entitlement:	0 ML/yr
Major utilities entitlement:	620,000 ML/yr
Proportion of extraction management unit:	93%

## Rules

### Managing access licences

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

For a major water utility access licence account – carryover is not permitted.

Domestic and stock, unregulated river and aquifer access licence accounts - carryover is permitted up to 1 ML per unit share or 100% of share component (where expressed in ML) at the end of each water year.

Domestic and stock, unregulated river and aquifer access licences - 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 licences

Type	Current rules	Proposed rules
<p>There are limited purposes for which a new licence will be granted. It is anticipated that most 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 Water Management Act General Regulation 2018.</p>		
Aboriginal cultural access licence	Permitted to a limit of 10 ML/yr.	No change.
Aboriginal community development access licence	Prohibited.	No change.

Table 2. Draft surface water access rules

Type	Current rules	Proposed rules
Cease to pump	<p><b>Avon River Management Zone</b></p> <p>Cease to pump when no visible flow at the pump site.</p> <p><b>Cordeaux River Management Zone</b></p> <p>Cease to pump when no visible flow at the pump site.</p> <p><b>Lower Cataract River Management Zone</b></p> <p>Cease to pump when no visible flow at the pump site.</p> <p><b>Mid Cataract River Management Zone</b></p> <p>Cease to pump when no visible flow at the pump site.</p> <p><b>Upper Nepean River Tributaries Headwater Management Zone</b></p> <p>Cease to pump when no visible flow at the pump site.</p>	<p><b>Upper Nepean River Management Zone</b></p> <p>Cease to pump when no visible flow at the pump site.</p>
	<p><b>Pheasants Nest Weir to Nepean Dam Management Zone</b></p> <p>Cease to pump when no visible flow at the pump site.</p>	
Flow classes	<p><b>Avon River Management Zone</b></p> <p>No flow classes established.</p> <p><b>Cordeaux River Management Zone</b></p> <p>No flow classes established.</p> <p><b>Lower Cataract River Management Zone</b></p> <p>No flow classes established.</p> <p><b>Mid Cataract River Management Zone</b></p> <p>No flow classes established.</p> <p><b>Upper Nepean River Tributaries Headwater Management Zone</b></p> <p>No flow classes established.</p>	<p><b>Upper Nepean River Management Zone</b></p> <p>No flow classes established.</p>

Type	Current rules	Proposed rules
	<b>Pheasants Nest Weir to Nepean Dam Management Zone</b> No flow classes established.	<b>Pheasants Nest to Nepean Dam Management Zone</b> No change.
<b>Extraction from an in-river pool</b>	Must cease pumping if the in-river pool is below full capacity	No change.
<b>Extraction from an authorised in-river dam pool</b>	Rules specified on the water supply work approval for the in-river dam.	No change
<b>Off-river pools (natural pools, lakes or lagoons)</b>	Extraction from natural pools can only occur if the pool is 100% full.	No change.

Table 3 Exemptions from surface water access rules

Type	Current rules	Proposed rules
<b>Health and hygiene</b>	For an access licence specified in Schedule 2 of the plan, no more than 20 kl/day for the following reasons: <ul style="list-style-type: none"> <li>• fruit washing</li> <li>• cleaning of dairy plant and equipment for the purposes of hygiene</li> <li>• poultry watering and misting</li> <li>• cleaning of enclosures used for intensive animal production for the purposes of hygiene.</li> </ul>	Exemption now applies to both fruit and vegetable washing
<b>Domestic use</b>	For domestic consumption under a domestic and stock access licence, up to 1 kl/day.	No change.
<b>Harvestable rights</b>	From a run-off harvesting dam.	No change.
<b>Specific purpose</b>	For an access licence specified in Schedule 2 of the plan.	No change.

Table 4 Draft rules for constructing surface water supply works

Type	Current rules	Proposed rules
In-river dams	Permitted.	Prohibited on third order and higher streams.
Works near coastal wetlands listed under <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	No current rule.	Prohibited within 3km upstream of a Ramsar wetland or 200m of a coastal wetland identified on the Coastal Wetlands and Littoral Rainforest Area Map available on the NSW Planning Portal at <a href="http://www.planningportal.nsw.gov.au">www.planningportal.nsw.gov.au</a>

Table 5 Draft water trading (dealing) rules

Type	Current rules	Proposed rules
<p>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).</p>		
INTO water source	Prohibited	No change
WITHIN water source	Permitted except for: from below a major dam to above a major dam and from above a major dam to below a major dam	Prohibited between the two management zones
Surface water to groundwater	Prohibited	No change
Groundwater to surface water	Prohibited	No change
Convert to high flow	Prohibited	No change

## Key factors for decisions

- The Upper Nepean River Water Source has very high ecologic values and medium likelihood of extraction from low flows impacting the ecological values, with an overall high risk to low flow.
- The proposed Upper Nepean River Water Source will be made up of two water management zones. These two zones will be a combination of six existing water management zones.

- The Avon River, Cordeaux River Lower Cataract River, Mid Cataract River and the Upper Nepean River Tributaries Headwater Management Zones will merge into the single Upper Nepean River Management Zone. These management zones contain very few licences, and all have the same risk assessment outcomes, access rules and trade rules.
- The Pheasants Nest Weir to Nepean Dam Management Zone will be retained in its current form.
- In-river dams will be prohibited on third order and higher streams due to the very high consequence of this water source.
- There is no gauge located in this water source. Access rules reflect this.
- The current water sharing plan does not allow trade into the Upper Nepean Water Source. It is proposed to retain these rules due to the continuing high risk to low flows in this area. Trade out of the Upper Nepean Water Source is allowed and should help reduce the overall risk.
- This water source is outside of the drainage catchment for Warragamba Dam. Water sources outside this drainage catchment (Maldon's Weir, Maguires Crossing, Stonequarry Creek and Upper Nepean water sources) cannot trade to a water source in the drainage catchment it. This will maintain the current level of entitlement within the drainage catchment and protect inflows to Warragamba Dam.

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## 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 Greater Metropolitan Region Unregulated River Water Sharing Plan and supporting fact sheets are available from the department's [Public Exhibition website](#).