

# Replacing the Greater Metropolitan Region Unregulated River Water Sharing Plan

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The *Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources 2023* will replace the previous 2011 plan. This document answers frequently asked questions about the proposed changes to the plan.

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## What is a water sharing plan?

Water sharing plans are statutory plans made under the *NSW Water Management Act 2000*. The rules in the plans allow equitable sharing of water for all water uses, including the environment. The plans have a statutory timeframe of 10 years. The purpose of a water sharing plan is to:

- provide water users with a clear picture of when and how water will be available for extraction
- protect the fundamental environmental health of water sources
- ensure our water sources are sustainably managed in the long term.

The plans clearly define the rules for sharing in the available water in a water source. They also provide irrigators and farmers with continuing or 'perpetual' licences, which have a title separate from the land, enabling better water trading opportunities. In addition, plans set out requirements for basic landholder rights domestic and stock rights, harvestable rights and native title rights.

Water sharing plans support the long-term health of rivers and aquifers by making water available specifically for the environment.

## Why is the Greater Metropolitan Unregulated River plan being replaced?

NSW water sharing plans are valid for 10 years and are subject to a review by the NSW Natural Resources Commission. The minister may extend or replace a plan on the recommendation of the commission.

In 2021, the commission completed its review of the *Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources 2011* and recommended the plan be replaced. The department has prepared a draft replacement plan, which will be known as the *Draft Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources 2023*.

The draft replacement plan includes a number of changes recommended by the commission.

## How are we consulting on the replacement water sharing plan?

Stakeholder input is critical to the development of water sharing plans in NSW. We are consulting the community through:

- online public information sessions

- face-to-face public consultation
- targeted consultation
- one-on-one sessions on request
- public submissions
- inter-agency consultation.

The draft replacement plan will be on public exhibition from 27 June to 7 August 2022. You can have your say by attending one of the consultation events, and by sending in a submission form, available from the [department's website](#).

### Where can I attend a public consultation session?

The department is holding several online public information and face-to-face public consultation sessions throughout the Greater Metropolitan plan area throughout June and July 2022. Please register [here](#) to attend a public webinar or face-to-face consultation session. Registration will be open from 27 June 2022. The date, times and locations below are tentative. Please confirm the final details when you register.

Location	Date and time
Online webinar #1*	28 June 2022 (5:00-6:30pm)
Sydney city	30 June 2022 (10:00am - 2:00pm)
Lithgow	5 July 2022 (10:00am - 2:00pm)
Katoomba	6 July 2022 (10:00am - 2:00pm)
Penrith	7 July 2022 (10:00am - 2:00pm)
Parramatta	8 July 2022 (10:00am - 2:00pm)
Wollongong	11 July 2022 (10:00am - 2:00pm)
Goulburn	19 July 2022 (10:00am - 2:00pm)
Moss Vale	20 July 2022 (10:00am - 2:00pm)
Camden	21 July 2022 (10:00am - 1:00pm)
Windsor	22 July 2022 (10:00am - 2:00pm)
Braidwood	26 July 2022 (10:00am - 2:00pm)
Nowra	27 July 2022 (10:00am - 2:00pm)
Kangaroo Valley	28 July 2022 (10:00am - 2:00pm)
Online webinar #2*	29 July 2022 (10:00am - 2:00pm)

## Is there a limit on how much water I can take with my licence?

The amount of water you can take is defined by your:

1. licence share component – this specifies the size of your licence.
2. volume of water in your water allocation account - water allocation accounts are credited at the start of each water year (1 July) based on your share component and an available water determination. Account volumes may increase or decrease if you trade water in or out. You can only take the volume of water that is in your account in accordance with the account rules specified in the water sharing plan.
3. conditions on your licence – including account management rules that specify how much water can be taken in one year. Unregulated river licences can take three times their share component over a three-year period. This can be taken all in one year as long as there is no water taken for the following two years. Other licence types cannot take more than their share component in one year.

The total amount of water that can be taken by all water users in a water source is limited. This limit is known as the long-term average annual extraction limit (LTAAEL). A revised definition of LTAAELs has been developed in response to recommendations from the NRC and is now being applied across all coastal water sharing plans at their remake. This revised definition splits the LTAAEL into 2 components:

1. Standard LTAAEL - to capture extraction that can impact all flows, and
2. High flow LTAAEL - to capture water take that specifically impacts high flows.

The standard LTAAEL applies to take from all flows and includes all basic landholder rights extraction, including harvestable rights. The standard LTAAEL includes:

- sum of entitlements at commencement of the replacement water sharing plan (except in the Upper Nepean and upstream Warragamba and Hawkesbury Lower Nepean extraction management units where it will be the 1993-99 usage figures consistent with the current plan),
- a reduction for entitlement cancelled specifically for an environmental purpose,
- domestic and stock and native title basic landholder rights estimated commencement of the 2011 plan, and
- an estimate of the maximum harvestable rights at the commencement of the 2011 plan.

This LTAAEL will be established as a fixed volume that is expressed numerically in the final water sharing plan.

The higher flow LTAAEL applies to extraction that can only occur from high flows. This volume can vary as licences are converted to higher flows or specific purpose access licences are granted that can only access high flows. By establishing a variable higher flow LTAAEL we can manage extraction whilst encouraging users to shift their extraction away from stressed low flow periods into wetter times when there is an abundance of water in system.

If total annual extraction (averaged over 5 years) is greater than the standard LTAAEL by more than 5%, some licenced water users will receive a reduced allocation and will not get their full share

component credited into their account the following year. This will reduce extractions back to the standard LTAAEL.

### What changes are being proposed to rules governing when I can take water?

You can get daily flow data at the flow gauges referred to in the plan from the [WaterNSW real-time data website](#).

## Shoalhaven River Extraction Management Unit

No changes are proposed for those who take water from the following water sources:

- Barbers Creek
- Broughton Creek
- Bundanoon
- Bungonia Creek
- Corang and Endrick Rivers
- Kangaroo River
- Lower Kangaroo River
- Lower Shoalhaven River Catchment
- Nerrimunga Creek
- Shoalhaven River Gorge
- Upper Shoalhaven River – Upper Shoalhaven River Management Zone
- Upper Shoalhaven River - Mid Shoalhaven River Management Zone
- Upper Shoalhaven Tributaries - Reedy Creek Management Zone
- Upper Shoalhaven Tributaries - Mongarlowe River Management Zone
- Upper Shoalhaven Tributaries - Boro Creek Management Zone.
- Yarrunga Creek

If you take water from the Jaspers Brush Creek and Tributaries Water Source, a new flow reference point and access rules are being proposed. New access rules will be referenced to 215019 Jaspers Brush Creek at Jaspers Brush gauge with a cease to pump of 0.5 ML/day.

If you take water from the Fitzroy Falls Water Source, new access rules will be referenced to 215233 Yarrunga Creek at Wildes Meadow gauge with a cease to pump of 1.3 ML/day.

If you take water from the Lower Shoalhaven River Water Source, new access rules will be referenced to 215216 Shoalhaven River at Grassy Gully No 2 gauge with a cease to pump of 69 ML/day with no pumping 24 hours after a cease to pump event.

If you take water from the Bomaderry Creek Water Source, new access rules will be referenced to 215016 Bomaderry Creek at Bomaderry gauge with a cease to pump of 0.7 ML/day and a commence to pump at 1.3 ML/day.

## Illawarra Rivers Extraction Management Unit

No changes are proposed for those who take water from the following water sources:

- Lake Illawarra
- Macquarie Rivulet
- Minnamurra Coastal
- Wollongong Coastal

If you take water from the Minnamurra River Water Source, new access rules will be referenced to 214010 Minnamurra River at Browns Lane gauge, with a cease to pump of 3.6 ML/day.

## Upper Nepean Upstream Warragamba Extraction Management Unit

No changes are proposed for those who take water from the following water sources:

- Dharabuladh
- Lake Burragorang
- Little River
- Maguires crossing
- Mulwaree River
- Upper Nepean Rivers – Pheasants Nest Weir to Nepean Dam Management Zone
- Upper Nepean Rivers – Upper Nepean River Management Zone
- Upper Wollondilly River
- Wingecarribee River - Medway Rivulet Management Zone
- Wingecarribee River - Upper Wingecarribee River Management Zone
- Werriberri Creek
- Wywandy.

If you take water from the Jenolan River Water Source, a new flow reference point and access rules are being proposed. New access rules will be referenced 212250 Cox's River at Kelpie Point gauge with a cease to pump of 6 ML/day.

If you take water from the Kowmung River Water Source, a new flow reference point and access rules are being proposed. New access rules will be referenced 212260 Kowmung River at Cedor Ford gauge with a cease to pump of 0.8 ML/day.

If you take water from the Kedumba River Water Source, a new flow reference point and access rules are being proposed. New access rules will be referenced 212016 Kedumba River at Kedumba Crossing gauge with a cease to pump of 5 ML/day.

If you take water from the Lower Wollondilly River Water Source, new access rules will be referenced to 212271 Wollondilly River at Golden Valley gauge with a cease to pump of 7 ML/day and a commence to pump at 4 ML/day.

If you take water from the Lower Wingecarribee River Management Zone of the Wingecarribee River Water Source, new access rules will be referenced to 2122009 Wingecarribee River at Greenstead gauge with a cease to pump of 13.9 ML/day with no pumping 24 hours after a cease to pump event

If you take water from the Maldon Weir Water Source, new access rules apply. These are a simplified version of the current rules in the Plan. Access rules provide for the protection of environmental flows. In areas where the access rules are complex the department is working to develop an online system to announce the daily flow class and let licence holders know when access is permitted.

If you take water from the Nattai River Water Source, new access rules will be referenced to 2122801 Nattai River at the Craggs gauge with a cease to pump of 2.7 ML/day with no pumping 24 hours after a cease to pump event.

If you take water from the Stonequarry Creek Water Source, new access rules will be referenced to 212053 Stonequarry Creek at Picton gauge with a cease to pump of 0.8 ML/day and a commence to pump at 1 ML/day.

Due to the poor quality of data produced by the local gauge, Little River Water Source will move to a cease to pump of no visible flow at the pump site

### **Southern Sydney Rivers Extraction Management Unit**

No changes are proposed for water sources in the Southern Sydney Rivers Extraction Management Unit. This means no changes are proposed for those who take water from the following water sources:

- Cabramatta Creek
- Cooks River and Botany Bay
- Georges River Catchment
- Hacking River
- Lower Georges River and Bunbury Curran Creek
- Prospect Creek
- Southern Sydney Coastal
- Woronora River - Lower Woronora River Management Zone
- Woronora River - Upper Woronora River Management Zone.

### **Northern Sydney Rivers Extraction Management Unit**

No changes are proposed for water sources in the Northern Sydney Rivers Extraction Management Unit. This means there will be no changes to those who take water from the following water sources:

- Lane Cove River
- Middle Harbour
- Northern Sydney Coastal
- Parramatta River - Lower Parramatta River Management Zone
- Parramatta River - Upper Parramatta River Management Zone.

## Hawkesbury and Lower Nepean Rivers Extraction Management Unit

No changes are proposed for those who take water from the following water sources:

- Berowra Creek and Cowan Creek
- Capertee River
- Colo River
- Erskine Creek and Glenbrook Creek
- Grose River
- Warragamba River.

In the Mid Nepean River Weirs Water Source, if you take water from Sharpes Weir, new access rules will be referenced to 212216 Nepean River at Camden Weir. Camden Weir Management Zone will continue to reference this gauge. If you take water from Cobbitty Weir, Brownlow Hill Weir, Theresa Park Weir, Mount Hunter Rivulet Weir or Wallacia Weir Management Zones, new access rules will be referenced to 212202 Nepean River at Wallacia Weir. Menangle Weir Management Zone will continue to reference existing gauge (212238 Nepean River at Menangle Weir). New access rule will provide access to water above the sum of environmental flow releases from the Upper Nepean dams.

If you take water from the Cattai Creek Water Source, new access rules will be referenced to 2122951 Cattai Creek at Cattai Ridge Road gauge at Picton gauge with a cease to pump of 5 ML/day with no pumping 24 hours after a cease to pump event.

If you take water from the Lower South Creek Management Zone:

- Changes are proposed for South Creek. These include:
  - Establishing a Wianamatta-South Creek water source with 3 management zones in the Hawkesbury and Lower Nepean River extraction management zone:
    - Upper Wianamatta-South Creek management zone;
    - Lower Wianamatta-South Creek management zone
    - Eastern Creek management zone
- Those upstream of the confluence South Creek and Ropes Creek and Eastern Creek and Breakfast Creek, will have new access rules will be referenced to 212048 South Creek at Great Western Highway, with a cease to pump of 0.3 ML/day. This will also includes Werrington Creek, Claremont Creek, Ropes Creek, Angus Creek and Reedy Creek.
- Those that take from Eastern Creek below the confluence of Eastern Creek and Breakfast Creek and above the confluence of Eastern Creek and South Creek, will have new access rules and will reference Eastern Creek at Riverstone gauge (212296), with a cease to pump of 10ML/day. This will also include users on Bells Creek.

Those licence holders that take from South Creek below the confluence of South Creek and Ropes Creek and users in McKenzies Creek, Killarney Chain of Ponds and First Ponds Creek will continue to reference 212297 South Creek at Richmond Road

If you take water from the Lower Nepean River Water Source, new access rules provide for the protection of environmental flows and drinking water supply. In areas where the access rules are complex the department is working to develop an online system to announce the daily flow class and let licence holders know when access is permitted

If you take water from the Upper Hawkesbury River Water Source, new access rules apply. These have been simplified and include the amalgamation of the previous 3 Management Zones into one water source. Access rules provide for the protection of environmental flows and very low flows from tributaries. In areas where the access rules are complex the department is working to develop an online system to announce the daily flow class and let licence holders know when access is permitted

If you take water from the Lower Hawkesbury Water Source, new access rules apply. These are a simplified version of the current rules in the Plan. Access rules provide for the protection of environmental flows and very low flows from tributaries. An online system will announce the daily flow class and let licence holders know when access is permitted.

### Removing exemptions to access rules for cropping or 'survival watering'

Access rules are put in place to protect low flows and reserve water for the environment. Exemptions to access rules allow licence holders to extract water during these low flow conditions albeit for specific circumstances usually related to meeting critical human water needs.

The Greater Metropolitan Unregulated water sharing plan contains several unique exemptions put in place for local industries in the Hawkesbury Nepean. These exemptions provide access to low flows for cropping purposes (new plantings, turf washing, watering turf in leadup to harvest etc.) and after consecutive days low flows when temperatures are  $<4^{\circ}\text{C}$  or  $\geq 31^{\circ}\text{C}$  (survival watering).

The draft replacement plan proposes to remove these exemptions, providing greater protection to low flows in line with recommendations from the Natural Resources Commission. To date, targeted consultation on this matter indicates significant concerns with the impact that the proposed removal of these unique exemptions may have on licence holders in these particular industry groups. We want to continue to work with effected stakeholders to review the decisions around inclusion of these exemptions in the final replacement plan to ensure impacts on both industry and the environment are minimised.

### How will I know whether I can or cannot take water?

'Real time' flow data for each of the flow gauges is available on the WaterNSW website. Enter the gauge number in the 'find a site' box to access current flows in megalitres or river height. Compare current recorded flows with the flow rule on your licence or works approval to determine whether you or not you are allowed to take water.

The department is working to develop an online system for water sources where access rules are complex to announce the daily flow class and let licence holders know when access is permitted.

### Are changes proposed to rules governing trade of licence shares or water allocations?

The risk assessment for the Greater Metropolitan Unregulated water sharing plan shows widespread reduction in risk across the Plan area. This reduction in risk justifies change to the current trade framework in line with the NRC recommendation to “review trade limitations with a view to manage trade across broader areas provided environmental outcomes can be maintained”.

The draft replacement Plan proposes an increase in trade opportunities where permitted by risk assessment data. The proposed rules have also been designed to achieve positive environmental outcomes through promoting the downstream movement of extraction and the shift away from areas identified as high value or as being highly stressed.

### Upper Nepean and Upstream Warragamba Extraction Management Unit

Risk assessment data for the Upper Nepean and Upstream Warragamba Extraction Management Unit (EMU) is showing an overall decrease in risk across the catchment. Where risk is reduced it may be appropriate to increase trade opportunities. Water sources where trade rules have been relaxed based on risk assessment data include:

- Wywandy
- Dharabuladh
- Jenolan River
- Kedumba River
- Mulwaree River
- Upper Wollondilly River
- Lower Wollondilly River
- Upper Wingecarribee River
- Lower Wingecarribee River
- Lake Burragorang

Water sources that have been newly identified as having high or very high environmental values and now prohibit trade include:

- Werriberri Creek
- Little River
- Nattai River

Trade rules have also been put in place to ensure there is not growth in use within the catchment of Warragamba Dam.

### Illawarra Rivers Extraction Management Unit

Trade is currently prohibited between water sources in the Illawarra Rivers EMU due to the lack of connectivity between catchments. The draft replacement plan proposed to maintain the current prohibitions on trade in the Illawarra Rivers EMU.

## Shoalhaven Rivers Extraction Management Unit

Risk assessment data for the Shoalhaven Rivers EMU is showing large scale decreases in risk across the catchment. Risk was predominantly high in the previous assessment with trade prohibited in 15 of 21 water sources. Eight water management zones in the south western part of the EMU are now low risk. These management units encompass the Shoalhaven River and its tributary streams upstream of the Shoalhaven River Gorge.

Water sources where trade rules have been relaxed based on risk assessment data include:

- Kangaroo River
- Lower Kangaroo River
- Broughton Creek
- Broughton Mill Creek
- Upper Shoalhaven River
- Mid Shoalhaven River
- Reedy Creek
- Boro Creek
- Bungonia Creek
- Shoalhaven River Gorge
- Nerrimunga Creek

Consideration has been given to the reliability of the town water supply accessed at Burrier.

## Hawkesbury and Lower Nepean Rivers Extraction Management Unit

Risk assessment data for the Hawkesbury and Lower Nepean Rivers EMU is showing an overall decrease in risk across the catchment. Risk was predominantly high in the previous assessment. Where risk is reduced it may be appropriate to increase trade opportunities. In particular trade has been expanded throughout the Mid Nepean Weirs and in a downstream direction through the Lower Nepean and Hawkesbury Rivers. Water sources where trade rules have been relaxed based on risk assessment data include:

- Menangle Weir
- Camden Weir
- Sharpes Weir
- Cobbitty Weir
- Mount Hunter Rivulet Weir
- Brownlow Hill Weir
- Upper Wianamatta-South Creek
- Lower Wianamatta-South Creek

Water sources such as the Lower Nepean River and Upper Hawkesbury River have been newly identified as having very high environmental values or high levels of stress. These water sources can only be traded into from upstream.

In developing trade rules consideration has been given to Wild Rivers in the Grose River and Colo River water sources.

### Northern Sydney Rivers Extraction Management Unit

There is limited hydrological connectivity between the five water sources in the Northern Sydney Rivers EMU. The proposed trade rules only allow downstream trade from Upper Parramatta and Lane Cove water sources to connected rivers in the Lower Parramatta River water source.

### Southern Sydney Rivers Extraction Management Unit

Risk assessment data for the Southern Sydney Rivers EMU show a slight increase in risk in an area where risk is already high. With risk being high the proposed trade rules intend to shift water in a downstream direction, away from headwater catchments for environmental benefits.

### How can I obtain a licence or additional water for a commercial enterprise?

New or additional licence shares or annual water allocations may be acquired through the water market. Water sharing plans establishes rules governing buying and selling shares and allocations within and between water sources.

The current plan provides for applications for Aboriginal community development licences (ACDLs). Aboriginal people may apply for a water licence to support community development in the following water sources to specified limits:

- Upper Shoalhaven River Water Source up to 218 ML
- Jenolan River Water Source Lower up to 40 ML
- Kowmung River Water Source up to 40 ML
- Boro Creek Management Zone up to 268 ML.

ACDLs can only take in B class flows equivalent to the 50th percentile flow

ACDLs are no longer permitted in Capertee River, Lower Wianamatta-South Creek, Kedumba River, Wywandy and Cattai Creek water sources as the volume of high flows are too low.

ACDLs would no longer be allowed in Colo River Water Source due to the presence of flow dependant fish species in the water source.

Peak daily demand in Upper Wianamatta-South Creek Water Source is larger than high flows, as such ACDLs are no longer allowed.

Water can be granted for extraction at high flows in the form of a high flow access licence in some water sources. To obtain water under a high flow access licence, shares of an unregulated access licence need to be surrendered. To encourage high flow conversions, 1 unit share of unregulated river access licence can be converted to 2.5 unit shares of high flow access licence. High flow conversions would be allowed in the following water sources, to the specified limits:

- Lower Kangaroo River Water Source up to 1,782 shares
- Lower Wollondilly River Water Source up to 418 shares
- Minnamurra River Water Source Lower up to 220 shares

- Upper Shoalhaven River Water Source up to 392 shares

Unregulated (high flow) access licences can only take from B class flows in Upper Shoalhaven River, Lower Kangaroo River and Lower Wollondilly River water sources. Unregulated (high flow) access licences can only take in C class flows in Minnamurra River water source. These flow classes are equivalent to 50th percentile flow.

High flow conversions are no longer permitted in Capertee River, Lower Wianamatta-South Creek, Kedumba River, Wywandy and Cattai Creek water sources as the volume of high flows are too low.

High flow conversions would no longer be allowed in Colo River Water Source due to the presence of flow dependant fish species in the water source.

Peak daily demand in Upper Wianamatta-South Creek Water Source is larger than high flows, as such high flow conversions are no longer allowed

### Does the draft plan propose changes to the estimated water requirements for basic landholder rights and licensed take?

We have updated the estimated water requirements for basic landholder rights. We have also updated the total volumes or unit shares specified in the share components of all access licences to reflect current information.

### Will the increase of harvestable rights impact my ability to take water?

If more water is captured in harvestable rights dams, there is the potential that less water will be reaching rivers. This could increase the frequency of very low flows and result in more days where licenced water users must cease to pump.

Water that can be extracted from a water source is limited. If more water is captured in harvestable rights dams, less water may be available for extraction under a licence.

The department will monitor the uptake of harvestable rights by year 3 of the new plan. If uptake has grown to above 10% of rainfall runoff then the access and trade rules for the water sharing plan will be reviewed.

Further details on how increased harvestable rights could impact on water sharing can be found in fact sheet '[How increased harvestable rights will affect water sharing in coastal NSW](#)'.

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## More information

The draft water sharing plan and other fact sheets are available from the Water pages of the [department's website](#).