

## Report card for the Commissioners Waters Water Source

Why is the Plan being replaced?			
<p>The Commissioners Waters Water Sharing Plan (the Commissioners WSP) commenced in 2004 and is due to expire in 2015. Replacement of the Commissioners WSP at its expiry has been approved by the Minister for Primary Industries, based on a review of the Commissioners WSP by the NSW Office of Water (the NOW) and the Natural Resources Commission. A new water sharing plan is being prepared for the Macleay River Unregulated and Alluvial Water Sources (the remainder of the Macleay catchment (the Macleay WSP). The Commissioners WSP will be incorporated into the Macleay WSP. The NOW is proposing minor changes to the Commissioners WSP to ensure that the WSP is consistent with the current legal format, applies current policy and reflects current water management practice. Changes proposed for the Commissioners WSP include:</p> <ul style="list-style-type: none"> <li>• removal of Daily Extraction Limits.</li> <li>• amendment of cease to pump and trading rules.</li> <li>• inclusion of permission for Aboriginal Community Development Licenses.</li> <li>• updating rules to current legal template and policy positions.</li> </ul>			
Water source context		River flows	
<b>Area</b>	47,500 ha	<b>Low flow index*</b> (for December)	80th%ile = 3 ML/day (Source. Commissioners Waters Gauge at Tiverton (Eathorpe))
<b>Average annual rainfall</b> <small>*Data for Armidale Airport Source .www.bom.gov.au/climate.</small>	* 816 mm	<b>Flow records</b>	88 years of data (1924 to 2012) from Commissioners Waters at Tiverton (Eathorpe).
<b>Inflowing water source</b>	None	<b>Stream type</b>	Gaining
<b>Receiving water source</b>	Gara River	* 80 per cent of the time average daily flow exceeds 3 ML/day and this represents low flows.	
<b>Water user association</b>	Commissioners Waters.		
Licensed water entitlement			
<b>Total surface water entitlement</b>	2,212 ML/year.		
<b>Licensed purpose</b>	97% unregulated river.		
<b>Proportion of extraction management unit</b>	10% of total Extraction Management Unit entitlement.		
These figures and estimates were made in September 2012.			

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Access rules		
Rule	Existing Rule	Proposed Rule
<b>Commissioners Waters Management Zone</b>		
<small>Note. The management zone includes all waters in the water source except those in the Dumaresq Creek Management Zone (see below).</small>		
<b>Cease to Pump (CTP)</b>	No visible flow at the pump site.	<p><i>Surface Waters</i></p> <ul style="list-style-type: none"> <li>• 1ML/day (Tiverton Gauge )</li> </ul> <p><b>Note:</b> This rule applies to all extraction from rivers and creeks in this water source including natural in-river pools within the channels of rivers and creeks.</p> <p><i>Natural Off River Pools</i></p> <p>Pumping is not permitted when the water level in that natural off-river pool is lower than its full capacity</p> <p><b>Note:</b> 'Full capacity' can be approximated by the pool water level at the point where there is no visible flow into and out of that pool.</p> <p><b>Note:</b> Natural off-river pools include those pools located on flood runners, floodplains and effluents e.g. lakes, lagoons and billabongs.</p>

<b>Dumaresq Creek Management Zone</b>		
<small>Note. The management zone includes the waters of Dumaresq Creek downstream of the point where Armidale Dumaresq Council discharges water into Dumaresq Creek downstream to the junction of Dumaresq Creek and Commissioners Waters.</small>		
<b>Cease to Pump (CTP)</b>	<ul style="list-style-type: none"> <li>• No visible flow at the pump site.</li> <li>• Less than visible flow at the pumpsite when Armidale water treatment plant discharges flushing water into Dumaresq Creek. <b>Note:</b> this provision applies to the holders of licences listed in schedule 5 of the Commissioners WSP under conditions specific to each licence.</li> </ul>	<p><i>Surface Waters</i> - for existing (scheduled) licenses, whilst the Armidale Dumaresq Council water treatment plant is discharging water into Dumaresq Creek:</p> <ul style="list-style-type: none"> <li>• 0 ML/day (Tiverton gauge), plus</li> <li>• No drawing down of pools</li> </ul> <p><b>Note:</b> Nine licences were listed in the schedule to the Commissioners WSP. The holders of which are all permitted to access water at a level less than visible flow.</p> <p><b>Note:</b> When Armidale Dumaresq Council is not discharging water from the treatment plant all licences in the Dumaresq Creek Management Zone will have the same cease to pump as those in the Commissioners Waters Management Zone (i.e. 1 ML/day at Tiverton gauge).</p> <p><i>The NOW is seeking specific comment from licence holders on whether the above proposal will adversely impact on existing operations.</i></p> <p><b>Note:</b> New licences traded into the Dumaresq Creek Management Zone will have a cease to pump rule of 1 ML/day at Tiverton gauge.</p>

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<b>Commissioners Waters and Dumaresq Creek Management Zones</b>		
<b>Pumping restrictions</b>	None.	<ul style="list-style-type: none"> <li>• 12 hours/day at 9ML/day or less (down to more than 5ML/day) at the reference point.</li> <li>• 8 hours/day at 5 ML/day or less (down to the cease to pump) at the reference point.</li> </ul>
<b>Daily flow sharing (TDELS and IDELS)</b>	<p>Not implemented.</p> <p><b>Note:</b> Flow sharing arrangements were not able to be implemented due in part to a lack of infrastructure, including metering equipment. The suite of updated access rules and or pumping restrictions being proposed are anagalous with the intent of daily flow sharing and cease to pump arrangements.</p>	<p>None.</p> <p><b>Note.</b> Whilst the NOW is proposing to remove IDELS and TDELS plan templates include standard provisions that allow for such provisions to be considered as required in the future.</p>
<p><b>Note:</b> The <b>Proposed Rules</b> do not apply to:</p> <ul style="list-style-type: none"> <li>- Local water utility access licences</li> <li>- Town water supply access licences</li> <li>- Water taken from existing dams. Any existing licence conditions associated with a dam will be carried over when the licence is converted under the <i>Water Management Act 2000</i>.</li> </ul>		
<b>Trading rules</b>		
<b>Rule</b>	<b>Existing Rule</b>	<b>Proposed Rule</b>
<b>Commissioners Waters &amp; Dumaresq Management Zones</b>		
<b>INTO management zone</b>	Permitted where reciprocal arrangements are in place.	Permitted, only if the total licensed entitlement in the water source does not increase (no net gain) from, Apsley Gorge, Apsley River, Bakers Creek, Blue Mountain Creek, Chandler Gorge, Chandler River, Christmas Creek, Coastal Macleay, Collombatti Creek, Dungay Creek, Dyke Creek, Euroka Creek, Five Day Creek, Gara River, Georges River, Gills Bridge Creek, Green Gully, Hickeys Creek, Kunderang Creek, Macleay Gorges, Macleay Valley, Malpas Dam, Mungay Creek, Nulla Nulla Creek, Oaky River, Salisbury Waters, Stockyard Creek, Styx River, Tia River, Toorumbee Creek, Warbro Creek, Yarrowitch River.
<b>Within management zone</b>	Permitted, subject to assessment.	Permitted, subject to assessment.
<b>Within management zone</b>	Permitted, subject to assessment.	Permitted, subject to assessment.

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<b>Draft rules for granting access licences</b>		
<b>Rule</b>	<b>Existing Rule</b>	<b>Proposed Rule</b>
<b>In-river dams</b>	Not permitted.	Permitted, subject to assessment.  <b>Note:</b> Dams require a licence if they are located on a permanent (spring fed) first or second order stream, a third order (or greater) stream, or if they exceed the maximum harvestable right dam capacity for the property.
<b>Aboriginal community development</b>	Not permitted.	Permitted up to a total volume of 72 ML (commence to pump of 13ML/day (50th%ile flow (all months)) at the Commissioners Waters Gauge at Tiverton (Eathorpe).
<b>Conversion to high flows</b>	Not permitted.	Not permitted.
<b>Conversion to alluvial aquifer access licence</b>	N/A.	N/A.

## ***Key points, amendments to the Commissioners Waters WSP***

### **1. Removal of Total Daily Extraction Limits (DEL)**

To provide consistency in management across the Macleay catchment daily extraction limits, unable to be implemented under the Commissioners WSP, are not proposed for the Macleay WSP. However, the draft plan includes an amendment clause enabling the establishment, amendment, removal or reinstatement of DELs.

### **2. Cease to pump rules and pumping restrictions**

Cease to pump rules in the Commissioners WSP were reviewed using the macro method and current planning policies. Cease to pump rules consistent with the current arrangements and those proposed for other like catchments are being proposed for the Commissioners Waters water source. Pumping restrictions, which are analogous with existing DELs are being proposed for the Commissioners Waters water source. Updated cease to pump rules and pumping restrictions will result in minimal change in the Commissioners Waters water source as the new rules reflect the intent of the previous suite of rules.

### **3. Trading rules**

Trading rules in the Commissioners WSP were reviewed using the macro method and current planning policies. The existing rules permitted trades within the water source and into the water source (provided reciprocal arrangements were in place). Trade rules recommended reflect those proposed for other like catchments (i.e. limited trade in (no net gain)) that will be covered by the Macleay WSP. Updated trading rules will result in minimal change in the Commissioners Waters water source as the new rules reflect the intent of the previous rules.

### **4. Inclusion of permission for Aboriginal Community Development Licences**

A policy change in 2006 provided for persons or organisations to apply for Aboriginal Community Development Licences. This change means that Aboriginal persons or organisations may now apply for these licences in the Commissioners Waters water source.

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## 5. Policy and template changes

Other amendments are proposed to, ensure rules in the Commissioners Waters water source reflect the current legislative plan template provisions including the alignment of visions, objectives and strategies, remove redundant provisions and the simplification of others as required. These amendments will also ensure that the whole of the Macleay catchment is managed in an equitable and consistent manner.

### *Key factors for decisions*

Background information		
Water Source Attributes	Rating	Justification
Relative Instream Value (within catchment)	MEDIUM	- 5 threatened frog species. - 1 threatened bird species.
Hydrologic Stress	HIGH	- peak extraction demand exceeds available flows in December. - within water source = high.
Relative Economic Significance of Irrigation (within catchment)	LOW	- low economic dependence of the local community on water extracted for irrigation.
Risk to Instream Value (from extraction)	HIGH	- instream values are of high risk of being impacted by extractions in the water source.

- Medium instream value, high hydrologic stress, high risk to instream value and low economic dependence.
- It is noted that the existing plan set a range of flow classes that had not been implemented during the *Water Sharing Plan for the Commissioners Waters Water Source 2003*.
- It is noted that flow classes were designed to facilitate the sharing of water between irrigators and the environment.
- It is recommended a combination of cease to pump and pumping restrictions, similar to the existing rules.

### *Public exhibition*

Feedback is particularly sought on the suitability of the proposed access and trading rules.

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