

# RiverBank Water Use Plan for the Gwydir Water Management Area

## Part 1 Name of plan and water source to which it relates

- (1) This Plan is called the RiverBank Water Use Plan for the Gwydir Water Management Area.
- (2) This Plan is made under section 8E(7) of the *Water Management Act 2000*.
- (3) This Plan relates to:
  - (a) the Gwydir Regulated River Water Source as defined in the Water Sharing Plan for the Gwydir Regulated River Water Source 2002 and
  - (b) additional areas known as the Lower Gwydir River and Gingham Watercourse, distributaries of the Gwydir River Water Source.

**Note.** The areas nominated under Part 1 (3) (b) are outside the Gwydir Regulated River Water Source but within the Gwydir River Water Management Area constituted by Ministerial order published in the NSW Government Gazette on 23 November 2001.

## Part 2 Aims and ecological objectives of this plan

- (1) In accordance with section 8E(3) of the *Water Management Act 2000* this Plan is established to further objectives 10 (a), (e) and (h) in the Water Sharing Plan for the Gwydir Regulated River Water Source 2002.
- (2) This Plan authorises the use of water for environmental purposes that:
  - (a) contribute to maintaining the ecological character of the Gwydir Wetlands including the Ramsar sites associated with the Gingham and Lower Gwydir (Big Leather) Watercourses;

**Note 1.** For this Plan, the term “Gwydir Wetlands” means the area of wetland covered by *Gingham Watercourse Management Plan* by McCosker and Duggin (1993) and *Lower Gwydir Plan of Management – 1994 to 1997* by Keyte (1994)<sup>1</sup>.

**Note 2.** At the commencement of this Plan, the Gwydir Wetlands Ramsar site is located on the properties “Goddard’s Lease”, “Crinolyn”, “Windella” and “Old Dromana”.

**Note 3.** RiverBank aims to acquire 7-8,000 ML of entitlement within 5 years. Therefore, RiverBank water will need to be added to other sources of environmental water to maintain the Gwydir Wetland’s ecological character.

- (b) contribute to the successful completion of colonial waterbird breeding in the Gwydir Wetlands;
- (c) alleviate severe unnaturally prolonged drought conditions in the Gwydir Wetlands;

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<sup>1</sup> Keyte, P. (1994) Lower Gwydir Plan of Management – 1994 to 1997. Report by NSW Department of Water Resources for the Lower Gwydir Wetland Steering Committee, Sydney. McCosker, R.O. and Duggin, J.A. (1993) Gingham Watercourse Management Plan: Final Report. University of New England, Armidale, NSW.

- (d) enhance opportunities for native fish recruitment and dispersal in the Gwydir River, its distributaries and the Gwydir Wetlands;
- (e) increase flooding frequencies to small wetlands isolated by current floodplain structures, such as Whittaker's Lagoon;

**Note.** Whittaker's Lagoon is currently the only wetland identified. Work is in progress to locate other potential wetlands. Generally, these will require relatively small volumes (< 250 ML) to fill.

- (f) achieve other ecological benefits as recommended by the Environmental Contingency Allowance Operations Advisory Committee established under Part 3, Clause 15, sub-clauses (g) and (h) of the Water Sharing Plan for the Gwydir Regulated Rivers Water Source 2002.

### **Part 3 Plan area**

(1) This Plan authorises the use of water within:

- (a) those sections of the Gwydir Regulated Water Source that are downstream of Copeton Dam;
- (b) the Gwydir Wetlands;
- (c) the following specific areas prioritised by RiverBank for water application being:
  - (i) that part of the Gwydir Wetlands Ramsar site on the property "Old Dromana";
  - (ii) that part of the Gwydir Wetlands Ramsar site on the property "Goddard's Lease";
  - (iii) that part of the Gwydir Wetlands Ramsar site on the property "Crinolyn";
  - (iv) that part of the Gwydir Wetlands Ramsar site on the property "Windella";

**Note 1.** The cadastral boundaries of the Gwydir Wetlands Ramsar site are shown on maps held by NSW Department of Environment and Climate Change and Federal Department of Environment and Water Resources.

**Note 2.** At the commencement of this Plan, the "Windella" part of the Gwydir Wetlands Ramsar site is under a Federal Court Order to restore its ecological character. RiverBank will not consider adding its water to "Windella" until the Order is complete.

- (v) the lagoon known as Whittakers on TSR 31046.

### **Part 4 Watering priorities across the Plan area**

(1) Watering priorities are approved by the Minister for the Environment under the annual RiverBank Business Plan and specified in the RiverBank Operational Plan for the Gwydir Water Management Area, which will be reviewed annually.

**Note.** At the commencement of this Plan, priorities are as specified under Part 3 (1) (c), then 3 (1) (b) and 3 (1) (c).

## **Part 5 Conditions on the use of water**

- (1) Water allocations accrued under a regulated river (high security) access licence or a regulated river (general security) access licence nominating this Plan may be ordered to meet the objectives specified in Part 2 (2) of this Plan.
- (2) Water ordering conditions applicable to other access licences in the water source are applicable to the access licences that nominate this Plan.
- (3) For the purpose of measurement of water delivered, the access licences that nominate this Plan shall also nominate the works owned by State Water in order to use water allocations and for water accounting.
  - I. Access licences that order water for use under:
    - a. Part 3 (1) (a) shall nominate Tyreel Weir;
    - b. Part 3 (1) (b) shall nominate Tyreel Weir;
    - c. Part 3 (1) (c) (i) shall nominate Millewa gauge;
    - d. Part 3 (1) (c) (ii), (iii) and (iv) shall nominate Tyreel Weir.
- (4) For the purpose of measurement of water delivered, the access licences that nominate this plan shall also nominate the works owned by other private landholders / licence holders in order to use water allocations and for water accounting.
  - I. Access licences that order water for use under:
    - a. Part 3 (1) (c) (v) shall nominate Works Approval 90CA800500 on the property known as "Moreton".
- (5) Compliance with NSW Water Monitoring Extraction Standards in relation to accuracy of flow measurements will be required for all extractions / diversions by the access licences that nominate this Plan.

**Note.** RiverBank recognises that special gauging / measurement on an event basis (as agreed or negotiated) may be required downstream of the works under part 5 (3) 1. to ensure accuracy of measurements consistent with NSW Water Extraction Monitoring Standards. RiverBank will contribute to the cost incurred in such gauging / measurement, and for account keeping, at least in proportion with the contribution of RiverBank water to total event flows.

- (6) Water allocations accrued under a supplementary water access licence may be used to meet the objectives specified in Part 2 (2) of this Plan subject to availability of supplementary flows as per Section 48 of the Water Sharing Plan for the Gwydir Regulated Water Source, and State Water being notified as to the:
  - (a) intent to use water;
  - (b) maximum volume that will be used;
  - (c) rate at which the water will be used;
  - (d) period of time in which water will be used; and
  - (e) volume of water already used under respective supplementary water access licence during the year commenced 1 July.

## **Part 6 Rules for accounting water use**

- (1) The amount of water taken under a regulated river (high security) access licence or a regulated river (general security) access licence nominating this Plan shall be assessed as:
  - (a) For use of water under Part 3 (1) (a), (b), (c) (ii), (iii) and (iv) of this Plan, the amount of water measured at Tyreel Weir minus:
    - (i) water orders for other downstream access licences; and
    - (ii) 'targeted flow for other downstream requirements'.
  - (b) For use of water under Part 3 (1) (c) (i) of this Plan, the amount measured using Millewa gauge.

**Note.** For accounting rules under Part 6 of this Plan the term 'targeted flow for other downstream requirements' means:

- (1) water supplied for the requirements of downstream domestic and stock rights;
  - (2) water supplied for native title rights;
  - (3) water supplied for other downstream requirements; and
  - (4) water losses associated with the delivery of water orders by other downstream access licences.
- (2) If State Water is notified of an intent to use supplementary water in accordance with Part 5 (6) (a) of this Plan, the amount of water used under a supplementary water access licence shall be assessed as given in Part 6 (1) of this Plan, but after accounting for the high security and general security access licences that nominate this Plan.

## **Part 7 Access licence dealing rules**

- (1) Water allocations may be assigned from an access licence nominating this plan to another access licence if the allocations are not required or are not sufficient to meet objectives specified in Part 2 (2) of this Plan at the time of dealing or as otherwise foreseen.
- (2) Water allocations may be assigned to an access licence nominating this plan from another access licence in order to supplement allocations required to meet objectives specified in Part 2 (2).

## **Part 8 Monitoring, evaluation and amendment of this Plan**

- (1) Monitoring to evaluate the success of this Plan in achieving objectives under Part 2 will be as approved by the Minister for Climate Change, Environment and Water under the RiverBank Business Plan.

- (2) The evaluation under Part 8 (1) will inform both the annual reporting under the RiverBank Business Plan to the Environmental Trust and the review of the Water Sharing Plan for the Gwydir Regulated River Water Source 2002 to be undertaken by the Natural Resources Commission.
- (3) This Plan may be amended, subject to a written request by the Department of Environment and Climate Change, to remain consistent with the approved annual RiverBank Business Plan and the annual Riverbank Operational Plan for the Gwydir Water Management Area, consistent with the principles of the *Water Management Act 2000*.

## **Part 9 Reporting arrangements**

- (1) Reporting on the use of water under this Plan against the objectives specified in Part 2 will be undertaken annually under the RiverBank Business Plan.
- (2) Reporting on the use of water under this Plan will contribute to the annual review of the implementation of the Water Sharing Plan for the Gwydir Regulated River Water Source 2002.
- (3) RiverBank will report on the quantity of water taken or used under specific licences to which this Plan relates, when required and in the form specified by the Minister for Energy and Water, in accordance with part A (mandatory) licence conditions relevant to the Gwydir Regulated River Water Source.

## **Part 10 Management responsibilities**

- (1) The Director General, the Deputy Director General Climate Change and Environment Protection Group and / or the Director Environmental Water and RiverBank of the Department of Environment and Climate Change, under the authority of the Minister for Climate Change, Environment and Water, are to determine when water allocations accrued under an access licence nominating this plan are to be used.