

## **RiverBank Water Use Plan for the Macquarie River No 1.**

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

- (1) This Plan is called the RiverBank Water Use Plan for the Macquarie River.
- (2) This Plan is made under section 8E(7) of the *Water Management Act 2000*.
- (3) This Plan relates to:
  - (a) the Macquarie and Cudgegong Regulated Rivers Water Source as defined in the Water Sharing Plan for the Macquarie and Cudgegong Regulated Rivers Water Source 2003; and
  - (b) additional areas known as the Gum Cowal / Terrigal system, Crooked Creek below "Mumblebone", Marra Creek from its offtake downstream to its junction with the Barwon River and the Macquarie River below "Miltara".

**Note.** The areas nominated under Part 1 (3) (b) are outside the Macquarie and Cudgegong Water Source but within the Central West Water Management Area as constituted by the Ministerial Order published in the New South Wales Government Gazette on 23 November 2003.

### **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) and (d) in the Water Sharing Plan for the Macquarie and Cudgegong Regulated Rivers Water Source 2003.
- (2) This Plan authorises the use of water for environmental purposes that:
  - (a) maintain the ecological character of the Macquarie Marshes Nature Reserve and the Wilgara Wetland Ramsar site;
  - (b) enhance opportunities for native fish recruitment and dispersal in the Macquarie River and Macquarie Marshes;
  - (c) ensure the successful completion of colonial waterbird breeding in the Macquarie Marshes;
  - (d) alleviate severe unnaturally prolonged drought conditions in the Macquarie Marshes;
  - (e) provide for ecologically beneficial flooding of the distributaries known as Crooked Creek, Marra Creek, Gunningbar Creek and Duck Creek; and/or
  - (f) achieve other ecological benefits as recommended by the Environmental Flows Reference Group established under Part 3, Clause 15, sub-clauses 23 and 24 of the Water Sharing Plan for the Macquarie and Cudgegong Regulated Rivers Water Source, 2003.

### **Part 3 Plan area**

- (1) This plan authorises the use of water within:
  - (a) those sections of the Macquarie and Cudgegong Regulated River Water Source that are downstream of Burrendong Dam;
  - (b) the area known as the Macquarie Marshes and defined by the Macquarie Marshes Water Management Plan 1996, with priority given to the Macquarie Marshes Nature Reserve and the Wilgara Ramsar site;
  - (c) the areas known as the Gum Cowal / Terrigal system and the Macquarie River below "Miltara"; and
  - (d) the areas known as the Crooked Creek below "Mumblebone", and Marra Creek from its offtake downstream to its junction with the Barwon River.

### **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 Macquarie River which will be reviewed annually.

### **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 and water accounting the access licences that nominate this Plan shall also nominate the works owned by State Water in order to use water allocations.
  - I. Access Licences that order water for use:
    - a. under Part 3 (1)(a) and (1)(b) shall nominate Marebone Weir;
    - b. under Part 3 (1)(c) shall nominate Marebone Break offtake; and
    - c. under Part 3 (1)(d) shall nominate Crooked Creek offtake or Marra Creek offtake (as applicable).
- (4) 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 may be required on an event basis (as agreed or negotiated) 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.

- (5) 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 the Water Sharing Plan/Implementation Manual 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 the water will be used; and
  - (e) volume of water already used under the respective supplementary water access licence during the year commenced 1 July.

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

### **A. During the periods of normal river operations (other than Airspace releases from Burrendong Dam, supplementary events or periods of planned environmental water delivery under EWA)**

- (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) and (1)(b), the amount of flow arriving at upstream of Marebone Break minus:
    - (i) water orders for other downstream access licences; and
    - (ii) 'targeted flow for other downstream requirements' at Marebone Weir.

**Note:** For all the accounting rules under Part 6 of this Plan the term "Targeted flow for other downstream requirements" means:

- (a) water supplied for the requirements of downstream domestic and stock rights, including replenishment flows under clause 59 of the Water Sharing Plan for the Macquarie and Cudgegong Regulated Rivers Water Source 2003;
  - (b) water supplied for native title rights; and
  - (c) water losses associated with the delivery of water orders by other downstream access licences.
- (b) For use of water under Part 3 (1)(c) the amount of ordered water diverted into the Marebone Break, minus:
- (i) water orders for other downstream access licences; and
  - (iii) 'targeted flow for other downstream requirements' at Marebone Break.
- (c) For use of water under Part 3 (1)(d) the amount of ordered water diverted into the Crooked Creek or Marra Creek (as applicable), minus:

- (i) water orders for other downstream access licences (in the case of Crooked Creek); and
- (ii) 'targeted flow for other downstream requirements' at Crooked Creek Offtake or Marra Channel Offtake (as applicable).

**B. During the periods of planned environmental water delivery under EWA**

- (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) and (1)(b) the amount of water ordered.
  - (b) For use of water under Part 3 (1)(c) the lesser of the following:
    - I. amount of water ordered; and
    - II. amount of water diverted into the Marebone Break, minus
      - i. water orders for other downstream access licences; and
      - ii. 'targeted flow for other downstream requirements'.
  - (c) For use of water under Part 3 (1)(d) the lesser of the following:
    - I. amount of water ordered; and
    - II. amount of water diverted into the Crooked Creek Offtake or Marra Channel Offtake (as applicable), minus
      - i. water orders for other downstream access licences; and
      - ii. 'targeted flow for other downstream requirements'.

**C. During the periods of Airspace releases from Burrendong Dam**

- (1) Water will not be taken under WALs that nominate this plan when airspace releases are being made from Burrendong Dam.

**Note:** This rule may be amended when the accounting rules for the taking of the water during airspace releases from Burrendong Dam can be agreed to by the Minister.

**D. During the periods of supplementary events**

- (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) and (1)(b) the amount of water ordered.
  - (b) For use of water under Part 3 (1)(c) the lesser of the following:
    - I. amount of water ordered; and

- II. amount of water diverted into the Marebone Break, minus:
    - i. metered / assessed water use by other downstream access licences (including supplementary licences); and
    - ii. 'targeted flow for other downstream requirements'.
- (c) For use of water under Part 3 (1)(d) the lesser of the following:
- I. amount of water ordered; and
  - II. amount of water diverted into the creek system, minus
    - i. metered / assessed water use by other downstream access licences (including supplementary licences); and
    - ii. 'targeted flow for other downstream requirements'.
- (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 nominating this Plan shall be assessed as given in Part 6 (D)(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) of this Plan.

**Part 8 Monitoring, evaluation and review 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 the Environment 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 Macquarie and Cudgegong Regulated Rivers Water Source 2003 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 Conservation, to remain consistent with the approved annual RiverBank Business Plan and any RiverBank Operational Plan for the Macquarie River, consistent with the principles of adaptive management as specified in 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 Macquarie and Cudgegong Regulated Rivers Water Source 2003.
- (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 Natural Resources, in accordance with Part A (mandatory) licence conditions relevant to the Macquarie and Cudgegong Regulated Rivers Water Source.

## **Part 10 Management responsibilities**

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

**Note.** RiverBank recognises the role of the Environmental Flows Reference Group established under clause 15, sub-clauses 23 and 24 of the Water Sharing Plan for the Macquarie and Cudgegong Regulated Rivers Water Source 2003. Advice provided by this Group to the Minister for Natural Resources will be considered prior to any decision under Part 10(1) of this Plan.