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NSW Department of Climate Change, Energy, the Environment and Water

Submission re: draft Water Sharing Plan for the Macquarie/Wambo Bogan Unregulated Rivers 2025

We support the following changes in the draft Water Sharing Plan (WSP). For some changes, we are proposing further changes (these are italicised):

- Changing the access conditions in the Lower Bogan River Water Source, the Lower Macquarie River Water Source, the Macquarie River above Burrendong Water Source, the Marthaguy Creek Water Source, and the Cudgegong River Water Source. We particularly welcome changing the cease/commence to pump rules from “no visible flow” to gauge values, and allowing more connectivity flows in the Lower Macquarie and Lower Marthaguy. *However, to help reduce cease-to-flow periods in the Macquarie River above Burrendong Water Source, the cease/commence to pump level of 2 ML/day is not enough for such a big, wide and long reach of river, and needs to be at least 300 ML/day.*
- The inclusion of breakout and backflow environmental water from the Barwon-Darling into the definition of Active Environmental Water, hence protecting this water from extraction.
- The change in access rules to improve town water supply security in the Macquarie River above Bathurst Management Zone, Campbells River Downstream Management Zone, and Summerhill Creek Water Source.
- Establishing a numeric Long Term Average Annual Extraction Limit (LTAAEL). *However, the development of this needs to be brought forward to 2025. Assessment and publication of compliance with LTAAELs as well as Sustainable Diversion Limits (SDLS) needs to occur annually.*
- New restrictions on development in or within 3 km upstream of wetlands. *However, there should be no exemptions to this – the “minimal harm” idea is too vague, and any development will harm a wetland.*

Further changes required to the draft WSP:

- Planned Environmental Water (PEW) needs to be codified and protected throughout the Water Sharing Plan. Eg. each section of the Plan needs to state how it relates to PEW, and that PEW will be protected and not used for consumptive purposes, especially during droughts.
- Extend Active Management of environmental water into all unregulated waterways downstream of regulated waterways. Currently, Active Management applies to Gum Cowal Management Zone, Lower Macquarie River Upstream Management Zone, Lower Macquarie Downstream Management Zone, and Lower Marthaguy Creek Management Zone, whereas environmental water in future may be wanted in/through other unregulated waterways.

We object to the following actions/inactions in the draft WSP:

- Simply monitoring and reviewing waterways that have been deemed at high risk of not receiving enough environmental water.
In the draft WSP, some of these waterways have been allocated a timeframe of a 5-year review, while others have been given a 'monitoring' action with no timeframe. Yet the ecosystems of these rivers will further decline while a 5-year review (or longer) takes place. There needs to be interim gauge-based cease/commence to pump rules for these waterways, implemented immediately. Where there is no suitable gauge in place, a gauge needs to be installed within 12 months as a matter of urgency.
- Pumping of waterways until they cease to flow.
Low flows need to be protected - all waterways need to have their cease/commence to pump access raised to at least 100 ML/day for smaller waterways, and at least 300 ML/day in larger waterways. This is regardless of what their risk level and instream value is (the instream value process is inherently flawed, as every waterway will have reaches that are in good health, and reaches that are in poorer health. The HEVAE rating also only takes into account threatened species – not for example platypus, which need flows now to prevent them from becoming a threatened species). Where there are not sufficient gauges, these need to be installed as a matter of urgency.
- Exemptions to the prohibition on new in-river dams for town water supply purposes.
In-river dams are the number one detrimental impact on river health and the decline in native fish and platypus populations. Any new town water supplies need to be off-river storages – there is no excuse for in-river storages these days when we know their ecological impacts on rivers.
- 'Minimal harm' exemptions to works in wetlands.
'Minimal harm' is too subjective and open to abuse. There should be no new works in wetlands, period.
- Allowing Basic Landholder Rights to increase.
If properties are subdivided, new landowners cannot expect to get a slice of an already over-allocated water system.