

# SUBMISSION

## Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Sources 2022

By

[REDACTED]

[REDACTED], SCONE

Contact:

[REDACTED]

Public Exhibition

February 2022

## Business Background:

Business Name: [REDACTED]

A family owned and operated property/business for 110 years

- 5<sup>th</sup> generation farmers at [REDACTED] since 1912
- Producing fodder crops, lucerne, pasture for grazing and hay/silage for sustaining a seed stock beef cattle enterprise
- Family of 5 involved directly in the business
- One extended family member also resides on the property
- One casual employee
- Various local contractor services regularly engaged
- Two tenant residences on property
- Supply of seed stock (bulls) to the wider cattle industry

### Endorsement of HVWUA Submission:

In addition to providing our personal feedback on the Hunter Unregulated and Alluvial Water Sharing Plan and how it affects us, we would also like to endorse the submission made by Hunter Valley Water Users' Association which addresses catchment wide issues on our behalf.

## Key Issues:

### Consultation Process

Public consultation and stakeholder feedback are a crucial component in developing an appropriate Water Sharing Plan (WSP). Given that WSPs set the rules 'for how water is allocated for the next 10 years', it is vital that we are given a reasonable amount of time to provide informed feedback on a complex regulatory instrument. 10 years is a significant period of time in the life of our business in relation to a plan being imposed; and we feel it is only fair and reasonable that we are provided with adequate and necessary time to review the draft plan and provide our input regarding this important issue.

January and February are a very busy period, especially for us as we are often making hay and general tending to livestock. As volunteer participants with a business to operate, it is crucial we have sufficient time to analyse the materiality of each of these changes and assess the modelling data used. The limited consultation process is extremely disappointing considering the Department told us at a meeting in May 2021 that the draft WSP would be ready for public exhibition in September 2021 with ample time provided for submissions and consultation with stakeholders by February 2022.

We agree and reinforce the following recommendation from HVWUA:

The public exhibition period for the Hunter Unregulated and Alluvial Plan be extended to 40 business days, instead of 40 days, making the new end date 15 March.

The draft plan was supposed to be released with a 5 month consultation period; but, with the delayed release of the plan, this was reduced to 6 weeks, significantly limiting our community's ability to thoroughly and adequately analyse and review the plan.



## Cease-to-pump

Cease-to-pump (CTP) triggers are an extremely complex, personal, and crucial aspect of the proposed WSP across the catchment. Therefore, it is vital that DPIE conducts thorough, transparent and extensive consultation when undertaking decisions surrounding this topic. Poorly developed CTP triggers in the catchment have the potential to destroy our seed stock enterprise and negatively impact our local communities and businesses.

The Natural Resources Commission Review (2009) identified drought security as the primary economic risk to the Hunter Valley. This highlights the importance of having the appropriate CTP policies to support vital agricultural business in drought periods. The review also mentions the equitable sharing of the water through Available Water Determinations (AWDs). Therefore it is crucial that the CTP policies are customised with the knowledge of historical water availability in each area.

During our family history of 110 years on [REDACTED] there has always been a deep and valued appreciation of our alluvial water. The family history often refers to the fact we have maintained the ability to pump water sustainably over the years while also maintaining the ecology of the surrounding ecosystems. The remnant River Red Gum population and Rough Barked Apple trees on our section of the alluvial flood plain are testament to this. Family members in our business became concerned with the over allocation of the resource, and in the mid 1990's became involved in forming the Kingdon Ponds Water Users Association. This group called for the department to place a moratorium on new licences on the aquifer at a time when the department was still prepared to issue new licences in an over allocated system. This custodianship of the aquifer was then even more exemplified when at [REDACTED] we allowed the department to place, free of charge and without any legal right of way, the monitoring bore GW080074. We also in 2002 fenced out the Dart Brook and planted native vegetation for the environmental and creek bank benefits it brings.

We would like to question, and request review of, the CTP level on the Turanville bore GW080074 (lower Middle Brook and Kingdon Ponds management zone) in the Draft Plan.

We don't have the qualifications to call out the science that has been used to determine the CTP trigger; however we have spoken to experts who do. The science used to determine the CTP on the water level hitting the 95<sup>th</sup>% is flawed. One monitoring bore read in isolation on this complex aquifer cannot give an accurate measure of available water in the aquifer. The surrounding properties on this aquifer have maintained their ability to pump sustainably over history and as a result there is a known respect and value for its reliability. Under the proposed Draft Plan there would have been a CTP ruling in March 2005 lasting 4 months and a CTP ruling in March 2006 for 16 months using the 95<sup>th</sup>% rate option. However at these times we still had adequate water to run our pumps during very difficult seasonal periods and were able to maintain fodder pastures to sustain our cattle breeding business.

We note in the Preliminary Impact Analysis for Dartbrook that Option 2 using the TAD 75<sup>th</sup>% would have had no CTP triggers for Lower Middle Brook and Kingdon Ponds at the GW080074 bore. This outcome would be consistent with historical accounts of water availability on [REDACTED] through history.

The next closest monitoring bore at Rockview GW080433 is very different when you consider that the CTP level is significantly lower than the TAD 75% and the Turanville bore CTP is significantly higher than the TAD 75%. It is well known in the area and based on historical accounts that in these dry periods the [REDACTED] area was still able to pump water and the Dartbrook area around the Rockview bore already had depleted pumping ability.

██████████ is a historic property with a comparatively larger area of land than surrounding properties, covering both the Dartbrook and Kingdon Ponds aquifers. However over its time there has never been development of irrigation on the Dartbrook (Western) side of the property, only the Kingdon Ponds (Eastern side). This is primarily due to the historical knowledge that the water source is far more secure on the eastern aquifer.

Whilst our argument is not based on solid scientific evidence it is based on sound, extensive historical information that is proven. However the Department is using science that is flawed and not extensive enough to make solid CTP recommendations that will have a detrimental effect on our business and a very questionable, if any, benefit on the ecology and environment in the wider region.

We implore you to re- consider the CTP trigger on the Lower Middle Brook/ Kingdon Ponds aquifer and investigate Option 2 (TAD 75%) in the Preliminary impact analysis – Dart Brook.

### Metering Conditions

Metering is a complex regulatory requirement that adds significant cost to our business, although we understand the crucial role water users have as environmental custodians. It is important for our business that there are clear and concise regulations surrounding metering and we therefore support the following recommendations from HVWUA:

- The metering requirements of the Hunter Unregulated and Alluvial Water Sharing Plan be brought inline with the NSW Non-Urban Metering Policy, including the minimum threshold of 100mm for water users to install AS4747 Meters.
- DPIE provide further clarification on:
  - The metering requirements for groundwater users
  - Clearly outline the definitions of wells and bores and their differing metering requirements.

We are strongly against the department allowing the trading of water in these complex aquifers. The department should never have separated GWA licences from land and made them tradable in such over allocated catchments.

### Conclusion:

We hope that this Submission and that of HVWUA provides valuable insight that assists with the creation and implementation of the Hunter Unregulated and Alluvial Water Sharing Plan 2022.

This consultation process and its outcome is crucial to the on-going viability of our particular agricultural business. This draft plan, if implemented in its current form, would for the next 10 years significantly impact our business and its viability (i.e. when the proposed CTP would be triggered); when in the past at these times, it has been possible for us to both maintain our business and protect our environment. The proposed CTP trigger at the Turanville bore GW080074 in this draft plan would destroy our ability to be resilient during dry periods.

We therefore request that the draft plan be reviewed accordingly and modified as appropriate - to not only protect the environment, but also sustain the ongoing viability of our local community and farming businesses.

Kind regards,

████████████████████  
████████████████████  
Scone NSW 2337  
23/02/2022

# SUBMISSION

## **Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Sources 2022**

**By**



Public Exhibition

February 2022

## Introduction:

### My Business:

████████████████████

- Been in business █████ years
- We grow █████
- We are a family business

### My community:

We are very involved in the █████ Community and work hard to maintain its environment.

- Our family has lived in the area for █████ years
- Both █████ and I have been members of the █████ Public Hall for █████ years and I have been a member of the █████ Fire Brigade for █████ years with █████ having to recently retire from active duty after also █████ years.

### Endorsement of █████ Submission:

In addition to providing my personal feedback on the Hunter Unregulated and Alluvial Water Sharing Plan and how it affects me, I would also like to endorse the submission made by █████ which addresses catchment wide issues on my behalf.

## Key Issues:

### Consultation Process

Public consultation and stakeholder feedback are a crucial component in developing an appropriate WSP. Given that WSPs set the rules 'for how water is allocated for the next 10 years', it is vital that we are given a reasonable amount of time to provide informed feedback on a complex regulatory instrument.

January and February are a very busy period, especially for us as we are often █████. As a volunteer participant with a business to operate, it is crucial we have sufficient time to analyse the materiality of each of these changes and assess the modelling data used. The limited consultation process is extremely disappointing considering the Department told us at a meeting in May 2021 that the draft WSP would be ready for public exhibition in September 2021 with ample time provided for submissions and consultation with stakeholders by February 2022.

I agree reinforce the following recommendation from █████:

The public exhibition period for the Hunter Unregulated and Alluvial Plan be extended to 40 business days, instead of 40 days, making the new end date 15 March.

### Cease-to-pump

Cease-to-pump (CTP) triggers are an extremely complex, personal, and crucial aspect of the proposed WSP across the catchment. Therefore, it is vital that DPIE conducts thorough, transparent and extensive consultation when undertaking decision surrounding this topic. Poorly developed CTP triggers in the catchment has the potential destroy our agricultural business and negatively impact our local communities.

I agree with the following recommendations from [REDACTED]:

- Cease-to-pump triggers have no impact on the reliability of water access licences throughout the Hunter Unregulated and Alluvial System.
- DPIE apply clear and consistent cease-to-pump rules across the catchment.
- WaterNSW offer SMS and email alert system for cease-to-pump events as provided to many other regulated systems throughout NSW

### Metering Conditions

Metering is a complex regulatory requirement that adds significant cost to my business although I understand the crucial role water users have as environmental custodians. It is important for my business that there are clear and concise regulations surrounding metering and I therefore support the following recommendations from [REDACTED]:

- The metering requirements of the Hunter Unregulated and Alluvial Water Sharing Plan be brought inline with the NSW Non-Urban Metering Policy, including the minimum threshold of 100mm for water users to install AS4747 Meters.
- DPIE provide further clarification on:
  - The metering requirements for groundwater users
  - Clearly outline the definitions of wells and bores and their differing metering requirements.

I believe that further information regarding the actual metering process on non electric pumps, installation of meters and the cost offset (compensation) to owners be provided in a clear and concise manner.

### Conclusion:

I hope that this Submission and that of [REDACTED] provides valuable insight that assists with the creation and implementation of the Hunter Unregulated and Alluvial Water Sharing Plan 2022.

This plan will have significant impact on [REDACTED]

Kind regards,

[REDACTED]

[REDACTED]

[REDACTED]

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

Office use only	Submission number
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## How to fill out this form

The department is seeking your comments on the draft replacement Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022.

For general background about the draft plan development, proposed changes and the finalisation process please refer to the background and proposed changes documents. For water source specific details including proposed rules, please see the water source report cards.

Key issues and changes have been summarised in this submission form, although comment on all aspects of the water sharing plan is welcome. For water source specific details including rules, please see the water source report cards. More detailed comments are welcomed as attachments.

Send completed submissions to:

Post: WSP Comments for the Hunter Unregulated and Alluvial Water Sharing Plan,  
Department of Planning, Industry and Environment  
Locked Bag 26  
Gosford NSW 2250

Email: [hunterunreg.wsp@dpie.nsw.gov.au](mailto:hunterunreg.wsp@dpie.nsw.gov.au)

**Note: Submissions close 27 February 2022**

## Information on privacy and confidentiality

Submissions received by NSW Department of Planning, Industry and Environment for the proposed amendments will be considered by the department and the Coastal Water Planning and Policy Working Group to review and inform the draft amendments. The department values your input and accepts that information you provide may be private and personal.

If you would prefer your submission or your personal details to be treated as confidential, please indicate this by ticking the relevant box below.

If you do not make a request for confidentiality, the department may make your submission, including any personal details contained in the submission, available to the public.

Please note that, regardless of a request for confidentiality, the department may be required by law to release copies of submissions to third parties in accordance with the *Government Information (Public Access) Act 2009*.

I would like my submission to be treated as confidential	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
I would like my personal details to be treated as confidential	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## How to fill out this form

<b>Name</b>	[REDACTED]		
<b>Postal Address</b>	[REDACTED]		
	Denman NSW 2328		
<b>Telephone</b>	[REDACTED]		
<b>Email address</b>	[REDACTED]		
<b>Stakeholder Group</b> <small>(please indicate which of the following best represents your interest by <b>ticking one box</b>)</small>	<input type="checkbox"/> Irrigation Interests	<input type="checkbox"/> Aboriginal Interest	<input type="checkbox"/> Environment Interests
	<input type="checkbox"/> Fishing Interests	<input checked="" type="checkbox"/> Local Landholder	<input type="checkbox"/> Community Member
	<input type="checkbox"/> Local Govt./ Utilities	<input type="checkbox"/> Other (specify)	
<b>If your comments refer to a specific water source, which one?</b>	Martindale Creek		

Attach extra pages if required

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## New Coastal Floodplain Alluvial Groundwater Water Sources

The draft plan proposes to establish the Hunter Coastal Floodplain Alluvial Groundwater and the Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources. The long-term limits on extractions are proposed based on a proportion of recharge. Additional water for licensed take may be made available through controlled allocations in the future.

*Further details relating to this change can be found in Part 1 of the draft plan, the background document as well as the report cards for the Hunter Coastal Floodplain Alluvial Groundwater Water Source and the Lake Macquarie Coastal Floodplain Alluvial Groundwater Water Source.*

Do you have any comments on this aspect of the draft plan?	
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## Long Term Average Annual Extraction Limit

The replacement plan creates two long term average annual extraction limits (LTAAELs).

- The Standard LTAAEL which sets a limit on extraction from all flows except for higher flows.
- The Higher flow LTAAEL that manages extractions that can only take from higher flows.

The reason for the two extraction limits is to limit extractions from all other flows and encourage extraction from higher flows.

The Standard LTAAEL includes all basic landholder rights extraction including from harvestable rights dams. If there is a growth in uptake of harvestable rights that increases total annual extraction to above the Standard LTAAEL by more than 5% then there will be reduced water allocated to licenced water users in the following year.

*Further details relating to this change can be found in Part 4 of the draft plan, and the background document.*

Do you think it is appropriate to have two LTAAEL's? Why / why not?	
Do you think the proposed compliance of the LTAAELs are appropriate? Why / why not?	



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Managing the risks of increased harvestable rights

In 2022 the volume of water that can be captured in harvestable rights dams in coastal draining catchments will increase from 10% to 30% of rainfall runoff.

This could impact on the volume of flow that reaches rivers. The plan includes a requirement that the uptake of harvestable rights will be assessed at year 3 and then access, work approval and trade rules will be reviewed if the uptake is greater than 10% of rainfall runoff.

*The amendment provision can be found in Part 11 of the draft Plan.*

Do you think this is appropriate? Why / why not?

## Draft access rules based on groundwater levels

The draft plan proposes to establish access rules based on groundwater levels in Baerami Creek, Bylong River, Lower Goulburn River, Lower Wollombi Brook, Martindale Creek, and Widden Brook water sources and the Upper Middle Dart Brook, Lower Middle Brook and Kingdon Ponds, and Lower Dart Brook management zones of Dart Brook Water Source, and the Segenhoe Management Zone of the Pages River Water Source. The access rule define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and “Proposed Management Rules” section of the relevant report cards.*

How does the proposed **CtP** level in your water source impact on your current operations?

The proposed CTP would devastate & destroy our farm. We would have no main income. We wouldn't be able to grow crops to make hay or any feed to sell or to feed our own livestock. We would have to sell livestock. We wouldn't be able to afford to replace them in good times. Eventually we would have to sell the property. Local business/towns would also suffer & go out of business. CTP rules would put increased stress & pressure on farmers, financially, physically, mentally & emotionally. Poor mental health & suicide rates would increase.

Do you think the **CtP** in your water source is practical to implement? Why / why not?

No. Our property has been self-regulating it's water supply for over 100 years. In dry times we reduce our pumping/watering times to conserve water for the dry times ahead. As we are unmetered there has been not enough data to support how much water is actually being used. We are going off a monitoring bore that is 10km away from us, more from other uses. How can this data be accurate for everyone in imposing the CTP ruling? The monitoring bore is situated 200m or more away from the actual main stream of the creek. Not all underground streams are going to be the same level.

Do you think the **CtP** provides enough protection for ecological values such as Groundwater Dependent Ecosystem?

Droughts are tough for everyone, animals & ecosystems included. If there is no water in a river, no animal frog etc is going to stay there. They will go to where there is water. This is why in dry times wildlife, insects etc will come in closer to where we are irrigating & have water for our livestock. We supply them food & water to stay alive. There has not been enough data, real information or evidence to support your CTP. 10 years of data including 1 drought & a few good years is not enough evidence to base the CTP ruling around.

The **flow reference point** is the bore at which a CtP will be measured. Do you think this site is appropriate? Why / why not?

No. One monitoring bore is not enough to make the decision for when the CTP rules state you can & can not pump. Too much conflicting information regarding water measurements from the monitoring bore & your actual pumping site. The monitoring bore we have to go off is 10km away from our pump. If a CTP was applied during our last drought, it would have taken 94 days before we could resume pumping. This is way too long. Daily telemetry reading are needed on the monitoring bores. Water users need to have access to this information to be able to make informed decisions on how & when they can irrigate according to the water levels.

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022

Submission form

## Draft access rules in the Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal Pool water sources

The draft plan proposes to establish access rules in Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal sources based on salinity levels at Green Rocks. The access rules define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and “Proposed Management Rules” section of the relevant report cards.*

<p>How does the proposed <b>CtP</b> level in your water source impact on your current operations?</p>	
<p>Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?</p>	
<p>Do you think the <b>CtP</b> provides enough protection for low flows and ecological values? Why / why not?</p>	
<p>The <b>flow reference point</b> is the point at which a CtP will be measured. Do you think this site is appropriate? Why / why not?</p>	



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in surface water sources and management zones

Changes to access rules are being proposed in: Black Creek, Halls Creek, Upper Goulburn River, Merriwa River, Pages River, Upper Wollombi Brook, Paterson/Allyn Rivers and Upper Hunter River water sources and in the Upper Dart Brook Management Zone of the Dart Brook Water Source.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the relevant report cards.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows? Why / why not?	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in the Isis River Water Source

The draft plan proposes to establish a new Upper Isis River Management Zone which will have new access rules.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the Isis River Water Source report card.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows?	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in the Williams River Water Source

The draft plan proposes to establish a new Upper Williams River Management Zone which will have new access rules and also proposes slight changes to the access rules in the Williams River Management Zone. *This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the Williams River Water Source report card.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

## Prohibition of in-river dams in additional water sources

The draft plan proposes prohibition of in-river dams on third order and larger streams in the following water sources: Williams River, Wallis Creek, Lower Wollombi Brook, Widden Brook, South Lake Macquarie and Munmurra River. These restrictions were not previously in place for these water sources, however the water sources were identified as having high ecological values

The following water sources will continue to prohibit new in-river dams on third order or larger streams: Dora Creek, Glennies, Upper Paterson, Merriwa River, Newcastle, Paterson/Allyn Rivers, Rouchel Brook, Upper Goulburn River, Upper Hunter River, Upper Wollombi Brook.

*This section refers to Part 7 of the draft plan as well as in the relevant report cards.*

How would this impact on your current operations?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022

Submission form

## **New restrictions for new or replacement water supply works near SEPP wetlands**

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

The State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP) identifies wetlands in order to protect their ecological values. There is a need for water sharing plans to recognise these same wetlands to ensure protection and alignment between regulatory objectives. The draft plan proposes to prohibit the granting of approvals for surface water or groundwater works if it would result in more than minimal harm to a wetland mapped under the Coastal SEPP.

Coastal wetlands have been identified in the Dora Creek, Newcastle, North Lake Macquarie, South Lake Macquarie, Williams River, Hunter Coastal Floodplain Alluvial Groundwater and Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources.

*This section refers to Part 7 of the draft plan*

Do you think this is appropriate? If not, why?

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## New restrictions for new or replacement groundwater water supply works

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

*These distance rules are contained in Part 7 of the plan.*

The draft plan proposes to expand protection of groundwater dependent ecosystems (GDEs) and includes a map that identifies potential high priority GDEs for which minimum setback distances may apply.

Do you think this is appropriate? If not, why?

The draft plan proposes rules that require new groundwater works to be greater than 500m from a contamination source and 200m from a culturally significant site.

Do you think this is appropriate? If not, why?

Have you noticed any **effects** from extraction on water levels in the groundwater source? If so, please specify.



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Changes to between water source trade provisions

The draft plan proposes to allow limited trade into some water sources. This change aims to improve the opportunity to trade into downstream water sources without increasing extractive stress to upstream and high-risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:

Widden Brook, Wallis Creek, North Lake Macquarie, Lower Goulburn River, Upper Goulburn River, Merriwa River, Lower Wollombi Brook, Doyles Creek, Newcastle, Paterson/Allyn Rivers, Upper Paterson River, Rouchel Brook and Wybong Creek.

*The trading rules are contained in Part 8 of the Plan and in the "Proposed Management Rules" section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
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## Changes to within water source trade provisions

The draft plan proposes to remove some of the trade restrictions within water sources. These changes aim to improve the opportunity to trade without increasing extractive stress to high risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:

Rouchel Brook, Upper Goulburn River, Wybong Creek, Pages River, Dart Brook, Muswellbrook, Jerrys, Luskintyre, Newcastle and Black Creek.

*The trading rules are contained in Part 8 of the Plan and in the "Proposed Management Rules" section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Conversion to high flow access licences

It is proposed to allow conversion from a standard access licence to an access licence that can only extract from high flows in the Upper Hunter River Water Source only. If a conversion is to occur the licence share component would increase by 2 times.

The draft plan has removed the ability to convert to high flows in the Pages River, Isis River, Lower Wollombi Brook, Rouchel Brook and Paterson/Allyn Rivers water sources.

*Further details relating to this change can be found in Part 8 of the draft plan and background document as well as the report card for the relevant water sources.*

Do you think this is appropriate? Why / why not?

## Application for Aboriginal Community Development access licences

It is proposed to permit applications for specific purpose Aboriginal Community Development access licences in the Hunter Coastal Floodplain Alluvial Groundwater, the Lake Macquarie Coastal Floodplain Alluvial Groundwater, Dart Brook, Pages River, Rouchel Brook, Upper Goulburn River, Lower Goulburn River, Lower Wollombi Brook, and Upper Hunter River water sources.

*Further information can be found in Part 5 of the draft Plan*

Do you think this is appropriate? Why / why not?

## Additional feedback

The above sections relate to the key proposed changes from the current water sharing plan. However, comments on all aspects of the plan are welcome and encouraged. Please use the space below, or attachments if required or preferred.

Do you have comments on any aspect of the draft plan?

WE DO NOT SUPPORT THE CEASE TO PUMP RULE IN ANY WAY.  
Trying to get your head around this Draft Water Sharing Plan & all the changes, regulations, information, data, report & all the information that you can find in their proposed time limit, just isn't possible. It just makes this process all that harder. We are in the middle of our busiest season producing hay. We just don't have the time to go through all of this. We need extra time. An extension on the time limit. The changes that the DPRE propose will not achieve the economic, environmental & social goals that we all need to live by as a society. We support local business, we spend our money locally. If farmers go, our towns will suffer & gradually die too. Farmers & water users are still recovering from the last drought - financially, physically, mentally & emotionally. These proposed regulations would only add & put more increased stress & pressure on farmers, increasing poor health & suicide. In the 06/07 drought we could still pump to irrigate crops & supply water for our breeding stock because we self regulate our water supply. If we are forced to CTP in dry times & drought, how do we protect our properties in times of bushfires? Do we just let everything burn? The property has been farmed by our family since the 1920's - now 4 generations of the O'Hara family. We are making a legacy for our children, passing it down from generation to generation. What will they be left to hand down to their children?  
If this CTP ruling goes through there will be nothing to pass down. We will be forced to sell the farm & all for what? Working your guts out just for it to be taken away by people who work behind desks & go off numbers & data entered into a computer. Come live in the real world. We aren't a bunch of country hicks or hillbillies out in the sticks. We don't have a 9-5 job. Ours is 24-7, we don't get time to turn off. Farmers have generations of information & data to go by. If we haven't looked after the our environment, how are we still here, supplying you the consumer with your meat, your produce?

© State of New South Wales through Department of Planning, Industry and Environment 2020. The information contained in this publication is based on knowledge and understanding at the time of writing (December 2021). However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Department of Planning, Industry and Environment or the user's independent adviser.

Dear DPIE,

RE: Draft Water Sharing Plan

**WE DO NOT SUPPORT THE CEASE TO PUMP RULE.**

We are 4<sup>th</sup> generation farmers on our property in Martindale. The property has been farmed by our family for 100 years, since the 1920's.

We were dairy farmers & in the whole time we dairied on the property, we never had trouble with water. Even in droughts we had water for our cattle & we could irrigate our crops.

We had to give up the dairy 25 years ago due to the cost of electricity. We still grow crops & have beef cattle but on a smaller scale.

Now you are forcing this onto us.

Don't you want farming in the Hunter Valley? Certainly doesn't seem like it!

You are all so concerned about how us farmers are treating the environment, but if we haven't been careful & looking after the environment in our own backyard, then how are we still here on our family property 100 years later? Certainly shows we must be doing something right.

It would be very interesting to know of how many thought up this Water Plan are actually familiar with our area? Unlike all those farmers who have lived here all their lives.

Kind regards

██████████

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

Office use only	Submission number
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## How to fill out this form

The department is seeking your comments on the draft replacement Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022.

For general background about the draft plan development, proposed changes and the finalisation process please refer to the background and proposed changes documents. For water source specific details including proposed rules, please see the water source report cards.

Key issues and changes have been summarised in this submission form, although comment on all aspects of the water sharing plan is welcome. For water source specific details including rules, please see the water source report cards. More detailed comments are welcomed as attachments.

Send completed submissions to:

Post: WSP Comments for the Hunter Unregulated and Alluvial Water Sharing Plan,  
Department of Planning, Industry and Environment  
Locked Bag 26  
Gosford NSW 2250

Email: [hunterunreg.wsp@dpie.nsw.gov.au](mailto:hunterunreg.wsp@dpie.nsw.gov.au)

**Note: Submissions close 27 February 2022**

## Information on privacy and confidentiality

Submissions received by NSW Department of Planning, Industry and Environment for the proposed amendments will be considered by the department and the Coastal Water Planning and Policy Working Group to review and inform the draft amendments. The department values your input and accepts that information you provide may be private and personal.

If you would prefer your submission or your personal details to be treated as confidential, please indicate this by ticking the relevant box below.

If you do not make a request for confidentiality, the department may make your submission, including any personal details contained in the submission, available to the public.

Please note that, regardless of a request for confidentiality, the department may be required by law to release copies of submissions to third parties in accordance with the *Government Information (Public Access) Act 2009*.

I would like my submission to be treated as confidential	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
I would like my personal details to be treated as confidential	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## How to fill out this form

<b>Name</b>	[REDACTED]		
<b>Postal Address</b>	[REDACTED]		
<b>Telephone</b>	[REDACTED]		
<b>Email address</b>	[REDACTED]		
<b>Stakeholder Group</b> <small>(please indicate which of the following best represents your interest by <b>ticking one box</b>)</small>	<input type="checkbox"/> Irrigation Interests <input type="checkbox"/> Fishing Interests <input type="checkbox"/> Local Govt./ Utilities	<input type="checkbox"/> Aboriginal Interest <input checked="" type="checkbox"/> Local Landholder <input type="checkbox"/> Other (specify)	<input type="checkbox"/> Environment Interests <input type="checkbox"/> Community Member
<b>If your comments refer to a specific water source, which one?</b>	Martindale Creek		

Attach extra pages if required

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## New Coastal Floodplain Alluvial Groundwater Water Sources

The draft plan proposes to establish the Hunter Coastal Floodplain Alluvial Groundwater and the Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources. The long-term limits on extractions are proposed based on a proportion of recharge. Additional water for licensed take may be made available through controlled allocations in the future.

*Further details relating to this change can be found in Part 1 of the draft plan, the background document as well as the report cards for the Hunter Coastal Floodplain Alluvial Groundwater Water Source and the Lake Macquarie Coastal Floodplain Alluvial Groundwater Water Source.*

Do you have any comments on this aspect of the draft plan?	
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## Long Term Average Annual Extraction Limit

The replacement plan creates two long term average annual extraction limits (LTAAELs).

- The Standard LTAAEL which sets a limit on extraction from all flows except for higher flows.
- The Higher flow LTAAEL that manages extractions that can only take from higher flows.

The reason for the two extraction limits is to limit extractions from all other flows and encourage extraction from higher flows.

The Standard LTAAEL includes all basic landholder rights extraction including from harvestable rights dams. If there is a growth in uptake of harvestable rights that increases total annual extraction to above the Standard LTAAEL by more than 5% then there will be reduced water allocated to licenced water users in the following year.

*Further details relating to this change can be found in Part 4 of the draft plan, and the background document.*

Do you think it is appropriate to have two LTAAEL's? Why / why not?	
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Do you think the proposed compliance of the LTAAELs are appropriate? Why / why not?	
---	--



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Managing the risks of increased harvestable rights

In 2022 the volume of water that can be captured in harvestable rights dams in coastal draining catchments will increase from 10% to 30% of rainfall runoff.

This could impact on the volume of flow that reaches rivers. The plan includes a requirement that the uptake of harvestable rights will be assessed at year 3 and then access, work approval and trade rules will be reviewed if the uptake is greater than 10% of rainfall runoff.

*The amendment provision can be found in Part 11 of the draft Plan.*

Do you think this is appropriate? Why / why not?

## Draft access rules based on groundwater levels

The draft plan proposes to establish access rules based on groundwater levels in Baerami Creek, Bylong River, Lower Goulburn River, Lower Wollombi Brook, Martindale Creek, and Widden Brook water sources and the Upper Middle Dart Brook, Lower Middle Brook and Kingdon Ponds, and Lower Dart Brook management zones of Dart Brook Water Source, and the Segenhoe Management Zone of the Pages River Water Source. The access rule define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and “Proposed Management Rules” section of the relevant report cards.*

How does the proposed **CtP** level in your water source impact on your current operations?

The proposed CTP would devastate & destroy our farm. We would have no main income. We wouldn't be able to grow crops to make hay or any feed to sell or to feed our own livestock. We would have to sell livestock. We wouldn't be able to afford to replace them in good times. Eventually we would have to sell the property. Local business/towns would also suffer & go out of business. CTP rules would put increased stress & pressure on farmers, financially, physically, mentally & emotionally. Poor mental health & suicide rates would increase.

Do you think the **CtP** in your water source is practical to implement? Why / why not?

No. Our property has been self-regulating it's water supply for over 100 years. In dry times we reduce our pumping/watering times to conserve water for the dry times ahead. As we are unmetered there has been not enough data to support how much water is actually being used. We are going off a monitoring bore that is 10km away from us, more from other uses. How can this data be accurate for everyone in imposing the CTP ruling? The monitoring bore is situated 200m or more away from the actual main stream of the creek. Not all underground streams are going to be the same level.

Do you think the **CtP** provides enough protection for ecological values such as Groundwater Dependent Ecosystem?

Droughts are tough for everyone, animals & ecosystems included. If there is no water in a river, no animal frog etc is going to stay there. They will go to where there is water. This is why in dry times wildlife, insects etc will come in closer to where we are irrigating & have water for our livestock. We supply them food & water to stay alive. There has not been enough data, real information or evidence to support your CTP. 10 years of data including 1 drought & a few good years is not enough evidence to base the CTP ruling around.

The **flow reference point** is the bore at which a CtP will be measured. Do you think this site is appropriate? Why / why not?

No. One monitoring bore is not enough to make the decision for when the CTP rules state you can & can not pump. Too much conflicting information regarding water measurements from the monitoring bore & your actual pumping site. The monitoring bore we have to go off is 10km away from our pump. If a CTP was applied during our last drought, it would have taken 94 days before we could resume pumping. This is way too long. Daily telemetry reading are needed on the monitoring bores. Water users need to have access to this information to be able to make informed decisions on how & when they can irrigate according to the water levels.

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022

Submission form

## Draft access rules in the Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal Pool water sources

The draft plan proposes to establish access rules in Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal sources based on salinity levels at Green Rocks. The access rules define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and “Proposed Management Rules” section of the relevant report cards.*

<p>How does the proposed <b>CtP</b> level in your water source impact on your current operations?</p>	
<p>Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?</p>	
<p>Do you think the <b>CtP</b> provides enough protection for low flows and ecological values? Why / why not?</p>	
<p>The <b>flow reference point</b> is the point at which a CtP will be measured. Do you think this site is appropriate? Why / why not?</p>	



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in surface water sources and management zones

Changes to access rules are being proposed in: Black Creek, Halls Creek, Upper Goulburn River, Merriwa River, Pages River, Upper Wollombi Brook, Paterson/Allyn Rivers and Upper Hunter River water sources and in the Upper Dart Brook Management Zone of the Dart Brook Water Source.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the relevant report cards.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows? Why / why not?	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in the Isis River Water Source

The draft plan proposes to establish a new Upper Isis River Management Zone which will have new access rules.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the Isis River Water Source report card.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows?	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in the Williams River Water Source

The draft plan proposes to establish a new Upper Williams River Management Zone which will have new access rules and also proposes slight changes to the access rules in the Williams River Management Zone. *This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the Williams River Water Source report card.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

## Prohibition of in-river dams in additional water sources

The draft plan proposes prohibition of in-river dams on third order and larger streams in the following water sources: Williams River, Wallis Creek, Lower Wollombi Brook, Widden Brook, South Lake Macquarie and Munmurra River. These restrictions were not previously in place for these water sources, however the water sources were identified as having high ecological values

The following water sources will continue to prohibit new in-river dams on third order or larger streams: Dora Creek, Glennies, Upper Paterson, Merriwa River, Newcastle, Paterson/Allyn Rivers, Rouchel Brook, Upper Goulburn River, Upper Hunter River, Upper Wollombi Brook.

*This section refers to Part 7 of the draft plan as well as in the relevant report cards.*

How would this impact on your current operations?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022

Submission form

## **New restrictions for new or replacement water supply works near SEPP wetlands**

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

The State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP) identifies wetlands in order to protect their ecological values. There is a need for water sharing plans to recognise these same wetlands to ensure protection and alignment between regulatory objectives. The draft plan proposes to prohibit the granting of approvals for surface water or groundwater works if it would result in more than minimal harm to a wetland mapped under the Coastal SEPP.

Coastal wetlands have been identified in the Dora Creek, Newcastle, North Lake Macquarie, South Lake Macquarie, Williams River, Hunter Coastal Floodplain Alluvial Groundwater and Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources.

*This section refers to Part 7 of the draft plan*

Do you think this is appropriate? If not, why?

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## New restrictions for new or replacement groundwater water supply works

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

*These distance rules are contained in Part 7 of the plan.*

The draft plan proposes to expand protection of groundwater dependent ecosystems (GDEs) and includes a map that identifies potential high priority GDEs for which minimum setback distances may apply.

Do you think this is appropriate? If not, why?

The draft plan proposes rules that require new groundwater works to be greater than 500m from a contamination source and 200m from a culturally significant site.

Do you think this is appropriate? If not, why?

Have you noticed any **effects** from extraction on water levels in the groundwater source? If so, please specify.



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Changes to between water source trade provisions

The draft plan proposes to allow limited trade into some water sources. This change aims to improve the opportunity to trade into downstream water sources without increasing extractive stress to upstream and high-risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:

Widden Brook, Wallis Creek, North Lake Macquarie, Lower Goulburn River, Upper Goulburn River, Merriwa River, Lower Wollombi Brook, Doyles Creek, Newcastle, Paterson/Allyn Rivers, Upper Paterson River, Rouchel Brook and Wybong Creek.

*The trading rules are contained in Part 8 of the Plan and in the “Proposed Management Rules” section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
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## Changes to within water source trade provisions

The draft plan proposes to remove some of the trade restrictions within water sources. These changes aim to improve the opportunity to trade without increasing extractive stress to high risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:

Rouchel Brook, Upper Goulburn River, Wybong Creek, Pages River, Dart Brook, Muswellbrook, Jerrys, Luskintyre, Newcastle and Black Creek.

*The trading rules are contained in Part 8 of the Plan and in the “Proposed Management Rules” section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Conversion to high flow access licences

It is proposed to allow conversion from a standard access licence to an access licence that can only extract from high flows in the Upper Hunter River Water Source only. If a conversion is to occur the licence share component would increase by 2 times.

The draft plan has removed the ability to convert to high flows in the Pages River, Isis River, Lower Wollombi Brook, Rouchel Brook and Paterson/Allyn Rivers water sources.

*Further details relating to this change can be found in Part 8 of the draft plan and background document as well as the report card for the relevant water sources.*

Do you think this is appropriate? Why / why not?

## Application for Aboriginal Community Development access licences

It is proposed to permit applications for specific purpose Aboriginal Community Development access licences in the Hunter Coastal Floodplain Alluvial Groundwater, the Lake Macquarie Coastal Floodplain Alluvial Groundwater, Dart Brook, Pages River, Rouchel Brook, Upper Goulburn River, Lower Goulburn River, Lower Wollombi Brook, and Upper Hunter River water sources.

*Further information can be found in Part 5 of the draft Plan*

Do you think this is appropriate? Why / why not?

## Additional feedback

The above sections relate to the key proposed changes from the current water sharing plan. However, comments on all aspects of the plan are welcome and encouraged. Please use the space below, or attachments if required or preferred.

Do you have comments on any aspect of the draft plan?

WE DO NOT SUPPORT THE CEASE TO PUMP RULE IN ANY WAY.  
Trying to get your head around this Draft Water Sharing Plan & all the changes, regulations, information, data, report & all the information that you can find in their proposed time limit, just isn't possible. It just makes this process all that harder. We are in the middle of our busiest season producing hay. We just don't have the time to go through all of this. We need extra time. An extension on the time limit. The changes that the DPE propose will not achieve the economic, environmental & social goals that we all need to live by as a society. We support local business, we spend our money locally. If farmers go, our towns will suffer & gradually die too. Farmers & water users are still recovering from the last drought - financially, physically, mentally & emotionally. These proposed regulations would only add & put more increased stress & pressure on farmers, increasing poor health & suicide. In the 06/07 drought we could still pump to irrigate crops & supply water for our breeding stock because we self regulate our water supply. If we are forced to CTP in dry times & drought, how do we protect our properties in times of bushfires? Do we just let everything burn? The property has been farmed by our family since the [redacted] We are making a legacy for our children, passing it down from generation to generation. What will they be left to hand down to their children?  
If this CTP ruling goes through there will be nothing to pass down. We will be forced to sell the farm & all for what? Working your guts out just for it to be taken away by people who work behind desks & go off numbers & data entered into a computer. Come live in the real world. We aren't a bunch of country hicks or hillbillies out in the sticks. We don't have a 9-5 job. Ours is 24-7, we don't get time to turn off. Farmers have generations of information & data to go by. If we haven't looked after the our environment, how are we still here, supplying you the consumer with your meat, your produce?

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Dear DPIE,

RE: Draft Water Sharing Plan

**WE DO NOT SUPPORT THE CEASE TO PUMP RULE.**

We are [REDACTED]. The property has been farmed by our family for 100 years, since the 1920's.

We were dairy farmers & in the whole time we dairied on the property, we never had trouble with water. Even in droughts we had water for our cattle & we could irrigate our crops.

We had to give up the dairy 25 years ago due to the cost of electricity. We still grow crops & have beef cattle but on a smaller scale.

Now you are forcing this onto us.

Don't you want farming in the Hunter Valley? Certainly doesn't seem like it!

You are all so concerned about how us farmers are treating the environment, but if we haven't been careful & looking after the environment in our own backyard, then how are we still here on our family property 100 years later? Certainly shows we must be doing something right.

It would be very interesting to know of how many thought up this Water Plan are actually familiar with our area? Unlike all those farmers who have lived here all their lives.

Kind regards

[REDACTED]



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

Office use only

Submission number

## How to fill out this form

The department is seeking your comments on the draft replacement Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022.

For general background about the draft plan development, proposed changes and the finalisation process please refer to the background and proposed changes documents. For water source specific details including proposed rules, please see the water source report cards.

Key issues and changes have been summarised in this submission form, although comment on all aspects of the water sharing plan is welcome. For water source specific details including rules, please see the water source report cards. More detailed comments are welcomed as attachments.

Send completed submissions to:

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Department of Planning, Industry and Environment  
Locked Bag 26  
Gosford NSW 2250

Email: [hunterunreg.wsp@dpie.nsw.gov.au](mailto:hunterunreg.wsp@dpie.nsw.gov.au)

**Note: Submissions close 27 February 2022**

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I would like my submission to be treated as confidential

Yes

No

I would like my personal details to be treated as confidential

Yes

No



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## How to fill out this form

<b>Name</b>	[REDACTED]		
<b>Postal Address</b>	Denman NSW 2328		
<b>Telephone</b>			
<b>Email address</b>			
<b>Stakeholder Group</b> <small>(please indicate which of the following best represents your interest by <b>ticking one box</b>)</small>	<input type="checkbox"/> Irrigation Interests <input type="checkbox"/> Fishing Interests <input type="checkbox"/> Local Govt./ Utilities	<input type="checkbox"/> Aboriginal Interest <input checked="" type="checkbox"/> Local Landholder <input type="checkbox"/> Other (specify)	<input type="checkbox"/> Environment Interests <input type="checkbox"/> Community Member
<b>If your comments refer to a specific water source, which one?</b>	Martindale Creek		

Attach extra pages if required

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## New Coastal Floodplain Alluvial Groundwater Water Sources

The draft plan proposes to establish the Hunter Coastal Floodplain Alluvial Groundwater and the Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources. The long-term limits on extractions are proposed based on a proportion of recharge. Additional water for licensed take may be made available through controlled allocations in the future.

*Further details relating to this change can be found in Part 1 of the draft plan, the background document as well as the report cards for the Hunter Coastal Floodplain Alluvial Groundwater Water Source and the Lake Macquarie Coastal Floodplain Alluvial Groundwater Water Source.*

Do you have any comments on this aspect of the draft plan?	
--	--

## Long Term Average Annual Extraction Limit

The replacement plan creates two long term average annual extraction limits (LTAAELs).

- The Standard LTAAEL which sets a limit on extraction from all flows except for higher flows.
- The Higher flow LTAAEL that manages extractions that can only take from higher flows.

The reason for the two extraction limits is to limit extractions from all other flows and encourage extraction from higher flows.

The Standard LTAAEL includes all basic landholder rights extraction including from harvestable rights dams. If there is a growth in uptake of harvestable rights that increases total annual extraction to above the Standard LTAAEL by more than 5% then there will be reduced water allocated to licenced water users in the following year.

*Further details relating to this change can be found in Part 4 of the draft plan, and the background document.*

Do you think it is appropriate to have two LTAAEL's? Why / why not?	
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Do you think the proposed compliance of the LTAAELs are appropriate? Why / why not?	
---	--



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Managing the risks of increased harvestable rights

In 2022 the volume of water that can be captured in harvestable rights dams in coastal draining catchments will increase from 10% to 30% of rainfall runoff.

This could impact on the volume of flow that reaches rivers. The plan includes a requirement that the uptake of harvestable rights will be assessed at year 3 and then access, work approval and trade rules will be reviewed if the uptake is greater than 10% of rainfall runoff.

*The amendment provision can be found in Part 11 of the draft Plan.*

Do you think this is appropriate? Why / why not?

## Draft access rules based on groundwater levels

The draft plan proposes to establish access rules based on groundwater levels in Baerami Creek, Bylong River, Lower Goulburn River, Lower Wollombi Brook, Martindale Creek, and Widden Brook water sources and the Upper Middle Dart Brook, Lower Middle Brook and Kingdon Ponds, and Lower Dart Brook management zones of Dart Brook Water Source, and the Segenhoe Management Zone of the Pages River Water Source. The access rule define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the relevant report cards.*

How does the proposed CtP level in your water source impact on your current operations?

The proposed CTP would devastate & destroy our farm. We would have no main income. We wouldn't be able to grow crops to make hay or any feed to sell or to feed our own livestock. We would have to sell livestock. We wouldn't be able to afford to replace them in good times. Eventually we would have to sell the property. Local business/towns would also suffer & go out of business. CTP rules would put increased stress & pressure on farmers, financially, physically, mentally & emotionally. Poor mental health & suicide rates would increase.

Do you think the CtP in your water source is practical to implement? Why / why not?

No. Our property has been self-regulating it's water supply for over 100 years. In dry times we reduce our pumping/watering times to conserve water for the dry times ahead. As we are unmetred there has been not enough data to support how much water is actually being used. We are going off a monitoring bore that is 10km away from us, more from other uses. How can this data be accurate for everyone in imposing the CTP ruling? The monitoring bore is situated 200m or more away from the actual main stream of the creek. Not all underground streams are going to be the same level.

Do you think the CtP provides enough protection for ecological values such as Groundwater Dependent Ecosystem?

Droughts are tough for everyone, animals & ecosystems included. If there is no water in a river, no animal frog etc is going to stay there. They will go to where there is water. This is why in dry times wildlife, insects etc will come in closer to where we are irrigating & have water for our livestock. We supply them food & water to stay alive. There has not been enough data, real information or evidence to support your CTP. 10 years of data including 1 drought & a few good years is not enough evidence to base the CTP ruling around.

The flow reference point is the bore at which a CtP will be measured. Do you think this site is appropriate? Why / why not?

No. One monitoring bore is not enough to make the decision for when the CTP rules state you can & can not pump. Too much conflicting information regarding water measurements from the monitoring bore & your actual pumping site. The monitoring bore we have to go off is 10km away from our pump. If a CTP was applied during our last drought, it would have taken 94 days before we could resume pumping. This is way too long. Daily telemetry reading are needed on the monitoring bores. Water users need to have access to this information to be able to make informed decisions on how & when they can irrigate according to the water levels.

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft access rules in the Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal Pool water sources

The draft plan proposes to establish access rules in Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal sources based on salinity levels at Green Rocks. The access rules define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the relevant report cards.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for low flows and ecological values? Why / why not?	
The <b>flow reference point</b> is the point at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in surface water sources and management zones

Changes to access rules are being proposed in: Black Creek, Halls Creek, Upper Goulburn River, Merriwa River, Pages River, Upper Wollombi Brook, Paterson/Allyn Rivers and Upper Hunter River water sources and in the Upper Dart Brook Management Zone of the Dart Brook Water Source.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the relevant report cards.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows? Why / why not?	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in the Isis River Water Source

The draft plan proposes to establish a new Upper Isis River Management Zone which will have new access rules.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the Isis River Water Source report card.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows?	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in the Williams River Water Source

The draft plan proposes to establish a new Upper Williams River Management Zone which will have new access rules and also proposes slight changes to the access rules in the Williams River Management Zone. *This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the Williams River Water Source report card.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

## Prohibition of in-river dams in additional water sources

The draft plan proposes prohibition of in-river dams on third order and larger streams in the following water sources: Williams River, Wallis Creek, Lower Wollombi Brook, Widden Brook, South Lake Macquarie and Munmurra River. These restrictions were not previously in place for these water sources, however the water sources were identified as having high ecological values

The following water sources will continue to prohibit new in-river dams on third order or larger streams: Dora Creek, Glennies, Upper Paterson, Merriwa River, Newcastle, Paterson/Allyn Rivers, Rouchel Brook, Upper Goulburn River, Upper Hunter River, Upper Wollombi Brook.

*This section refers to Part 7 of the draft plan as well as in the relevant report cards.*

How would this impact on your current operations?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022

Submission form

## **New restrictions for new or replacement water supply works near SEPP wetlands**

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

The State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP) identifies wetlands in order to protect their ecological values. There is a need for water sharing plans to recognise these same wetlands to ensure protection and alignment between regulatory objectives. The draft plan proposes to prohibit the granting of approvals for surface water or groundwater works if it would result in more than minimal harm to a wetland mapped under the Coastal SEPP.

Coastal wetlands have been identified in the Dora Creek, Newcastle, North Lake Macquarie, South Lake Macquarie, Williams River, Hunter Coastal Floodplain Alluvial Groundwater and Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources.

*This section refers to Part 7 of the draft plan*

Do you think this is appropriate? If not, why?



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## New restrictions for new or replacement groundwater water supply works

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

*These distance rules are contained in Part 7 of the plan.*

The draft plan proposes to expand protection of groundwater dependent ecosystems (GDEs) and includes a map that identifies potential high priority GDEs for which minimum setback distances may apply.

Do you think this is appropriate? If not, why?

The draft plan proposes rules that require new groundwater works to be greater than 500m from a contamination source and 200m from a culturally significant site.

Do you think this is appropriate? If not, why?

Have you noticed any **effects** from extraction on water levels in the groundwater source? If so, please specify.

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Changes to between water source trade provisions

The draft plan proposes to allow limited trade into some water sources. This change aims to improve the opportunity to trade into downstream water sources without increasing extractive stress to upstream and high-risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:

Widden Brook, Wallis Creek, North Lake Macquarie, Lower Goulburn River, Upper Goulburn River, Merriwa River, Lower Wollombi Brook, Doyles Creek, Newcastle, Paterson/Allyn Rivers, Upper Paterson River, Rouchel Brook and Wybong Creek.

*The trading rules are contained in Part 8 of the Plan and in the “Proposed Management Rules” section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
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## Changes to within water source trade provisions

The draft plan proposes to remove some of the trade restrictions within water sources. These changes aim to improve the opportunity to trade without increasing extractive stress to high risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:

Rouchel Brook, Upper Goulburn River, Wybong Creek, Pages River, Dart Brook, Muswellbrook, Jerrys, Luskintyre, Newcastle and Black Creek.

*The trading rules are contained in Part 8 of the Plan and in the “Proposed Management Rules” section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Conversion to high flow access licences

It is proposed to allow conversion from a standard access licence to an access licence that can only extract from high flows in the Upper Hunter River Water Source only. If a conversion is to occur the licence share component would increase by 2 times.

The draft plan has removed the ability to convert to high flows in the Pages River, Isis River, Lower Wollombi Brook, Rouchel Brook and Paterson/Allyn Rivers water sources.

*Further details relating to this change can be found in Part 8 of the draft plan and background document as well as the report card for the relevant water sources.*

Do you think this is appropriate? Why / why not?

### Application for Aboriginal Community Development access licences

It is proposed to permit applications for specific purpose Aboriginal Community Development access licences in the Hunter Coastal Floodplain Alluvial Groundwater, the Lake Macquarie Coastal Floodplain Alluvial Groundwater, Dart Brook, Pages River, Rouchel Brook, Upper Goulburn River, Lower Goulburn River, Lower Wollombi Brook, and Upper Hunter River water sources.

*Further information can be found in Part 5 of the draft Plan*

Do you think this is appropriate? Why / why not?

### Additional feedback

The above sections relate to the key proposed changes from the current water sharing plan. However, comments on all aspects of the plan are welcome and encouraged. Please use the space below, or attachments if required or preferred.

Do you have comments on any aspect of the draft plan?

WE DO NOT SUPPORT THE CEASE TO PUMP RULE IN ANY WAY.  
Trying to get your head around this Draft Water Sharing Plan & all the changes, regulations, information, data, report & all the information that you can find in their proposed time limit, just isn't possible, it just makes this process all that harder. We are in the middle of our busiest season producing hay. We just don't have the time to go through all of this. We need extra time. An extension on the time limit. The changes that the DPIE propose will not achieve the economic, environmental & social goals that we all need to live by as a society. We support local business, we spend our money locally. If farmers go, our towns will suffer & gradually die too. Farmers & water users are still recovering from the last drought - financially, physically, mentally & emotionally. These proposed regulations would only add & put more increased stress & pressure on farmers, increasing poor health & suicide. In the 06/07 drought we could still pump to irrigate crops & supply water for our breeding stock because we self regulate our water supply. If we are forced to CTP in dry times & drought, how do we protect our properties in times of bushfires? Do we just let everything burn? The property has been farmed by our family since the 1920's - now 4 generations of the O'Hara family, We are making a legacy for our children, passing it down from generation to generation. What will they be left to hand down to their children?  
If this CTP ruling goes through there will be nothing to pass down. We will be forced to sell the farm & all for what? Working your guts out just for it to be taken away by people who work behind desks & go off numbers & data entered into a computer. Come live in the real world. We aren't a bunch of country hicks or hillbillies out in the sticks. We don't have a 9-5 job. Ours is 24-7, we don't get time to turn off. Farmers have generations of information & data to go by. If we haven't looked after the our environment, how are we still here, supplying you the consumer with your meat, your

© State of New South Wales through Department of Planning, Industry and Environment 2020. The information contained in this publication is based on knowledge and understanding at the time of writing (December 2021). However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Department of Planning, Industry and Environment or the user's independent adviser.



Dear DPIE,

RE: Draft Water Sharing Plan

**WE DO NOT SUPPORT THE CEASE TO PUMP RULE.**

We are 4<sup>th</sup> generation farmers on our property in Martindale. The property has been farmed by our family for 100 years, since the 1920's.

We were dairy farmers & in the whole time we dairied on the property, we never had trouble with water. Even in droughts we had water for our cattle & we could irrigate our crops.

We had to give up the dairy 25 years ago due to the cost of electricity. We still grow crops & have beef cattle but on a smaller scale.

Now you are forcing this onto us.

Don't you want farming in the Hunter Valley? Certainly doesn't seem like it!

You are all so concerned about how us farmers are treating the environment, but if we haven't been careful & looking after the environment in our own backyard, then how are we still here on our family property 100 years later? Certainly shows we must be doing something right.

It would be very interesting to know of how many thought up this Water Plan are actually familiar with our area? Unlike all those farmers who have lived here all their lives.

Kind regards

██████████

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

Office use only

Submission number

## How to fill out this form

The department is seeking your comments on the draft replacement Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022.

For general background about the draft plan development, proposed changes and the finalisation process please refer to the background and proposed changes documents. For water source specific details including proposed rules, please see the water source report cards.

Key issues and changes have been summarised in this submission form, although comment on all aspects of the water sharing plan is welcome. For water source specific details including rules, please see the water source report cards. More detailed comments are welcomed as attachments.

Send completed submissions to:

Post: WSP Comments for the Hunter Unregulated and Alluvial Water Sharing Plan,  
Department of Planning, Industry and Environment  
Locked Bag 26  
Gosford NSW 2250

Email: [hunterunreg.wsp@dpie.nsw.gov.au](mailto:hunterunreg.wsp@dpie.nsw.gov.au)

**Note: Submissions close 27 February 2022**

## Information on privacy and confidentiality

Submissions received by NSW Department of Planning, Industry and Environment for the proposed amendments will be considered by the department and the Coastal Water Planning and Policy Working Group to review and inform the draft amendments. The department values your input and accepts that information you provide may be private and personal.

If you would prefer your submission or your personal details to be treated as confidential, please indicate this by ticking the relevant box below.

If you do not make a request for confidentiality, the department may make your submission, including any personal details contained in the submission, available to the public.

Please note that, regardless of a request for confidentiality, the department may be required by law to release copies of submissions to third parties in accordance with the *Government Information (Public Access) Act 2009*.

I would like my submission to be treated as confidential

Yes

No

I would like my personal details to be treated as confidential

Yes

No

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## How to fill out this form

<b>Name</b>	[REDACTED]		
<b>Postal Address</b>	Denman NSW 2328		
<b>Telephone</b>			
<b>Email address</b>			
<b>Stakeholder Group</b> (please indicate which of the following best represents your interest by <b>ticking one box</b> )	<input type="checkbox"/> Irrigation Interests <input type="checkbox"/> Fishing Interests <input type="checkbox"/> Local Govt./ Utilities	<input type="checkbox"/> Aboriginal Interest <input checked="" type="checkbox"/> Local Landholder <input type="checkbox"/> Other (specify)	<input type="checkbox"/> Environment Interests <input type="checkbox"/> Community Member
<b>If your comments refer to a specific water source, which one?</b>	Lower Goulburn River		

Attach extra pages if required



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## New Coastal Floodplain Alluvial Groundwater Water Sources

The draft plan proposes to establish the Hunter Coastal Floodplain Alluvial Groundwater and the Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources. The long-term limits on extractions are proposed based on a proportion of recharge. Additional water for licensed take may be made available through controlled allocations in the future.

*Further details relating to this change can be found in Part 1 of the draft plan, the background document as well as the report cards for the Hunter Coastal Floodplain Alluvial Groundwater Water Source and the Lake Macquarie Coastal Floodplain Alluvial Groundwater Water Source.*

Do you have any comments on this aspect of the draft plan?	
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## Long Term Average Annual Extraction Limit

The replacement plan creates two long term average annual extraction limits (LTAAELs).

- The Standard LTAAEL which sets a limit on extraction from all flows except for higher flows.
- The Higher flow LTAAEL that manages extractions that can only take from higher flows.

The reason for the two extraction limits is to limit extractions from all other flows and encourage extraction from higher flows.

The Standard LTAAEL includes all basic landholder rights extraction including from harvestable rights dams. If there is a growth in uptake of harvestable rights that increases total annual extraction to above the Standard LTAAEL by more than 5% then there will be reduced water allocated to licenced water users in the following year.

*Further details relating to this change can be found in Part 4 of the draft plan, and the background document.*

Do you think it is appropriate to have two LTAAEL's? Why / why not?	
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Do you think the proposed compliance of the LTAAELs are appropriate? Why / why not?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Managing the risks of increased harvestable rights

In 2022 the volume of water that can be captured in harvestable rights dams in coastal draining catchments will increase from 10% to 30% of rainfall runoff.

This could impact on the volume of flow that reaches rivers. The plan includes a requirement that the uptake of harvestable rights will be assessed at year 3 and then access, work approval and trade rules will be reviewed if the uptake is greater than 10% of rainfall runoff.

*The amendment provision can be found in Part 11 of the draft Plan.*

Do you think this is appropriate? Why / why not?

## Draft access rules based on groundwater levels

The draft plan proposes to establish access rules based on groundwater levels in Baerami Creek, Bylong River, Lower Goulburn River, Lower Wollombi Brook, Martindale Creek, and Widden Brook water sources and the Upper Middle Dart Brook, Lower Middle Brook and Kingdon Ponds, and Lower Dart Brook management zones of Dart Brook Water Source, and the Segenhoe Management Zone of the Pages River Water Source. The access rule define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the relevant report cards.*

<p>How does the proposed <b>CtP</b> level in your water source impact on your current operations?</p>	<p>The proposed CTP would devastate &amp; destroy our farm. We would have no main income. We wouldn't be able to grow crops to make hay or any feed to sell or to feed our own livestock. We would have to sell livestock. We wouldn't be able to afford to replace them in good times. Eventually we would have to sell the property. Local business/towns would also suffer &amp; go out of business. CTP rules would put increased stress &amp; pressure on farmers, financially, physically, mentally &amp; emotionally. Poor mental health &amp; suicide rates would increase.</p>
<p>Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?</p>	<p>No. The Goulburn River is an upside-down river. Water flows underground even in good times. We have been self-regulating our water supply for 42 years. In dry times we reduce our pumping/watering times to conserve water for the dry times ahead. As we are unmetered there has been not enough data to support how much water is actually being used. We are going off a monitoring bore that is 10km away from us, more from other uses. How can this data be accurate for everyone in imposing the CTP ruling? The monitoring bore is situated 200m or more away from the actual main stream of the river. Not all underground streams are going to be the same level.</p>
<p>Do you think the <b>CtP</b> provides enough protection for ecological values such as Groundwater Dependent Ecosystem?</p>	<p>Droughts are tough for everyone, animals &amp; ecosystems included. If there is no water in a river, no animal frog etc is going to stay there. They will go to where there is water. This is why in dry times wildlife, insects etc will come in closer to where we are irrigating &amp; have water for our livestock. We supply them food &amp; water to stay alive. There has not been enough data, real information or evidence to support your CTP. 10 years of data including 1 drought &amp; a few good years is not enough evidence to base the CTP ruling around. Saying that some plants, a toad, dragonfly, a bird &amp; a fish is "Predicted to Occur"????? That is not a good enough reason for me to lose our livelihood &amp; our farm. For a start, the Goulburn is an upside-down river - even in good times the river flows underground. We have to be getting continual rainfall for the river to keep running above ground. So when the river is not running how does a dragonfly get water from the underground water supply? Or how does the Darling River Hardyhead swim underground? Highly unlikely these animals would be this ecosystem.</p>
<p>The <b>flow reference point</b> is the bore at which a CtP will be measured. Do you think this site is appropriate? Why / why not?</p>	<p>No. One monitoring bore is not enough to make the decision for when the CTP rules state you can &amp; can not pump. Too much conflicting information regarding water measurements from the monitoring bore &amp; your actual pumping site. The monitoring bore we have to go off is 10km away from our pump. If a CTP was applied during our last drought, it would have taken 90 days before we could resume pumping. This is way too long. Daily telemetry reading are needed on the monitoring bores. Water users need to have access to this information to be able to make informed decisions on how &amp; when they can irrigate according to the water levels.</p>

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022

Submission form

## Draft access rules in the Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal Pool water sources

The draft plan proposes to establish access rules in Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal sources based on salinity levels at Green Rocks. The access rules define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and “Proposed Management Rules” section of the relevant report cards.*

<p>How does the proposed <b>CtP</b> level in your water source impact on your current operations?</p>	
<p>Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?</p>	
<p>Do you think the <b>CtP</b> provides enough protection for low flows and ecological values? Why / why not?</p>	
<p>The <b>flow reference point</b> is the point at which a CtP will be measured. Do you think this site is appropriate? Why / why not?</p>	



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in surface water sources and management zones

Changes to access rules are being proposed in: Black Creek, Halls Creek, Upper Goulburn River, Merriwa River, Pages River, Upper Wollombi Brook, Paterson/Allyn Rivers and Upper Hunter River water sources and in the Upper Dart Brook Management Zone of the Dart Brook Water Source.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the relevant report cards.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
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The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in the Isis River Water Source

The draft plan proposes to establish a new Upper Isis River Management Zone which will have new access rules.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the Isis River Water Source report card.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows?	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in the Williams River Water Source

The draft plan proposes to establish a new Upper Williams River Management Zone which will have new access rules and also proposes slight changes to the access rules in the Williams River Management Zone.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the Williams River Water Source report card.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

## Prohibition of in-river dams in additional water sources

The draft plan proposes prohibition of in-river dams on third order and larger streams in the following water sources: Williams River, Wallis Creek, Lower Wollombi Brook, Widden Brook, South Lake Macquarie and Munmurra River. These restrictions were not previously in place for these water sources, however the water sources were identified as having high ecological values

The following water sources will continue to prohibit new in-river dams on third order or larger streams: Dora Creek, Glennies, Upper Paterson, Merriwa River, Newcastle, Paterson/Allyn Rivers, Rouchel Brook, Upper Goulburn River, Upper Hunter River, Upper Wollombi Brook.

*This section refers to Part 7 of the draft plan as well as in the relevant report cards.*

How would this impact on your current operations?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022

Submission form

## **New restrictions for new or replacement water supply works near SEPP wetlands**

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

The State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP) identifies wetlands in order to protect their ecological values. There is a need for water sharing plans to recognise these same wetlands to ensure protection and alignment between regulatory objectives. The draft plan proposes to prohibit the granting of approvals for surface water or groundwater works if it would result in more than minimal harm to a wetland mapped under the Coastal SEPP.

Coastal wetlands have been identified in the Dora Creek, Newcastle, North Lake Macquarie, South Lake Macquarie, Williams River, Hunter Coastal Floodplain Alluvial Groundwater and Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources.

*This section refers to Part 7 of the draft plan*

Do you think this is appropriate? If not, why?

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## New restrictions for new or replacement groundwater water supply works

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

*These distance rules are contained in Part 7 of the plan.*

The draft plan proposes to expand protection of groundwater dependent ecosystems (GDEs) and includes a map that identifies potential high priority GDEs for which minimum setback distances may apply.

Do you think this is appropriate? If not, why?

The draft plan proposes rules that require new groundwater works to be greater than 500m from a contamination source and 200m from a culturally significant site.

Do you think this is appropriate? If not, why?

Have you noticed any **effects** from extraction on water levels in the groundwater source? If so, please specify.



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Changes to between water source trade provisions

The draft plan proposes to allow limited trade into some water sources. This change aims to improve the opportunity to trade into downstream water sources without increasing extractive stress to upstream and high-risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:

Widden Brook, Wallis Creek, North Lake Macquarie, Lower Goulburn River, Upper Goulburn River, Merriwa River, Lower Wollombi Brook, Doyles Creek, Newcastle, Paterson/Allyn Rivers, Upper Paterson River, Rouchel Brook and Wybong Creek.

*The trading rules are contained in Part 8 of the Plan and in the “Proposed Management Rules” section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
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## Changes to within water source trade provisions

The draft plan proposes to remove some of the trade restrictions within water sources. These changes aim to improve the opportunity to trade without increasing extractive stress to high risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:

Rouchel Brook, Upper Goulburn River, Wybong Creek, Pages River, Dart Brook, Muswellbrook, Jerrys, Luskintyre, Newcastle and Black Creek.

*The trading rules are contained in Part 8 of the Plan and in the “Proposed Management Rules” section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Conversion to high flow access licences

It is proposed to allow conversion from a standard access licence to an access licence that can only extract from high flows in the Upper Hunter River Water Source only. If a conversion is to occur the licence share component would increase by 2 times.

The draft plan has removed the ability to convert to high flows in the Pages River, Isis River, Lower Wollombi Brook, Rouchel Brook and Paterson/Allyn Rivers water sources.

*Further details relating to this change can be found in Part 8 of the draft plan and background document as well as the report card for the relevant water sources.*

Do you think this is appropriate? Why / why not?

## Application for Aboriginal Community Development access licences

It is proposed to permit applications for specific purpose Aboriginal Community Development access licences in the Hunter Coastal Floodplain Alluvial Groundwater, the Lake Macquarie Coastal Floodplain Alluvial Groundwater, Dart Brook, Pages River, Rouchel Brook, Upper Goulburn River, Lower Goulburn River, Lower Wollombi Brook, and Upper Hunter River water sources.

*Further information can be found in Part 5 of the draft Plan*

Do you think this is appropriate? Why / why not?

## Additional feedback

The above sections relate to the key proposed changes from the current water sharing plan. However, comments on all aspects of the plan are welcome and encouraged. Please use the space below, or attachments if required or preferred.

Do you have comments on any aspect of the draft plan?

WE DO NOT SUPPORT THE CEASE TO PUMP RULE IN ANY WAY.  
Trying to get your head around this Draft Water Sharing Plan & all the changes, regulations, information, data, report & all the information that you can find in their proposed time limit, just isn't possible. It just makes this process all that harder. We are in the middle of our busiest season producing hay. We just don't have the time to go through all of this. We need extra time. An extension on the time limit. The changes that the DPIE propose will not achieve the economic, environmental & social goals that we all need to live by as a society. We support local business, we spend our money locally. If farmers go, our towns will suffer & gradually die too. Farmers & water users are still recovering from the last drought - financially, physically, mentally & emotionally. These proposed regulations would only add & put more increased stress & pressure on farmers, increasing poor health & suicide. In the 06/07 drought we could still pump to irrigate crops & supply water for our breeding stock because we self regulate our water supply. If we are forced to CTP in dry times & drought, how do we protect our properties in times of bushfires? Do we just let everything burn? We have farmed this property for 40+ years. It was farmed by the previous owners & many more previous owners prior to them. We are making a legacy for our children, passing it down from generation to generation. We have 3 generations of Waters family farming this farm. What will they be left to hand down to their children?  
If this CTP ruling goes through there will be nothing to pass down. We will be forced to sell the farm & all for what? Working your guts out just for it to be taken away by people who work behind desks & go off numbers & data entered into a computer. Come live in the real world. We aren't a bunch of country hicks or hillbillies out in the sticks. We don't have a 9-5 job. Ours is 24-7, we don't get time to turn off. Farmers have generations of information & data to go by. If we haven't looked after the our environment, how are we still here, supplying you the consumer with your meat, your produce?

© State of New South Wales through Department of Planning, Industry and Environment 2020. The information contained in this publication is based on knowledge and understanding at the time of writing (December 2021). However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Department of Planning, Industry and Environment or the user's independent adviser.

[REDACTED]

DENMAN NSW 2328

Dear Department of Planning, Industry & Environment,

We are writing to you as very concerned & distressed farmers & water users.

This is in response to the DPIE's Draft Water sharing Plan for the Hunter Unregulated & Alluvial Water Sources 2022 & the detrimental effect it will have on not only us but all farming industries, including livestock – cattle, sheep, pig, horse & poultry, hay growers, grape growers, horticulture industry. Anyone that relies on these water sources for their livelihood.

Personally, we own a 147-acre property on the Lower Goulburn River, 5km from Denman NSW, where we are producers of lucerne/cereal hay & beef cattle. We have been farming this property for 40+ years – now 3 generations.

We received a letter from the DPIE dated 17 January 2022 & titled - Public exhibition of the draft Water Sharing Plan for the Hunter Unregulated & Alluvial Sources 2022. Stating it is to run from Monday 17 January to Sunday 27 February 2022.

We did not receive this letter in the mail until towards the end of January 2022. Giving us less than 4 weeks to fight & submit our objections to the proposal. Not the 6 weeks as proposed by the DPIE.

We have been personally talking with many of these farmers & water users that will be greatly affected & most of these people have had no idea what the letter was regarding or what it would mean for them. Especially older people who have little or no internet knowledge or availability.

It was just one generic letter sent out to everyone. It didn't matter if you lived up the top of Barrington Tops or down around the Maitland area, it was the same letter to everyone.

Most people had the view of "oh well it doesn't affect me" & put it aside or threw it out oblivious to the changes that will dramatically affect their livelihoods.

We believe that the DPIE have engaged in underhand tactics in trying to get this Water Sharing plan through as quick as possible. Hoping for little to no objections or submissions from farmers/water users that would be affected because they know that there would be no way this plan would be supported by any farmers/water users.

We are still recovering financially, physically, mentally & emotionally from the last drought, where it took its toll dramatically on farmers everyday life.

It's not something where all your problems disappear & can be solved with a bit of rain. These proposed regulations by the DPIE will put increased stress & pressure on farmers that are still suffering with poor mental health during recent tough times.

Like us, many farmers are trying to make changes & improvements to their properties. Whether it be upgrading their irrigation systems, building more hay sheds to store more hay & feed, putting in dams etc. Just trying to drought proof their properties a bit more in preparation for the next drought, as suggested by the Government.

The Goulburn River is referred to as an upside-down river, meaning that the water flows underground even in times of high flow. It is unregulated as it has no dams or storage on it to control any flow.

We the farmers & water users on the Goulburn have been self-regulating for years & years. We understand the needs of our farm, our land, our livestock & we self-regulate our water usage accordingly.

In dry times & then drought we cut back on our watering hours to help us have water for the duration for the dry times ahead of us.

We have tried to source more information regarding the proposed plan, our river, testing sites etc from DPIE but this has proved to be a harder feat in itself. No one can answer the questions we have.

We have joined webinars, attended Community Meetings where the Water Sharing Plan would be explained in detail by the DPIE to try understand & gain as much information & knowledge as we can but still our questions & concerns cannot be answered with a straightforward answer. We just keep getting the run around.

We are seeing graphs, data they have collected, told all about their monitoring bores. But the main priority in all of this, is the DPIE wants this plan to be able to have extra water that they say will be needed to save the Ecosystems & National Parks in times of drought.

To do this the DPIE's "Cease to Pump" ruling would come into effect for our river (the Goulburn River) at the 95th percentile & when the ground water falls below the measuring point of 13.13m. For us this reading that we have to go by is off a monitoring bore that is located 10km or more away from our pump site.

It is the same for a lot of people. The monitoring bore locations are way off, therefore not accurate enough for these life changing decisions to be made.

Cease to pump is exactly that. It means at this level we can't pump water for anything but our livestock & general use for ourselves. We will be limited to 1000L per day on our Stock & domestic allocation.

On average one cow will drink approx. 150L per day, more in hotter weather. How are we supposed to keep our breeding stock alive on this mere amount as well as supply water to the 4 households on the property? How? We simple would not be able to survive. We would have to sell all our stock & then our farms.

No farms – no food, no produce, no nothing

Where will consumers buy all their hay, feed, produce, meat, fruit, vegetables? Pet foods?

It has huge follow-on effects. The bigger picture needs to be seen & heard.

Last drought we supplied hay & fodder to our customers in the New England, Central Coast & Newcastle areas. As well as locally. We did not increase our prices to insanely amounts. We kept them affordable for our customers as they were suffering the effects of the drought just as we were.

The DPIE's proposal will see us only using 75% of the water available in the Lower Goulburn River. The rest is reserved for Ecosystems.

The said Ecosystem/s that has been included in the Lower Goulburn River Water Source Risk Assessment states the following:

Consequence Rating is medium.

Drivers (ecological value) is The Giant barred frog & Giant burrowing frog.

Red crowned toadlet, Giant dragonfly, Lasiopetalum longistamineum (plant) & White fronted chat are predicted to occur.

Hunter population of the Darling River Hardyhead is predicted to occur.



Predicted to occur? Our families, our livestock, our produce, our properties, our incomes & our livelihoods are going to be determined by some animals & plants that are not in this ecosystem. But because the risk assessment undertaken states that maybe one day they could be or maybe could not be.....?

While these sorts of environmental studies & risk assessments are undertaken during times of drought has anyone from these concerned departments ever actually studied the ecosystems/wildlife that farmers are supporting & keeping alive?

In dry times many wildlife, insects etc all come closer to live where we irrigate or have water supplies for our animals. We are basically keeping your ecosystems alive by providing the food & water they require.

If the DPIE impose a cease to pump on us, then they are responsible for killing the ecosystems, not us!

We would like to make it very clear that we DO NOT support this Water Sharing replacement plan. We especially DO NOT WANT the implementation of the "Cease to Pump" rule. The Cease to Pump rule would be totally devastating for all of us. There would be no way we could survive. Our livelihoods would be lost.

While where we stand on the matter is very clear, we do however understand that we need to provide the DPIE alternative proposals to their plan.

We propose that the DPIE work actively together with us, the farmers & water users in developing a common ground where we can all find solutions & compromises to sharing water sources.

We propose to the DPIE the following:

- Instead of the Cease to Pump rule, we should be looking at compliance & metering. That way there is a clear indication of exactly how much water is being extracted from the Lower Goulburn & other rivers, creeks etc.
- Take 10% from the farmer/water users allocated licence amount. That way the 10% from everyone can go towards the DPIE's Ecosystems etc.
- In times of reduced flow levels in the river the farmers/water users reduce their hours of watering eg. 24 hours per day to 12 hours per day etc.
- The size of the Goulburn River catchment is huge. Why do we not have a dam within in the catchment? I know there was talk about it years & years ago but nothing has ever come out of it.

The volume of water that comes down the Goulburn River in times of flood is phenomenal. Just to have it all just flow out to sea. Such a waste.

We hope that all the concerns we have raised can be taken into consideration with the outcome of this draft water sharing plan.  
We thank you for your time & we hope we can all work together to get the right outcome for everyone involved.

Kind regards

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██████████

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

Office use only

Submission number

## How to fill out this form

The department is seeking your comments on the draft replacement Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022.

For general background about the draft plan development, proposed changes and the finalisation process please refer to the background and proposed changes documents. For water source specific details including proposed rules, please see the water source report cards.

Key issues and changes have been summarised in this submission form, although comment on all aspects of the water sharing plan is welcome. For water source specific details including rules, please see the water source report cards. More detailed comments are welcomed as attachments.

Send completed submissions to:

Post: WSP Comments for the Hunter Unregulated and Alluvial Water Sharing Plan,  
Department of Planning, Industry and Environment  
Locked Bag 26  
Gosford NSW 2250

Email: [hunterunreg.wsp@dpie.nsw.gov.au](mailto:hunterunreg.wsp@dpie.nsw.gov.au)

**Note: Submissions close 27 February 2022**

## Information on privacy and confidentiality

Submissions received by NSW Department of Planning, Industry and Environment for the proposed amendments will be considered by the department and the Coastal Water Planning and Policy Working Group to review and inform the draft amendments. The department values your input and accepts that information you provide may be private and personal.

If you would prefer your submission or your personal details to be treated as confidential, please indicate this by ticking the relevant box below.

If you do not make a request for confidentiality, the department may make your submission, including any personal details contained in the submission, available to the public.

Please note that, regardless of a request for confidentiality, the department may be required by law to release copies of submissions to third parties in accordance with the *Government Information (Public Access) Act 2009*.

I would like my submission to be treated as confidential

Yes

No

I would like my personal details to be treated as confidential

Yes

No



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## How to fill out this form

<b>Name</b>	[REDACTED]		
<b>Postal Address</b>	[REDACTED]		
	Denman NSW 2328		
<b>Telephone</b>	[REDACTED]		
<b>Email address</b>	[REDACTED]		
<b>Stakeholder Group</b> (please indicate which of the following best represents your interest by <b>ticking one box</b> )	<input type="checkbox"/> Irrigation Interests <input type="checkbox"/> Fishing Interests <input type="checkbox"/> Local Govt./ Utilities	<input type="checkbox"/> Aboriginal Interest <input checked="" type="checkbox"/> Local Landholder <input type="checkbox"/> Other (specify)	<input type="checkbox"/> Environment Interests <input type="checkbox"/> Community Member
<b>If your comments refer to a specific water source, which one?</b>	Lower Goulburn River		

Attach extra pages if required

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## New Coastal Floodplain Alluvial Groundwater Water Sources

The draft plan proposes to establish the Hunter Coastal Floodplain Alluvial Groundwater and the Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources. The long-term limits on extractions are proposed based on a proportion of recharge. Additional water for licensed take may be made available through controlled allocations in the future.

*Further details relating to this change can be found in Part 1 of the draft plan, the background document as well as the report cards for the Hunter Coastal Floodplain Alluvial Groundwater Water Source and the Lake Macquarie Coastal Floodplain Alluvial Groundwater Water Source.*

Do you have any comments on this aspect of the draft plan?	
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## Long Term Average Annual Extraction Limit

The replacement plan creates two long term average annual extraction limits (LTAAELs).

- The Standard LTAAEL which sets a limit on extraction from all flows except for higher flows.
- The Higher flow LTAAEL that manages extractions that can only take from higher flows.

The reason for the two extraction limits is to limit extractions from all other flows and encourage extraction from higher flows.

The Standard LTAAEL includes all basic landholder rights extraction including from harvestable rights dams. If there is a growth in uptake of harvestable rights that increases total annual extraction to above the Standard LTAAEL by more than 5% then there will be reduced water allocated to licenced water users in the following year.

*Further details relating to this change can be found in Part 4 of the draft plan, and the background document.*

Do you think it is appropriate to have two LTAAEL's? Why / why not?	
Do you think the proposed compliance of the LTAAELs are appropriate? Why / why not?	



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Managing the risks of increased harvestable rights

In 2022 the volume of water that can be captured in harvestable rights dams in coastal draining catchments will increase from 10% to 30% of rainfall runoff.

This could impact on the volume of flow that reaches rivers. The plan includes a requirement that the uptake of harvestable rights will be assessed at year 3 and then access, work approval and trade rules will be reviewed if the uptake is greater than 10% of rainfall runoff.

*The amendment provision can be found in Part 11 of the draft Plan.*

Do you think this is appropriate? Why / why not?

## Draft access rules based on groundwater levels

The draft plan proposes to establish access rules based on groundwater levels in Baerami Creek, Bylong River, Lower Goulburn River, Lower Wollombi Brook, Martindale Creek, and Widden Brook water sources and the Upper Middle Dart Brook, Lower Middle Brook and Kingdon Ponds, and Lower Dart Brook management zones of Dart Brook Water Source, and the Segenhoe Management Zone of the Pages River Water Source. The access rule define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the relevant report cards.*

<p>How does the proposed <b>CtP</b> level in your water source impact on your current operations?</p>	<p>The proposed CTP would devastate &amp; destroy our farm. We would have no main income. We wouldn't be able to grow crops to make hay or any feed to sell or to feed our own livestock. We would have to sell livestock. We wouldn't be able to afford to replace them in good times. Eventually we would have to sell the property. Local business/towns would also suffer &amp; go out of business. CTP rules would put increased stress &amp; pressure on farmers, financially, physically, mentally &amp; emotionally. Poor mental health &amp; suicide rates would increase.</p>
<p>Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?</p>	<p>No. The Goulburn River is an upside-down river. Water flows underground even in good times. We have been self-regulating our water supply for 42 years. In dry times we reduce our pumping/watering times to conserve water for the dry times ahead. As we are unmetered there has been not enough data to support how much water is actually being used. We are going off a monitoring bore that is 10km away from us, more from other uses. How can this data be accurate for everyone in imposing the CTP ruling? The monitoring bore is situated 200m or more away from the actual main stream of the river. Not all underground streams are going to be the same level.</p>
<p>Do you think the <b>CtP</b> provides enough protection for ecological values such as Groundwater Dependent Ecosystem?</p>	<p>Droughts are tough for everyone, animals &amp; ecosystems included. If there is no water in a river, no animal frog etc is going to stay there. They will go to where there is water. This is why in dry times wildlife, insects etc will come in closer to where we are irrigating &amp; have water for our livestock. We supply them food &amp; water to stay alive. There has not been enough data, real information or evidence to support your CTP. 10 years of data including 1 drought &amp; a few good years is not enough evidence to base the CTP ruling around. Saying that some plants, a toad, dragonfly, a bird &amp; a fish is "Predicted to Occur"????? That is not a good enough reason for me to lose our livelihood &amp; our farm. For a start, the Goulburn is an upside-down river - even in good times the river flows underground. We have to be getting continual rainfall for the river to keep running above ground. So when the river is not running how does a dragonfly get water from the underground water supply? Or how does the Darling River Hardyhead swim underground? Highly unlikely these animals would be this ecosystem.</p>
<p>The <b>flow reference point</b> is the bore at which a CtP will be measured. Do you think this site is appropriate? Why / why not?</p>	<p>No. One monitoring bore is not enough to make the decision for when the CTP rules state you can &amp; can not pump. Too much conflicting information regarding water measurements from the monitoring bore &amp; your actual pumping site. The monitoring bore we have to go off is 10km away from our pump. If a CTP was applied during our last drought, it would have taken 90 days before we could resume pumping. This is way too long. Daily telemetry reading are needed on the monitoring bores. Water users need to have access to this information to be able to make informed decisions on how &amp; when they can irrigate according to the water levels.</p>



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022

Submission form

## Draft access rules in the Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal Pool water sources

The draft plan proposes to establish access rules in Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal sources based on salinity levels at Green Rocks. The access rules define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the relevant report cards.*

<p>How does the proposed <b>CtP</b> level in your water source impact on your current operations?</p>	
<p>Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?</p>	
<p>Do you think the <b>CtP</b> provides enough protection for low flows and ecological values? Why / why not?</p>	
<p>The <b>flow reference point</b> is the point at which a CtP will be measured. Do you think this site is appropriate? Why / why not?</p>	

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in surface water sources and management zones

Changes to access rules are being proposed in: Black Creek, Halls Creek, Upper Goulburn River, Merriwa River, Pages River, Upper Wollombi Brook, Paterson/Allyn Rivers and Upper Hunter River water sources and in the Upper Dart Brook Management Zone of the Dart Brook Water Source.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the relevant report cards.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows? Why / why not?	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in the Isis River Water Source

The draft plan proposes to establish a new Upper Isis River Management Zone which will have new access rules.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the Isis River Water Source report card.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows?	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in the Williams River Water Source

The draft plan proposes to establish a new Upper Williams River Management Zone which will have new access rules and also proposes slight changes to the access rules in the Williams River Management Zone. *This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the Williams River Water Source report card.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

## Prohibition of in-river dams in additional water sources

The draft plan proposes prohibition of in-river dams on third order and larger streams in the following water sources: Williams River, Wallis Creek, Lower Wollombi Brook, Widden Brook, South Lake Macquarie and Munmurra River. These restrictions were not previously in place for these water sources, however the water sources were identified as having high ecological values

The following water sources will continue to prohibit new in-river dams on third order or larger streams: Dora Creek, Glennies, Upper Paterson, Merriwa River, Newcastle, Paterson/Allyn Rivers, Rouchel Brook, Upper Goulburn River, Upper Hunter River, Upper Wollombi Brook.

*This section refers to Part 7 of the draft plan as well as in the relevant report cards.*

How would this impact on your current operations?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022

Submission form

## **New restrictions for new or replacement water supply works near SEPP wetlands**

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

The State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP) identifies wetlands in order to protect their ecological values. There is a need for water sharing plans to recognise these same wetlands to ensure protection and alignment between regulatory objectives. The draft plan proposes to prohibit the granting of approvals for surface water or groundwater works if it would result in more than minimal harm to a wetland mapped under the Coastal SEPP.

Coastal wetlands have been identified in the Dora Creek, Newcastle, North Lake Macquarie, South Lake Macquarie, Williams River, Hunter Coastal Floodplain Alluvial Groundwater and Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources.

*This section refers to Part 7 of the draft plan*

Do you think this is appropriate? If not, why?



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## New restrictions for new or replacement groundwater water supply works

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

*These distance rules are contained in Part 7 of the plan.*

The draft plan proposes to expand protection of groundwater dependent ecosystems (GDEs) and includes a map that identifies potential high priority GDEs for which minimum setback distances may apply.

Do you think this is appropriate? If not, why?

The draft plan proposes rules that require new groundwater works to be greater than 500m from a contamination source and 200m from a culturally significant site.

Do you think this is appropriate? If not, why?

Have you noticed any **effects** from extraction on water levels in the groundwater source? If so, please specify.



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Changes to between water source trade provisions

The draft plan proposes to allow limited trade into some water sources. This change aims to improve the opportunity to trade into downstream water sources without increasing extractive stress to upstream and high-risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:

Widden Brook, Wallis Creek, North Lake Macquarie, Lower Goulburn River, Upper Goulburn River, Merriwa River, Lower Wollombi Brook, Doyles Creek, Newcastle, Paterson/Allyn Rivers, Upper Paterson River, Rouchel Brook and Wybong Creek.

*The trading rules are contained in Part 8 of the Plan and in the "Proposed Management Rules" section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
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## Changes to within water source trade provisions

The draft plan proposes to remove some of the trade restrictions within water sources. These changes aim to improve the opportunity to trade without increasing extractive stress to high risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:

Rouchel Brook, Upper Goulburn River, Wybong Creek, Pages River, Dart Brook, Muswellbrook, Jerrys, Luskintyre, Newcastle and Black Creek.

*The trading rules are contained in Part 8 of the Plan and in the "Proposed Management Rules" section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Conversion to high flow access licences

It is proposed to allow conversion from a standard access licence to an access licence that can only extract from high flows in the Upper Hunter River Water Source only. If a conversion is to occur the licence share component would increase by 2 times.

The draft plan has removed the ability to convert to high flows in the Pages River, Isis River, Lower Wollombi Brook, Rouchel Brook and Paterson/Allyn Rivers water sources.

*Further details relating to this change can be found in Part 8 of the draft plan and background document as well as the report card for the relevant water sources.*

Do you think this is appropriate? Why / why not?

## Application for Aboriginal Community Development access licences

It is proposed to permit applications for specific purpose Aboriginal Community Development access licences in the Hunter Coastal Floodplain Alluvial Groundwater, the Lake Macquarie Coastal Floodplain Alluvial Groundwater, Dart Brook, Pages River, Rouchel Brook, Upper Goulburn River, Lower Goulburn River, Lower Wollombi Brook, and Upper Hunter River water sources.

*Further information can be found in Part 5 of the draft Plan*

Do you think this is appropriate? Why / why not?

## Additional feedback

The above sections relate to the key proposed changes from the current water sharing plan. However, comments on all aspects of the plan are welcome and encouraged. Please use the space below, or attachments if required or preferred.

Do you have comments on any aspect of the draft plan?

WE DO NOT SUPPORT THE CEASE TO PUMP RULE IN ANY WAY.  
Trying to get your head around this Draft Water Sharing Plan & all the changes, regulations, information, data, report & all the information that you can find in their proposed time limit, just isn't possible. It just makes this process all that harder. We are in the middle of our busiest season producing hay. We just don't have the time to go through all of this. We need extra time. An extension on the time limit. The changes that the DPIE propose will not achieve the economic, environmental & social goals that we all need to live by as a society. We support local business, we spend our money locally. If farmers go, our towns will suffer & gradually die too. Farmers & water users are still recovering from the last drought - financially, physically, mentally & emotionally. These proposed regulations would only add & put more increased stress & pressure on farmers, increasing poor health & suicide. In the 06/07 drought we could still pump to irrigate crops & supply water for our breeding stock because we self regulate our water supply. If we are forced to CTP in dry times & drought, how do we protect our properties in times of bushfires? Do we just let everything burn? We have farmed this property for 40+ years. It was farmed by the previous owners & many more previous owners prior to them. We are making a legacy for our children, passing it down from generation to generation. We have 3 generations of Waters family farming this farm. What will they be left to hand down to their children?  
If this CTP ruling goes through there will be nothing to pass down. We will be forced to sell the farm & all for what? Working your guts out just for it to be taken away by people who work behind desks & go off numbers & data entered into a computer. Come live in the real world. We aren't a bunch of country hicks or hillbillies out in the sticks. We don't have a 9-5 job. Curs is 24-7, we don't get time to turn off. Farmers have generations of information & data to go by. If we haven't looked after the our environment, how are we still here, supplying you the consumer with your meat, your milk, your...

© State of New South Wales through Department of Planning, Industry and Environment 2020. The information contained in this publication is based on knowledge and understanding at the time of writing (December 2021). However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Department of Planning, Industry and Environment or the user's independent adviser.

[REDACTED]

DENMAN NSW 2328

Dear Department of Planning, Industry & Environment,

We are writing to you as very concerned & distressed farmers & water users.

This is in response to the DPIE's Draft Water sharing Plan for the Hunter Unregulated & Alluvial Water Sources 2022 & the detrimental effect it will have on not only us but all farming industries, including livestock – cattle, sheep, pig, horse & poultry, hay growers, grape growers, horticulture industry. Anyone that relies on these water sources for their livelihood.

Personally, we own a 147-acre property on the Lower Goulburn River, 5km from Denman NSW, where we are producers of lucerne/cereal hay & beef cattle. We have been farming this property for 40+ years – now 3 generations.

We received a letter from the DPIE dated 17 January 2022 & titled - Public exhibition of the draft Water Sharing Plan for the Hunter Unregulated & Alluvial Sources 2022. Stating it is to run from Monday 17 January to Sunday 27 February 2022.

We did not receive this letter in the mail until towards the end of January 2022. Giving us less than 4 weeks to fight & submit our objections to the proposal. Not the 6 weeks as proposed by the DPIE.

We have been personally talking with many of these farmers & water users that will be greatly affected & most of these people have had no idea what the letter was regarding or what it would mean for them. Especially older people who have little or no internet knowledge or availability.

It was just one generic letter sent out to everyone. It didn't matter if you lived up the top of Barrington Tops or down around the Maitland area, it was the same letter to everyone.

Most people had the view of "oh well it doesn't affect me" & put it aside or threw it out oblivious to the changes that will dramatically affect their livelihoods.

We believe that the DPIE have engaged in underhand tactics in trying to get this Water Sharing plan through as quick as possible. Hoping for little to no objections or submissions from farmers/water users that would be affected because they know that there would be no way this plan would be supported by any farmers/water users.

We are still recovering financially, physically, mentally & emotionally from the last drought, where it took its toll dramatically on farmers everyday life.

It's not something where all your problems disappear & can be solved with a bit of rain. These proposed regulations by the DPIE will put increased stress & pressure on farmers that are still suffering with poor mental health during recent tough times.

Like us, many farmers are trying to make changes & improvements to their properties. Whether it be upgrading their irrigation systems, building more hay sheds to store more hay & feed, putting in dams etc. Just trying to drought proof their properties a bit more in preparation for the next drought, as suggested by the Government.

The Goulburn River is referred to as an upside-down river, meaning that the water flows underground even in times of high flow. It is unregulated as it has no dams or storage on it to control any flow.



We the farmers & water users on the Goulburn have been self-regulating for years & years. We understand the needs of our farm, our land, our livestock & we self-regulate our water usage accordingly.

In dry times & then drought we cut back on our watering hours to help us have water for the duration for the dry times ahead of us.

We have tried to source more information regarding the proposed plan, our river, testing sites etc from DPIE but this has proved to be a harder feat in itself. No one can answer the questions we have.

We have joined webinars, attended Community Meetings where the Water Sharing Plan would be explained in detail by the DPIE to try understand & gain as much information & knowledge as we can but still our questions & concerns cannot be answered with a straightforward answer. We just keep getting the run around.

We are seeing graphs, data they have collected, told all about their monitoring bores. But the main priority in all of this, is the DPIE wants this plan to be able to have extra water that they say will be needed to save the Ecosystems & National Parks in times of drought.

To do this the DPIE's "Cease to Pump" ruling would come into effect for our river (the Goulburn River) at the 95th percentile & when the ground water falls below the measuring point of 13.13m. For us this reading that we have to go by is off a monitoring bore that is located 10km or more away from our pump site.

It is the same for a lot of people. The monitoring bore locations are way off, therefore not accurate enough for these life changing decisions to be made.

Cease to pump is exactly that. It means at this level we can't pump water for anything but our livestock & general use for ourselves. We will be limited to 1000L per day on our Stock & domestic allocation.

On average one cow will drink approx. 150L per day, more in hotter weather. How are we supposed to keep our breeding stock alive on this mere amount as well as supply water to the 4 households on the property? How? We simple would not be able to survive. We would have to sell all our stock & then our farms.

No farms – no food, no produce, no nothing

Where will consumers buy all their hay, feed, produce, meat, fruit, vegetables? Pet foods?

It has huge follow-on effects. The bigger picture needs to be seen & heard.

Last drought we supplied hay & fodder to our customers in the New England, Central Coast & Newcastle areas. As well as locally. We did not increase our prices to insanely amounts. We kept them affordable for our customers as they were suffering the effects of the drought just as we were.

The DPIE's proposal will see us only using 75% of the water available in the Lower Goulburn River. The rest is reserved for Ecosystems.

The said Ecosystem/s that has been included in the Lower Goulburn River Water Source Risk Assessment states the following:

Consequence Rating is medium.

Drivers (ecological value) is The Giant barred frog & Giant burrowing frog.

Red crowned toadlet, Giant dragonfly, Lasiopetalum longistamineum (plant) & White fronted chat are predicted to occur.

Hunter population of the Darling River Hardyhead is predicted to occur.

Predicted to occur? Our families, our livestock, our produce, our properties, our incomes & our livelihoods are going to be determined by some animals & plants that are not in this ecosystem. But because the risk assessment undertaken states that maybe one day they could be or maybe could not be.....?

While these sorts of environmental studies & risk assessments are undertaken during times of drought has anyone from these concerned departments ever actually studied the ecosystems/wildlife that farmers are supporting & keeping alive?

In dry times many wildlife, insects etc all come closer to live where we irrigate or have water supplies for our animals. We are basically keeping your ecosystems alive by providing the food & water they require.

If the DPIE impose a cease to pump on us, then they are responsible for killing the ecosystems, not us!

We would like to make it very clear that we DO NOT support this Water Sharing replacement plan. We especially DO NOT WANT the implementation of the "Cease to Pump" rule. The Cease to Pump rule would be totally devastating for all of us. There would be no way we could survive. Our livelihoods would be lost.

While where we stand on the matter is very clear, we do however understand that we need to provide the DPIE alternative proposals to their plan.

We propose that the DPIE work actively together with us, the farmers & water users in developing a common ground where we can all find solutions & compromises to sharing water sources.

We propose to the DPIE the following:

- Instead of the Cease to Pump rule, we should be looking at compliance & metering. That way there is a clear indication of exactly how much water is being extracted from the Lower Goulburn & other rivers, creeks etc.
- Take 10% from the farmer/water users allocated licence amount. That way the 10% from everyone can go towards the DPIE's Ecosystems etc.
- In times of reduced flow levels in the river the farmers/water users reduce their hours of watering eg. 24 hours per day to 12 hours per day etc.
- The size of the Goulburn River catchment is huge. Why do we not have a dam within in the catchment? I know there was talk about it years & years ago but nothing has ever come out of it.

The volume of water that comes down the Goulburn River in times of flood is phenomenal. Just to have it all just flow out to sea. Such a waste.

We hope that all the concerns we have raised can be taken into consideration with the outcome of this draft water sharing plan.  
We thank you for your time & we hope we can all work together to get the right outcome for everyone involved.

Kind regards

[Redacted signature]

[Redacted signature]

[Redacted signature]



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

Office use only

Submission number

## How to fill out this form

The department is seeking your comments on the draft replacement Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022.

For general background about the draft plan development, proposed changes and the finalisation process please refer to the background and proposed changes documents. For water source specific details including proposed rules, please see the water source report cards.

Key issues and changes have been summarised in this submission form, although comment on all aspects of the water sharing plan is welcome. For water source specific details including rules, please see the water source report cards. More detailed comments are welcomed as attachments.

Send completed submissions to:

Post: WSP Comments for the Hunter Unregulated and Alluvial Water Sharing Plan,  
Department of Planning, Industry and Environment  
Locked Bag 26  
Gosford NSW 2250

Email: [hunterunreg.wsp@dpie.nsw.gov.au](mailto:hunterunreg.wsp@dpie.nsw.gov.au)

**Note: Submissions close 27 February 2022**

## Information on privacy and confidentiality

Submissions received by NSW Department of Planning, Industry and Environment for the proposed amendments will be considered by the department and the Coastal Water Planning and Policy Working Group to review and inform the draft amendments. The department values your input and accepts that information you provide may be private and personal.

If you would prefer your submission or your personal details to be treated as confidential, please indicate this by ticking the relevant box below.

If you do not make a request for confidentiality, the department may make your submission, including any personal details contained in the submission, available to the public.

Please note that, regardless of a request for confidentiality, the department may be required by law to release copies of submissions to third parties in accordance with the *Government Information (Public Access) Act 2009*.

I would like my submission to be treated as confidential

Yes

No

I would like my personal details to be treated as confidential

Yes

No

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## How to fill out this form

<b>Name</b>			
<b>Postal Address</b>			
<b>Telephone</b>			
<b>Email address</b>			
<b>Stakeholder Group</b> (please indicate which of the following best represents your interest by <b>ticking one box</b> )	<input type="checkbox"/> Irrigation Interests <input type="checkbox"/> Fishing Interests <input type="checkbox"/> Local Govt./ Utilities	<input type="checkbox"/> Aboriginal Interest <input checked="" type="checkbox"/> Local Landholder <input type="checkbox"/> Other (specify)	<input type="checkbox"/> Environment Interests <input type="checkbox"/> Community Member
<b>If your comments refer to a specific water source, which one?</b>	Lower Goulburn River		

Attach extra pages if required



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## New Coastal Floodplain Alluvial Groundwater Water Sources

The draft plan proposes to establish the Hunter Coastal Floodplain Alluvial Groundwater and the Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources. The long-term limits on extractions are proposed based on a proportion of recharge. Additional water for licensed take may be made available through controlled allocations in the future.

*Further details relating to this change can be found in Part 1 of the draft plan, the background document as well as the report cards for the Hunter Coastal Floodplain Alluvial Groundwater Water Source and the Lake Macquarie Coastal Floodplain Alluvial Groundwater Water Source.*

Do you have any comments on this aspect of the draft plan?	
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## Long Term Average Annual Extraction Limit

The replacement plan creates two long term average annual extraction limits (LTAAELs).

- The Standard LTAAEL which sets a limit on extraction from all flows except for higher flows.
- The Higher flow LTAAEL that manages extractions that can only take from higher flows.

The reason for the two extraction limits is to limit extractions from all other flows and encourage extraction from higher flows.

The Standard LTAAEL includes all basic landholder rights extraction including from harvestable rights dams. If there is a growth in uptake of harvestable rights that increases total annual extraction to above the Standard LTAAEL by more than 5% then there will be reduced water allocated to licenced water users in the following year.

*Further details relating to this change can be found in Part 4 of the draft plan, and the background document.*

Do you think it is appropriate to have two LTAAEL's? Why / why not?	
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Do you think the proposed compliance of the LTAAELs are appropriate? Why / why not?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Managing the risks of increased harvestable rights

In 2022 the volume of water that can be captured in harvestable rights dams in coastal draining catchments will increase from 10% to 30% of rainfall runoff.

This could impact on the volume of flow that reaches rivers. The plan includes a requirement that the uptake of harvestable rights will be assessed at year 3 and then access, work approval and trade rules will be reviewed if the uptake is greater than 10% of rainfall runoff.

*The amendment provision can be found in Part 11 of the draft Plan.*

Do you think this is appropriate? Why / why not?

## Draft access rules based on groundwater levels

The draft plan proposes to establish access rules based on groundwater levels in Baerami Creek, Bylong River, Lower Goulburn River, Lower Wollombi Brook, Martindale Creek, and Widden Brook water sources and the Upper Middle Dart Brook, Lower Middle Brook and Kingdon Ponds, and Lower Dart Brook management zones of Dart Brook Water Source, and the Segenhoe Management Zone of the Pages River Water Source. The access rule define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the relevant report cards.*

<p>How does the proposed <b>CtP</b> level in your water source impact on your current operations?</p>	<p>The proposed CTP would devastate &amp; destroy our farm. We would have no main income. We wouldn't be able to grow crops to make hay or any feed to sell or to feed our own livestock. We would have to sell livestock. We wouldn't be able to afford to replace them in good times. Eventually we would have to sell the property. Local business/towns would also suffer &amp; go out of business. CTP rules would put increased stress &amp; pressure on farmers, financially, physically, mentally &amp; emotionally. Poor mental health &amp; suicide rates would increase.</p>
<p>Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?</p>	<p>No. The Goulburn River is an upside-down river. Water flows underground even in good times. We have been self-regulating our water supply for 42 years. In dry times we reduce our pumping/watering times to conserve water for the dry times ahead. As we are unmetered there has been not enough data to support how much water is actually being used. We are going off a monitoring bore that is 10km away from us, more from other uses. How can this data be accurate for everyone in imposing the CTP ruling? The monitoring bore is situated 200m or more away from the actual main stream of the river. Not all underground streams are going to be the same level.</p>
<p>Do you think the <b>CtP</b> provides enough protection for ecological values such as Groundwater Dependent Ecosystem?</p>	<p>Droughts are tough for everyone, animals &amp; ecosystems included. If there is no water in a river, no animal frog etc is going to stay there. They will go to where there is water. This is why in dry times wildlife, insects etc will come in closer to where we are irrigating &amp; have water for our livestock. We supply them food &amp; water to stay alive. There has not been enough data, real information or evidence to support your CTP. 10 years of data including 1 drought &amp; a few good years is not enough evidence to base the CTP ruling around. Saying that some plants, a toad, dragonfly, a bird &amp; a fish is "Predicted to Occur"????? That is not a good enough reason for me to lose our livelihood &amp; our farm. For a start, the Goulburn is an upside-down river - even in good times the river flows underground. We have to be getting continual rainfall for the river to keep running above ground. So when the river is not running how does a dragonfly get water from the underground water supply? Or how does the Darling River Hardyhead swim underground? Highly unlikely these animals would be this ecosystem.</p>
<p>The <b>flow reference point</b> is the bore at which a CtP will be measured. Do you think this site is appropriate? Why / why not?</p>	<p>No. One monitoring bore is not enough to make the decision for when the CTP rules state you can &amp; can not pump. Too much conflicting information regarding water measurements from the monitoring bore &amp; your actual pumping site. The monitoring bore we have to go off is 10km away from our pump. If a CTP was applied during our last drought, it would have taken 90 days before we could resume pumping. This is way too long. Daily telemetry reading are needed on the monitoring bores. Water users need to have access to this information to be able to make informed decisions on how &amp; when they can irrigate according to the water levels.</p>

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022

Submission form

## Draft access rules in the Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal Pool water sources

The draft plan proposes to establish access rules in Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal sources based on salinity levels at Green Rocks. The access rules define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and “Proposed Management Rules” section of the relevant report cards.*

<p>How does the proposed <b>CtP</b> level in your water source impact on your current operations?</p>	
<p>Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?</p>	
<p>Do you think the <b>CtP</b> provides enough protection for low flows and ecological values? Why / why not?</p>	
<p>The <b>flow reference point</b> is the point at which a CtP will be measured. Do you think this site is appropriate? Why / why not?</p>	



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in surface water sources and management zones

Changes to access rules are being proposed in: Black Creek, Halls Creek, Upper Goulburn River, Merriwa River, Pages River, Upper Wollombi Brook, Paterson/Allyn Rivers and Upper Hunter River water sources and in the Upper Dart Brook Management Zone of the Dart Brook Water Source.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the relevant report cards.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows? Why / why not?	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in the Isis River Water Source

The draft plan proposes to establish a new Upper Isis River Management Zone which will have new access rules.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the Isis River Water Source report card.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows?	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in the Williams River Water Source

The draft plan proposes to establish a new Upper Williams River Management Zone which will have new access rules and also proposes slight changes to the access rules in the Williams River Management Zone.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the Williams River Water Source report card.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

## Prohibition of in-river dams in additional water sources

The draft plan proposes prohibition of in-river dams on third order and larger streams in the following water sources: Williams River, Wallis Creek, Lower Wollombi Brook, Widden Brook, South Lake Macquarie and Munmurra River. These restrictions were not previously in place for these water sources, however the water sources were identified as having high ecological values

The following water sources will continue to prohibit new in-river dams on third order or larger streams: Dora Creek, Glennies, Upper Paterson, Merriwa River, Newcastle, Paterson/Allyn Rivers, Rouchel Brook, Upper Goulburn River, Upper Hunter River, Upper Wollombi Brook.

*This section refers to Part 7 of the draft plan as well as in the relevant report cards.*

How would this impact on your current operations?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022

Submission form

## **New restrictions for new or replacement water supply works near SEPP wetlands**

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

The State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP) identifies wetlands in order to protect their ecological values. There is a need for water sharing plans to recognise these same wetlands to ensure protection and alignment between regulatory objectives. The draft plan proposes to prohibit the granting of approvals for surface water or groundwater works if it would result in more than minimal harm to a wetland mapped under the Coastal SEPP.

Coastal wetlands have been identified in the Dora Creek, Newcastle, North Lake Macquarie, South Lake Macquarie, Williams River, Hunter Coastal Floodplain Alluvial Groundwater and Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources.

*This section refers to Part 7 of the draft plan*

Do you think this is appropriate? If not, why?



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## New restrictions for new or replacement groundwater water supply works

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

*These distance rules are contained in Part 7 of the plan.*

The draft plan proposes to expand protection of groundwater dependent ecosystems (GDEs) and includes a map that identifies potential high priority GDEs for which minimum setback distances may apply.

Do you think this is appropriate? If not, why?

The draft plan proposes rules that require new groundwater works to be greater than 500m from a contamination source and 200m from a culturally significant site.

Do you think this is appropriate? If not, why?

Have you noticed any **effects** from extraction on water levels in the groundwater source? If so, please specify.

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Changes to between water source trade provisions

The draft plan proposes to allow limited trade into some water sources. This change aims to improve the opportunity to trade into downstream water sources without increasing extractive stress to upstream and high-risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:

Widden Brook, Wallis Creek, North Lake Macquarie, Lower Goulburn River, Upper Goulburn River, Merriwa River, Lower Wollombi Brook, Doyles Creek, Newcastle, Paterson/Allyn Rivers, Upper Paterson River, Rouchel Brook and Wybong Creek.

*The trading rules are contained in Part 8 of the Plan and in the "Proposed Management Rules" section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
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## Changes to within water source trade provisions

The draft plan proposes to remove some of the trade restrictions within water sources. These changes aim to improve the opportunity to trade without increasing extractive stress to high risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:

Rouchel Brook, Upper Goulburn River, Wybong Creek, Pages River, Dart Brook, Muswellbrook, Jerrys, Luskintyre, Newcastle and Black Creek.

*The trading rules are contained in Part 8 of the Plan and in the "Proposed Management Rules" section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Conversion to high flow access licences

It is proposed to allow conversion from a standard access licence to an access licence that can only extract from high flows in the Upper Hunter River Water Source only. If a conversion is to occur the licence share component would increase by 2 times.

The draft plan has removed the ability to convert to high flows in the Pages River, Isis River, Lower Wollombi Brook, Rouchel Brook and Paterson/Allyn Rivers water sources.

*Further details relating to this change can be found in Part 8 of the draft plan and background document as well as the report card for the relevant water sources.*

Do you think this is appropriate? Why / why not?

## Application for Aboriginal Community Development access licences

It is proposed to permit applications for specific purpose Aboriginal Community Development access licences in the Hunter Coastal Floodplain Alluvial Groundwater, the Lake Macquarie Coastal Floodplain Alluvial Groundwater, Dart Brook, Pages River, Rouchel Brook, Upper Goulburn River, Lower Goulburn River, Lower Wollombi Brook, and Upper Hunter River water sources.

*Further information can be found in Part 5 of the draft Plan*

Do you think this is appropriate? Why / why not?

## Additional feedback

The above sections relate to the key proposed changes from the current water sharing plan. However, comments on all aspects of the plan are welcome and encouraged. Please use the space below, or attachments if required or preferred.

Do you have comments on any aspect of the draft plan?

WE DO NOT SUPPORT THE CEASE TO PUMP RULE IN ANY WAY.  
Trying to get your head around this Draft Water Sharing Plan & all the changes, regulations, information, data, report & all the information that you can find in their proposed time limit, just isn't possible. It just makes this process all that harder. We are in the middle of our busiest season producing hay. We just don't have the time to go through all of this. We need extra time. An extension on the time limit. The changes that the DPIE propose will not achieve the economic, environmental & social goals that we all need to live by as a society. We support local business, we spend our money locally. If farmers go, our towns will suffer & gradually die too. Farmers & water users are still recovering from the last drought - financially, physically, mentally & emotionally. These proposed regulations would only add & put more increased stress & pressure on farmers, increasing poor health & suicide. In the 06/07 drought we could still pump to irrigate crops & supply water for our breeding stock because we self regulate our water supply. If we are forced to CTP in dry times & drought, how do we protect our properties in times of bushfires? Do we just let everything burn? We have farmed this property for 40+ years. It was farmed by the previous owners & many more previous owners prior to them. We are making a legacy for our children, passing it down from generation to generation. We have 3 generations of Waters family farming this farm. What will they be left to hand down to their children?  
If this CTP ruling goes through there will be nothing to pass down. We will be forced to sell the farm & all for what? Working your guts out just for it to be taken away by people who work behind desks & go off numbers & data entered into a computer. Come live in the real world. We aren't a bunch of country hicks or hillbillies out in the sticks. We don't have a 9-5 job. Ours is 24-7, we don't get time to turn off. Farmers have generations of information & data to go by. If we haven't looked after the our environment, how are we still here, supplying you the consumer with your meat, your produce?

© State of New South Wales through Department of Planning, Industry and Environment 2020. The information contained in this publication is based on knowledge and understanding at the time of writing (December 2021). However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Department of Planning, Industry and Environment or the user's independent adviser.



[REDACTED]  
[REDACTED]  
DENMAN NSW 2328

Email: [REDACTED]

Dear Department of Planning, Industry & Environment,

We are writing to you as very concerned & distressed farmers & water users.

This is in response to the DPIE's Draft Water sharing Plan for the Hunter Unregulated & Alluvial Water Sources 2022 & the detrimental effect it will have on not only us but all farming industries, including livestock – cattle, sheep, pig, horse & poultry, hay growers, grape growers, horticulture industry. Anyone that relies on these water sources for their livelihood.

Personally, we own a 147-acre property on the Lower Goulburn River, [REDACTED] from Denman NSW, where we are producers of lucerne/cereal hay & beef cattle. We have been farming this property for 40+ years – now 3 generations.

We received a letter from the DPIE dated 17 January 2022 & titled - Public exhibition of the draft Water Sharing Plan for the Hunter Unregulated & Alluvial Sources 2022. Stating it is to run from Monday 17 January to Sunday 27 February 2022.

We did not receive this letter in the mail until towards the end of January 2022. Giving us less than 4 weeks to fight & submit our objections to the proposal. Not the 6 weeks as proposed by the DPIE.

We have been personally talking with many of these farmers & water users that will be greatly affected & most of these people have had no idea what the letter was regarding or what it would mean for them. Especially older people who have little or no internet knowledge or availability.

It was just one generic letter sent out to everyone. It didn't matter if you lived up the top of Barrington Tops or down around the Maitland area, it was the same letter to everyone.

Most people had the view of "oh well it doesn't affect me" & put it aside or threw it out oblivious to the changes that will dramatically affect their livelihoods.

We believe that the DPIE have engaged in underhand tactics in trying to get this Water Sharing plan through as quick as possible. Hoping for little to no objections or submissions from farmers/water users that would be affected because they know that there would be no way this plan would be supported by any farmers/water users.

We are still recovering financially, physically, mentally & emotionally from the last drought, where it took its toll dramatically on farmers everyday life.

It's not something where all your problems disappear & can be solved with a bit of rain. These proposed regulations by the DPIE will put increased stress & pressure on farmers that are still suffering with poor mental health during recent tough times.

Like us, many farmers are trying to make changes & improvements to their properties. Whether it be upgrading their irrigation systems, building more hay sheds to store more hay & feed, putting in dams etc. Just trying to drought proof their properties a bit more in preparation for the next drought, as suggested by the Government.

The Goulburn River is referred to as an upside-down river, meaning that the water flows underground even in times of high flow. It is unregulated as it has no dams or storage on it to control any flow.

We the farmers & water users on the Goulburn have been self-regulating for years & years. We understand the needs of our farm, our land, our livestock & we self-regulate our water usage accordingly.

In dry times & then drought we cut back on our watering hours to help us have water for the duration for the dry times ahead of us.

We have tried to source more information regarding the proposed plan, our river, testing sites etc from DPIE but this has proved to be a harder feat in itself. No one can answer the questions we have.

We have joined webinars, attended Community Meetings where the Water Sharing Plan would be explained in detail by the DPIE to try understand & gain as much information & knowledge as we can but still our questions & concerns cannot be answered with a straightforward answer. We just keep getting the run around.

We are seeing graphs, data they have collected, told all about their monitoring bores. But the main priority in all of this, is the DPIE wants this plan to be able to have extra water that they say will be needed to save the Ecosystems & National Parks in times of drought.

To do this the DPIE's "Cease to Pump" ruling would come into effect for our river (the Goulburn River) at the 95th percentile & when the ground water falls below the measuring point of 13.13m. For us this reading that we have to go by is off a monitoring bore that is located 10km or more away from our pump site.

It is the same for a lot of people. The monitoring bore locations are way off, therefore not accurate enough for these life changing decisions to be made.

Cease to pump is exactly that. It means at this level we can't pump water for anything but our livestock & general use for ourselves. We will be limited to 1000L per day on our Stock & domestic allocation.

On average one cow will drink approx. 150L per day, more in hotter weather. How are we supposed to keep our breeding stock alive on this mere amount as well as supply water to the 4 households on the property? How? We simple would not be able to survive. We would have to sell all our stock & then our farms.

No farms – no food, no produce, no nothing

Where will consumers buy all their hay, feed, produce, meat, fruit, vegetables? Pet foods?

It has huge follow-on effects. The bigger picture needs to be seen & heard.

Last drought we supplied hay & fodder to our customers in the New England, Central Coast & Newcastle areas. As well as locally. We did not increase our prices to insane amounts. We kept them affordable for our customers as they were suffering the effects of the drought just as we were.

The DPIE's proposal will see us only using 75% of the water available in the Lower Goulburn River. The rest is reserved for Ecosystems.

The said Ecosystem/s that has been included in the Lower Goulburn River Water Source Risk Assessment states the following:

Consequence Rating is medium.

Drivers (ecological value) is The Giant barred frog & Giant burrowing frog.

Red crowned toadlet, Giant dragonfly, Lasiopetalum longistamineum (plant) & White fronted chat are predicted to occur.

Hunter population of the Darling River Hardyhead is predicted to occur.

Predicted to occur? Our families, our livestock, our produce, our properties, our incomes & our livelihoods are going to be determined by some animals & plants that are not in this ecosystem. But because the risk assessment undertaken states that maybe one day they could be or maybe could not be.....?

While these sorts of environmental studies & risk assessments are undertaken during times of drought has anyone from these concerned departments ever actually studied the ecosystems/wildlife that farmers are supporting & keeping alive?

In dry times many wildlife, insects etc all come closer to live where we irrigate or have water supplies for our animals. We are basically keeping your ecosystems alive by providing the food & water they require.

If the DPIE impose a cease to pump on us, then they are responsible for killing the ecosystems, not us!

We would like to make it very clear that we DO NOT support this Water Sharing replacement plan. We especially DO NOT WANT the implementation of the "Cease to Pump" rule. The Cease to Pump rule would be totally devastating for all of us. There would be no way we could survive. Our livelihoods would be lost.

While where we stand on the matter is very clear, we do however understand that we need to provide the DPIE alternative proposals to their plan.

We propose that the DPIE work actively together with us, the farmers & water users in developing a common ground where we can all find solutions & compromises to sharing water sources.

We propose to the DPIE the following:

- Instead of the Cease to Pump rule, we should be looking at compliance & metering. That way there is a clear indication of exactly how much water is being extracted from the Lower Goulburn & other rivers, creeks etc.
- Take 10% from the farmer/water users allocated licence amount. That way the 10% from everyone can go towards the DPIE's Ecosystems etc.
- In times of reduced flow levels in the river the farmers/water users reduce their hours of watering eg. 24 hours per day to 12 hours per day etc.
- The size of the Goulburn River catchment is huge. Why do we not have a dam within in the catchment? I know there was talk about it years & years ago but nothing has ever come out of it.

The volume of water that comes down the Goulburn River in times of flood is phenomenal. Just to have it all just flow out to sea. Such a waste.



We hope that all the concerns we have raised can be taken into consideration with the outcome of this draft water sharing plan.  
We thank you for your time & we hope we can all work together to get the right outcome for everyone involved.

Kind regards

[Redacted]

[Redacted]

[Redacted]

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

Office use only

Submission number

## How to fill out this form

The department is seeking your comments on the draft replacement Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022.

For general background about the draft plan development, proposed changes and the finalisation process please refer to the background and proposed changes documents. For water source specific details including proposed rules, please see the water source report cards.

Key issues and changes have been summarised in this submission form, although comment on all aspects of the water sharing plan is welcome. For water source specific details including rules, please see the water source report cards. More detailed comments are welcomed as attachments.

Send completed submissions to:

Post: WSP Comments for the Hunter Unregulated and Alluvial Water Sharing Plan,  
Department of Planning, Industry and Environment  
Locked Bag 26  
Gosford NSW 2250

Email: [hunterunreg.wsp@dpi.nsw.gov.au](mailto:hunterunreg.wsp@dpi.nsw.gov.au)

**Note: Submissions close 27 February 2022**

## Information on privacy and confidentiality

Submissions received by NSW Department of Planning, Industry and Environment for the proposed amendments will be considered by the department and the Coastal Water Planning and Policy Working Group to review and inform the draft amendments. The department values your input and accepts that information you provide may be private and personal.

If you would prefer your submission or your personal details to be treated as confidential, please indicate this by ticking the relevant box below.

If you do not make a request for confidentiality, the department may make your submission, including any personal details contained in the submission, available to the public.

Please note that, regardless of a request for confidentiality, the department may be required by law to release copies of submissions to third parties in accordance with the *Government Information (Public Access) Act 2009*.

I would like my submission to be treated as confidential

Yes

No

I would like my personal details to be treated as confidential

Yes

No

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## How to fill out this form

<b>Name</b>	[REDACTED]		
<b>Postal Address</b>	[REDACTED] Denman NSW 2328		
<b>Telephone</b>	[REDACTED]		
<b>Email address</b>	[REDACTED]		
<b>Stakeholder Group</b> (please indicate which of the following best represents your interest by ticking one box)	<input type="checkbox"/> Irrigation Interests <input type="checkbox"/> Fishing Interests <input type="checkbox"/> Local Govt./ Utilities	<input type="checkbox"/> Aboriginal Interest <input checked="" type="checkbox"/> Local Landholder <input type="checkbox"/> Other (specify)	<input type="checkbox"/> Environment Interests <input type="checkbox"/> Community Member
<b>If your comments refer to a specific water source, which one?</b>	Lower Goulburn River		

Attach extra pages if required



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## New Coastal Floodplain Alluvial Groundwater Water Sources

The draft plan proposes to establish the Hunter Coastal Floodplain Alluvial Groundwater and the Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources. The long-term limits on extractions are proposed based on a proportion of recharge. Additional water for licensed take may be made available through controlled allocations in the future.

*Further details relating to this change can be found in Part 1 of the draft plan, the background document as well as the report cards for the Hunter Coastal Floodplain Alluvial Groundwater Water Source and the Lake Macquarie Coastal Floodplain Alluvial Groundwater Water Source.*

Do you have any comments on this aspect of the draft plan?	
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## Long Term Average Annual Extraction Limit

The replacement plan creates two long term average annual extraction limits (LTAAELs).

- The Standard LTAAEL which sets a limit on extraction from all flows except for higher flows.
- The Higher flow LTAAEL that manages extractions that can only take from higher flows.

The reason for the two extraction limits is to limit extractions from all other flows and encourage extraction from higher flows.

The Standard LTAAEL includes all basic landholder rights extraction including from harvestable rights dams. If there is a growth in uptake of harvestable rights that increases total annual extraction to above the Standard LTAAEL by more than 5% then there will be reduced water allocated to licenced water users in the following year.

*Further details relating to this change can be found in Part 4 of the draft plan, and the background document.*

Do you think it is appropriate to have two LTAAEL's? Why / why not?	
Do you think the proposed compliance of the LTAAELs are appropriate? Why / why not?	



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Managing the risks of increased harvestable rights

In 2022 the volume of water that can be captured in harvestable rights dams in coastal draining catchments will increase from 10% to 30% of rainfall runoff.

This could impact on the volume of flow that reaches rivers. The plan includes a requirement that the uptake of harvestable rights will be assessed at year 3 and then access, work approval and trade rules will be reviewed if the uptake is greater than 10% of rainfall runoff.

*The amendment provision can be found in Part 11 of the draft Plan.*

Do you think this is appropriate? Why / why not?

## Draft access rules based on groundwater levels

The draft plan proposes to establish access rules based on groundwater levels in Baerami Creek, Bylong River, Lower Goulburn River, Lower Wollombi Brook, Martindale Creek, and Widden Brook water sources and the Upper Middle Dart Brook, Lower Middle Brook and Kingdon Ponds, and Lower Dart Brook management zones of Dart Brook Water Source, and the Segenhoe Management Zone of the Pages River Water Source. The access rule define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the relevant report cards.*

<p>How does the proposed <b>CtP</b> level in your water source impact on your current operations?</p>	<p>The proposed CTP would devastate &amp; destroy our farm. We would have no main income. We wouldn't be able to grow crops to make hay or any feed to sell or to feed our own livestock. We would have to sell livestock. We wouldn't be able to afford to replace them in good times. Eventually we would have to sell the property. Local business/towns would also suffer &amp; go out of business. CTP rules would put increased stress &amp; pressure on farmers, financially, physically, mentally &amp; emotionally. Poor mental health &amp; suicide rates would increase.</p>
<p>Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?</p>	<p>No. The Goulburn River is an upside-down river. Water flows underground even in good times. We have been self-regulating our water supply for 42 years. In dry times we reduce our pumping/watering times to conserve water for the dry times ahead. As we are unmetered there has been not enough data to support how much water is actually being used. We are going off a monitoring bore that is 10km away from us, more from other uses. How can this data be accurate for everyone in imposing the CTP ruling? The monitoring bore is situated 200m or more away from the actual main stream of the river. Not all underground streams are going to be the same level.</p>
<p>Do you think the <b>CtP</b> provides enough protection for ecological values such as Groundwater Dependent Ecosystem?</p>	<p>Droughts are tough for everyone, animals &amp; ecosystems included. If there is no water in a river, no animal frog etc is going to stay there. They will go to where there is water. This is why in dry times wildlife, insects etc will come in closer to where we are irrigating &amp; have water for our livestock. We supply them food &amp; water to stay alive. There has not been enough data, real information or evidence to support your CTP. 10 years of data including 1 drought &amp; a few good years is not enough evidence to base the CTP ruling around. Saying that some plants, a toad, dragonfly, a bird &amp; a fish is "Predicted to Occur"????? That is not a good enough reason for me to lose our livelihood &amp; our farm. For a start, the Goulburn is an upside-down river - even in good times the river flows underground. We have to be getting continual rainfall for the river to keep running above ground. So when the river is not running how does a dragonfly get water from the underground water supply? Or how does the Darling River Hardyhead swim underground? Highly unlikely these animals would be this ecosystem.</p>
<p>The <b>flow reference point</b> is the bore at which a CtP will be measured. Do you think this site is appropriate? Why / why not?</p>	<p>No. One monitoring bore is not enough to make the decision for when the CTP rules state you can &amp; can not pump. Too much conflicting information regarding water measurements from the monitoring bore &amp; your actual pumping site. The monitoring bore we have to go off is 10km away from our pump. If a CTP was applied during our last drought, it would have taken 90 days before we could resume pumping. This is way too long. Daily telemetry reading are needed on the monitoring bores. Water users need to have access to this information to be able to make informed decisions on how &amp; when they can irrigate according to the water levels.</p>

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022

Submission form

## Draft access rules in the Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal Pool water sources

The draft plan proposes to establish access rules in Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal sources based on salinity levels at Green Rocks. The access rules define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the relevant report cards.*

<p>How does the proposed <b>CtP</b> level in your water source impact on your current operations?</p>	
<p>Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?</p>	
<p>Do you think the <b>CtP</b> provides enough protection for low flows and ecological values? Why / why not?</p>	
<p>The <b>flow reference point</b> is the point at which a CtP will be measured. Do you think this site is appropriate? Why / why not?</p>	



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in surface water sources and management zones

Changes to access rules are being proposed in: Black Creek, Halls Creek, Upper Goulburn River, Merriwa River, Pages River, Upper Wollombi Brook, Paterson/Allyn Rivers and Upper Hunter River water sources and in the Upper Dart Brook Management Zone of the Dart Brook Water Source.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the relevant report cards.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows? Why / why not?	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in the Isis River Water Source

The draft plan proposes to establish a new Upper Isis River Management Zone which will have new access rules.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the Isis River Water Source report card.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows?	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Draft changes to access rules in the Williams River Water Source

The draft plan proposes to establish a new Upper Williams River Management Zone which will have new access rules and also proposes slight changes to the access rules in the Williams River Management Zone. *This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the Williams River Water Source report card.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

## Prohibition of in-river dams in additional water sources

The draft plan proposes prohibition of in-river dams on third order and larger streams in the following water sources: Williams River, Wallis Creek, Lower Wollombi Brook, Widden Brook, South Lake Macquarie and Munmurra River. These restrictions were not previously in place for these water sources, however the water sources were identified as having high ecological values

The following water sources will continue to prohibit new in-river dams on third order or larger streams: Dora Creek, Glennies, Upper Paterson, Merriwa River, Newcastle, Paterson/Allyn Rivers, Rouchel Brook, Upper Goulburn River, Upper Hunter River, Upper Wollombi Brook.

*This section refers to Part 7 of the draft plan as well as in the relevant report cards.*

How would this impact on your current operations?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022

Submission form

## **New restrictions for new or replacement water supply works near SEPP wetlands**

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

The State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP) identifies wetlands in order to protect their ecological values. There is a need for water sharing plans to recognise these same wetlands to ensure protection and alignment between regulatory objectives. The draft plan proposes to prohibit the granting of approvals for surface water or groundwater works if it would result in more than minimal harm to a wetland mapped under the Coastal SEPP.

Coastal wetlands have been identified in the Dora Creek, Newcastle, North Lake Macquarie, South Lake Macquarie, Williams River, Hunter Coastal Floodplain Alluvial Groundwater and Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources.

*This section refers to Part 7 of the draft plan*

Do you think this is appropriate? If not, why?

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## New restrictions for new or replacement groundwater water supply works

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

*These distance rules are contained in Part 7 of the plan.*

The draft plan proposes to expand protection of groundwater dependent ecosystems (GDEs) and includes a map that identifies potential high priority GDEs for which minimum setback distances may apply.

Do you think this is appropriate? If not, why?

The draft plan proposes rules that require new groundwater works to be greater than 500m from a contamination source and 200m from a culturally significant site.

Do you think this is appropriate? If not, why?

Have you noticed any **effects** from extraction on water levels in the groundwater source? If so, please specify.



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Changes to between water source trade provisions

The draft plan proposes to allow limited trade into some water sources. This change aims to improve the opportunity to trade into downstream water sources without increasing extractive stress to upstream and high-risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:

Widden Brook, Wallis Creek, North Lake Macquarie, Lower Goulburn River, Upper Goulburn River, Merriwa River, Lower Wollombi Brook, Doyles Creek, Newcastle, Paterson/Allyn Rivers, Upper Paterson River, Rouchel Brook and Wybong Creek.

*The trading rules are contained in Part 8 of the Plan and in the "Proposed Management Rules" section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?

## Changes to within water source trade provisions

The draft plan proposes to remove some of the trade restrictions within water sources. These changes aim to improve the opportunity to trade without increasing extractive stress to high risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:

Rouchel Brook, Upper Goulburn River, Wybong Creek, Pages River, Dart Brook, Muswellbrook, Jerrys, Luskintyre, Newcastle and Black Creek.

*The trading rules are contained in Part 8 of the Plan and in the "Proposed Management Rules" section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Conversion to high flow access licences

It is proposed to allow conversion from a standard access licence to an access licence that can only extract from high flows in the Upper Hunter River Water Source only. If a conversion is to occur the licence share component would increase by 2 times.

The draft plan has removed the ability to convert to high flows in the Pages River, Isis River, Lower Wollombi Brook, Rouchel Brook and Paterson/Allyn Rivers water sources.

*Further details relating to this change can be found in Part 8 of the draft plan and background document as well as the report card for the relevant water sources.*

Do you think this is appropriate? Why / why not?

## Application for Aboriginal Community Development access licences

It is proposed to permit applications for specific purpose Aboriginal Community Development access licences in the Hunter Coastal Floodplain Alluvial Groundwater, the Lake Macquarie Coastal Floodplain Alluvial Groundwater, Dart Brook, Pages River, Rouchel Brook, Upper Goulburn River, Lower Goulburn River, Lower Wollombi Brook, and Upper Hunter River water sources.

*Further information can be found in Part 5 of the draft Plan*

Do you think this is appropriate? Why / why not?

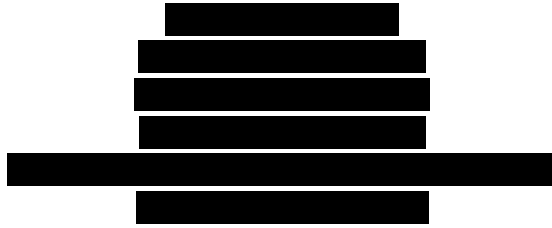
## Additional feedback

The above sections relate to the key proposed changes from the current water sharing plan. However, comments on all aspects of the plan are welcome and encouraged. Please use the space below, or attachments if required or preferred.

Do you have comments on any aspect of the draft plan?

WE DO NOT SUPPORT THE CEASE TO PUMP RULE IN ANY WAY.  
Trying to get your head around this Draft Water Sharing Plan & all the changes, regulations, information, data, report & all the information that you can find in their proposed time limit, just isn't possible. It just makes this process all that harder. We are in the middle of our busiest season producing hay. We just don't have the time to go through all of this. We need extra time. An extension on the time limit. The changes that the DPIE propose will not achieve the economic, environmental & social goals that we all need to live by as a society. We support local business, we spend our money locally. If farmers go, our towns will suffer & gradually die too. Farmers & water users are still recovering from the last drought - financially, physically, mentally & emotionally. These proposed regulations would only add & put more increased stress & pressure on farmers, increasing poor health & suicide. In the 06/07 drought we could still pump to irrigate crops & supply water for our breeding stock because we self regulate our water supply. If we are forced to CTP in dry times & drought, how do we protect our properties in times of bushfires? Do we just let everything burn? We have farmed this property for 40+ years. It was farmed by the previous owners & many more previous owners prior to them. We are making a legacy for our children, passing it down from generation to generation. We have 3 generations of Waters family farming this farm. What will they be left to hand down to their children?  
If this CTP ruling goes through there will be nothing to pass down. We will be forced to sell the farm & all for what? Working your guts out just for it to be taken away by people who work behind desks & go off numbers & data entered into a computer. Come live in the real world. We aren't a bunch of country hicks or hillbillies out in the sticks. We don't have a 9-5 job. Curs is 24-7, we don't get time to turn off. Farmers have generations of information & data to go by. If we haven't looked after the our environment, how are we still here, supplying you the consumer with your meat, your milk, your...

© State of New South Wales through Department of Planning, Industry and Environment 2020. The information contained in this publication is based on knowledge and understanding at the time of writing (December 2021). However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Department of Planning, Industry and Environment or the user's independent adviser.



Dear Department of Planning, Industry & Environment,

We are writing to you as very concerned & distressed farmers & water users.

This is in response to the DPIE's Draft Water sharing Plan for the Hunter Unregulated & Alluvial Water Sources 2022 & the detrimental effect it will have on not only us but all farming industries, including livestock – cattle, sheep, pig, horse & poultry, hay growers, grape growers, horticulture industry. Anyone that relies on these water sources for their livelihood.

Personally, we own a 147-acre property on the Lower Goulburn River, 5km from Denman NSW, where we are producers of lucerne/cereal hay & beef cattle. We have been farming this property for 40+ years – now 3 generations.

We received a letter from the DPIE dated 17 January 2022 & titled - Public exhibition of the draft Water Sharing Plan for the Hunter Unregulated & Alluvial Sources 2022. Stating it is to run from Monday 17 January to Sunday 27 February 2022.

We did not receive this letter in the mail until towards the end of January 2022. Giving us less than 4 weeks to fight & submit our objections to the proposal. Not the 6 weeks as proposed by the DPIE.

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Most people had the view of "oh well it doesn't affect me" & put it aside or threw it out oblivious to the changes that will dramatically affect their livelihoods.

We believe that the DPIE have engaged in underhand tactics in trying to get this Water Sharing plan through as quick as possible. Hoping for little to no objections or submissions from farmers/water users that would be affected because they know that there would be no way this plan would be supported by any farmers/water users.

We are still recovering financially, physically, mentally & emotionally from the last drought, where it took its toll dramatically on farmers everyday life.

It's not something where all your problems disappear & can be solved with a bit of rain. These proposed regulations by the DPIE will put increased stress & pressure on farmers that are still suffering with poor mental health during recent tough times.

Like us, many farmers are trying to make changes & improvements to their properties. Whether it be upgrading their irrigation systems, building more hay sheds to store more hay & feed, putting in dams etc. Just trying to drought proof their properties a bit more in preparation for the next drought, as suggested by the Government.

The Goulburn River is referred to as an upside-down river, meaning that the water flows underground even in times of high flow. It is unregulated as it has no dams or storage on it to control any flow.

We the farmers & water users on the Goulburn have been self-regulating for years & years. We understand the needs of our farm, our land, our livestock & we self-regulate our water usage accordingly.

In dry times & then drought we cut back on our watering hours to help us have water for the duration for the dry times ahead of us.

We have tried to source more information regarding the proposed plan, our river, testing sites etc from DPIE but this has proved to be a harder feat in itself. No one can answer the questions we have.

We have joined webinars, attended Community Meetings where the Water Sharing Plan would be explained in detail by the DPIE to try understand & gain as much information & knowledge as we can but still our questions & concerns cannot be answered with a straightforward answer. We just keep getting the run around.

We are seeing graphs, data they have collected, told all about their monitoring bores. But the main priority in all of this, is the DPIE wants this plan to be able to have extra water that they say will be needed to save the Ecosystems & National Parks in times of drought.

To do this the DPIE's "Cease to Pump" ruling would come into effect for our river (the Goulburn River) at the 95th percentile & when the ground water falls below the measuring point of 13.13m. For us this reading that we have to go by is off a monitoring bore that is located 10km or more away from our pump site.

It is the same for a lot of people. The monitoring bore locations are way off, therefore not accurate enough for these life changing decisions to be made.

Cease to pump is exactly that. It means at this level we can't pump water for anything but our livestock & general use for ourselves. We will be limited to 1000L per day on our Stock & domestic allocation.

On average one cow will drink approx. 150L per day, more in hotter weather. How are we supposed to keep our breeding stock alive on this mere amount as well as supply water to the 4 households on the property? How? We simple would not be able to survive. We would have to sell all our stock & then our farms.

No farms – no food, no produce, no nothing

Where will consumers buy all their hay, feed, produce, meat, fruit, vegetables? Pet foods?

It has huge follow-on effects. The bigger picture needs to be seen & heard.

Last drought we supplied hay & fodder to our customers in the New England, Central Coast & Newcastle areas. As well as locally. We did not increase our prices to insanely amounts. We kept them affordable for our customers as they were suffering the effects of the drought just as we were.

The DPIE's proposal will see us only using 75% of the water available in the Lower Goulburn River. The rest is reserved for Ecosystems.

The said Ecosystem/s that has been included in the Lower Goulburn River Water Source Risk Assessment states the following:

Consequence Rating is medium.

Drivers (ecological value) is The Giant barred frog & Giant burrowing frog.

Red crowned toadlet, Giant dragonfly, Lasiopetalum longistamineum (plant) & White fronted chat are predicted to occur.

Hunter population of the Darling River Hardyhead is predicted to occur.



Predicted to occur? Our families, our livestock, our produce, our properties, our incomes & our livelihoods are going to be determined by some animals & plants that are not in this ecosystem. But because the risk assessment undertaken states that maybe one day they could be or maybe could not be.....?

While these sorts of environmental studies & risk assessments are undertaken during times of drought has anyone from these concerned departments ever actually studied the ecosystems/wildlife that farmers are supporting & keeping alive?

In dry times many wildlife, insects etc all come closer to live where we irrigate or have water supplies for our animals. We are basically keeping your ecosystems alive by providing the food & water they require.

If the DPIE impose a cease to pump on us, then they are responsible for killing the ecosystems, not us!

We would like to make it very clear that we DO NOT support this Water Sharing replacement plan. We especially DO NOT WANT the implementation of the "Cease to Pump" rule. The Cease to Pump rule would be totally devastating for all of us. There would be no way we could survive. Our livelihoods would be lost.

While where we stand on the matter is very clear, we do however understand that we need to provide the DPIE alternative proposals to their plan.

We propose that the DPIE work actively together with us, the farmers & water users in developing a common ground where we can all find solutions & compromises to sharing water sources.

We propose to the DPIE the following:

- Instead of the Cease to Pump rule, we should be looking at compliance & metering. That way there is a clear indication of exactly how much water is being extracted from the Lower Goulburn & other rivers, creeks etc.
- Take 10% from the farmer/water users allocated licence amount. That way the 10% from everyone can go towards the DPIE's Ecosystems etc.
- In times of reduced flow levels in the river the farmers/water users reduce their hours of watering eg. 24 hours per day to 12 hours per day etc.
- The size of the Goulburn River catchment is huge. Why do we not have a dam within in the catchment? I know there was talk about it years & years ago but nothing has ever come out of it.

The volume of water that comes down the Goulburn River in times of flood is phenomenal. Just to have it all just flow out to sea. Such a waste.

We hope that all the concerns we have raised can be taken into consideration with the outcome of this draft water sharing plan.  
We thank you for your time & we hope we can all work together to get the right outcome for everyone involved.

Kind regards

[Redacted]  
[Redacted]

[Redacted]  
[Redacted]

[Redacted]  
[Redacted]

**From:** [REDACTED]  
**Sent:** Thursday, 9 June 2022 9:51 AM  
**To:** [REDACTED]  
**Subject:** FW: [REDACTED] 25/2/22 10.06 PM NOT CONFIDENTIAL HUNTER FW: Submission for the draft remake water sharing plan Hunter Unregulated and Alluvial  
**Attachments:** Submission 1.docx; Water Sharing Submission p12.docx

**From:** [digital.services=squiz.dpie.nsw.gov.au@squiz.regional.nsw.gov.au](mailto:digital.services=squiz.dpie.nsw.gov.au@squiz.regional.nsw.gov.au)  
<[digital.services=squiz.dpie.nsw.gov.au@squiz.regional.nsw.gov.au](mailto:digital.services=squiz.dpie.nsw.gov.au@squiz.regional.nsw.gov.au)> **On Behalf Of**  
[digital.services@squiz.dpie.nsw.gov.au](mailto:digital.services@squiz.dpie.nsw.gov.au)  
**Sent:** Friday, 25 February 2022 10:06 PM  
**To:** DPIE Hunter Unregulated Water Plan Mailbox <[hunterunreg.wsp@dpie.nsw.gov.au](mailto:hunterunreg.wsp@dpie.nsw.gov.au)>  
**Subject:** Submission for the draft remake water sharing plan Hunter Unregulated and Alluvial

**Permission**

I would like my submission to be treated as confidential?: No

I would like my personal details to be treated as confidential?: No

**Your details**

Are you making a submission as an individual or on behalf of an organisation?: Individual

Which of the following best describes the kind of stakeholder you are?: Irrigator/farmer

If you selected other, please state:

Email address:

**Question 1.1**

Do you have any comments on this aspect of the draft plan?: N/A

**Question 1.2**

Do you have any comments on this aspect of the draft plan?: N/A

**Question 2.1**



Do you think this is appropriate? Why / why not?: N/A

**Question 2.2**

Do you think this is appropriate? Why / why not?: N/A

**Question 3.1**

Do you think this is appropriate? Why / why not?: N/A

**Question 4.1**

Do you have any comments on this aspect of the draft plan?: The draft Water Sharing plan for Martindale Creek catchment is unwarranted. The creek in times of drought is self-regulating. The number of sprays that can be used is regulated by the water flow. There is also a high iron content in the water and in dry times, the level of iron intensifies. Farmers have respect for the land and the crops that they are growing and will stop irrigating because of the quality of the water. The water can do more harm than good. We have also farmed in this area since 1870 and respect and value the importance of the creek and its source of water. I have expanded on more points against the proposed new Water Sharing plan in 11.2

**Question 4.2**

Do you have any comments on this aspect of the draft plan?: N/A

**Question 4.3**

Do you have any comments on this aspect of the draft plan?: N/A

**Question 4.4**

Do you have any comments on this aspect of the draft plan?: N/A

**Question 4.5**

Do you have any comments on this aspect of the draft plan?: N/A

**Question 5.1**

Do you have any comments on this aspect of the draft plan?: N/A

**Question 6.1**

Do you have any comments on this aspect of the draft plan?: N/A

**Question 7.1**

Do you have any comments on this aspect of the draft plan?:

N/A

**Question 8.1**

Do you have any comments on this aspect of the draft plan?:

N/A

**Question 8.2**

Do you have any comments on this aspect of the draft plan?:

N/A

**Question 9.1**

Do you have any comments on this aspect of the draft plan?:

N/A

**Question 10.1**

Do you have any comments on this aspect of the draft plan?:

N/A

**Question 11.1**

Comments on any aspect of the draft plan:

N/A

**Question 11.2**

Upload a submission or any supporting documents:

Submission 1.docx, type application/vnd.openxmlformats-officedocument.wordprocessingml.document, 17.1 KB | Water Sharing Submission p12.docx, type application/vnd.openxmlformats-officedocument.wordprocessingml.document, 14.1 KB

## How does the proposed CtP level in your water source impact on your current operations?

The impact of the proposed **CtP** level presently with La Nina conditions on our current operations as a beef cattle farm would be undetectable. Rainfall is sufficient for the growth of pastures and ground cover. However, this will alter drastically when dry seasonal conditions start affecting our farm's operations.

On-farm production of drought reserves/fodder conservation in favourable seasonal conditions is paramount coupled with the NSW government's drive to drought-proof farms. The erection of a substantial hay storage facility on our farm resulted from the support given from the Rural Assistance Authority's initiative, to enhance this on-farm resilience. Farmers are trying to establish infrastructure to assist them to manage risk better in droughts.

The proposed **CtP** rule would have a devastating effect on the farm's operations. In the drought 20/21 we reduced our herd to 50%, and through this time we were able to water and grow some pastures for the herd. The proposed **CtP** rules would impact us drastically. All hay would have to be out-sourced inflicting outrageous prices for hay and freight on us. We could not buy hay grown locally with the proposed **CtP** rules. The transport costs for locally produced hay is lower. Many farmers try to increase off-farm income to pay for the inflated price of hay during drought which then means they do not qualify for NSW travel subsidy for hay. We paid up to \$450 per bale for oaten hay compared to \$25 a round bale of lucerne hay this week in February 2022 from a farm at Bureen.

Through outsourcing hay due to **CtP**, I would also be increasing my properties' biosecurity risk due to potentially importing foreign weed seeds, which would also impose a risk to my neighbour being the Wollemi NP.

With the price of cows today, I would not be able to afford to purchase replacement cows. The price of black Angus cows at the beginning of the drought was approximately \$800. The current cost of black Angus cows and calves is \$5,000. This would result in many family-operated farms having to be sold and company-owned farms would increase.

## Do you think the CtP in your water source is practical to implement?

I question the validity of the water flow and quantities in Martindale Creek. There are less than a handful of irrigators whose water is metered. How can water volume be quantified if the majority of farms do not have water that is metered?

The creek beds of Martindale, Baerami and Widden are all based on sandstone which is very porous. The reliability of water levels would have to be questionable where sandstone is involved. On our property there are two bores that are in close proximity to each other. The water level in both bores varies substantially which again makes me question the reliability and accuracy of Water NSW readings of **one monitoring bore in Martindale Creek**.

The water in the creeks of Martindale, Baerami and Widden have a high iron count. As the drought intensifies and the level of water drops, the iron count becomes stronger. The water hinders the growth of plants and irrigators turn off their irrigation. The creek is exhibiting self-regulation. This self-regulation is seen in the number of sprays that can be used by the irrigator. As the drought lengthens, there is less pressure and less sprays and this is further proof of the creek self-regulating. Why do we need **CtP** if the Martindale Creek self-regulates?



**Do you think the CtP provides enough protection for ecological values such as Groundwater Dependent Ecosystem?**

The proposed **CtP** will be detrimental for ecological values of the creek. The irrigator provides pasture on which native animals can feed, close to permanent water sources (troughs). Ninety percent of the surface irrigation occurs adjacent to Martindale Creek on the alluvial flats. During dry seasonal conditions this irrigation also waters the native vegetation along the creek. This becomes a critical habitat zone/buffer in which ecological endangered plant and bird species (i.e. regent honey eater) can still source native food.

If there is **CtP**, these drought habitat buffer/riparian zones that the native animals rely on will be greatly impacted. I cannot see the benefits to the ecological system of the creek through the proposed **CtP** rules.

The ABC News reported that:

- Another devastating impact of the drought in regional New South Wales has been revealed, with the state's kangaroo population thought to have plummeted by more than a quarter.
- The NSW kangaroo population is estimated to have plummeted by 25.5 per cent
- An annual survey estimated there were 10.5 million animals in 2020, compared to 14 million in 2019
- It is a significant collapse since a peak of 17 million was observed in 2016

The proposed **CtP** rules will further decimate the ecological endangered species that reside within the Martindale Creek Catchment.

**The flow-reference point is the bore at which a CtP will be measured. Do you think this site is appropriate?**

The monitoring bore in Martindale needs to be moved. The bore is 40 metres from the creek and needs to be closer to the main water source in the creek for a more accurate reading, using your process which I find very questionable. Furthermore, given the inherent nature of the sandstone system, which is fed by gullies and climatic change, the Martindale Creek has water pulses that require multiple bores to record the true picture of the water flow.

I do doubt the location of the bore, landholder observations during a time period of 20/9/19 to 13/5/20 it was a **CtP** level for 237 days, when actually the creek began running overland at Smiths Bridge on the 9/2/20. This proves the location of the flow reference point needs to be moved to a more accurate location.

## Do you have comments on any aspect of the draft plan?

Our family has farmed in the area of Martindale Creek catchment since 1870. The creek and the water that it provided was a mainstay to the farming business. It has been an integral part of the farm and the family, and past generations have passed the learnt characteristics of the creek onto the newer generation. The alluvial flow of water changes and the family has treated the creek respectfully.

We are also neighbours with Wollemi National Park. After the bushfire period of 2019 - 2020, I am almost frantic with concern about the proposed **CtP** rules and their impact on the security of the homes, the animals and our lives on our farm. In the bushfire period of 2019 - 2020, we irrigated around our houses and sheds, diverting the irrigated water from the paddocks to the farm's infrastructure. Because of the pro-active steps that we undertook, we had the farm prepared for the arrival of the fires. It is a nightmare when you receive a call from the National Parks to expect that you would be impacted from an ember attack from 9pm and onwards.

What reassurance am I going to receive from Water NSW that I can irrigate around the houses and sheds and some paddocks to protect us from future bushfires? I am asking for permission in writing from water NSW so that I can have some form of security in dangerous bushfire periods. I do not want the lame statement of 'use your domestic allocation'. This amount is for domestic living and the watering of stock. I am seeking an '**Exceptional Circumstances**' clause added to the new water sharing plan.

I will also be looking at Water NSW to compensate for any damage done to our farm from future bushfires whether that is buildings, fences, animals or sheds. We survived the last unprecedented bushfires in 2019 - 2020 and if we have CtP rules imposed, I will be seeking substantial compensation from Water NSW.

The bushfire period of 2019 - 2020 had me at the psychologist. It was not the death of my husband or the running a farm in a drought that affected my mental health, it was the bushfires. You have some control over illness and drought but bushfires are unpredictable and dramatically devastating.

Which leads me to mental health. The whole water sharing plan of the Hunter was introduced poorly. Everything was done technologically. Letters about the new plan arrived after the draft plan was released. The letter was dated 17th January, 2022 but the letter was received a few days later. Many farmers do not have the technological skills to download a copy of the plan, access webinars, submit answers as well as receive and send emails. Their sense of frustration must be palpable.

Rural men have a history with mental health and rates of suicide. Accessing medical facilities in rural communities is difficult. Many cities have medical centres open 365 days a year, even on Christmas Day. Where do you get those facilities in country towns?

How Water NSW reaches out to water users, who have been affected by the heavy handed manner in which this new plan was delivered, needs reviewing and improving. Provide more alternative ways for the dissemination of information and please do not rely on technology. There are many other ways and technology is only one of them.

# SUBMISSION

## **Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Sources 2022**

**By**



Public Exhibition

February 2022



## Introduction:

### My Business:

[REDACTED]

- [REDACTED] years
- [REDACTED]
- [REDACTED] We own [REDACTED] properties in the [REDACTED] area. The property with two irrigation licences is [REDACTED] acres and water is drawn from [REDACTED] and a Well. This property is where we grow our crops to feed our stock.
- We sell to other Cattle Farmers and Agents who purchase our stock.

### My community:

[REDACTED]

- [REDACTED] run our business
- Our farms are in [REDACTED]
- We purchase all our [REDACTED] and where we can, [REDACTED], locally. We are both members of the [REDACTED] Rural Fire Service and [REDACTED] is a [REDACTED]. We have entered our cattle in the [REDACTED] and volunteered when needed. [REDACTED] is the [REDACTED] who regularly participate in Australia Day and ANZAC Day ceremonies

### Endorsement of [REDACTED] Submission:

In addition to providing my personal feedback on the Hunter Unregulated and Alluvial Water Sharing Plan and how it affects me, I would also like to endorse the submission made by [REDACTED] [REDACTED] which addresses catchment wide issues on my behalf.

## Key Issues:

### Consultation Process

Public consultation and stakeholder feedback are a crucial component in developing an appropriate WSP. Given that WSPs set the rules 'for how water is allocated for the next 10 years', it is vital that we are given a reasonable amount of time to provide informed feedback on a complex regulatory instrument.

January and February are a very busy period, especially for us as we are often planting and harvesting forage crops. Plus, [REDACTED] is a [REDACTED], and this is a particularly busy time of the year with [REDACTED]. The impact of COVID has been particularly stressful with [REDACTED]. As a volunteer and off farm employee with a business to operate, it is crucial we have sufficient time to analyse the materiality of each of these changes and assess the modelling data used. The limited consultation process is extremely disappointing considering the Department told us at a meeting in May 2021 that the draft WSP would be ready for public exhibition in September 2021 with ample time provided for submissions and consultation with stakeholders by February 2022.

I agree reinforce the following recommendation from [REDACTED]:

The public exhibition period for the Hunter Unregulated and Alluvial Plan be extended to 40 business days, instead of 40 days, making the new end date 15 March.

We don't feel there has been nearly enough time and consultation with waters users to absorb the real impact of the changes proposed Metering Conditions.

- o Additional Modelling
- o Difficulty in obtaining information relevant to my operation
- o Ecological studies etc...

### Cease-to-pump

Cease-to-pump (CTP) triggers are an extremely complex, personal, and crucial aspect of the proposed WSP across the catchment. Therefore, it is vital that DPIE conducts thorough, transparent and extensive consultation when undertaking decision surrounding this topic. Poorly developed CTP triggers in the catchment has the potential destroy our **Business** and negatively impact our local communities.

I agree with the following recommendations from **████████**:

- Cease-to-pump triggers have no impact on the reliability of water access licences throughout the Hunter Unregulated and Alluvial System.
- DPIE apply clear and consistent cease-to-pump rules across the catchment.
- Water NSW offer SMS and email alert system for cease-to-pump events as provided to many other regulated systems throughout NSW

Additionally, these access rule changes have the follow impacts on my business personally:

#### **Example: [PERSONAL IMPACT OF CEASE TO PUMP]**

**Current cease-to-pump:** [ We purchased our property in good faith **██** years ago with no cease-to-pump requirements. Since purchasing the property with the irrigation licences we have never been forced to stop pumping due to a lack of water in our well or the creek. **████████** is notorious for going dry regardless of whether landowners are irrigating or not. There has been a suggestion that **████████** nearby has impacted on the creek however we have no proof in this respect and doubt if **████████** would support this claim with any evidence. Consequently, when the creek is low or dry, we can't irrigate so why do we need a cease-to-pump order?

#### **Proposed cease-to-pump:**

We have just experienced living through a terrible and challenging drought. We were unable to irrigate at all during this time as **████████** was dry and there was minimal well water. We spent a lot of money buying cattle feed from interstate just to keep our cattle alive. We also purchased stock water. We also invested a lot of money in purchasing tanks, troughs and installing pipelines, to help droughtproof our property. We also sought to take advantage of the Commonwealth water rebate which, unfortunately, was stopped before our application was submitted. We care very much for the environment and have planted approx., 400 trees across all **████████** properties. We have invested in cattle troughs on all our properties and fenced off **████████**. We have

isolated about [REDACTED] acres of land to promote natural regrowth and protect wildlife not because someone in a government department told us to but because we support sustainable farming practices. Why does your department feel it has to police farmers who at most times are trying to do the right thing by their land and stock? The impact of the drought severely deprived us of income however, with the latest rain events happening we have been able to recoup some of that loss without the use of any irrigation but, it is reassuring to know it is there if we need it. Before [REDACTED] became dry, we needed to irrigate our crop to feed our stock. Surely, when thinking about why we irrigate, is there no thought to the reality that purchasing feed from interstate only adds to the biosecurity risk to our property? More introduced weeds and not to mention the added pollution to the environment when using trucks? Is it not better to support local business rather than sourcing feed elsewhere? Without the use of irrigation during the periods mentioned we would not have been able to feed our stock for as long as we did.

### Metering Conditions

Metering is a complex regulatory requirement that adds significant cost to my business although I understand the crucial role water users have as environmental custodians. It is important for my business that there are clear and concise regulation surrounding metering and I therefore support the following recommendations from [REDACTED]:

- The metering requirements of the Hunter Unregulated and Alluvial Water Sharing Plan be brought inline with the NSW Non-Urban Metering Policy, including the minimum threshold of 100mm for water users to install AS4747 Meters.
- DPIE provide further clarification on:
  - The metering requirements for groundwater users
  - Clearly outline the definitions of wells and bores and their differing metering requirements.

**Please ensure that I am notified at least one month prior to consultation sessions regarding this significant impact to my business and that I am given ample time to provide a separate submission on this matter.**



We have been aware over the last few years that metering would eventually be a requirement and have accepted this. Initially we were requested to keep a logbook and record an estimate of water used when irrigating which we also did. We were very surprised one day to receive a call from two males who stated, "they could not find our logbook". There had been no notification given to us that these people were coming or any request for our consent for them to be on our property. We found this to be quite disturbing especially as being a farm, there are always risks involved such as cattle, (especially bulls) and poisons that may have been used. Who was going to take responsibility should something untoward have occurred? With regards to meters, we would be happy to purchase affordable meters which we could photograph with a reading and forward to the respective department. As for satellite tracing, no, we do not agree with this method. If it requires the use of a mobile phone well, mobile phones don't work very well, if at all, in our area. The idea of satellite usage to "police" irrigators sounds very "big brother" and quite frightening. What should we expect next, a meter in our house and bathroom to see how much rainwater we are using? In closing all we hear on the news lately is "coal is on its way out and "what will people in the Hunter do"? Does it not make sense to encourage farming and agriculture as the way to go forward? Australians are renowned worldwide for their good farming practices and ingenuity. We should take this opportunity to become one of the best and cleanest food producers for the rest of the world. This country was founded on the Sheep's back and we can do it again without the use of satellites and expensive meters. We have never liked the idea of water trading. The licence should stay with the property and not be used by those who have no interest in farming and whose only ambition is to seek to furnish their pockets.

We have no doubt that mining has impacted on ground and surface water systems in our area. How could it not? However, mines are also important to the people of the Hunter and together we must work to satisfy all needs whilst the inevitable transition occurs.

Lastly, I would like to state some water users in our area were unclear if these new guidelines applied to them and found the wording rather confusing.

I hope that this Submission and that of [REDACTED] provides valuable insight that assists with the creation and implementation of the Hunter Unregulated and Alluvial Water Sharing Plan 2022.

This plan will have costly and negative impact on our farming business.

Kind regards,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Muswellbrook NSW 2333

[INSERT ADDRESS]

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

Office use only	Submission number
-----------------	-------------------

### How to fill out this form

The department is seeking your comments on the draft replacement Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022.

For general background about the draft plan development, proposed changes and the finalisation process please refer to the background and proposed changes documents. For water source specific details including proposed rules, please see the water source report cards.

Key issues and changes have been summarised in this submission form, although comment on all aspects of the water sharing plan is welcome. For water source specific details including rules, please see the water source report cards. More detailed comments are welcomed as attachments.

Send completed submissions to:

Post: WSP Comments for the Hunter Unregulated and Alluvial Water Sharing Plan,  
Department of Planning, Industry and Environment  
Locked Bag 26  
Gosford NSW 2250

Email: [hunterunreg.wsp@dpie.nsw.gov.au](mailto:hunterunreg.wsp@dpie.nsw.gov.au)

**Note: Submissions close 27 February 2022**

### Information on privacy and confidentiality

Submissions received by NSW Department of Planning, Industry and Environment for the proposed amendments will be considered by the department and the Coastal Water Planning and Policy Working Group to review and inform the draft amendments. The department values your input and accepts that information you provide may be private and personal.

If you would prefer your submission or your personal details to be treated as confidential, please indicate this by ticking the relevant box below.

If you do not make a request for confidentiality, the department may make your submission, including any personal details contained in the submission, available to the public.

Please note that, regardless of a request for confidentiality, the department may be required by law to release copies of submissions to third parties in accordance with the *Government Information (Public Access) Act 2009*.

<b>I would like my submission to be treated as confidential</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>I would like my personal details to be treated as confidential</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

How to fill out this form			
<b>Name</b>	[Redacted]		
<b>Postal Address</b>	[Redacted]		
<b>Telephone</b>	[Redacted]		
<b>Email address</b>	[Redacted]		
<b>Stakeholder Group</b> <small>(please indicate which of the following best represents your interest by <b>ticking one box</b>)</small>	<input type="checkbox"/> Irrigation Interests <input type="checkbox"/> Fishing Interests <input type="checkbox"/> Local Govt./ Utilities	<input type="checkbox"/> Aboriginal Interest <input type="checkbox"/> Local Landholder <input type="checkbox"/> Other (specify)	<input type="checkbox"/> Environment Interests <input type="checkbox"/> Community Member
<b>If your comments refer to a specific water source, which one?</b>			

Attach extra pages if required

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## New Coastal Floodplain Alluvial Groundwater Water Sources

The draft plan proposes to establish the Hunter Coastal Floodplain Alluvial Groundwater and the Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources. The long-term limits on extractions are proposed based on a proportion of recharge. Additional water for licensed take may be made available through controlled allocations in the future.

*Further details relating to this change can be found in Part 1 of the draft plan, the background document as well as the report cards for the Hunter Coastal Floodplain Alluvial Groundwater Water Source and the Lake Macquarie Coastal Floodplain Alluvial Groundwater Water Source.*

Do you have any comments on this aspect of the draft plan?

## Long Term Average Annual Extraction Limit

The replacement plan creates two long term average annual extraction limits (LTAAELs).

- The Standard LTAAEL which sets a limit on extraction from all flows except for higher flows.
- The Higher flow LTAAEL that manages extractions that can only take from higher flows.

The reason for the two extraction limits is to limit extractions from all other flows and encourage extraction from higher flows.

The Standard LTAAEL includes all basic landholder rights extraction including from harvestable rights dams. If there is a growth in uptake of harvestable rights that increases total annual extraction to above the Standard LTAAEL by more than 5% then there will be reduced water allocated to licenced water users in the following year.

*Further details relating to this change can be found in Part 4 of the draft plan, and the background document.*

Do you think it is appropriate to have two LTAAEL's? Why / why not?

Do you think the proposed compliance of the LTAAELs are appropriate? Why / why not?

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Managing the risks of increased harvestable rights

In 2022 the volume of water that can be captured in harvestable rights dams in coastal draining catchments will increase from 10% to 30% of rainfall runoff.

This could impact on the volume of flow that reaches rivers. The plan includes a requirement that the uptake of harvestable rights will be assessed at year 3 and then access, work approval and trade rules will be reviewed if the uptake is greater than 10% of rainfall runoff.

*The amendment provision can be found in Part 11 of the draft Plan.*

Do you think this is appropriate? Why / why not?

### Draft access rules based on groundwater levels

The draft plan proposes to establish access rules based on groundwater levels in Baerami Creek, Bylong River, Lower Goulburn River, Lower Wollombi Brook, Martindale Creek, and Widden Brook water sources and the Upper Middle Dart Brook, Lower Middle Brook and Kingdon Ponds, and Lower Dart Brook management zones of Dart Brook Water Source, and the Segenhoe Management Zone of the Pages River Water Source. The access rule define when a Cease to Pump (CtP) event would be triggered.

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How does the proposed **CtP** level in your water source impact on your current operations?

Do you think the **CtP** in your water source is practical to implement? Why / why not?

Do you think the **CtP** provides enough protection for ecological values such as Groundwater Dependent Ecosystem?

The **flow reference point** is the bore at which a CtP will be measured. Do you think this site is appropriate? Why / why not?



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

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The draft plan proposes to establish access rules in Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal sources based on salinity levels at Green Rocks. The access rules define when a Cease to Pump (CtP) event would be triggered.

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Submission form

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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

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The draft plan proposes to establish a new Upper Williams River Management Zone which will have new access rules and also proposes slight changes to the access rules in the Williams River Management Zone.

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The draft plan proposes prohibition of in-river dams on third order and larger streams in the following water sources: Williams River, Wallis Creek, Lower Wollombi Brook, Widden Brook, South Lake Macquarie and Munmurra River. These restrictions were not previously in place for these water sources, however the water sources were identified as having high ecological values

The following water sources will continue to prohibit new in-river dams on third order or larger streams: Dora Creek, Glennies, Upper Paterson, Merriwa River, Newcastle, Paterson/Allyn Rivers, Rouchel Brook, Upper Goulburn River, Upper Hunter River, Upper Wollombi Brook.

*This section refers to Part 7 of the draft plan as well as in the relevant report cards.*

How would this impact on your current operations?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### **New restrictions for new or replacement water supply works near SEPP wetlands**

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

The State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP) identifies wetlands in order to protect their ecological values. There is a need for water sharing plans to recognise these same wetlands to ensure protection and alignment between regulatory objectives. The draft plan proposes to prohibit the granting of approvals for surface water or groundwater works if it would result in more than minimal harm to a wetland mapped under the Coastal SEPP.

Coastal wetlands have been identified in the Dora Creek, Newcastle, North Lake Macquarie, South Lake Macquarie, Williams River, Hunter Coastal Floodplain Alluvial Groundwater and Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources.

*This section refers to Part 7 of the draft plan*

Do you think this is appropriate? If not, why?

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### New restrictions for new or replacement groundwater water supply works

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

*These distance rules are contained in Part 7 of the plan.*

The draft plan proposes to expand protection of groundwater dependent ecosystems (GDEs) and includes a map that identifies potential high priority GDEs for which minimum setback distances may apply.

Do you think this is appropriate? If not, why?

The draft plan proposes rules that require new groundwater works to be greater than 500m from a contamination source and 200m from a culturally significant site.

Do you think this is appropriate? If not, why?

Have you noticed any **effects** from extraction on water levels in the groundwater source? If so, please specify.



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

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The draft plan proposes to allow limited trade into some water sources. This change aims to improve the opportunity to trade into downstream water sources without increasing extractive stress to upstream and high-risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:  
Widden Brook, Wallis Creek, North Lake Macquarie, Lower Goulburn River, Upper Goulburn River, Merriwa River, Lower Wollombi Brook, Doyles Creek, Newcastle, Paterson/Allyn Rivers, Upper Paterson River, Rouchel Brook and Wybong Creek.

*The trading rules are contained in Part 8 of the Plan and in the “Proposed Management Rules” section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
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The draft plan proposes to remove some of the trade restrictions within water sources. These changes aim to improve the opportunity to trade without increasing extractive stress to high risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:  
Rouchel Brook, Upper Goulburn River, Wybong Creek, Pages River, Dart Brook, Muswellbrook, Jerrys, Luskintyre, Newcastle and Black Creek.

*The trading rules are contained in Part 8 of the Plan and in the “Proposed Management Rules” section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

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It is proposed to allow conversion from a standard access licence to an access licence that can only extract from high flows in the Upper Hunter River Water Source only. If a conversion is to occur the licence share component would increase by 2 times.

The draft plan has removed the ability to convert to high flows in the Pages River, Isis River, Lower Wollombi Brook, Rouchel Brook and Paterson/Allyn Rivers water sources.

*Further details relating to this change can be found in Part 8 of the draft plan and background document as well as the report card for the relevant water sources.*

Do you think this is appropriate? Why / why not?

### Application for Aboriginal Community Development access licences

It is proposed to permit applications for specific purpose Aboriginal Community Development access licences in the Hunter Coastal Floodplain Alluvial Groundwater, the Lake Macquarie Coastal Floodplain Alluvial Groundwater, Dart Brook, Pages River, Rouchel Brook, Upper Goulburn River, Lower Goulburn River, Lower Wollombi Brook, and Upper Hunter River water sources.

*Further information can be found in Part 5 of the draft Plan*

Do you think this is appropriate? Why / why not?

### Additional feedback

The above sections relate to the key proposed changes from the current water sharing plan. However, comments on all aspects of the plan are welcome and encouraged. Please use the space below, or attachments if required or preferred.

Do you have comments on any aspect of the draft plan?

© State of New South Wales through Department of Planning, Industry and Environment 2020. The information contained in this publication is based on knowledge and understanding at the time of writing (December 2021). However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Department of Planning, Industry and Environment or the user's independent adviser.

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

Office use only	Submission number
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### How to fill out this form

The department is seeking your comments on the draft replacement Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022.

For general background about the draft plan development, proposed changes and the finalisation process please refer to the background and proposed changes documents. For water source specific details including proposed rules, please see the water source report cards.

Key issues and changes have been summarised in this submission form, although comment on all aspects of the water sharing plan is welcome. For water source specific details including rules, please see the water source report cards. More detailed comments are welcomed as attachments.

Send completed submissions to:

Post: WSP Comments for the Hunter Unregulated and Alluvial Water Sharing Plan,  
Department of Planning, Industry and Environment  
Locked Bag 26  
Gosford NSW 2250

Email: [hunterunreg.wsp@dpie.nsw.gov.au](mailto:hunterunreg.wsp@dpie.nsw.gov.au)

**Note: Submissions close 27 February 2022**

### Information on privacy and confidentiality

Submissions received by NSW Department of Planning, Industry and Environment for the proposed amendments will be considered by the department and the Coastal Water Planning and Policy Working Group to review and inform the draft amendments. The department values your input and accepts that information you provide may be private and personal.

If you would prefer your submission or your personal details to be treated as confidential, please indicate this by ticking the relevant box below.

If you do not make a request for confidentiality, the department may make your submission, including any personal details contained in the submission, available to the public.

Please note that, regardless of a request for confidentiality, the department may be required by law to release copies of submissions to third parties in accordance with the *Government Information (Public Access) Act 2009*.

I would like my submission to be treated as confidential	<input type="checkbox"/> Yes	<input type="checkbox"/> No
I would like my personal details to be treated as confidential	<input type="checkbox"/> Yes	<input type="checkbox"/> No



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

How to fill out this form			
<b>Name</b>			
<b>Postal Address</b>			
<b>Telephone</b>			
<b>Email address</b>			
<b>Stakeholder Group</b> <small>(please indicate which of the following best represents your interest by <b>ticking one box</b>)</small>	<input type="checkbox"/> Irrigation Interests	<input type="checkbox"/> Aboriginal Interest	<input type="checkbox"/> Environment Interests
	<input type="checkbox"/> Fishing Interests	<input type="checkbox"/> Local Landholder	<input type="checkbox"/> Community Member
	<input type="checkbox"/> Local Govt./ Utilities	<input type="checkbox"/> Other (specify)	
<b>If your comments refer to a specific water source, which one?</b>			

Attach extra pages if required

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## New Coastal Floodplain Alluvial Groundwater Water Sources

The draft plan proposes to establish the Hunter Coastal Floodplain Alluvial Groundwater and the Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources. The long-term limits on extractions are proposed based on a proportion of recharge. Additional water for licensed take may be made available through controlled allocations in the future.

*Further details relating to this change can be found in Part 1 of the draft plan, the background document as well as the report cards for the Hunter Coastal Floodplain Alluvial Groundwater Water Source and the Lake Macquarie Coastal Floodplain Alluvial Groundwater Water Source.*

Do you have any comments on this aspect of the draft plan?

## Long Term Average Annual Extraction Limit

The replacement plan creates two long term average annual extraction limits (LTAAELs).

- The Standard LTAAEL which sets a limit on extraction from all flows except for higher flows.
- The Higher flow LTAAEL that manages extractions that can only take from higher flows.

The reason for the two extraction limits is to limit extractions from all other flows and encourage extraction from higher flows.

The Standard LTAAEL includes all basic landholder rights extraction including from harvestable rights dams. If there is a growth in uptake of harvestable rights that increases total annual extraction to above the Standard LTAAEL by more than 5% then there will be reduced water allocated to licenced water users in the following year.

*Further details relating to this change can be found in Part 4 of the draft plan, and the background document.*

Do you think it is appropriate to have two LTAAEL's? Why / why not?

Do you think the proposed compliance of the LTAAELs are appropriate? Why / why not?

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

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In 2022 the volume of water that can be captured in harvestable rights dams in coastal draining catchments will increase from 10% to 30% of rainfall runoff.

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Do you have any comment on the changes proposed to trade rules between water sources?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



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It is proposed to permit applications for specific purpose Aboriginal Community Development access licences in the Hunter Coastal Floodplain Alluvial Groundwater, the Lake Macquarie Coastal Floodplain Alluvial Groundwater, Dart Brook, Pages River, Rouchel Brook, Upper Goulburn River, Lower Goulburn River, Lower Wollombi Brook, and Upper Hunter River water sources.

*Further information can be found in Part 5 of the draft Plan*

Do you think this is appropriate? Why / why not?

### Additional feedback

The above sections relate to the key proposed changes from the current water sharing plan. However, comments on all aspects of the plan are welcome and encouraged. Please use the space below, or attachments if required or preferred.

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# **Draft Replacement Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022**

**FEBRUARY 2022**

**Hunter Water Response to Exhibition**





# Acknowledgement of Country

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Hunter Water operates across the traditional country of the Awabakal, Birpai, Darkinjung, Wonaruah and Worimi peoples. We recognise and respect their cultural heritage, beliefs and continuing relationship with the land, and acknowledge and pay respect to Elders past, present and future.

**Mariin Kaling - All for Water**

**Saretta Fielding**

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# HUNTER WATER RESPONSE TO EXHIBITION

## Addendum to Fillable Form

### Gazetted extent of Seaham Weir Management Zone

Hunter Water requests that the extent of the Seaham Weir Management zone of the Williams River Source (Zone 19 on the Plan Map) be amended to include the Balickera suction canal in line with the mutually agree extent of that zone (meeting between DPIE, NRAR and Hunter Water 27 August 2021). The reason for this change is that the Balickera suction canal is effectively part of the water body that is held behind Seaham Weir. The approximate location of the extension is shown by the pink circled black dashed line in Figure 1.

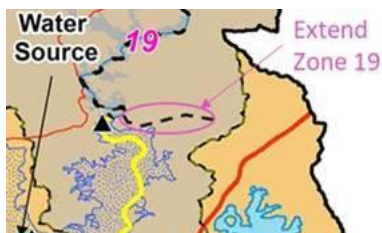


Figure 1 Proposed addition to Seaham Weir Management Zone

### Changes to access rules in the Williams River Water Source

Hunter Water supports the intent of Clauses 59 and 60, and the flow thresholds and associated water release quantities that are specified in the exhibited draft WSP. These requirements reflect the NSW Government's direction following completion of the 2014 Lower Hunter Water Plan.

Hunter Water recommends, however, that the wording of these clauses be modified to provide greater clarity. The primary issues where Hunter Water seeks clarification are:

1. Draft Clause 29 (2): It is unclear how the term 'maximum' relates to the rule. Hunter Water suggests replacing the terms "maximum percentage of daily flow" and "Maximum % of daily flow" with the simpler term "Percentage of daily flow".
2. Draft Clause 29 (3): Qualification to indicate that the timing of when Hunter Water must make a release of 500 ML (following a period of sustained low flow) is not immediate. The release cannot physically occur immediately when the length of dry spell is triggered and instead should be made in conjunction with the next flow event that is large enough to sustain the release (i.e. greater than 500 ML in 24 hours).
3. Draft Clause 29 (3): Clarification of what happens in situations when Hunter Water cannot meet the requirements of the clause. We suggest adding a qualification that suspends Hunter Water's water release obligations when the water level in the weir pool falls below some specified level. Hunter Water suggests that an appropriate cut-off for these releases may be a weir pool level of 0.3 mAHD, which can only occur when there is insufficient inflow into the pool to keep up with the required releases and naturally occurring evaporation. This change is required because it will be physically impossible for Hunter Water to meet the requirements of the draft clause during periods of sustained low river flow. It is noted that pumping into Grahamstown Dam is not permitted under low flow conditions in any case (i.e. when the weir pool level is below 0.42 mAHD).
4. Draft Clause 29 (3): Clarification of what happens when Hunter Water cannot release the exact amount of water that is required on any given day. We suggest adding some operational flexibility to recognise that precise compliance with the water release requirements will not be possible on any given day due to variability in when water releases can be made at Seaham Weir. The primary cause of this is that water cannot be released when the downstream tide level at Seaham Weir is higher than the upstream weir pool

water level, which can occur as often as twice within each 24 hour period. It should always be possible, however, for any shortfall or excess to be made good within the following 24 hour period if provision is made for it to be carried forward to the next day.

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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

Office use only		Submission number	
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### How to fill out this form

The department is seeking your comments on the draft replacement Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022.

For general background about the draft plan development, proposed changes and the finalisation process please refer to the background and proposed changes documents. For water source specific details including proposed rules, please see the water source report cards.

Key issues and changes have been summarised in this submission form, although comment on all aspects of the water sharing plan is welcome. For water source specific details including rules, please see the water source report cards. More detailed comments are welcomed as attachments.

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Department of Planning, Industry and Environment  
Locked Bag 26  
Gosford NSW 2250

Email: [hunterunreg.wsp@dpie.nsw.gov.au](mailto:hunterunreg.wsp@dpie.nsw.gov.au)

**Note: Submissions close 27 February 2022**

### Information on privacy and confidentiality

Submissions received by NSW Department of Planning, Industry and Environment for the proposed amendments will be considered by the department and the Coastal Water Planning and Policy Working Group to review and inform the draft amendments. The department values your input and accepts that information you provide may be private and personal.

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If you do not make a request for confidentiality, the department may make your submission, including any personal details contained in the submission, available to the public.

Please note that, regardless of a request for confidentiality, the department may be required by law to release copies of submissions to third parties in accordance with the *Government Information (Public Access) Act 2009*.

I would like my submission to be treated as confidential	<input type="checkbox"/> Yes	<input type="checkbox"/> No
I would like my personal details to be treated as confidential	<input type="checkbox"/> Yes	<input type="checkbox"/> No

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

How to fill out this form			
<b>Name</b>			
<b>Postal Address</b>			
<b>Telephone</b>			
<b>Email address</b>			
<b>Stakeholder Group</b> <small>(please indicate which of the following best represents your interest by <b>ticking one box</b>)</small>	<input type="checkbox"/> Irrigation Interests <input type="checkbox"/> Fishing Interests <input type="checkbox"/> Local Govt./ Utilities	<input type="checkbox"/> Aboriginal Interest <input type="checkbox"/> Local Landholder <input type="checkbox"/> Other (specify)	<input type="checkbox"/> Environment Interests <input type="checkbox"/> Community Member
<b>If your comments refer to a specific water source, which one?</b>			

Attach extra pages if required

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## New Coastal Floodplain Alluvial Groundwater Water Sources

The draft plan proposes to establish the Hunter Coastal Floodplain Alluvial Groundwater and the Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources. The long-term limits on extractions are proposed based on a proportion of recharge. Additional water for licensed take may be made available through controlled allocations in the future.

*Further details relating to this change can be found in Part 1 of the draft plan, the background document as well as the report cards for the Hunter Coastal Floodplain Alluvial Groundwater Water Source and the Lake Macquarie Coastal Floodplain Alluvial Groundwater Water Source.*

Do you have any comments on this aspect of the draft plan?

## Long Term Average Annual Extraction Limit

The replacement plan creates two long term average annual extraction limits (LTAAELs).

- The Standard LTAAEL which sets a limit on extraction from all flows except for higher flows.
- The Higher flow LTAAEL that manages extractions that can only take from higher flows.

The reason for the two extraction limits is to limit extractions from all other flows and encourage extraction from higher flows.

The Standard LTAAEL includes all basic landholder rights extraction including from harvestable rights dams. If there is a growth in uptake of harvestable rights that increases total annual extraction to above the Standard LTAAEL by more than 5% then there will be reduced water allocated to licenced water users in the following year.

*Further details relating to this change can be found in Part 4 of the draft plan, and the background document.*

Do you think it is appropriate to have two LTAAEL's? Why / why not?

Do you think the proposed compliance of the LTAAELs are appropriate? Why / why not?



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Managing the risks of increased harvestable rights

In 2022 the volume of water that can be captured in harvestable rights dams in coastal draining catchments will increase from 10% to 30% of rainfall runoff.

This could impact on the volume of flow that reaches rivers. The plan includes a requirement that the uptake of harvestable rights will be assessed at year 3 and then access, work approval and trade rules will be reviewed if the uptake is greater than 10% of rainfall runoff.

*The amendment provision can be found in Part 11 of the draft Plan.*

Do you think this is appropriate? Why / why not?

### Draft access rules based on groundwater levels

The draft plan proposes to establish access rules based on groundwater levels in Baerami Creek, Bylong River, Lower Goulburn River, Lower Wollombi Brook, Martindale Creek, and Widden Brook water sources and the Upper Middle Dart Brook, Lower Middle Brook and Kingdon Ponds, and Lower Dart Brook management zones of Dart Brook Water Source, and the Segenhoe Management Zone of the Pages River Water Source. The access rule define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the relevant report cards.*

How does the proposed **CtP** level in your water source impact on your current operations?

Do you think the **CtP** in your water source is practical to implement? Why / why not?

Do you think the **CtP** provides enough protection for ecological values such as Groundwater Dependent Ecosystem?

The **flow reference point** is the bore at which a CtP will be measured. Do you think this site is appropriate? Why / why not?

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Draft access rules in the Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal Pool water sources

The draft plan proposes to establish access rules in Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal sources based on salinity levels at Green Rocks. The access rules define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and “Proposed Management Rules” section of the relevant report cards.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for low flows and ecological values? Why / why not?	
The <b>flow reference point</b> is the point at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Draft changes to access rules in surface water sources and management zones

Changes to access rules are being proposed in: Black Creek, Halls Creek, Upper Goulburn River, Merriwa River, Pages River, Upper Wollombi Brook, Paterson/Allyn Rivers and Upper Hunter River water sources and in the Upper Dart Brook Management Zone of the Dart Brook Water Source.

*This section refers to Part 6 of the Plan and “Proposed Management Rules” section of the relevant report cards.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows? Why / why not?	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Draft changes to access rules in the Isis River Water Source

The draft plan proposes to establish a new Upper Isis River Management Zone which will have new access rules.

*This section refers to Part 6 of the Plan and “Proposed Management Rules” section of the Isis River Water Source report card.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows?	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Draft changes to access rules in the Williams River Water Source

The draft plan proposes to establish a new Upper Williams River Management Zone which will have new access rules and also proposes slight changes to the access rules in the Williams River Management Zone. *This section refers to Part 6 of the Plan and “Proposed Management Rules” section of the Williams River Water Source report card.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

### Prohibition of in-river dams in additional water sources

The draft plan proposes prohibition of in-river dams on third order and larger streams in the following water sources: Williams River, Wallis Creek, Lower Wollombi Brook, Widden Brook, South Lake Macquarie and Munmurra River. These restrictions were not previously in place for these water sources, however the water sources were identified as having high ecological values

The following water sources will continue to prohibit new in-river dams on third order or larger streams: Dora Creek, Glennies, Upper Paterson, Merriwa River, Newcastle, Paterson/Allyn Rivers, Rouchel Brook, Upper Goulburn River, Upper Hunter River, Upper Wollombi Brook.

*This section refers to Part 7 of the draft plan as well as in the relevant report cards.*

How would this impact on your current operations?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### **New restrictions for new or replacement water supply works near SEPP wetlands**

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

The State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP) identifies wetlands in order to protect their ecological values. There is a need for water sharing plans to recognise these same wetlands to ensure protection and alignment between regulatory objectives. The draft plan proposes to prohibit the granting of approvals for surface water or groundwater works if it would result in more than minimal harm to a wetland mapped under the Coastal SEPP.

Coastal wetlands have been identified in the Dora Creek, Newcastle, North Lake Macquarie, South Lake Macquarie, Williams River, Hunter Coastal Floodplain Alluvial Groundwater and Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources.

*This section refers to Part 7 of the draft plan*

Do you think this is appropriate? If not, why?

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### New restrictions for new or replacement groundwater water supply works

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

*These distance rules are contained in Part 7 of the plan.*

The draft plan proposes to expand protection of groundwater dependent ecosystems (GDEs) and includes a map that identifies potential high priority GDEs for which minimum setback distances may apply.

Do you think this is appropriate? If not, why?

The draft plan proposes rules that require new groundwater works to be greater than 500m from a contamination source and 200m from a culturally significant site.

Do you think this is appropriate? If not, why?

Have you noticed any **effects** from extraction on water levels in the groundwater source? If so, please specify.

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Changes to between water source trade provisions

The draft plan proposes to allow limited trade into some water sources. This change aims to improve the opportunity to trade into downstream water sources without increasing extractive stress to upstream and high-risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:  
Widden Brook, Wallis Creek, North Lake Macquarie, Lower Goulburn River, Upper Goulburn River, Merriwa River, Lower Wollombi Brook, Doyles Creek, Newcastle, Paterson/Allyn Rivers, Upper Paterson River, Rouchel Brook and Wybong Creek.

*The trading rules are contained in Part 8 of the Plan and in the “Proposed Management Rules” section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
---	--

### Changes to within water source trade provisions

The draft plan proposes to remove some of the trade restrictions within water sources. These changes aim to improve the opportunity to trade without increasing extractive stress to high risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:  
Rouchel Brook, Upper Goulburn River, Wybong Creek, Pages River, Dart Brook, Muswellbrook, Jerrys, Luskintyre, Newcastle and Black Creek.

*The trading rules are contained in Part 8 of the Plan and in the “Proposed Management Rules” section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Conversion to high flow access licences

It is proposed to allow conversion from a standard access licence to an access licence that can only extract from high flows in the Upper Hunter River Water Source only. If a conversion is to occur the licence share component would increase by 2 times.

The draft plan has removed the ability to convert to high flows in the Pages River, Isis River, Lower Wollombi Brook, Rouchel Brook and Paterson/Allyn Rivers water sources.

*Further details relating to this change can be found in Part 8 of the draft plan and background document as well as the report card for the relevant water sources.*

Do you think this is appropriate? Why / why not?

### Application for Aboriginal Community Development access licences

It is proposed to permit applications for specific purpose Aboriginal Community Development access licences in the Hunter Coastal Floodplain Alluvial Groundwater, the Lake Macquarie Coastal Floodplain Alluvial Groundwater, Dart Brook, Pages River, Rouchel Brook, Upper Goulburn River, Lower Goulburn River, Lower Wollombi Brook, and Upper Hunter River water sources.

*Further information can be found in Part 5 of the draft Plan*

Do you think this is appropriate? Why / why not?

### Additional feedback

The above sections relate to the key proposed changes from the current water sharing plan. However, comments on all aspects of the plan are welcome and encouraged. Please use the space below, or attachments if required or preferred.

Do you have comments on any aspect of the draft plan?

© State of New South Wales through Department of Planning, Industry and Environment 2020. The information contained in this publication is based on knowledge and understanding at the time of writing (December 2021). However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Department of Planning, Industry and Environment or the user's independent adviser.



# **Draft Replacement Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022**

**FEBRUARY 2022**

**Hunter Water Response to Exhibition**





# Acknowledgement of Country

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Hunter Water operates across the traditional country of the Awabakal, Birpai, Darkinjung, Wonaruah and Worimi peoples. We recognise and respect their cultural heritage, beliefs and continuing relationship with the land, and acknowledge and pay respect to Elders past, present and future.

**Mariin Kaling - All for Water**

**Saretta Fielding**

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# HUNTER WATER RESPONSE TO EXHIBITION

## Addendum to Fillable Form

### Gazetted extent of Seaham Weir Management Zone

Hunter Water requests that the extent of the Seaham Weir Management zone of the Williams River Source (Zone 19 on the Plan Map) be amended to include the Balickera suction canal in line with the mutually agree extent of that zone (meeting between DPIE, NRAR and Hunter Water 27 August 2021). The reason for this change is that the Balickera suction canal is effectively part of the water body that is held behind Seaham Weir. The approximate location of the extension is shown by the pink circled black dashed line in Figure 1.

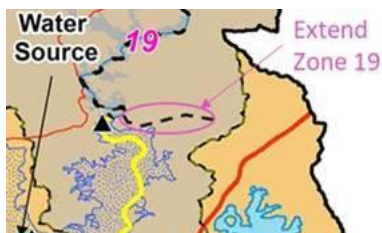


Figure 1 Proposed addition to Seaham Weir Management Zone

### Changes to access rules in the Williams River Water Source

Hunter Water supports the intent of Clauses 59 and 60, and the flow thresholds and associated water release quantities that are specified in the exhibited draft WSP. These requirements reflect the NSW Government's direction following completion of the 2014 Lower Hunter Water Plan.

Hunter Water recommends, however, that the wording of these clauses be modified to provide greater clarity. The primary issues where Hunter Water seeks clarification are:

1. Draft Clause 29 (2): It is unclear how the term 'maximum' relates to the rule. Hunter Water suggests replacing the terms "maximum percentage of daily flow" and "Maximum % of daily flow" with the simpler term "Percentage of daily flow".
2. Draft Clause 29 (3): Qualification to indicate that the timing of when Hunter Water must make a release of 500 ML (following a period of sustained low flow) is not immediate. The release cannot physically occur immediately when the length of dry spell is triggered and instead should be made in conjunction with the next flow event that is large enough to sustain the release (i.e. greater than 500 ML in 24 hours).
3. Draft Clause 29 (3): Clarification of what happens in situations when Hunter Water cannot meet the requirements of the clause. We suggest adding a qualification that suspends Hunter Water's water release obligations when the water level in the weir pool falls below some specified level. Hunter Water suggests that an appropriate cut-off for these releases may be a weir pool level of 0.3 mAHD, which can only occur when there is insufficient inflow into the pool to keep up with the required releases and naturally occurring evaporation. This change is required because it will be physically impossible for Hunter Water to meet the requirements of the draft clause during periods of sustained low river flow. It is noted that pumping into Grahamstown Dam is not permitted under low flow conditions in any case (i.e. when the weir pool level is below 0.42 mAHD).
4. Draft Clause 29 (3): Clarification of what happens when Hunter Water cannot release the exact amount of water that is required on any given day. We suggest adding some operational flexibility to recognise that precise compliance with the water release requirements will not be possible on any given day due to variability in when water releases can be made at Seaham Weir. The primary cause of this is that water cannot be released when the downstream tide level at Seaham Weir is higher than the upstream weir pool

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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

Office use only	Submission number
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I would like my submission to be treated as confidential	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

How to fill out this form			
<b>Name</b>			
<b>Postal Address</b>			
<b>Telephone</b>			
<b>Email address</b>			
<b>Stakeholder Group</b> <small>(please indicate which of the following best represents your interest by <b>ticking one box</b>)</small>	<input type="checkbox"/> Irrigation Interests <input type="checkbox"/> Fishing Interests <input type="checkbox"/> Local Govt./ Utilities	<input type="checkbox"/> Aboriginal Interest <input type="checkbox"/> Local Landholder <input type="checkbox"/> Other (specify)	<input type="checkbox"/> Environment Interests <input type="checkbox"/> Community Member
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

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The draft plan proposes to establish the Hunter Coastal Floodplain Alluvial Groundwater and the Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources. The long-term limits on extractions are proposed based on a proportion of recharge. Additional water for licensed take may be made available through controlled allocations in the future.

*Further details relating to this change can be found in Part 1 of the draft plan, the background document as well as the report cards for the Hunter Coastal Floodplain Alluvial Groundwater Water Source and the Lake Macquarie Coastal Floodplain Alluvial Groundwater Water Source.*

Do you have any comments on this aspect of the draft plan?

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The replacement plan creates two long term average annual extraction limits (LTAAELs).

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Do you think it is appropriate to have two LTAAEL's? Why / why not?

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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

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This could impact on the volume of flow that reaches rivers. The plan includes a requirement that the uptake of harvestable rights will be assessed at year 3 and then access, work approval and trade rules will be reviewed if the uptake is greater than 10% of rainfall runoff.

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*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the relevant report cards.*

How does the proposed **CtP** level in your water source impact on your current operations?

Do you think the **CtP** in your water source is practical to implement? Why / why not?

Do you think the **CtP** provides enough protection for ecological values such as Groundwater Dependent Ecosystem?

The **flow reference point** is the bore at which a CtP will be measured. Do you think this site is appropriate? Why / why not?

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Draft access rules in the Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal Pool water sources

The draft plan proposes to establish access rules in Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal sources based on salinity levels at Green Rocks. The access rules define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and “Proposed Management Rules” section of the relevant report cards.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for low flows and ecological values? Why / why not?	
The <b>flow reference point</b> is the point at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Draft changes to access rules in surface water sources and management zones

Changes to access rules are being proposed in: Black Creek, Halls Creek, Upper Goulburn River, Merriwa River, Pages River, Upper Wollombi Brook, Paterson/Allyn Rivers and Upper Hunter River water sources and in the Upper Dart Brook Management Zone of the Dart Brook Water Source.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the relevant report cards.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows? Why / why not?	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Draft changes to access rules in the Isis River Water Source

The draft plan proposes to establish a new Upper Isis River Management Zone which will have new access rules.

*This section refers to Part 6 of the Plan and “Proposed Management Rules” section of the Isis River Water Source report card.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows?	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Draft changes to access rules in the Williams River Water Source

The draft plan proposes to establish a new Upper Williams River Management Zone which will have new access rules and also proposes slight changes to the access rules in the Williams River Management Zone. *This section refers to Part 6 of the Plan and “Proposed Management Rules” section of the Williams River Water Source report card.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

### Prohibition of in-river dams in additional water sources

The draft plan proposes prohibition of in-river dams on third order and larger streams in the following water sources: Williams River, Wallis Creek, Lower Wollombi Brook, Widden Brook, South Lake Macquarie and Munmurra River. These restrictions were not previously in place for these water sources, however the water sources were identified as having high ecological values

The following water sources will continue to prohibit new in-river dams on third order or larger streams: Dora Creek, Glennies, Upper Paterson, Merriwa River, Newcastle, Paterson/Allyn Rivers, Rouchel Brook, Upper Goulburn River, Upper Hunter River, Upper Wollombi Brook.

*This section refers to Part 7 of the draft plan as well as in the relevant report cards.*

How would this impact on your current operations?	
---	--

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### **New restrictions for new or replacement water supply works near SEPP wetlands**

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

The State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP) identifies wetlands in order to protect their ecological values. There is a need for water sharing plans to recognise these same wetlands to ensure protection and alignment between regulatory objectives. The draft plan proposes to prohibit the granting of approvals for surface water or groundwater works if it would result in more than minimal harm to a wetland mapped under the Coastal SEPP.

Coastal wetlands have been identified in the Dora Creek, Newcastle, North Lake Macquarie, South Lake Macquarie, Williams River, Hunter Coastal Floodplain Alluvial Groundwater and Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources.

*This section refers to Part 7 of the draft plan*

Do you think this is appropriate? If not, why?

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### New restrictions for new or replacement groundwater water supply works

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

*These distance rules are contained in Part 7 of the plan.*

The draft plan proposes to expand protection of groundwater dependent ecosystems (GDEs) and includes a map that identifies potential high priority GDEs for which minimum setback distances may apply.

Do you think this is appropriate? If not, why?

The draft plan proposes rules that require new groundwater works to be greater than 500m from a contamination source and 200m from a culturally significant site.

Do you think this is appropriate? If not, why?

Have you noticed any **effects** from extraction on water levels in the groundwater source? If so, please specify.



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Changes to between water source trade provisions

The draft plan proposes to allow limited trade into some water sources. This change aims to improve the opportunity to trade into downstream water sources without increasing extractive stress to upstream and high-risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:  
Widden Brook, Wallis Creek, North Lake Macquarie, Lower Goulburn River, Upper Goulburn River, Merriwa River, Lower Wollombi Brook, Doyles Creek, Newcastle, Paterson/Allyn Rivers, Upper Paterson River, Rouchel Brook and Wybong Creek.

*The trading rules are contained in Part 8 of the Plan and in the “Proposed Management Rules” section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
---	--

### Changes to within water source trade provisions

The draft plan proposes to remove some of the trade restrictions within water sources. These changes aim to improve the opportunity to trade without increasing extractive stress to high risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:  
Rouchel Brook, Upper Goulburn River, Wybong Creek, Pages River, Dart Brook, Muswellbrook, Jerrys, Luskintyre, Newcastle and Black Creek.

*The trading rules are contained in Part 8 of the Plan and in the “Proposed Management Rules” section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
---	--

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Conversion to high flow access licences

It is proposed to allow conversion from a standard access licence to an access licence that can only extract from high flows in the Upper Hunter River Water Source only. If a conversion is to occur the licence share component would increase by 2 times.

The draft plan has removed the ability to convert to high flows in the Pages River, Isis River, Lower Wollombi Brook, Rouchel Brook and Paterson/Allyn Rivers water sources.

*Further details relating to this change can be found in Part 8 of the draft plan and background document as well as the report card for the relevant water sources.*

Do you think this is appropriate? Why / why not?

### Application for Aboriginal Community Development access licences

It is proposed to permit applications for specific purpose Aboriginal Community Development access licences in the Hunter Coastal Floodplain Alluvial Groundwater, the Lake Macquarie Coastal Floodplain Alluvial Groundwater, Dart Brook, Pages River, Rouchel Brook, Upper Goulburn River, Lower Goulburn River, Lower Wollombi Brook, and Upper Hunter River water sources.

*Further information can be found in Part 5 of the draft Plan*

Do you think this is appropriate? Why / why not?

### Additional feedback

The above sections relate to the key proposed changes from the current water sharing plan. However, comments on all aspects of the plan are welcome and encouraged. Please use the space below, or attachments if required or preferred.

Do you have comments on any aspect of the draft plan?

© State of New South Wales through Department of Planning, Industry and Environment 2020. The information contained in this publication is based on knowledge and understanding at the time of writing (December 2021). However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Department of Planning, Industry and Environment or the user's independent adviser.



# **Draft Replacement Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022**

**FEBRUARY 2022**

**Hunter Water Response to Exhibition**





# Acknowledgement of Country

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Hunter Water operates across the traditional country of the Awabakal, Birpai, Darkinjung, Wonaruah and Worimi peoples. We recognise and respect their cultural heritage, beliefs and continuing relationship with the land, and acknowledge and pay respect to Elders past, present and future.

**Mariin Kaling - All for Water**

**Saretta Fielding**



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# HUNTER WATER RESPONSE TO EXHIBITION

## Addendum to Fillable Form

### Gazetted extent of Seaham Weir Management Zone

Hunter Water requests that the extent of the Seaham Weir Management zone of the Williams River Source (Zone 19 on the Plan Map) be amended to include the Balickera suction canal in line with the mutually agree extent of that zone (meeting between DPIE, NRAR and Hunter Water 27 August 2021). The reason for this change is that the Balickera suction canal is effectively part of the water body that is held behind Seaham Weir. The approximate location of the extension is shown by the pink circled black dashed line in Figure 1.

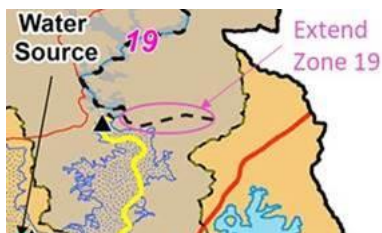


Figure 1 Proposed addition to Seaham Weir Management Zone

### Changes to access rules in the Williams River Water Source

Hunter Water supports the intent of Clauses 59 and 60, and the flow thresholds and associated water release quantities that are specified in the exhibited draft WSP. These requirements reflect the NSW Government's direction following completion of the 2014 Lower Hunter Water Plan.

Hunter Water recommends, however, that the wording of these clauses be modified to provide greater clarity. The primary issues where Hunter Water seeks clarification are:

1. Draft Clause 29 (2): It is unclear how the term 'maximum' relates to the rule. Hunter Water suggests replacing the terms "maximum percentage of daily flow" and "Maximum % of daily flow" with the simpler term "Percentage of daily flow".
2. Draft Clause 29 (3): Qualification to indicate that the timing of when Hunter Water must make a release of 500 ML (following a period of sustained low flow) is not immediate. The release cannot physically occur immediately when the length of dry spell is triggered and instead should be made in conjunction with the next flow event that is large enough to sustain the release (i.e. greater than 500 ML in 24 hours).
3. Draft Clause 29 (3): Clarification of what happens in situations when Hunter Water cannot meet the requirements of the clause. We suggest adding a qualification that suspends Hunter Water's water release obligations when the water level in the weir pool falls below some specified level. Hunter Water suggests that an appropriate cut-off for these releases may be a weir pool level of 0.3 mAHD, which can only occur when there is insufficient inflow into the pool to keep up with the required releases and naturally occurring evaporation. This change is required because it will be physically impossible for Hunter Water to meet the requirements of the draft clause during periods of sustained low river flow. It is noted that pumping into Grahamstown Dam is not permitted under low flow conditions in any case (i.e. when the weir pool level is below 0.42 mAHD).
4. Draft Clause 29 (3): Clarification of what happens when Hunter Water cannot release the exact amount of water that is required on any given day. We suggest adding some operational flexibility to recognise that precise compliance with the water release requirements will not be possible on any given day due to variability in when water releases can be made at Seaham Weir. The primary cause of this is that water cannot be released when the downstream tide level at Seaham Weir is higher than the upstream weir pool

water level, which can occur as often as twice within each 24 hour period. It should always be possible, however, for any shortfall or excess to be made good within the following 24 hour period if provision is made for it to be carried forward to the next day.

5. Draft Clause 60 (2): Clarification of the wording to show that this is a transparency rule (i.e. Hunter Water must release the lesser of the target flow rate or the combined daily inflow rate), and that the table in this clause specifies the target flow rates.

### **Prohibition of in-river dams in additional water sources**

Hunter Water recommends that the draft plan wording be clarified to explicitly relate to new dams only. The draft wording could be misconstrued as prohibiting the use of existing dams in these sources, which would have a very significant impact on the water supply for the lower Hunter.

### **Changes to between water source trade provisions**

Hunter Water it is concerned that this change may open up the potential for water trading from other sources into Grahamstown Dam in the Newcastle Source. Hunter Water therefore requests that protections be included in the plan to ensure that access licences cannot be traded into this part of the Newcastle Water Source.

### **Changes to within water source trade provisions**

Hunter Water it is concerned that this change may open up the potential for water trading from other streams into Grahamstown Dam in the Newcastle Source. Hunter Water therefore requests that protections be included in the plan to ensure that access licences cannot be traded into this part of the Newcastle Water Source.

### **Sea level rise**

Hunter Water notes that the bases for some elements of the plan, for example the extents of the tidal pool water sources, the salinity threshold for access to water within the tidal pools, and the definition of water level based flow classes in Seaham Weir, will change with time as sea level rises. Consideration should be given to including adaptive mechanisms within the plan that allow these settings to change as sea level rise eventuates. Hunter Water has specific concerns that inappropriate adaptation to sea level rise at Seaham Weir could lead to adverse operational and environmental outcomes.

### **Wastewater effluent flow contribution to waterways**

Hunter Water understands from conversations with DPE officers that discharges from wastewater treatment plants are not included in the draft plan and that there are no obligations or liabilities under the draft plan for Hunter Water to continue flow releases from these sites.

### **Changes to cease to pump rules**

Hunter Water notes that discharges from wastewater treatment plants may influence the measured flow at flow reference points at some locations. This may influence when third parties can take water under the proposed changes.

### **Urban Stormwater re-use**

It is unclear how the draft plan may impact the potential development of future stormwater re-use schemes. Hunter Water requests that the water sharing plan be written in a way facilitates sustainable stormwater reuse opportunities. It should be noted that these schemes can provide positive outcomes for the community including improved water resilience and greening of open spaces that supports community health and wellbeing. The re-use schemes would aim to take stormwater that has already been captured in existing urban stormwater infrastructure and provide in to fit for purposes uses that could include irrigation, industrial and residential demands.

**From:** [REDACTED]  
**Sent:** Thursday, 9 June 2022 2:22 PM  
**To:** [REDACTED]  
**Subject:** FW: Upper Hunter Council 25/2/22 4.27 PM NOT CONFIDENTIAL HUNTER FW: Submission for the draft remake water sharing plan Hunter Unregulated and Alluvial  
**Attachments:** Submission to DPIE - Draft Water Sharing Plan.pdf

**From:** [digital.services=squize.dpie.nsw.gov.au@squize.regional.nsw.gov.au](mailto:digital.services=squize.dpie.nsw.gov.au@squize.regional.nsw.gov.au)  
<[digital.services=squize.dpie.nsw.gov.au@squize.regional.nsw.gov.au](mailto:digital.services=squize.dpie.nsw.gov.au@squize.regional.nsw.gov.au)> **On Behalf Of**  
[digital.services@squize.dpie.nsw.gov.au](mailto:digital.services@squize.dpie.nsw.gov.au)  
**Sent:** Friday, 25 February 2022 4:27 PM  
**To:** DPIE Hunter Unregulated Water Plan Mailbox <[hunterunreg.wsp@dpie.nsw.gov.au](mailto:hunterunreg.wsp@dpie.nsw.gov.au)>  
**Subject:** Submission for the draft remake water sharing plan Hunter Unregulated and Alluvial

**Permission**

I would like my submission to be treated as confidential?: No  
I would like my personal details to be treated as confidential?: No

**Your details**

Are you making a submission as an individual or on behalf of an organisation?: Organisation  
Which of the following best describes the kind of stakeholder you are?: Local Government  
If you selected other, please state:

Email address:

**Question 1.1**

Do you have any comments on this aspect of the draft plan?:

**Question 1.2**

Do you have any comments on this aspect of the draft plan?:

**Question 2.1**

Do you think this is appropriate? Why / why not?:

**Question 2.2**

Do you think this is appropriate? Why / why not?:

**Question 3.1**

Do you think this is appropriate? Why / why not?:

**Question 4.1**

Do you have any comments on this aspect of the draft plan?:

**Question 4.2**

Do you have any comments on this aspect of the draft plan?:

**Question 4.3**



Do you have any comments on this aspect of the draft plan?:

**Question 4.4**

Do you have any comments on this aspect of the draft plan?:

**Question 4.5**

Do you have any comments on this aspect of the draft plan?:

**Question 5.1**

Do you have any comments on this aspect of the draft plan?:

**Question 6.1**

Do you have any comments on this aspect of the draft plan?:

**Question 7.1**

Do you have any comments on this aspect of the draft plan?:

**Question 8.1**

Do you have any comments on this aspect of the draft plan?:

**Question 8.2**

Do you have any comments on this aspect of the draft plan?:

**Question 9.1**

Do you have any comments on this aspect of the draft plan?:

**Question 10.1**

Do you have any comments on this aspect of the draft plan?:

**Question 11.1**

Comments on any aspect of the draft plan:

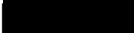
**Question 11.2**


Upload a submission or any supporting documents: [Submission to DPIE - Draft Water Sharing Plan.pdf, type application/pdf, 249.2 KB](#)

Contact Name:      Contact No:  
Our Reference:    OUT-1041/22



25 February 2022

  
Water Planner  
Department of Planning and Environment - Water  
Locked bag 26  
GOSFORD NSW 2250

Dear 

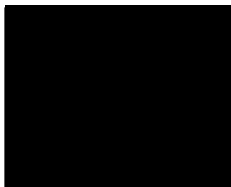
**Draft replacement of the Hunter Unregulated and Alluvial Water Sharing Plan**

The proposed changes to the Hunter Unregulated and Alluvial Sharing Plan have raised a number of concerns within the communities of the Upper Hunter Shire LGA, indeed the whole of the Hunter region. A commonly raised concern is the quality and quantity of underlying data used to formulate the planned changes. Possible impacts to animal welfare, socio-economic outcomes and ecological implications are also being flagged.

It is obvious that there is a lack of understanding and confusion in the community about the implications of the draft plan. Considerably more community consultation is needed before the draft plan is adopted by the NSW government.



We are unable to support the draft plan due to the level of community dissatisfaction and concerns regarding the reliability of the data used to inform the amendments.

Yours sincerely



DIRECTOR ENVIRONMENTAL & COMMUNITY SERVICES









SUBMISSION ON THE DRAFT PLAN FOR LOWER GOULBURN RIVER.

WE PUMP WATER OUT OF THE GOULBURN RIVER TO WATER [REDACTED] AND THEIR [REDACTED] PLUS SUPPLYING WATER TO THE HOUSE FOR DOMESTIC USE THE 1000 LITRES PER DAY IS WAY UNDER WHAT WE USE. IT WOULD BE AT LEAST 10 TIMES THAT AMOUNT. WE HAVE BEEN MISLED ABOUT THE MEASURING POINT WHICH LEADS TO THE C.T.P. PROVISION WHEN THE WATER LEVEL FALLS DOWN BELOW 13.13M.

THE MEASURING POINT IS ON TOP OF THE RIVER BANK NEAR THE GOULBURN RIVER BRIDGE WHICH IS PROBABLY CLOSE TO 13M TO THE RIVER BED.

IN A NORMAL YEAR THE RIVER IS USUALLY DRY ON TOP BY CHRISTMAS, WITH MOST OF THE WATER FLOWING THROUGH THE GRAVEL UNDERNEATH THE SURFACE.

IF THIS CHANGE IS MADE TO THE WATER SHARING PLAN, THERE WILL NOT BE ONE FARMER IN THE WHOLE GOULBURN RIVER CATCHMENT AREA THAT WILL NOT BE AFFECTED. IT WILL BE THE END OF MOST FARMING AND GRAZING ENTERPRISES IN THE GOULBURN RIVER CATCHMENT.

IF YOU ARE SO CONCERNED ABOUT WATER LEVELS IN THE RIVER, BUILD THE [REDACTED], CATCH ALL THE WATER BEFORE IT FLOWS INTO NEWCASTLE HARBOUR I HAVE WORKING THIS PROPERTY SINCE [REDACTED], MY GRANDFATHER BEFORE ME ACQUIRED IT AS A [REDACTED] [REDACTED] IN THE [REDACTED].

WE HAVE LOOKED AFTER THE LAND AND RIVER OVER ALL THOSE YEARS

THANK YOU FOR READING THIS LETTER

YOURS SINCERELY  
[REDACTED]



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022

## Submission – February 2022

The [REDACTED] appreciates the opportunity to make a submission on the Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022 (Draft Plan) and supporting documents.

[REDACTED] provided a submission to the Natural Resources Commission (NRC) during its review of the existing plan. We note that some of the NRC's recommendations have already been adopted, such as updates to existing report cards in July 2021 to ensure consistent conversion rules. [REDACTED] appreciates and supports these changes.

We also recognise other positive amendments proposed in the Draft Plan, including the greater flexibility to trade between tributaries and management zones within individual water sources, and between some water sources in the Goulburn valley.

However, there are further opportunities to improve certainty of the rules and flexibility in dealings whilst continuing to meet the objectives of the *Water Management Act 2000*. These opportunities need to be considered to better facilitate approved State Significant mining development in the Hunter Valley, which delivers major economic benefits in the region. When considering further amendments to the Draft Plan, there are several important factors to keep in mind:

- **The Hunter Valley is a unique catchment that requires a different approach** – the Hunter Valley is unlike any other catchment in NSW. As well as typical agricultural and urban water demands found in other catchments, it hosts multiple large-scale mining and power generation operations that are unique in terms of their interaction with water resources. These unique characteristics drive the need for different approaches that may not align with a standardised, 'template' approach to the development of water sharing plans.
- **Site-specific environmental assessments should be used to inform decisions on proposed dealings and works** – many of the rules in the Draft Plan are based on high level assumptions about 'typical' water use and works approvals. In contrast, State Significant mining projects are complex activities and are subject to detailed environmental assessments under the *Environmental Planning and Assessment Act 1979* (EP&A Act) that consider the site-specific characteristics of a proposed development and its interaction with water resources. These detailed assessments provide much more relevant and valuable information to determine the suitability of potential dealings and proposed works and should be taken into consideration in decision making. Without this, there is the potential for arbitrary thresholds to inhibit the progression of approved State Significant mining development.

Keeping these factors in mind, the following sections outline [REDACTED] recommended amendments to the Draft Plan before it is finalised.



## Provide greater flexibility in trading rules

While [REDACTED] acknowledges improvements in some of the trading rules, the benefits of some other changes are limited and the information provided to support the proposals does not adequately explain the rationale. [REDACTED] believes there is further scope to deliver greater flexibility in trading rules.

### **Permit dealings between water sources and licence categories where supported by assessments under the EP&A Act**

Provisions relating to trade between water sources remain unreasonably restrictive for the mining industry, given the lack of depth of the market within what are relatively small water sources. Our overarching recommendation is that dealings between water sources and licence categories be further liberalised, and generally permitted where assessment of the impacts of take at the receiving location have been fully assessed through an EP&A Act approval process. Failing this, in the short term, a provision should be added to clause 72 allowing for future amendment of dealing rules following more rigorous impact assessment.

### **Allow trading from alluvial to surface water access licences in additional water sources**

The NRC recommended that the replacement plan “*should involve consideration of the potential to allow conversions from alluvial to unregulated river access licences to increase the flexibility of water access for users.*”

Clause 51(b) outlines the water sources in which conversions from an ‘aquifer’ licence category to a ‘unregulated river’ licence category are permitted. Compared to the existing plan, the Draft Plan adds Wybong Water Source, removes the Hunter Regulated River Alluvial Water Source and restricts this category of dealing in the Jerrys Water Source to the Appletree Flat Management zone.

The justification for the approach to prohibitions is unclear. [REDACTED] believes alluvial to unregulated river conversions should be more generally permitted to facilitate the water licensing requirements for approved mining operations. One example is in the Muswellbrook Water Source, where the quantum of surface water shares is low and the market therefore extremely thin. Conversion of existing aquifer licences to account for licensable surface water runoff would provide an efficient pathway for mining operations to comply with their approvals. Access to traded water could be linked to specific flow conditions where connectivity between groundwater and surface water was a concern.

### **Reconsider prohibitions and restrictions on trading between water sources based on site specific assessment**

The Draft Plan continues to prohibit trades into water sources that are significant for mining operations, including Glennies, Dora Creek, South Lake Macquarie, Hunter Regulated River Alluvial, and Upper Wollombi Brook, and extends this prohibition to the Wallis Creek and North Lake Macquarie water sources.

Clause 55 permits trading between water sources provided the trade does not result in the total number of licences exceeding the number of licences at the commencement of the WSP. In practice, this constraint will significantly limit the opportunities to trade into these water sources and therefore provides limited benefit.

These restrictions appear to be arbitrary and not linked to scientific assessment of the capacity of each water source to sustain a use (e.g. in terms of catchment size, rainfall, aquifer productivity) and/or assessed and approved use requirements for mining. The allowable entitlement or take from a water source is simply based on an historical artifact, whereby water source limits were capped at entitlement volumes (now shares) at an arbitrary point in time.

As above, these restrictions seriously limit the capacity of mining operations to satisfy their approved water requirements through the market. [REDACTED] recommends that a subclause is added that permits trades between water sources if they are supported by a suitable environmental impact study.

### **Improve trading flexibility in the Upper and Lower Goulburn Water Sources**

While trade into the Upper and Lower Goulburn Water Sources is welcome (clause 54), the accompanying restrictions limiting dealings to downstream trades mean these changes have limited value for mining operations located in the upstream parts of the Upper Goulburn.

Significant volumes of treated, high quality water are discharged by mining operations into the Upper Goulburn Water Source. This water remains unrecognised in the existing water sharing plan, the Draft Plan, or other policy mechanisms such as a return flow policy.

Without further changes to introduce more flexibility for upstream trading, or to recognise the surplus water being discharged into the Upper Goulburn, operations in this region will be forced to continue relying on uncertain trading in a tight market to comply with the Draft Plan to facilitate their approved State Significant mining operations. This unnecessarily restricts the efficient allocation of water and inhibits economic activity.

### **Provide for future amendments to the plan to allow for trading between Water Sharing Plans**

Trade between water sharing plans and between extraction management units continues to be prohibited. This is unnecessarily restrictive given the direct connection with the Hunter regulated river system. There is no reason why trade from, or accessing entitlements or allocations in, the regulated river system should not be able to be used to offset take from the unregulated water sources directly connected to the Hunter.

[REDACTED] acknowledges that there is likely to be insufficient time to develop these rules before the replacement plan commences on 1 July 2022. However, given the replacement plan will be in place for a 10 year period, [REDACTED] recommends that the plan allows for future amendments to facilitate trading from the Hunter river and that DPIE Water commits to investigating suitable rules for this to occur, in consultation with water users.

### **Retain exemptions from cease to pump rules where it is not reasonably practicable to comply**

The proposed removal of the existing clause 19(8) is concerning and [REDACTED] does not understand the logic presented for this change.

The existing clause 19(8) provides exemptions from cease to pump rules where it is not reasonably practicable to comply. As DPIE Water acknowledges in the background document, in relation to incidental take such as groundwater movements due to mining activity, "*Mines are unable to cease taking during CTP times...*" and therefore they cannot physically comply with cease to pump rules.

While DPIE Water notes that mines are required to be licensed for this take and that "*... their take is measured or estimated and reported via their development consent conditions including site water management plans*", these requirements do not exempt mines from cease to pump rules. [REDACTED] is therefore unsure of DPIE Water's logic in proposing to remove the exemption.

[REDACTED] strongly recommends that provisions similar to the existing clause 19(8) are retained and operationalised.

### **Other corrections and clarifications are required in the Draft Plan**

[REDACTED] seeks further clarity from DPIE Water in the following areas:

- Application of the minimum offset distances to miscellaneous works approvals – the Draft Plan introduces a range of minimum offset distances for new groundwater supply works. [REDACTED] seeks

amendments to the plan to clarify that these provisions do not apply to State Significant Development, which is exempt from the requirement to obtain works approvals but in practice have WALs nominated to 'miscellaneous works' approvals.

- Application of the non-urban water metering framework to incidental take – the Draft Plan references the non-urban water metering framework and regulations, which largely come into effect in the Hunter on 1 December 2023. There is ongoing uncertainty around the application of these provisions to incidental take by aquifer interference activities, such as mining projects, that needs to be resolved.
- Prohibitions on dams – the existing plan prohibits the construction and use of new in-river dams on 3<sup>rd</sup> order and above watercourses in specific water sources. The Draft Plan does not appear to limit this to new dams, which infers that existing dams are also prohibited. [REDACTED] recommends the drafting is clarified so that:
  - existing dams are not prohibited
  - the prohibition does not apply to exempt works
  - the dataset used to define stream order is clarified.

### Other policy issues impacting the Draft Plan and the efficient allocation of water should be resolved

There are several areas where the interpretation and implications of the Draft Plan are dependent on other policy issues that the mining industry has been seeking clarity on, in some cases for several years. These issues include:

- The interpretation of the Hydroline dataset in highly modified catchments and the policy relating to updates of this dataset
- The interpretation of the 'excluded works' exemption
- The ongoing absence of a return flows policy to provide credits for water returned to a water source
- Uncertainty around licensing requirements for some clean water diversions
- The application of the non-urban water metering framework to incidental take, which cannot be physically metered
- The uncertainty of the regulatory framework for miscellaneous works.

[REDACTED] would appreciate further discussions with DPIE Water on each of these issues as they have potentially significant implications for the water licensing requirements for the mining industry. Regular dialogue with [REDACTED] and its members would help the industry understand DPIE Water's position and gauge progress towards resolution.

### Conclusion

[REDACTED] would appreciate the opportunity to discuss these issues raised in this submission with DPIE Water in further detail during the finalisation of the plan.

[REDACTED]  
February 2022



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

Office use only	Submission number
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### How to fill out this form

The department is seeking your comments on the draft replacement Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022.

For general background about the draft plan development, proposed changes and the finalisation process please refer to the background and proposed changes documents. For water source specific details including proposed rules, please see the water source report cards.

Key issues and changes have been summarised in this submission form, although comment on all aspects of the water sharing plan is welcome. For water source specific details including rules, please see the water source report cards. More detailed comments are welcomed as attachments.

Send completed submissions to:

Post: WSP Comments for the Hunter Unregulated and Alluvial Water Sharing Plan,  
Department of Planning, Industry and Environment  
Locked Bag 26  
Gosford NSW 2250

Email: [hunterunreg.wsp@dpie.nsw.gov.au](mailto:hunterunreg.wsp@dpie.nsw.gov.au)

**Note: Submissions close 27 February 2022**

### Information on privacy and confidentiality

Submissions received by NSW Department of Planning, Industry and Environment for the proposed amendments will be considered by the department and the Coastal Water Planning and Policy Working Group to review and inform the draft amendments. The department values your input and accepts that information you provide may be private and personal.

If you would prefer your submission or your personal details to be treated as confidential, please indicate this by ticking the relevant box below.

If you do not make a request for confidentiality, the department may make your submission, including any personal details contained in the submission, available to the public.

Please note that, regardless of a request for confidentiality, the department may be required by law to release copies of submissions to third parties in accordance with the *Government Information (Public Access) Act 2009*.

<b>I would like my submission to be treated as confidential</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<b>I would like my personal details to be treated as confidential</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

How to fill out this form			
<b>Name</b>	[REDACTED]		
<b>Postal Address</b>	[REDACTED] [REDACTED]		
<b>Telephone</b>	[REDACTED]		
<b>Email address</b>	[REDACTED]		
<b>Stakeholder Group</b> <small>(please indicate which of the following best represents your interest by <b>ticking one box</b>)</small>	<input type="checkbox"/> Irrigation Interests <input type="checkbox"/> Fishing Interests <input checked="" type="checkbox"/> X Local Govt./ Utilities	<input type="checkbox"/> Aboriginal Interest <input type="checkbox"/> Local Landholder <input type="checkbox"/> Other (specify)	<input type="checkbox"/> Environment Interests <input type="checkbox"/> Community Member
<b>If your comments refer to a specific water source, which one?</b>	<p>This submission is in relation to the Hunter Tidal Pool draft cease to pump rules.</p> <p>[REDACTED] resolved at its meeting on 22 February through a [REDACTED] that:</p> <p>‘[REDACTED] provide a written submission to the NSW Department of Planning, Industry and Environment by 27 February 2022 opposing the draft Water Sharing Plan in its current form, seeking further community consultation and information including detailed data on the current situation, and an evaluation of impacts of the proposal to irrigators and the environment in the Maitland area. The submission should also express [REDACTED] support for an approach that balances the water requirements of [REDACTED] irrigators, recreational water users, and the environment. ‘</p> <p>It is requested that further consultation be undertaken with the [REDACTED] irrigators to investigate the impact of the cease to pump rule on individual landholders. Further consultation should consider evaluation of actual extraction and its impacts, further communication on implications of impacts to the environment and additional non licenced uses such as recreation, and consideration of future climate related impacts to the region.</p> <p>Further, assistance should be made available from the Department of Primary Industries- Agriculture and Hunter Local Land Services to aid these discussions and provide farm based evaluation of impacts and considerations of these enterprises into the future in relation to the proposed draft rules.</p> <p>[REDACTED] recognises the need for a balanced approach to the users of the estuary including extraction, the environment, and recreation, and asks that this be further investigated for the benefit of the economy and the Hunter Estuary.</p>		

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022

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Submission form

**Attach extra pages if required**

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## New Coastal Floodplain Alluvial Groundwater Water Sources

The draft plan proposes to establish the Hunter Coastal Floodplain Alluvial Groundwater and the Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources. The long-term limits on extractions are proposed based on a proportion of recharge. Additional water for licensed take may be made available through controlled allocations in the future.

*Further details relating to this change can be found in Part 1 of the draft plan, the background document as well as the report cards for the Hunter Coastal Floodplain Alluvial Groundwater Water Source and the Lake Macquarie Coastal Floodplain Alluvial Groundwater Water Source.*

Do you have any comments on this aspect of the draft plan?

## Long Term Average Annual Extraction Limit

The replacement plan creates two long term average annual extraction limits (LTAAELs).

- The Standard LTAAEL which sets a limit on extraction from all flows except for higher flows.
- The Higher flow LTAAEL that manages extractions that can only take from higher flows.

The reason for the two extraction limits is to limit extractions from all other flows and encourage extraction from higher flows.

The Standard LTAAEL includes all basic landholder rights extraction including from harvestable rights dams. If there is a growth in uptake of harvestable rights that increases total annual extraction to above the Standard LTAAEL by more than 5% then there will be reduced water allocated to licenced water users in the following year.

*Further details relating to this change can be found in Part 4 of the draft plan, and the background document.*

Do you think it is appropriate to have two LTAAEL's? Why / why not?

Do you think the proposed compliance of the LTAAELs are appropriate? Why / why not?

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Managing the risks of increased harvestable rights

In 2022 the volume of water that can be captured in harvestable rights dams in coastal draining catchments will increase from 10% to 30% of rainfall runoff.

This could impact on the volume of flow that reaches rivers. The plan includes a requirement that the uptake of harvestable rights will be assessed at year 3 and then access, work approval and trade rules will be reviewed if the uptake is greater than 10% of rainfall runoff.

*The amendment provision can be found in Part 11 of the draft Plan.*

Do you think this is appropriate? Why / why not?

### Draft access rules based on groundwater levels

The draft plan proposes to establish access rules based on groundwater levels in Baerami Creek, Bylong River, Lower Goulburn River, Lower Wollombi Brook, Martindale Creek, and Widden Brook water sources and the Upper Middle Dart Brook, Lower Middle Brook and Kingdon Ponds, and Lower Dart Brook management zones of Dart Brook Water Source, and the Segenhoe Management Zone of the Pages River Water Source. The access rule define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and “Proposed Management Rules” section of the relevant report cards.*

How does the proposed **CtP** level in your water source impact on your current operations?

Do you think the **CtP** in your water source is practical to implement? Why / why not?

Do you think the **CtP** provides enough protection for ecological values such as Groundwater Dependent Ecosystem?

The **flow reference point** is the bore at which a CtP will be measured. Do you think this site is appropriate? Why / why not?



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Draft access rules in the Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal Pool water sources

The draft plan proposes to establish access rules in Hunter River Tidal Pool, Paterson River Tidal Pool and Wallis Creek Tidal sources based on salinity levels at Green Rocks. The access rules define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and “Proposed Management Rules” section of the relevant report cards.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for low flows and ecological values? Why / why not?	
The <b>flow reference point</b> is the point at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Draft changes to access rules in surface water sources and management zones

Changes to access rules are being proposed in: Black Creek, Halls Creek, Upper Goulburn River, Merriwa River, Pages River, Upper Wollombi Brook, Paterson/Allyn Rivers and Upper Hunter River water sources and in the Upper Dart Brook Management Zone of the Dart Brook Water Source.

*This section refers to Part 6 of the Plan and “Proposed Management Rules” section of the relevant report cards.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows? Why / why not?	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Draft changes to access rules in the Isis River Water Source

The draft plan proposes to establish a new Upper Isis River Management Zone which will have new access rules.

*This section refers to Part 6 of the Plan and “Proposed Management Rules” section of the Isis River Water Source report card.*

How does the proposed <b>CtP</b> level in your water source impact on your current operations?	
Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?	
Do you think the <b>CtP</b> provides enough protection for ecological values and low flows?	
The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Draft changes to access rules in the Williams River Water Source

The draft plan proposes to establish a new Upper Williams River Management Zone which will have new access rules and also proposes slight changes to the access rules in the Williams River Management Zone. *This section refers to Part 6 of the Plan and “Proposed Management Rules” section of the Williams River Water Source report card.*

<p>How does the proposed <b>CtP</b> level in your water source impact on your current operations?</p>	
<p>Do you think the <b>CtP</b> in your water source is practical to implement? Why / why not?</p>	
<p>Do you think the <b>CtP</b> provides enough protection for ecological values and low flows</p>	
<p>The <b>flow reference point</b> is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?</p>	

### Prohibition of in-river dams in additional water sources

The draft plan proposes prohibition of in-river dams on third order and larger streams in the following water sources: Williams River, Wallis Creek, Lower Wollombi Brook, Widden Brook, South Lake Macquarie and Munmurra River. These restrictions were not previously in place for these water sources, however the water sources were identified as having high ecological values

The following water sources will continue to prohibit new in-river dams on third order or larger streams: Dora Creek, Glennies, Upper Paterson, Merriwa River, Newcastle, Paterson/Allyn Rivers, Rouchel Brook, Upper Goulburn River, Upper Hunter River, Upper Wollombi Brook.

*This section refers to Part 7 of the draft plan as well as in the relevant report cards.*

<p>How would this impact on your current operations?</p>	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### New restrictions for new or replacement water supply works near SEPP wetlands

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

The State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP) identifies wetlands in order to protect their ecological values. There is a need for water sharing plans to recognise these same wetlands to ensure protection and alignment between regulatory objectives. The draft plan proposes to prohibit the granting of approvals for surface water or groundwater works if it would result in more than minimal harm to a wetland mapped under the Coastal SEPP.

Coastal wetlands have been identified in the Dora Creek, Newcastle, North Lake Macquarie, South Lake Macquarie, Williams River, Hunter Coastal Floodplain Alluvial Groundwater and Lake Macquarie Coastal Floodplain Alluvial Groundwater water sources.

*This section refers to Part 7 of the draft plan*

Do you think this is appropriate? If not, why?

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### New restrictions for new or replacement groundwater water supplyworks

Works such as pumps, pipes, bores and weirs used for extracting water under licence require a water supply works approval. Rules controlling the granting of water supply works approvals or the nomination of water supply works are included in the Plan to minimise impacts on existing extraction and sensitive areas.

*These distance rules are contained in Part 7 of the plan.*

The draft plan proposes to expand protection of groundwater dependent ecosystems (GDEs) and includes a map that identifies potential high priority GDEs for which minimum setback distances may apply.

Do you think this is appropriate? If not, why?

The draft plan proposes rules that require new groundwater works to be greater than 500m from a contamination source and 200m from a culturally significant site.

Do you think this is appropriate? If not, why?

Have you noticed any **effects** from extraction on water levels in the groundwater source? If so, please specify.

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Changes to between water source trade provisions

The draft plan proposes to allow limited trade into some water sources. This change aims to improve the opportunity to trade into downstream water sources without increasing extractive stress to upstream and high-risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:

Widden Brook, Wallis Creek, North Lake Macquarie, Lower Goulburn River, Upper Goulburn River, Merriwa River, Lower Wollombi Brook, Doyles Creek, Newcastle, Paterson/Allyn Rivers, Upper Paterson River, Rouchel Brook and Wybong Creek.

*The trading rules are contained in Part 8 of the Plan and in the “Proposed Management Rules” section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
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### Changes to within water source trade provisions

The draft plan proposes to remove some of the trade restrictions within water sources. These changes aim to improve the opportunity to trade without increasing extractive stress to high risk freshwater ecosystems that were identified in the risk assessment undertaken as part of the draft plan development process.

The changes would affect the following water sources:

Rouchel Brook, Upper Goulburn River, Wybong Creek, Pages River, Dart Brook, Muswellbrook, Jerrys, Luskintyre, Newcastle and Black Creek.

*The trading rules are contained in Part 8 of the Plan and in the “Proposed Management Rules” section of the report cards.*

Do you have any comment on the changes proposed to trade rules between water sources?	
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# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



## Submission form

### Conversion to high flow access licences

It is proposed to allow conversion from a standard access licence to an access licence that can only extract from high flows in the Upper Hunter River Water Source only. If a conversion is to occur the licence share component would increase by 2 times.

The draft plan has removed the ability to convert to high flows in the Pages River, Isis River, Lower Wollombi Brook, Rouchel Brook and Paterson/Allyn Rivers water sources.

*Further details relating to this change can be found in Part 8 of the draft plan and background document as well as the report card for the relevant water sources.*

Do you think this is appropriate? Why / why not?

### Application for Aboriginal Community Development access licences

It is proposed to permit applications for specific purpose Aboriginal Community Development access licences in the Hunter Coastal Floodplain Alluvial Groundwater, the Lake Macquarie Coastal Floodplain Alluvial Groundwater, Dart Brook, Pages River, Rouchel Brook, Upper Goulburn River, Lower Goulburn River, Lower Wollombi Brook, and Upper Hunter River water sources.

*Further information can be found in Part 5 of the draft Plan*

Do you think this is appropriate? Why / why not?

### Additional feedback

The above sections relate to the key proposed changes from the current water sharing plan. However, comments on all aspects of the plan are welcome and encouraged. Please use the space below, or attachments if required or preferred.

Do you have comments on any aspect of the draft plan?

© State of New South Wales through Department of Planning, Industry and Environment 2020. The information contained in this publication is based on knowledge and understanding at the time of writing (December 2021). However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Department of Planning, Industry and Environment or the user's independent adviser.



Name:

[REDACTED]  
[REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED]

Operation:

Here [REDACTED]

[REDACTED]  
employed 3 family and up to 8 others – usually local mainly female  
gave training and demonstrations to students from [REDACTED], high schools and University  
students studying Veterinary Science, Agricultural Science and Environmental Science and  
Environmental Management

[REDACTED]

[REDACTED] [REDACTED] [REDACTED]

Irrigation:

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Irrigation Use:

pasture including lucerne  
some crops-maize and sorghum

[REDACTED]  
[REDACTED]  
[REDACTED]

Cease to Pump: IRRIGATION IS CRITICAL FOR THIS FARM, AS WITH MANY  
OTHER FARMS USING THE TIDAL POOL

No crop or pasture would have survived here in the recent drought-or in any since we have  
farmed here without it.

Alternative quality feed cannot be found in a drought and any feed is extremely expensive  
then.

Irrigation is essential.

In our second worst drought [REDACTED] we were able to continue irrigating till the salinity  
reached 7500ppm. Pasture was still alive. Drought broke soon after [REDACTED] no flood! [REDACTED]  
[REDACTED], the local Department of Agriculture agronomist, took soil samples then & found a  
salt layer 18” deep, out of the root zone of most plants. Keeping the pasture alive allowed for  
a faster drought recovery. No salt after the next flood.

Since that time environmental releases from [REDACTED] and [REDACTED] during  
droughts have kept salinity at lower levels and allowed irrigation in droughts.

The original purpose for building [REDACTED] was agricultural irrigation.

Protection from Cease to Pump: NO SCIENTIFIC EVIDENCE TO SHOW ANY BENEFIT TO RIVER. MUCH EVIDENCE TO SHOW ADVERSE EFFECTS ECONOMICALLY AND SOCIALLY.

Flow reference Point: Suggested level much too low

[REDACTED] is far too low in the river system Historical descriptions showed saline tolerant vegetation there. Any fresh in the river that would decrease salinity readings and therefore allow pumping would not be registered soon enough at [REDACTED] during drought periods.

Salinity used to be measured weekly by the Department of Agriculture and publicised.

Measurements were taken at [REDACTED], [REDACTED], [REDACTED], [REDACTED] -possibly other sites. Figures from these sites gave farmers ACCURATE knowledge to decide when to float foot valves and when salinity was too high to irrigate some crops even at low tide.

That information was NOT ARBITRARY, unlike the proposed at [REDACTED]. Much more public consultation is required and much more data gathered from many sites in the tidal pool.

All farmers desire to remain productive without causing long term damage to crops, soils or rivers. In view of food needs for an expanding population and competing demands for land and water, their water needs should be a priority.

Is Water NSW attempt to limit water for agriculture in a drought a subversive plan to provide for Hunter Water's urban drought supply plan? [REDACTED] is saline – please avoid [REDACTED] River with much more dependent agriculture becoming the same.

Coastal rivers DO NOT have the over-extraction and consequent induced salinity common in the Murray-Darling Basin. Water NSW should look at drought proofing the entire river valley for all users by reducing the water available to large users and polluters like coal mines and coal burning power stations. Agriculture has a future long-term, these industries do not. A whole-of-government approach is needed.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

25/2/2022

## Draft Water Sharing Plan 2022 - Submission

ATT: [REDACTED]

Department of planning & Environment Alluvial Water Sharing Plan  
Locked Bag 26  
Gosford  
NSW 2328

We own and run a [REDACTED] farm on the Goulburn River just outside [REDACTED].  
We grow [REDACTED] for the purposes of making [REDACTED], so it can be sold to [REDACTED] and produce  
stores in Sydney for income for our business.

Our business rely on the water pumped from the Goulburn river for our [REDACTED], summer & winter  
crops for the purposes of [REDACTED] which are then sold at the [REDACTED] sale yards.

As we don't have any bores for stock water, we also fill dams out of our irrigation mains on our dry  
country which has been used over the years for fire fighting purposes.

If the cease to pump rule is brought in it will have a massive financial impact on our business.

It will also have a big financial impacts on the local business that we purchase seed & fertilizes and other  
produces from as [REDACTED] is a small community,

In recent droughts we have had to restrict our pumping hours and put smaller jets sizes in our sprays so  
that we can at least get some water on our crops to stop them from dying.

When our irrigation pump is pumping it is also used to top up our stock & Domestic tanks which are then  
used to gravity feed all our [REDACTED] troughs on our river flat.

It is our opinion that there needs to be more studies done on the Goulburn River and more monitoring bores put in places to capture the water data.

We also believe that this whole process has been rushed and not enough time for farmers to respond as this is one of the biggest rivers in this area,

Has the department considered put a dam on it, if not why not?

The bore they refer to [REDACTED] is on our property and for nearly [REDACTED] years it has been in place, only once has the water level in the river been checked up against the water level in the bore and that was on the Wednesday 9<sup>th</sup> February 2022,

Why hasn't the water level in the river been checked up against the water level in the bore before the 9/2/2022 to get a more accurate history on water levels?

Sincerely,

[REDACTED]



# SUBMISSION

## **Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Sources 2022**

**By**

[REDACTED]

[REDACTED]

Public Exhibition

February 23, 2022

## Introduction:

### My Business:

- I have been farming and irrigating in the [REDACTED] area for over [REDACTED] years. I purchased [REDACTED] and [REDACTED] which is [REDACTED]
- The key areas of my farming operation are [REDACTED] and [REDACTED].
- I employ one person as well as a number of contractors in the area
- Key clients for [REDACTED] sales are [REDACTED] and stock feed outlets as well as local farmers, I sell my [REDACTED] through the local [REDACTED] sale yards.

### My community:

- My [REDACTED] and our family moved to [REDACTED] and started farming in the [REDACTED].
- My Mother, [REDACTED] lives on [REDACTED] with me.
- I am a committee member of [REDACTED], [REDACTED] as well as the [REDACTED].

### Endorsement of [REDACTED] Submission:

In addition to providing my personal feedback on the Hunter Unregulated and Alluvial Water Sharing Plan and how it affects me, I would also like to endorse the submission made by [REDACTED] [REDACTED] which addresses catchment wide issues on my behalf.

## Key Issues:

### Consultation Process

Public consultation and stakeholder feedback are a crucial component in developing an appropriate WSP. Given that WSPs set the rules 'for how water is allocated for the next 10 years', it is vital that we are given a reasonable amount of time to provide informed feedback on a complex regulatory instrument.

January and February is a very busy period, as summer is the key time for [REDACTED] production. As a volunteer participant with a business to operate, it is crucial we have sufficient time to analyse the impact of each of these changes and assess the modelling data used. The limited consultation process is extremely disappointing considering the Department told us at a meeting in May 2021 that the draft WSP would be ready for public exhibition in September 2021 with ample time provided for submissions and consultation with stakeholders by February 2022.

I agree to the following recommendation from [REDACTED]:

The public exhibition period for the Hunter Unregulated and Alluvial Plan be extended to forty business days, instead of 40 days, making the new end date 15 March.

### Cease-to-pump

Cease-to-pump (CTP) triggers are an extremely complex, personal, and crucial aspect of the proposed WSP across the catchment. Therefore, it is vital that DPIE conducts thorough, transparent, and extensive consultation when undertaking decision surrounding this topic. Poorly developed CTP

triggers in the catchment has the potential destroy my cattle and hay operation and negatively impact our local communities.

I agree with the following recommendations from [REDACTED]:

- Cease-to-pump triggers have no impact on the reliability of water access licences throughout the Hunter Unregulated and Alluvial System.
- DPIE apply clear and consistent cease-to-pump rules across the catchment.
- WaterNSW offer SMS and email alert system for cease-to-pump events as provided to many other regulated systems throughout NSW

Additionally, these access rule changes have the follow impacts on my business personally:

**Current cease-to-pump:** I bought [REDACTED], there has never been a cease-to-pump in place, and it is a serious concern. Without water I do not have a business.

**Proposed cease-to-pump:**

If a cease-to-pump is implemented, it could have a very detrimental impact on [REDACTED] which is one of the [REDACTED] in the Hunter Valley.

I have developed [REDACTED] with new, sustainable pastures and planted hundreds of trees. Without access to water, the pastures and trees would not survive and the erosion of soil would impact the long term viability of the farm.

There are [REDACTED] and throughout the drought a number of the wells were still operable which meant I could keep the farm going and operate the business.

I was conscious not to put further pressure on our precious underground water source and irrigated only at night and managed the pumping and use of the water.

If a cease-to-pump was in place, even though there was still adequate water in the [REDACTED] [REDACTED] aquifer I would not have been permitted to pump.

This would mean I would not have been able to provide [REDACTED] to the [REDACTED] and local farmers. I would not have adequate pasture for my [REDACTED] operation and therefore could not carry the [REDACTED] I currently do for [REDACTED]. Would have to sell all my [REDACTED], resulting in a diminished [REDACTED] supply. And could not afford to employ anyone or pay local contractors.

Our area needs to grow employment, not grow unemployment. Farming and the thoroughbred industry are key industries to nurture, not kill off. With the ominous future of mining in our area we need a clear path to transition and should be growing our farming and horse industry. These new regulations could have a serious impact on the growth of our area.

## Metering Conditions

Metering is a complex regulatory requirement that adds significant cost to my business although I understand the crucial role water users have as environmental custodians. It is important for my business that there are clear and concise regulation surrounding metering and I therefore support the following recommendations from [REDACTED]:

DPIE to provide further clarification on:

- The metering requirements for groundwater users
- Clearly outline the definitions of wells and bores and their differing metering requirements.

**Please ensure that I am notified at least one month prior to consultation sessions regarding this significant impact to my business and that I am given ample time to provide a separate submission on this matter.**

[REDACTED] currently has [REDACTED] wells on [REDACTED] acres. The local advice is that a new meter would cost between [REDACTED]. If we are forced to install the new meters, then this could potentially cost me [REDACTED]. If this is the case, then the business will not be viable.

The drought had a detrimental effect on my business, and we are still getting on top of the financial impact of the drought. To impact the business with the additional costs of these expensive metres is genuinely concerning.

It is interesting to note that in the USA the Government helps the farmers as they are seen as the backbone of the country. In Australia the support from our government is sadly lacking.

## Conclusion:

I hope that this Submission and that of [REDACTED] provides valuable insight that assists with the creation and implementation of the Hunter Unregulated and Alluvial Water Sharing Plan 2022.

With kind regards,

[REDACTED]

[REDACTED]

[REDACTED]



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

Office use only

Submission number

## How to fill out this form

The department is seeking your comments on the draft replacement Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022.

For general background about the draft plan development, proposed changes and the finalisation process please refer to the background and proposed changes documents. For water source specific details including proposed rules, please see the water source report cards.

Key issues and changes have been summarised in this submission form, although comment on all aspects of the water sharing plan is welcome. For water source specific details including rules, please see the water source report cards. More detailed comments are welcomed as attachments.

Send completed submissions to:

Post: WSP Comments for the Hunter Unregulated and Alluvial Water Sharing Plan,  
Department of Planning, Industry and Environment  
Locked Bag 26  
Gosford NSW 2250

Email: [hunterunreg.wsp@dpie.nsw.gov.au](mailto:hunterunreg.wsp@dpie.nsw.gov.au)

**Note: Submissions close 27 February 2022**

## Information on privacy and confidentiality

Submissions received by NSW Department of Planning, Industry and Environment for the proposed amendments will be considered by the department and the Coastal Water Planning and Policy Working Group to review and inform the draft amendments. The department values your input and accepts that information you provide may be private and personal.

If you would prefer your submission or your personal details to be treated as confidential, please indicate this by ticking the relevant box below.

If you do not make a request for confidentiality, the department may make your submission, including any personal details contained in the submission, available to the public.

Please note that, regardless of a request for confidentiality, the department may be required by law to release copies of submissions to third parties in accordance with the *Government Information (Public Access) Act 2009*.

I would like my submission to be treated as confidential

Yes

No

I would like my personal details to be treated as confidential

Yes

No

# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## How to fill out this form

<b>Name</b>	[Redacted]		
<b>Postal Address</b>	[Redacted] Martindale 2328		
<b>Telephone</b>	[Redacted]		
<b>Email address</b>	[Redacted]		
<b>Stakeholder Group</b> (please indicate which of the following best represents your interest by <b>ticking one box</b> )	<input checked="" type="checkbox"/> Irrigation Interests <input type="checkbox"/> Fishing Interests <input type="checkbox"/> Local Govt./ Utilities	<input type="checkbox"/> Aboriginal Interest <input checked="" type="checkbox"/> Local Landholder <input type="checkbox"/> Other (specify)	<input type="checkbox"/> Environment Interests <input type="checkbox"/> Community Member
<b>If your comments refer to a specific water source, which one?</b>	Martindale Creek		

Attach extra pages if required



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Managing the risks of increased harvestable rights

In 2022 the volume of water that can be captured in harvestable rights dams in coastal draining catchments will increase from 10% to 30% of rainfall runoff.

This could impact on the volume of flow that reaches rivers. The plan includes a requirement that the uptake of harvestable rights will be assessed at year 3 and then access, work approval and trade rules will be reviewed if the uptake is greater than 10% of rainfall runoff.

*The amendment provision can be found in Part 11 of the draft Plan.*

<p>Do you think this is appropriate? Why / why not?</p>	<p>Yes. There is so much water that goes to waste after heavy rainfall. More water needs to be allowed to store on farms. Just the amount of water that flows down Martindale Creek alone in times of flood is incredible.</p>
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## Draft access rules based on groundwater levels

The draft plan proposes to establish access rules based on groundwater levels in Baerami Creek, Bylong River, Lower Goulburn River, Lower Wollombi Brook, Martindale Creek, and Widden Brook water sources and the Upper Middle Dart Brook, Lower Middle Brook and Kingdon Ponds, and Lower Dart Brook management zones of Dart Brook Water Source, and the Segenhoe Management Zone of the Pages River Water Source. The access rule define when a Cease to Pump (CtP) event would be triggered.

*This section refers to Part 6 of the Plan and "Proposed Management Rules" section of the relevant report cards.*

<p>How does the proposed CtP level in your water source impact on your current operations?</p>	<p>It would reduce my production of hay that i make which helps me support my outside income off the family farm. CTP would put more pressure mentally on farmers who already have to deal with many challenges to make a living. I myself am a young farmer who would love to take over the family farm.</p>
<p>Do you think the CtP in your water source is practical to implement? Why / why not?</p>	<p>NO. All farmers already self regulate their pumping needs. We already are restricted to pump when water levels get down due to suction lift. If water levels are dropping we self regulate anyway to increase water availability. Martindale Creek water demand has decreased over the years, as farmers have outside income as well to survive.</p>
<p>Do you think the CtP provides enough protection for ecological values such as Groundwater Dependent Ecosystem?</p>	<p>Yes. If there is a CTP alot of wildlife would die due to no feed and water for them that is provided by irrigation.</p>
<p>The flow reference point is the bore at which a CtP will be measured. Do you think this site is appropriate? Why / why not?</p>	<p>NO. The monitoring bore takes too long to register creek level. Martindale Creek was flowing for 94 days before the bore level came up. So this is not accurate enough. The creek has many different levels throughout the valley from rock weirs/shelves/clay bands that hold water back.</p>



# Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022



Submission form

## Conversion to high flow access licences

It is proposed to allow conversion from a standard access licence to an access licence that can only extract from high flows in the Upper Hunter River Water Source only. If a conversion is to occur the licence share component would increase by 2 times.

The draft plan has removed the ability to convert to high flows in the Pages River, Isis River, Lower Wollombi Brook, Rouchel Brook and Paterson/Allyn Rivers water sources.

*Further details relating to this change can be found in Part 8 of the draft plan and background document as well as the report card for the relevant water sources.*

Do you think this is appropriate? Why / why not?

## Application for Aboriginal Community Development access licences

It is proposed to permit applications for specific purpose Aboriginal Community Development access licences in the Hunter Coastal Floodplain Alluvial Groundwater, the Lake Macquarie Coastal Floodplain Alluvial Groundwater, Dart Brook, Pages River, Rouchel Brook, Upper Goulburn River, Lower Goulburn River, Lower Wollombi Brook, and Upper Hunter River water sources.

*Further information can be found in Part 5 of the draft Plan*

Do you think this is appropriate? Why / why not?

## Additional feedback

The above sections relate to the key proposed changes from the current water sharing plan. However, comments on all aspects of the plan are welcome and encouraged. Please use the space below, or attachments if required or preferred.

Do you have comments on any aspect of the draft plan?

How come coal mines seem to do as they like.? They are the one polluting the rivers cracking streams .I thought we are supposed to be saving the environment. Perhaps there needs to be more monitoring bores put in the valley at different areas to get a more reliable level.

© State of New South Wales through Department of Planning, Industry and Environment 2020. The information contained in this publication is based on knowledge and understanding at the time of writing (December 2021). However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Department of Planning, Industry and Environment or the user's independent adviser.