

Report card for the Kings Plains Water Source

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Water source context

Water sharing plan:	NSW Border Rivers Unregulated River Water Sources 2024
Area:	1,163 km ²
Inflowing water source:	n/a
Receiving water source:	NSW Border Rivers Regulated River. Note the regulated Macintyre Rivers flows through this water source.
Approximate average annual rainfall:	772 mm (at Nullamanna [Belmore])

River flows

Flow records:	1967 to present (56 years) at Frazers Creek at Westholme gauge (416021)
Stream type:	non-perennial

Basic landholder rights

Domestic and stock rights estimate:	293 ML/year
Native title rights:	0 ML/year

Licensed water entitlements

Total surface water entitlement:	4.5 ML/year (1 licence) for Domestic and Stock access licences. 671.5 ML/year (19 licences) for Unregulated River access licences
Local water utilities entitlement:	n/a

Rules

Table 1. Access rules

Type	Current rules	Proposed rules
Cease-to-pump	Take is not permitted when there is no visible flow at the pump site.	No change
Take from in-river pools	Take is not permitted when the in-river pool is below full containment volume.	No change
Take from in-river dam pools	Take is not permitted unless it is consistent with the water supply work approval.	No change
Take from off-river pools	Take is not permitted when the off-river pool is below full containment volume.	No change
Exemptions	Some exemptions apply to specific access rules for the water source, including for: <ul style="list-style-type: none"> • Health and hygiene • Domestic use • Take from a run-off harvesting dam • Specific licences listed in Schedule 2 of the plan 	No change

Table 2. Rules for constructing surface water supply works

Type	Current rules	Proposed rules
In-river dams	Not permitted in 3 rd order streams and above in this water source.	We have included an exemption for Town Water Supply purposes.
Protection for wetlands	Clause 48 (2) prohibits water supply works being granted or amended within significant wetlands listed in Schedules 5 and 6 of the current Plan	<p>No new or amended works permitted within or 3km upstream of a Ramsar wetland.</p> <p>No new or amended works permitted within significant wetlands listed in Schedule 4 of the draft plan unless there will be no more than minimal harm to the wetland concerned.</p> <p>This rule does not apply to replacement works.</p> <p>The no minimal harm exemption applies to new significant wetlands listed in Table A of Schedule 4 only.</p>

Table 1. Trading (dealing) rules

Type	Current rules	Proposed rules
Into water source	Not permitted	No change
Within water source	Permitted, subject to assessment	No change
Interstate trade	Not permitted unless administrative arrangements have been agreed to and implemented by NSW and Qld.	Removed from the Plan, however, there is no change to intent because the interstate trade rule requiring administrative arrangements to be in place is covered under sections 71U and 71V of the <i>Water Management Act 2000</i> .
Protection for wetlands	Clause 59 (1) (a) and (b) prohibit trade into or within significant wetlands listed in Schedules 5 and 6 of the current Plan	Trades not permitted within or: <ul style="list-style-type: none"> • 3 km upstream of a Ramsar wetland. and into <ul style="list-style-type: none"> • Significant wetlands listed in Schedule 4 of the draft Plan

Trading covers:

- assignment of rights dealings (trading of a licence)
- share component dealings between water sources (trading of entitlement between water sources)
- water allocation dealings (trading an annual allocation)
- water supply works dealings (relocation of an extraction point).

Key factors for decisions

- The risk assessment indicated the water source is at high risk from extraction.
- The risk assessment also identified this water source as having medium in-stream value.
- DPE Water considers these risks are tolerable. Although there is high potential for extraction to impact on values based on location within water source, entitlement is generally small and pools are protected through access rules.
- The proposed changes to rules in this water source also address Natural Resource Commission recommendations to provide better protection for wetlands in the plan area and maintain the ecological character of significant wetlands (including Ramsar wetlands).

Improving protection of wetlands

- The NRC have recommended the replacement plan provide better protection for significant wetlands. DPE Water have developed criteria to identify significant wetlands in the plan area. It is proposed to include rules to improve their protection by prohibiting new water supply

works and restricting trades into or upstream of these areas. The prohibition of new works will not apply to replacement works.

- Wetlands identified for improved protection were drawn from multiple datasets including the Long-Term Water Plan, Floodplain Management Plan, Ramsar listing, Directory of Important Wetlands of Australia, Endangered Ecological Communities and the existing list in the current water sharing plan.
- The significant wetlands identified for this plan are listed in schedule 4 of the draft plan.
- More information on improving protection of wetlands is available in the fact sheet.

Town Water Supply

- The current plan prohibits new water supply works approvals in the Kings Plains Water Source.
- It is proposed to include an exemption for in-river dam applications which are for town water supply purposes. This provides an opportunity for inland towns to consider in-river dams as an option to improve security, reliability and resilience of town water supplies. This is consistent with the State Water Strategy priority actions for town water supply.
- It should be noted applications for in-river dams are subject to a stringent assessment process that considers case-by-case the location and impact of the works being applied for. There is no guarantee an application will be approved as this is determined by the assessment process.

Other key rules – no change proposed

Managing access licences

Each water access licence has its own share component (volume of the licence) and a water allocation account that acts like a bank account where water is credited or debited.

- Water is credited to an account by an available water determination or if water is traded in (purchased) during the year from other licence holders.
- Water is debited from the account when water is extracted from a water source or traded out (sold). Total extraction from a work (pump, bore, etc.) will be measured through metering or logbooks.

Carryover and individual account limits

For domestic and stock and unregulated river access licence accounts, carryover of water remaining in an account is permitted up to 1 ML per unit share or 100 % of share component (where expressed in ML) at the end of each water year.

For domestic and stock and unregulated river access licences, the maximum water account debit in any 3 consecutive water years is:

- the volume of water allocated to the account over those 3 years from available water determinations, plus

- any adjustments made for allocation assignments (trades) or water allocation re-credited into the account.

Rules for granting access licences

There are limited purposes for which a new licence will be granted. We anticipate that users who need more water will source it from the market. One reason a licence may be granted is for Aboriginal cultural purposes. Aboriginal Cultural Access Licences are permitted to be granted up to a maximum volume of 10 ML/year per licence, subject to assessment.

Other reasons are identified in Section 10 of the Water Management (General) Regulation 2018.

Public exhibition

The Department of Planning and Environment seeks feedback from the public on the suitability of the proposed rules for this water source. In particular, we seek your feedback on **the proposed rules permitting No Net Gain trade into the Water Source and prohibiting new water supply works and trades within/near significant wetlands.**

A submission form is available on the department's website.

To read the draft Water Sharing Plan for the NSW Border Rivers Unregulated River Water Sources 2024 and supporting fact sheets, please visit the department's [Public Exhibition website](#).