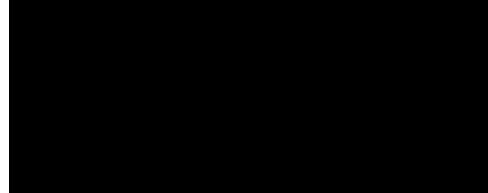


# Review of the Water Sharing Plan for the Towamba River Unregulated and Alluvial Water Source 2010

## Submission

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3 July 2020



## Comment on the review process

The Commission has not made it easy to provide fact-based comment on the performance of the Water Sharing Plan (WSP).

Some contextual information would have been useful covering the 10 years of plan operation, such as flow history summary, access rule implementation data (including cease-to-pump periods), updated access licence and extraction profile, water quality data, instream work approvals and compliance with the WSP and licence conditions.

Some assessment or data from the Department on the performance of the plan against the ten performance indicators identified in the WSP would have been helpful.

Inconveniently, there are no direct links to the WSP, background document and the recent audit of the Towamba River WSP on the Commission's invitation to comment web page. The submissions deadline on the website also has the wrong date (Friday is 3 July, not 5 July).

## Comments against evaluation questions

### To what extent do you feel the plan has contributed to social outcomes?

The WSP Vision statement says:

*The vision of this Plan is to provide for ... equitable water sharing among users in the Towamba River Unregulated and Alluvial Water Sources.*

The objectives of the WSP include:

*(d) manage these water sources to ensure equitable sharing between users, ...*

We obtained a licence to extract water from the Towamba River and Myrtle Creek for a small-scale market gardening and free range egg business at the end of Myrtle Creek. We also depend on Myrtle Creek for domestic water supply and bushfire protection reserves.

After operating for a number of years, the market gardening was abandoned partly because of the increasing tendency of Myrtle Creek to dry up for much of the summer. While low flows during summer are natural occurrence, extraction in the catchment is likely to be increasing the frequency and duration of drying. The regular persistence of mid-catchment flows (visible at the Mount Darragh

Road bridge) while surface and sub-surface flows at the end of the creek have ceased entirely suggests that over-extraction is occurring. (We have a rock bar crossing the creek channel at our place showing sub-surface flow status).

### **To what extent do you feel the plan has contributed to environmental outcomes?**

The water sharing principles in the Water Management Act state that the sharing of water must protect the water source and its dependent ecosystems. Under the Act, the protection of the environment (and basic landholder rights) take priority over licensed water extraction.

The WSP Vision statement says:

*The vision of this Plan is to provide for healthy and enhanced water sources and water dependant [sic] ecosystems ....*

The objectives of the WSP include:

*(a) protect, preserve, maintain and enhance the important river flow dependent and high priority groundwater dependent ecosystems of these water sources, ...*

The Myrtle Creek catchment supports threatened and regionally significant ecological communities and a range of threatened bird and mammal fauna. In many years the perennial Myrtle Creek effectively becomes an ephemeral watercourse (refer social outcomes above). Over-extraction during the spring-early summer reproductive period in particular has significant potential to damage the Myrtle Creek system. Prolonged low flows and cessation of flows in summer are often also accompanied by a dieback of riparian vegetation on our property.

The WSP appears to have failed to protect the ecosystems of the Myrtle Creek water source. The impacts of hot, dry summers (expected to increase under climate change) have been exacerbated by licenced over-extraction under the current water sharing rules. The rules do not adequately recognise the variable, limited and declining capacity of the water source to support extraction.

### **To what extent do you feel the plan has contributed to economic outcomes?**

Refer social outcomes above.

### **To what extent do you feel the plan has contributed to meeting its objectives?**

In terms of Myrtle Creek, the plan is failing to achieve stated environmental protection and water sharing equity objectives (refer environmental outcomes and social outcomes above).

### **What changes do you feel are needed to the water sharing plan to improve outcomes?**

It is noted that the Towamba WSP allows for water sharing rules that are tailored for each water source, and for adaptive management to improve the performance of the plan.

Consistent with the water sharing principles in the Water Management Act, low flow protection rules should prioritise environmental needs, particularly during spring and early summer. The Myrtle Creek source requires a rebalancing between environmental flows and water extraction.

At the very least, the cease-to-pump and commence-to-pump rules and daily extraction limits for the Myrtle Creek source need to ensure that extraction does not result in the cessation of flow at the end of the sub-catchment. The rules must apply to all users, all licence categories and all surface and

groundwater extractions. All users must adapt to the variability and sustainable yield capacity of the creek. Compliance with the rules must be monitored, enforced and reported.

This may require changes to the applicable flow classes for the existing Towamba River gauging station, or (preferably) flow classes indicated for a site specific to Myrtle Creek, such as at the Mount Darragh Road bridge.

Better notification methods are needed to inform water users of changes to flow class and pumping restrictions. Direct email to licence holders or subscribers, or notification via social media could be considered.

It is noted that the recent audit of the WSP (Alluvium and Vista Advisory 2019) found that annual extractions had not been assessed against long-term average annual extraction limits, as required under the WSP. The audit also found limited evidence of targeted monitoring and no evidence for reporting of the ten performance indicators in the WSP. These issues also need attention.

## **Reference**

Alluvium and Vista Advisory (2019) Audit of the Water Sharing Plan for the Towamba River Unregulated and Alluvial Water Sources 2010. Report 20 by Alluvium Consulting Australia (Canberra and Melbourne) and Vista Advisory (Canberra) for the NSW Department of Planning, Industry and Environment. Sydney.