

RiverBank Water Use Plan for the Lachlan Water Management Area No 1.

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

- (1) This plan is called the RiverBank Water Use Plan for the Lachlan Water Management Area.
- (2) This Plan is made under section 8E(7) of the *Water Management Act 2000*.
- (3) This plan relates to the Lachlan Regulated River Water Source as defined in the Water Sharing Plan for the Lachlan Regulated River Water Source 2003, and the Merrowie Creek and Torriganney, Muggabah and Merrimajeel Creeks Trust Districts.

Note. Merrowie, Merrimajeel and Muggabah Creeks are outside the Lachlan Water Source but within Lachlan Water Management Area as constituted by the Ministerial order published in the NSW Government Gazette on 23 November 2001.

Part 2 Aims and ecological objectives of this plan

- (1) In accordance with section 8E(3) of the *Water Management Act 2000* this Plan is established to further objectives 10(a) (i-vii), 10(c) (ii) and 10(d) (i),(ii),(iv) in the Water Sharing Plan for the Lachlan Regulated River Water Source 2003.
- (2) This Plan authorises the use of water for environmental purposes that:
 - (a) enhance opportunities for threatened and other native fish and waterbird recruitment in the Lachlan Regulated River Water Source;
 - (b) enhance river and wetland habitat for water dependent biota in the Lachlan Regulated River Water Source;
 - (c) maintain the ecological character of Murrumbidgee Swamp on Merrimajeel Creek (Grid Reference 281000 east, 6249000 north, Tarwong Map, 1:50,000, Sheet 7730);
 - (d) restore a near-natural wetting pattern to Ita Lake (Grid Reference 252000 east, 6203000 north, Maude Map, 1:50,000 Sheet 7729);
 - (e) provide for ecologically beneficial flooding of the Merrowie, Torriganney, Muggabah and Merrimajeel effluent creek systems by enhancing annual replenishment flows as established under Part 12, Clause 60, sub-clause 1(c);
 - (f) provide for ecologically beneficial flows in the Lachlan River channel below Booligal Weir; and/or
 - (g) contribute to maintaining the ecological character of the Great Cumbung Swamp (Grid Reference 230000 east, 6206000 north, Maude Map, 1:50,000 Sheet 7729).

Part 3 Plan area

This plan authorises the use of water within:

- (1) those sections of the Lachlan Regulated River Water Source that are downstream of Wyangala Dam;
- (2) the Merrowie Creek Trust District;
- (3) the Torrigan, Muggabah and Merrimajeel Creeks Trust District;
- (4) the following specific areas prioritised by RiverBank for water application, being:
 - (a) the lagoon on the property "Burrawang West" formed behind a structure on Goobang Creek (Grid Reference 542100 east, 6331700 north, Condobolin Map 1:50,000, Sheet 8331);
 - (b) the lagoon on the property "Yarnel" formed behind a structure on Wallaroi Creek (Grid Reference 505500 east, 6327500 north, Condobolin Map 1:50,000, Sheet 8331);
 - (c) Murrumbidgil Swamp (Grid Reference 281000 east, 6249000 north, Tarwong Map 1:50,000, Sheet 7730) on Merrimajeel Creek;
 - (d) Lake Ita (Grid Reference 252000 east, 6203000 north, Maude Map 1:50,000, Sheet 7729) on Kalyarr State Conservation Area;
 - (e) The Lachlan River channel and associated riparian lands below Booligal Weir; and
 - (f) The Great Cumbung Swamp (Grid Reference 230000 east, 6206000 north, Maude Map 1:50,000, Sheet 7729).

Part 4 Watering priorities across the Plan area

- (1) Watering priorities are approved by the Minister for the Environment under the annual RiverBank Business Plan and specified in the RiverBank Operational Plan for the Lachlan Water Management Area, which will be reviewed annually.

Part 5 Conditions on the use of water

- (1) Water allocations accrued under a regulated river (high security) access licence or a regulated river (general security) access licence nominating this Plan may be ordered to meet the objectives specified in Part 2 (2)(a), (b), (c), (d), (f) or (g) of this Plan.
- (2) Water allocations accrued under a regulated river (high security) access licence or a regulated river (general security) access licence nominating this Plan may be ordered to meet the objectives specified in Part 2 (2)(e) of this Plan by augmenting replenishment flows made under clause 60 (1)(c) of the Water Sharing Plan for the Lachlan Regulated River Water Source 2003.

(3) Water ordering conditions applicable to other access licences in the water source are applicable to the access licences that nominate this Plan.

(4) For the purpose of measurement of water delivered, the access licences that nominate this Plan shall also nominate the works owned by State Water in order to use water allocations and for water accounting.

1. Access licences that order water for use:

- a. Under Part 3 (1) shall nominate Brewster Weir;
- b. Under Part 3 (2) shall nominate Merrowie Offtake Regulator
- c. Under Part 3 (3) and (4)(c) shall nominate Torriganny Weir;
- d. Under Part 3 (3) and (4)(c) shall nominate Merrimajeel Offtake Regulator (to be constructed);
- e. Under Part 3 (3) and (4)(c) shall nominate Muggabah Offtake Regulator (to be constructed); and
- f. Under Part 3 (4)(e) and (f) shall nominate Booligal Weir.

(5) For the purpose of measurement of water delivered, the access licences that nominate this Plan shall also nominate the works owned by other private landholders/licence holders in order to use water allocations and for water accounting.

1. Access licences that order water for use:

- a. Under Part 3 (4)(b) shall nominate Yarnel Weir; and
- b. Under Part 3 (4)(d) shall nominate works approval number 70CA602315 attached to the Ita Lake.

(6) Rules relating to constraints as given in Clause (48) and (49) of the Lachlan Regulated River Water Source Water Sharing Plan shall apply to water ordered for use by the access licences that nominate this Plan.

(7) Compliance with NSW Water Monitoring Extraction Standards in relation to accuracy of flow measurements will be required for all extractions / diversions by the access licences that nominate this Plan.

Note. RiverBank recognises that special gauging/measurement is likely to be required on an event basis (as agreed or negotiated) downstream of the works under Part 5 (4)(1) to ensure accuracy of measurements consistent with NSW Water Extraction Monitoring Standards. RiverBank will contribute to the cost incurred in such gauging/measurement, and for account keeping, at least in proportion with the contribution of RiverBank water to total event flows.

(8) Water orders for use under Part 3 (1) shall be placed only at Lake Brewster Weir taking into account the additional transmission losses that shall be assessed in consultation with State Water.

Part 6 Rules for accounting water use

(1) The amount of water taken under a regulated river (high security) access licence or a regulated river (general security) access licence nominating this plan shall be assessed as:

(a) For use of water under Part 3 (1) of this Plan, the lesser of:

- (i) water ordered at Lake Brewster Weir plus the assessed additional transmission losses between Wyangala Dam and Lake Brewster Weir; and
- (ii) water measured at the Lake Brewster Weir plus the assessed additional transmission losses between Wyangala Dam and Lake Brewster Weir minus:
 - a. other water orders for other downstream access licences; and
 - b. 'targeted flow for other downstream requirements' at the Lake Brewster Weir.

Note 1: The water will be accounted depending on if water has to be released from Wyangala Dam to meet the water order (if no uncontrolled flows from downstream tributaries are available).

Note 2: For all the accounting rules under Part 6 of this Plan the term "Targeted flow for other downstream requirements" means:

- (1) water supplied for the requirements of downstream domestic and stock rights, including replenishment flows under clause 60 of the Water Sharing Plan for the Lachlan Regulated River Water Source 2003;
- (2) water supplied for native title rights; and
- (3) water losses associated with the delivery of water orders by other downstream access licences.

- (b) For use of water under Part 3 (2) of this Plan, the amount of water measured at Merrowie Creek Offtake.

Note: It is assessed that the flow deliveries for water orders for the licences nominating this Plan will follow immediately after conclusion of the replenishment flows into Merrowie Creek as per Clause 60 of the Water Sharing Plan for the Lachlan Regulated River Water Source 2003.

- (c) For use of water under Part 3 (3) of this Plan, the amount of water measured at the offtake of Merrimajeel Creek and Muggabah Creek from the Torriganney Creek.

Note 1: It is assessed that the flow deliveries for water orders for the licences nominating this Plan will follow immediately after conclusion of the replenishment flows into the Merrimajeel and Muggabah Creeks as per Clause 60 of the Water Sharing Plan for the Lachlan Regulated River Water Source 2003.

Note 2: In the absence of flow measurement facilities for the Merrimajeel and Muggabah Creeks at the offtake from the Torriganney Creek, flows will be measured at a suitable downstream point. The losses between such measurement point and the creek offtakes will also be accounted as water used for the purpose.

- (d) For use of water under Part 3 (4)(a) of this Plan, the amount of ordered water metered at the offtake from the Bumbuggan Creek with an appropriate flow meter.

Note: There will be other regulated river licences that take water from the Goobang Weir Pool that may also nominate the same works. Usage will be apportioned on the basis of accepted water orders or other agreed basis.

- (e) For use of water under Part 3 (4)(b) of this Plan, the amount of water required to:
 - (i) fill the Yarnel Weir above normal operating levels, plus
 - (ii) extra net evaporation from the storage while the weir levels are maintained above normal operation levels.

Note: DEC will develop a capacity table and ensure installation of a staff gauge to assist in water accounting. Estimation of evaporation losses will be based on data to be obtained BoM or DPI Research Station at Condobolin.

- (f) For use of water under Part 3 (4)(c) of this Plan, the amount of water measured at the Merrimajeel creek offtake from Toriganny minus:
 - (i) any water supplied for downstream replenishment flows supplied under clause 60 (1)(c) of the WSP; and
 - (ii) any water supplied for Booligal swamp from Environmental Contingency Allowance as per WSP.

Note 1: At present it will not be possible to completely control the flows into Muggabah Creek when flows are targeted to Murrumbidgee Swamp through the Merrimajeel Creek. Therefore, any breakout flows into Muggabah Creek will also be debited from the account.

Note 2: In the absence of measurement facilities at the offtake from the Toriganny Creek, flows will be measured at a suitable downstream point. The losses between such measurement point and the creek offtakes will also be accounted as water used for the purpose.

- (g) For use of water under Part 3 (4)(d) of this Plan, the amount of water measured through works (approval number 70CA602315) located in the Lachlan River at the offtake to Lake Ita (Grid Reference 250400 east, 6205000 north, Maude Map 1:50,000, Sheet 7729).
- (h) For use of water under Part 3 (4)(e) of this Plan, the amount of water passing Booligal Weir minus:
 - (i) other water orders for other downstream access licences; and
 - (ii) 'targeted flow for other downstream requirements' at Booligal Weir.

Note: Under current conditions a flow in excess of about 250ML/D at Booligal will break into Merrimajeel/Muggabah Creeks. Any such losses upstream of Booligal will also be debited as use by the licences nominating this Plan, if they order water under Part 3 (3) (e) of this Plan.

- (i) For use of water under Part 3 (4)(f) of this Plan, the amount of ordered water passing Booligal weir minus:
 - (i) other water orders for other downstream access licences; and
 - (ii) 'targeted flow for other downstream requirements' at Booligal Weir.

Note: Under current conditions a flow in excess of about 250MLD at Booligal will break into Merrimajeel/Muggabah Creeks. Any such losses upstream of Booligal will also be debited as use by the licences nominating this Plan, if they order water under Part 3 (3) (f) of this Plan.

Part 7 Access licence dealing rules

- (1) Water allocations may be assigned from an access licence nominating this Plan to another access licence if the allocations are not required or are not sufficient to meet objectives specified in Part 2 (2) of this plan at the time of dealing or as otherwise foreseen.
- (2) Water allocations may be assigned to an access licence nominating this Plan from another access licence in order to supplement allocations required to meet objectives specified in part 2 (2) of this Plan.

Part 8 Monitoring, evaluation and amendment of this Plan

- (1) Monitoring to evaluate the success of this Plan in achieving objectives under Part 2 will be as approved by the Minister for the Environment under the RiverBank Business Plan.
- (2) The evaluation under Part 8 (1) will inform both the annual reporting under the RiverBank Business plan to the Environmental Trust and the review of the Water Sharing Plan for the Lachlan Regulated River Water Source 2003 to be undertaken by the Natural Resources Commission.
- (3) This Plan may be amended, subject to a written request by the Department of Environment and Conservation, to remain consistent with the approved annual RiverBank Business Plan and the annual RiverBank Operational Plan for the Lachlan Water Management Area, consistent with the principles of adaptive management as specified in the *Water Management Act 2000*

Part 9 Reporting arrangements

- (1) Reporting on the use of water under this Plan against the objectives specified in Part 2 will be undertaken annually under the RiverBank Business Plan.
- (2) Reporting on the use of water under this Plan will contribute to the annual review of the implementation of the Water Sharing Plan for the Lachlan Regulated River Water Source 2003.
- (3) RiverBank will report on the quantity of water taken or used under specific licences to which this Plan relates, when required and in the form specified by the Minister for Natural Resources, in accordance with Part A (mandatory) licence conditions relevant to the Lachlan Regulated River Water Source.

Part 10 Management responsibilities

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