From:
Sent: FW: 27/2/22 10.05 pm CONFIDENTIAL - submission not but personal details
To: confidential HUNTER FW: Submission for the draft remake water sharing plan
Subject: Hunter Unregulated and Alluvial

From: digital.services=squiz.dpie.nsw.gov.au@squiz.regional.nsw.gov.au <digital.services=squiz.dpie.nsw.gov.au@squiz.regional.nsw.gov.au> **On Behalf Of** digital.services@squiz.dpie.nsw.gov.au
Sent: Sunday, 27 February 2022 10:05 PM
To: DPIE Hunter Unregulated Water Plan Mailbox <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?:	Yes
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?:	
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?:	I've worked my farm water needs to meet my licence limit. Reducing or cutting off my irrigation water supply will highly impact me and would close me down.
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?:

I think this draft plan is going to push me out of farming. I have only bought the farm on the [redacted] river a few years ago and I am finding very hard to get it up and running. There has been a lot more hands on work than I had thought and so now I have retired to run it full time. I don't have a lot of money and I believe stopping me pumping would absolutely cripple me as I would lose my crop and cattle. I have spent a good deal of my retirement money on irrigation to help me get through the next drought, this would now be pointless without water. I would not have the money to start over again to reseed and restock, we only just survived the last drought. there must be a better way, maybe reduce the amount we can pump, maybe we can only pump on certain days. But we need enough water to at least keep the crop and cattle alive, these restrictions would definitely push out the small hard working farmer. Please have a rethink. thanks.

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:	No file uploaded

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

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			
Name	[redacted]		
Postal Address	[redacted]		
Telephone			
Email address			
Stakeholder Group (please indicate which of the following best represents your interest by **ticking one box**)	☐ Irrigation Interests ☐ Fishing Interests ☐ Local Govt./ Utilities	☐ Aboriginal Interest ☑ Local Landholder ☐ Other (specify)	☐ Environment Interests ☐ Community Member
If your comments refer to a specific water source, which one?	Martindale Creek Water Source		

Attach extra pages if required

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.

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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?	This would be determental to our beef producing operation. We are a [redacted] that worked our but off to buy our first farm to follow our dreams and set up our next generation. this would make our farm so much less saleable and inhibit our ability to supply food into the local domestic market. In times of drought the ability to keep core breeding stock would be extremely expensive, thats even if fodders is able to be sourced. CtP will impact landholders rights in the area by making the land unprofitable and this will have a huge impact on the mental health of already struggling landholders. In the last drought we would have watched water flow past all of our pumps for 94 days after the creek had already began to flow before we would have been able to commence pumping water.
Do you think the **CtP** in your water source is practical to implement? Why / why not?	No, there is NO evidence of exactly how much water is taken from Martindale Creek/Valley as very few pumps are metred. Due to the sandy creek bed the water often drops below the surface and continues to flow even in times of high flow the fast flowing water wi l then disappear into one of the underground sand stone reservoirs. The creek has a number of ledges and shelves which holds the water back in the resovirs above and below the surface. There needs to be more monitoring of the creek before decisions like ctp should be implemented. Water Metering as a first step would be a much more accurate way to monitor the water usage as apose to one bore location for the entire creek. When times get tough and the underground water level drops, farmers are already regulating the amount of water extracted. pumps need to be restricted back, irrgators restricted so pumps dont suck air.
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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 low flows and ecological values? Why / why not?	
The **flow reference point** is the point at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	

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

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

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.

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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 and low flows	
The **flow reference point** 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?	

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?	

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.	

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?	

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?	Instead of CtP we should be looking at compliance and metering so there is a clear indication of how much water is being extracted from martindale creek rather than imposing CtP orders if there is minimal water being taken. The ability to grow fodder during tough times for stock health not only for the farmer but also other consumers will help to keep feed costs down and help to reduce stress on animals and farming families.

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	☐Yes	☐No
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Submission form

How to fill out this form			
Name	[redacted]		
Postal Address	[redacted]		
Telephone			
Email address			
Stakeholder Group (please indicate which of the following best represents your interest by **ticking one box**)	☐ Irrigation Interests ☐ Fishing Interests ☐ Local Govt./ Utilities	☐ Aboriginal Interest ☑ Local Landholder ☐ Other (specify)	☐ Environment Interests ☐ Community Member
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Attach extra pages if required

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How would this impact on your current operations?	

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?	

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.	

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?	

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?	Instead of CtP we should be looking at compliance and metering so there is a clear indication of how much water is being extracted from martindale creek rather than imposing CtP orders if there is minimal water being taken. The ability to grow fodder during tough times for stock health not only for the farmer but also other consumers will help to keep feed costs down and help to reduce stress on animals and farming families.

[redacted] Land and Environmental Management Consultant

Experience

State Government employee for 31 years and 28 of those years in the Upper Hunter. I worked in a number of State Government Departments and Authorities, all in agriculture, natural resource management, land, and water management and environmental (including riparian and groundwater). Positions include District Soil Conservationist, Upper Hunter Manager Catchment Management Authority/ Local Land Service, and a number Project Manager Roles.

My Overview

I am not a hydrologist, and most if not all the hydrologists I knew with knowledge of the Upper Hunter, such as Eddie Harris (a great starting who undertook the Hunter Groundwater Study – please note I can find a copy, but the exact name escapes me at present). The knowledge and experience especially local experience is no longer available to the Department.

I have been to a number of meetings and the one thing that keeps popping up is the science – especially around groundwater.

As I said I am not a hydrologist, but I am an acknowledge person on salinity and groundwater monitoring related to salinity.

I would think to get a reasonable scientific handle on groundwater it would include the following.

Groundwater

1. Defining the aquifers systems are they connected defined to an alluvium or are connected to others
2. How many aquifers and lenses are there in the area are there impediments, are they connected to other local, semi regional, regional, or other regions groundwater.
3. Do they change down the stream, do they change at junctions and intersections with other streams and different order of streams
4. What is the groundwater in relation to floodplains etc.

Science to be accurate and concise

- I would think a series of monitoring bores across the aquifer (perpendicular in the stream) including the outer extent. These in series monitoring bores may need to intercept various depths of groundwater.
- This needs to be repeated down the stream networks as outlined in Point 3 above.
- The frequency and long-term monitoring are important. Relate to climate, seasonal conditions, surface flow, recharge, and events such as floods.

- I assume the mineral and compound analysis has been done as water tests will determine the water characteristics or could say DNA so you can check where it comes from between water sources.

I am not sure there is enough replication and appropriate monitoring to back the science on the decision-making justification.

Surface Water

It is true to say groundwater usage does have a major effect and impact on surface water in streams and ponds etc.

There is little doubt there has been an over allocation of water licenses to the determent to river heath, riparian areas – both flora and fauna. In most drought the last harbour for many animals is the riparian zone not only aquatic animals (vertebrates and invertebrates), but insects, woodland birds, reptiles, amphibians, and mammals etc.

All these things need taking into account, along with water quality. Rivers are the backbone of the environment, and they are not to be considered an open conveyance channel for irrigators. There is a need to know the river health and not assume, the status needs to regularly be monitored and actions taken if required.

This does not mean just a base flow, rivers need to flood, aquifers need to be recharged, floodplains need to be flooded to maintain aquifer health and the Floodplain Ecosystems.

Prolonged droughts mean death to rivers, algae, sediment, effluent/nutrient toxic build up, phosphorus build up, lack of oxygen, isolated pools that kill even icon species of platypus, tortoise, and fish (to name a few).

I am not sure if the rivers have recovered as stated in a few of these information sessions, what proof there is of this, does the replenishment include tortoises, platypus, fish and endangered, unique, or vulnerable species and is the diverse variety there? What information and studies have been done on this?

I know studies in low base flows in the Upper Hunter salinity levels rise dramatically and in catchment iron levels, is what quality included in cease to pump rules.

Is there an increase and it is needed of locations for cease to pump rules, I know we suggested this on the Pages River?

What enforcement is going to implemented to and is there a commitment to implement this enforcement.

Climate Change

The increase in temperatures, increase frequency of droughts and the extended nature of the droughts along will pressure of exploiting the resource has enormous impact of the streams and rivers.

Increased drought and high temperature lead to fires that result in nutrient and sediment load into rivers, reduced groundcover also leads to erosion, sedimentation, and nutrient

load into rivers. Destroying the River Styles and enhancing stream bank and stream bed erosion. Once again destroying habitat and ecosystems, leading to local extinctions of fauna and flora. Increasing the opportunity to invasive weeds, that leads to even more habit destruction.

Conclusion

I am not sure of the science would stand up to independent scrutiny, especially in regard to groundwater justifications. There is no doubt there is ground water impact into the streams, but you have a more persuasive case to be clear of the science and if the scientific thorough process has been undertaken.

Surface water cease to pump rules important and enforceable.

There needs to be more specific monitoring put in and the range of monitoring not to be just water heights and quantity.

27/02/2022

HAD, GDA and DPM

SUBMISSION

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

PUBLIC EXHIBITION

[redacted]

27 February 2022

To be CC'd:

Dave Layzell Member for Upper Hunter
upperhunter@parliament.nsw.gov.au

The Hon. James Henry Griffin Minister for Environment and Heritage
manly@parliament.nsw.gov.au

The Hon. Kevin John Anderson Minister for Lands and Water,
tamworth@parliament.nsw.gov.au

Submission:	Draft Water Sharing Plan for the Hunter Unregulated & Alluvial Sources 2022
Submission Made:	[redacted]
Water Source:	Isis River Water Source, Upper Hunter River Water Source
Submission Date:	27 February 2022

1. Introduction

We make the following submission to NSW Department of Planning & Environment in relation to the *Draft Water Sharing Plan (WSP) for the Hunter Unregulated & Alluvial Sources 2022*.

As a water user, we are taking the opportunity to provide a submission in the Public Exhibition process on the *Draft Water Sharing Plan for the Hunter Unregulated & Alluvial Sources 2022*.

The key performance indicators and proposed reporting on the outcomes appear to be biased towards ecological objectives of the WSP and the impact on agricultural production in the region and on small landholders are given less emphasis.

The WSP specifically affects our water source being the Upper Hunter River Water Source and Isis River Water Source. We have reviewed and considered the proposed plan and associated risk assessment affecting the management zone.

2. The Business

We operate a cattle property and feedlot in the Upper Hunter, NSW. Our property consists of undulating river flats and foothills, and we rely upon our water sources for the supply of water to grow feed to support our livestock and feedlot operations.

The proposed cease to pump rules and removal of high flow water access licences in the Isis River Water Management Zone would be particularly onerous upon the economic operations of the business. If the operations of the business were to be jeopardised by lack of adequate access to water, there would be severe flow-on economic impacts to local businesses we use such as contractors, together with the likelihood of having to reduce the number of people employed at the property.

3. Endorsement of the Hunter Valley Water Users Association Submission

Whilst the purpose of this submission is to provide my own personal feedback on how the Draft WSP will impact upon my land and my business, I would also like to fully endorse the submission made by the **Hunter Valley Water Users' Association** which encompasses a wide range of issues relative to my property.

4. Objectives of the Draft Water Management Plan

Water Sharing Plans are vital in the long-term management of water supply to maintain and produce critical supply of water in the catchment whilst sustaining the environment.

The following objectives have been identified in the draft WSP:

(a) To protect, and where possible enhance and restore, the condition of the water sources and their water-dependent ecosystems.

(b) To maintain and where possible, improve, access to water to optimise economic benefits for agriculture, water dependent industries and local economies.

(b) To maintain and where possible, improve, the spiritual, social, and customary, and economic values and uses of water by Aboriginal people.

(c) To provide access to water to support water dependant social and cultural values.

These objectives meet the needs of all stakeholders however there are several key issues which have been identified that affect the nature and operations of our landholding.

5. Key Issues

We rely upon and manage water usage with awareness that water is a finite natural resource. It appears that the draft WSP has an emphasis to meet objective 3(a) and 3(c). In addition, there has been a lack of transparency surrounding DPIE decisions that seemingly result in a contravention of the objective 3(b).

In consideration of this, we support the recommendation of the **Hunter Valley Water Users Association** (HVWUA) that the DPIE release an Ecological Impact Study to further assess the critical issues raised by the Draft WSP.

The broader water use of the upper catchment may be severely impacted and is likely to cause economic detriment to agricultural holdings of the Upper Hunter. Below is a list of the major concerns for myself and my business:

(a) Consultation Process

- Given the widespread impact of the draft WSP upon landholders, agricultural holdings and associated businesses, it is imperative that impacted parties are given reasonable opportunity to provide relevant feedback on a regulatory instrument that is to regulate water use for the next 10 years.

- January and February are particularly busy months in the agribusiness industry. The limited consultation period offered has been disappointingly unsatisfactory given that the Department told water users at a meeting in May 2021 that the WSP would be ready for public exhibition in September 2021.

- We would like to fully support the *Hunter Valley Water Users Association's* recommendation that the public exhibition period for the WSP should be extended to 40 business days, instead of 40 days, making the new end date 15 March.

(b) Updated Definition of Long-Term Average Annual Extraction Limit (LTAAEL) to include Basic Landholder Rights and Harvestable Rights

- The LTAAEL is an important instrument for the management of water. The standard LTAAEL is the sum of all licenced entitlements, stock and domestic rights, native title rights and harvestable rights at the commencement of the WSP.
- However, there is no supporting evidence on how the department modelled and estimated the amount of water required to satisfy stock and domestic use.
- The implementation of the standard LTAAEL should not occur until improved data systems have been implemented.
- The ceiling placed on long-term average annual extraction limit (LTAAEL) should be imposed once further data is available and collated.
- We are concerned that the standard LTAAEL has been calculated to include 10% of rainfall run off limit across the region. However, an announcement on 10 November 2021 confirms that landholders in coastal draining catchments undertaking extensive agriculture can capture up to 30% of the average rainwater run-off from their property for Harvestable right dams.
- Further, the method to calculate the LTAAEL does not consider the change in season and factors affecting different aquifers at different sites.
- We are concerned that this additional allowance will affect the LTAAEL and the calculations should be amended to reflect the additional harvestable rights.

(c) Location of Monitoring Bores & Modelling

The location of the monitoring bores in the Upper Hunter are in many cases too far from the actual extraction sites and thus the proposed cease to pump access rules may have no relevance to the actual extraction site.

(d) Cease to Pump

- The proposed Cease to Pump (CTP) access rule of Water Source Isis River will have a significant impact on the ongoing economic viability of our land and water rights.
- Given the extensive and potentially devastating impacts of CTP triggers on the everyday business on landholders, it is imperative that the DPIE allows landholders to participate in thorough, transparent, and extensive consultation.

I. Lower Isis River Management Zone

- The current WSP for Water Source Isis River access rule is that pumping must cease when there is no visible flow as measured at the Isis River at Stick-Me-Up Bridge gauge #210118.
- The proposed rule for the new Lower Isis Management Zone is that pumping must cease when there is no visible flow as measured at Stick-Me-Up Bridge gauge #210018 or no visible flow at the pump site.

II. Upper Hunter River Management Zone

- The current WSP requires pumping to cease when flows in the Hunter River at Moonan Dam gauge #210018 are at or below 12 ML/day or there is no visible flow in the Hunter River at Belltrees gauge #210039
- The proposed changes to cease to pump rules are pumping must cease when flows in the Hunter River at Moonan Dam gauge #210018 are equal to or less than 10 ML/day or flows in the Hunter River at Belltrees gauge #210039 are equal to or less than 1 ML/day

- The implementation of the new access rules and establishment of new cease to pump rules are likely to negatively impact the everyday operations and use of the land. These new rules may have the following economic impacts:

    1. Inability to grow the feed required to maintain the agricultural activities;
    2. Inability to pasture improve for more efficient grazing;
    3. Increased transport costs/supply costs;
    4. Increased operational costs in obtaining additional feed; and]
    5. Must be able to source water for stock purposes.

- The CTP triggers have no impact on the reliability on water access licences in the WSP.

- We do not believe that the proposed changes consider the broader economic implications to the local community if extended CTP order is initiated and remains in place for an extended period.

(e) Additional Costs to Operation

- We may need to buy more water and feed for stock and reduce herd numbers to accommodate the new cease to pump orders.

- We would suggest that the department send a text message when cease to pump is enacted as they do for the Hunter Regulated Users.

(f) Metering Conditions

- Proposed metering requirements highlighted in the draft WSP may place a particularly onerous financial burden upon business. Although I understand the need for water users to observe their role as environmental custodians, the costly exercise of installing AS4747 Meters to existing pumps/bores will likely have a significant impact upon the operations of the business.

- Given the weight of this likely financial impact, I support the recommendations from the Hunter Valley Water Users Association that the metering requirements of the WSP be brought in line with the NSW Non-Urban Metering Policy, including the minimum threshold of 100mm for water users to install AS4747 meters.

(g) Conversion of High-Flow Access License

- An important strategic aspect of water usage is the pumping of water into water storage systems during times of high flow. This not only improves reliability of water access but generally has a lesser impact upon the ecosystem during times of low flow. This idea directly satisfies objectives (a) and (b) of the WSP.
- However, the proposal to remove high-flow access licenses from the Pages River, Isis River, Lower Wollombi Brook, Rouchel Brook and Paterson/Allyn rivers and water sources is particularly concerning, and seemingly in contravention of the objectives (a) and (b).
- Whilst I understand the potential impact that this strategic water use can have upon downstream water users, it is important to be able to have the opportunity to access at high level flows when the opportunity presents. Further studies should be undertaken to select an appropriate threshold for high flow access use.

6. Conclusion

The proposed WSP is focussed on meeting State-wide initiatives and does not take into account the impacts on small landholdings, stock numbers on properties or land size.

We would like to reiterate that:

- The department has not provided sufficient modelling or economic impact assessment on the proposed changes.
- The draft WSP appears to be bias to meeting objecting (a) and (c).
- The proposed CTP is likely to be economically detrimental to the long-term operations of our business.
- The economic flow-on effect to local business and suppliers would be substantial and must be considered carefully in light of the region's economy as a whole

[redacted]

SUBMISSION

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

By

[INSERT NAME]

Public Exhibition

February 2022

Introduction:

Hay and cattle production as well as contract farming to local irrigators

- My family has been on this property for well over a hundred years.
- We grow lucerne for local cattle ,sheep and horse breeders as well as growing our own livestock.
- We as a business employ staff from four families as well as my parents in there ninety's live on farm .
- My customers include cattle property's local and away
  Horse studs as well as owners big and small .
  We also make hay and plant crops for some of the above businesses.

My community:

Aberdeen/Scone/Muswellbrook

- [redacted] have all grow up and gone to school locally as running a farm is very family orientated.
- Our locally area is very reliant on farming whether for their own livestock or growing for others so sease to pump in high production month would be detrimental to the local
- We are very locally minded in buying locally as the businesses we support , inturn support our schools ,sporting sides and medical facillitys

Endorsement of HVWUA 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 Hunter Valley Water Users' Association 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 making hay to sell and conserve fodder for winter as well as future droughts as we all know about that. 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 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.

How has mining affected water table as we know most pits have gone through the water table to get to the coal]

- The effect of water table before and after mining had commenced at dartbrook
- As we are at the bottom of [redacted] valley is it fed by [redacted]

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 [hay making and beef business and negatively impact our local communities.

I agree with the following recommendations from HVWUA:

- 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 regulation surrounding metering and I 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.

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

The value of my land could be devalued and this would have a negative effect on my borrowing ability and therefore the income and wages paid by my business

Conclusion:

I 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 plan will have [a stressful effort not knowing whether I can fulfil contracts and afford to retain staff.

Kind regards,

[redacted]

[redacted]

SUBMISSION

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

By

[redacted]

Public Exhibition

February 2022

Introduction:

My Business:

[redacted]

- [redacted]Years but [redacted] years at this location
- [redacted]Stud Beef Cattle
- Our Family 2 Adults & Children
- Commercial & Stud Beef Cattle Operators

My community:

Parkville, Middlebrook & Scone

- [redacted]
- Parkville & Middlebrook
- Stud Beef Cattle – purchase support services from other business's

Endorsement of HVWUA 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 Hunter Valley Water Users' Association 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 organising breeding of stud cattle and preg testing cattle, planning sowing and maintenance. 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 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.

- Additional Modelling
- Difficulty in obtaining information relevant to my operation
- 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 Stud Beef Cattle Business and negatively impact our local communities.

I agree with the following recommendations from HVWUA:

- 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:

Example: Purchased this Property to future proof our property against Drought

Current cease-to-pump: We purchased our property with no cease-to-pump requirements. We have only had this property for 2 years. One of the main reasons we purchased this property was its Water Licence. It is a major part in our business plan, that includes recovering from drought and expanding our business.

Proposed cease-to-pump:

Our business relies on a consistent forecast of pasture and cropping going forward. Being able to irrigate is a major part of this. If we can't rely on irrigation in our current business plant we cant predict how many stud bulls and females we will have for sale each year. This greatly affects our income, our ability to purchase goods & services from our suppliers and our ability to contribute to our community as a whole

A big part of our business and farming focus is regenerative agriculture, which relies on good ground cover, protecting shrubs and trees and maintaining biodiversity. Without irrigation we cannot maintain this key part of our business.

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 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.

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.

INSERT ADDITIONAL CONCERNS

We have only just purchased this property with the view to develop and restore this property due to decades of neglect. The irrigation licence was a major part of making the decision to purchase the property. The irrigation plant needs redevelopment to reach its full potential. We have plans to use the newest technology to maximise water efficiency. With main plan to aid in a drought. The capital that would need to be spent would be quite considerable. However, if these restrictions were put in place, this development and investment would be redundant.

Conclusion:

I 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 plan will have considerable affect on business as it affects our future as irrigation is a big of it.

Kind regards,

[redacted]

[redacted]

PARKVILLE NSW 2337

SUBMISSION

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

By

[redacted]

Public Exhibition

February 26, 2022

Introduction:

My Business:

- In [redacted] our family, the [redacted] first bought acreage in the [redacted] Valley on the Pages Creek aquifer to irrigate for a dairy farm. We have continued to farm and irrigate for grain cropping and lucerne production at [redacted].
- I also own the [redacted], which is [redacted] acres. I irrigate to grow crops and lucerne as well as feed cattle at [redacted]
- I employ numerous contractors from the local area to help me.
- Key clients for hay sales are local thoroughbred studs and stock feed outlets as well as local farmers, I sell my cattle through the local Scone sale yards.

Endorsement of HVWUA 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 Hunter Valley Water Users' Association 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 hay 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 HVWUA:

> 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 HVWUA:

- 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: Since owning our properties in 1901 there has never been a cease-to-pump in place, and it is a major concern. Without water my business would not exist.

Proposed cease-to-pump:

If a cease-to-pump is implemented it could have a disastrous effect on my farming businesses both at [redacted] and at [redacted].

If a cease-to-pump is introduced, even though there is still adequate water in the Pages Creek aquifer I will not be permitted to pump.

I have always been conscious not to put pressure on our precious underground water source and irrigate predominately at night and manage the pumping and use of the water.

If this cease-to-pump is introduced in a drought it would mean I would not have an income, be able to provide hay to the thoroughbred studs and local farmers and would have to sell all my cattle. In addition, I could not afford to employ any local contractors.

The Hunter Valley 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 HVWUA:

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.

The local advice is that a new meter would cost between $10,000 and $15,000. If we are forced to install the new meters, then this would have a negative impact on my business.

With the exorbitant cost of electricity coupled with the potential cost of new meters my farming business may not be viable.

The drought had a detrimental effect on my business and now is not the time to introduce more costs to farmers.

Conclusion:

I 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.

With kind regards,

[redacted]

[redacted], Scone

SUBMISSION

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

[redacted]

Public Exhibition

February 2022

Introduction:

Our Business:

Farming – [redacted]

- We have been running our [redacted]-acre farm at [redacted] below the junction of the [redacted] and [redacted] for [redacted] years
- Our well is one of the most reliable in the district. We purchased it with an allocation of [redacted] ML groundwater, which the NSW Govt arbitrarily halved to [redacted] ML soon after purchase without consultation or compensation.
- Our remaining [redacted] ML allocation enables us to produce high quality lucerne hay with break crops of oats.
- Our customers are cattle farmers, horse studs and small area farmers throughout the wider Hunter Region. In drought times we provide hay for people as far afield as Sydney, Bingara and Coonabarabran.
- It is the sole income for my husband and I.

My community:

- We are fourth generation farmers in the Upper Hunter our children, grandchildren also live and farm locally.
- Aberdeen is our local community
- We are active members of our community and help out with local Church events and support other local events as well as assisting our daughter and son with the care of our grandchildren

Farmers and the wider community of the Upper Hunter have supported each other through an incredibly difficult two years – the worst drought on record, bushfires, COVID, a mouse plague and most recently floods, have tested our financial, physical and emotional limits. We were grateful, thanks to irrigation, to be able to help our customers and community through this terrible period. If not for this contribution we know many of our customers would have been forced to sell or destroy breeding herds that they have spent years developing, not to mention much loved family pets.

Endorsement of HVWUA Submission:

In addition to providing my personal feedback on the Hunter Unregulated and Alluvial Water Sharing Plan and how it affects us, I 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

We were completely unaware of these proposed changes until last week. We have not had an opportunity to attend an information session (as they were finished before we learned about these changes) and were disappointed that the Department did not accept the invitation to attend the meeting of impacted landholders at Aberdeen last Monday night.

January and February are a very busy period, as we are irrigating, organising haymaking, slashing fence lines, dealing with hay customers, quarterly BAS statements, LPA paperwork etc. As grandparents we spend time with our grandchildren enabling our daughter and son in law to work

and operate their own farm. With all of this and 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.

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.

We also believe it is essential that a proper social, environmental and economic evaluation of the impact of the Draft Hunter Water Sharing Plan and the associated metering rules be undertaken and that we be given a proper opportunity to contribution our decades of knowledge about this catchment to the process.

I agree to reinforcing the following recommendation from HVWUA:

The public exhibition period for the Hunter Unregulated and Alluvial Plan to 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 have the potential to destroy our hay production and livestock business and negatively impact our local communities.

We submit that:

- The modelling provided (thanks to a local community member sharing the Dept's presentation with us – not via the Dept) is difficult to understand, has a scale that makes it hard to determine how long we would have had to stop pumping under CTP rules during previous droughts
- There appears to be no solid science to prove that CTP rules would in fact achieve the environmental outcomes that the Dept says it wants
- There is no consideration of the unintended environmental consequences of CTP – the reduced groundcover, the increased incidence of erosion, the associated sedimentation of streams, the loss of growing and established trees and the impact to soil carbon sequestration initiatives across the district
- There has been no effort from the Dept to build capacity among the farming community so that we might properly interpret this technical information.

I agree with the following recommendations from HVWUA:

• 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 our business personally:

Example:

Current cease-to-pump: We purchased our property with no cease-to-pump requirements. **In [redacted] years we have never been forced to stop pumping due to lack of water** but we have always been mindful of any overwatering in drought conditions or at any other time. The high cost of electricity means there is no incentive to water more than is absolutely necessary.

Proposed cease-to-pump: Any interruptions from August to March, when it is crucial to irrigate a paddock, would cause damage to the quality and amount of hay we can produce. Prolonged interruptions could destroy these perennial crops, which have a 3-5 year lifespan.

Unintended environmental impacts of CTP: Without irrigation during droughts our 52 acres would be left without groundcover, contributing to siltation of the Hunter River when droughts break, reducing our soil carbon, reducing the water holding capacity of our soil and impacting our soil health. It would kill numerous trees that we have planted as part of our 20 year program. These trees have supported an abundance of birdlife on our property with more than 43 species living here. Some are fairly rare such as the yellow-tailed black cockatoo.

Metering Conditions

We understand the crucial role water users have as environmental custodians. It is important for our business that they are clear and concise regulation surrounding metering and I 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 would add that there is absolutely no need for the NSW Government to impose this unnecessary cost on our business.

Every irrigator always has accurate, tamper proof metering in place in the form of their electricity meter. We submit that electricity consumption is a suitable proxy for water use and should be used rather than an expensive and unnecessary AS4747 meter.

I wish to make a separate and detailed submission on metering.

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.

Other issues:

Since 1990 we have wasted our time in numerous consultations regarding the Dartbook, Mount Pleasant, Bengalla, Maxwell, Mt Arthur and Mangoola Mines. We have repeatedly warned the NSW Govt of the danger of issuing additional water licenses for mining and of allowing these mines to destroy our groundwater sources. The NSW Govt has ignored these warnings and now, having permanently damaged the Hunter Catchment (as proven by CSIRO / Geoscience Australia in the Hunter Bioregional Assessment), is placing the burden on the farming community to restore the very environmental flows they have wilfully destroyed. This is unacceptable.

Before implementing CTP measures, which will exacerbate droughts not only for irrigators, but for every farmer who depends on the fodder we produce, the NSW Government should urgently examine other alternatives to restore environmental flows to the Hunter Catchment. In particular:

- **Stop approving new mines and mining expansions (it isn't just about the water they take from the regulated systems, it is about the groundwater systems that they destroy within their lease area)**
- **Urgently commence negotiations with AGL. AGL owns one-third of the total available water in the catchment (approx. 30GL) and won't require it when Bayswater closes, which will be within the lifespan of this plan. Some of this water should be bought back to restore environmental flows rather than impacting the farming community which is essential to the ongoing economic diversity of our community. The results of the Hunter Bioregional Assessment should be used as a guide as to how much water should be purchased to restore the health of the catchment.**

Separately, before finalising this plan, the NSW Government needs to fully investigate the environmental, social and economic consequences of this Draft Plan and the associated metering rules. It also needs to understand the serious stress it is causing for a community that has already been tested to its limits with droughts, bushfires, COVID, the mouse plague, floods and the ongoing encroachment of mining. This community does not deserve to be put through more.

Conclusion:

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

This plan will have

Kind regards,

[redacted]

[redacted]

Aberdeen NSW 2336

[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

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			
Name	[redacted]		
Postal Address	[redacted]		
	[redacted]		
Telephone			
Email address			
Stakeholder Group (please indicate which of the following best represents your interest by ticking one box)	☐ Irrigation Interests ☐ Fishing Interests ☐ Local Govt./ Utilities	☐ Aboriginal Interest ☑ Local Landholder ☐ Other (specify)	☐ Environment Interests ☐ Community Member
If your comments refer to a specific water source, which one?	Hunter 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?	

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 **CtP** level in your water source impact on your current operations?	The Ctp at the proposed level will make our turf farms unviable.
Do you think the **CtP** in your water source is practical to implement? Why / why not?	A cease to pump rule will not provide any supplementary irrigation in summer when most needed let alone during a drought. During drought we monitor and restrict use of tidal affected flows and have done for over 40 years. In periods of reduced river flows we can and do use less water but have to have the ability to use it when it is needed which a cease to pump rule would not allow. Harvesting turf for example cannot occur if it dries beyond a certain point but it takes little water to keep it in a harvestable condition.
Do you think the **CtP** provides enough protection for low flows and ecological values? Why / why not?	There has been no environmental degradation on any of our farms as a result of unrestricted access to the water over many years. There has been no information provided to us regarding any ecological impacts. If the department did what it was supposed to do, ie monitoring of the ecological effects, they would be able to arrive at a credible outcome.
The **flow reference point** is the point at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	No. There should not be a CtP. The salinity levels vary within hundreds of meters as we move further upstream and where we have inflows (eg Morpeth Sewerage Treatment outflow).

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

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

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 **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 and low flows	
The **flow reference point** 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?	

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.	

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?	

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?	

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

Submission from [redacted]

I have lived at [redacted] for [redacted] years and have been farming and irrigating along the Lower Hunter since 1977. I have operated [redacted] during this period. Currently we own and operate [redacted] farms comprising turf, hay and beef cattle and a nursery.

I directly employ on these farms 13 workers and indirectly through contractors that help harvest and distribute our produce another 11.

The introduction of a cease to pump rule would mean we would no longer be able to operate our turf farms and our hay production would be severely affected.

We estimate that two thirds of our employees would need to be laid off and we would have no further work for the contractors.

[redacted]

27th February 2022

[redacted]

From: [redacted]
Sent: Thursday, 9 June 2022 11:38 AM
To: [redacted]
Subject: FW: [redacted] 27/2/22 8.40pm NOT CONFIDENTIAL HUNTER FW: Submission for the draft remake water sharing plan Hunter Unregulated and Alluvial
Attachments: Sumbission regarding water sharing plan for Martindale Creek.docx

From: digital.services=squiz.dpie.nsw.gov.au@squiz.regional.nsw.gov.au <digital.services=squiz.dpie.nsw.gov.au@squiz.regional.nsw.gov.au> **On Behalf Of** digital.services@squiz.dpie.nsw.gov.au
Sent: Sunday, 27 February 2022 8:40 PM
To: DPIE Hunter Unregulated Water Plan Mailbox <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?:	
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:	Sumbission regarding water sharing plan for Martindale Creek.docx, type application/vnd.openxmlformats-officedocument.wordprocessingml.document, 43.1 KB

[redacted]

Martindale NSW 2328

Email:

To the Department of Planning and Environment - Water
Email: hunterunregwsp@dpie.nsw.gov.au

Submission in response to the Draft Replacement of the Hunter Unregulated and Alluvial Water Sharing Plan for Martindale Creek

We are writing in response to the Proposed Water Sharing Plan for Martindale Creek.

Whilst we fully understand and support the need for change to the current arrangements, we do not support the proposed plan.

It is obvious that unrestricted pumping cannot continue.

In January 2019, in the height of the drought, several of our neighbours were pumping and irrigating constantly. Their properties were islands of green, productive hay making, and one property impeccably manicured to prepare for sale.

Meanwhile, our water use was only for stock and domestic, and our speer ran completely dry. We were forced to sell our stock as we had no water, while our neighbours continued to irrigate. Furthermore, we had to buy water to fill our tanks for fire protection (the Kerry Ridge Fire was threatening at that time).

We agree that in times of limited water, a fair distribution is required.

However, our issues with the proposed plan are:

1. Location of the monitoring bore
   One bore to monitor the whole of the flow of Martindale Creek is not accurate. As described above, in the location of our speer, we had zero water, yet 20m away pumping and irrigation was occurring. The monitoring bore is 12-13km down stream from us, so is not going to be accurate at all. It is recommended that several monitoring bores be used.

2. Accuracy of the bore (eg – if proposed restrictions were in place, a cease to pump would have existed many months after the creek flowed, including a flood event where the road was cut in several places)

3. Cease to pump may not be the best strategy. Ceasing pumping will mean that there can be no water pumped for

We understand that there is a need for environmental flows in Martindale Creek. However, the role of farmers needs to be taken into consideration in managing wildlife in times of drought. We – and many other local farmers – did not turn off water troughs in vacant paddocks, as it was the only water source for wildlife.

We are also concerned with the specifics of clause 39, "Ground water is permitted to be taken … for domestic consumption under a domestic and stock access licence if no more than 1 kl/day is taken". I would like to seek clarification on this – Does this mean pump only 1000L per day, or can this be cumulative? For example, we would normally pump as required, and fill a tank, then drawing on the tank as needed. Driving to our speer location on a daily basis (whilst simultaneously trying to undertake other duties) is just creating an additional work load and stress.

Furthermore, having access to water – full water tanks - is a necessity in the fire season, to ensure that the Rural Fire Service has access to refill in the event of an emergency. Many local farmers have had their water sources drawn on in an emergency fire event, as it is not practicable for the trucks tr travel back into town to refill. Not having water on hand in the event of an emergency will put our properties and the entire valley at risk.

We also believe that it is paramount that all the bigger irrigators install metered pumps rather than relying on log books. Only then will you have a clear indication of the draw of the bigger water users of Martindale Creek.

We trust that our concerns and those of the other residents of Martindale have been heard, and that the Draft plan in its existing form will not be approved. Furthermore, we hope that there is greater community consultation in the development of a more appropriate plan for Martindale Creek.

Yours Sincerely,

[redacted]

[redacted]

(Submitted via email on 27/02/2022)

SUBMISSION

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

[redacted]

Public Exhibition

February 2022

Introduction:

My Business:

Is a mixed farming Business running beef cattle and making hay for own use and quality Lucerne hay for the horse industry, in the local area . Prior to [redacted] the farm was run as a family owned & operated dairy farm.

My [redacted] purchased the property next door, [redacted] years ago and lease it to a Lucerne farmer, who also has mixed cattle and hay making business supplying a large amount of hay to the horse industry .Both farms purchase all necessary materials to operate & maintain the farm in the local area supporting the local business.

My community:

My children are currently 4th generation on the property just outside of Scone on [redacted] they too have had children making it 5th generation on the farm all have attended local schools and supported the local community.

Endorsement of HVWUA 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 Hunter Valley Water Users' Association 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 very busy making hay on farm as well as contract hay making for other farmers in the local area. 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 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.

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 mixed farming business and negatively impact our local communities.

I agree with the following recommendations from HVWUA:

- 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:

We have had this property ninety years and never had a cease to pump requirement the only times we have been forced to reduce our pumping is when the water level is to low due to drought conditions then we manage the productive areas of the farm to best utilise the water we can access . We here at [redacted] have never run out of water in our wells but have been limited to the amount we could extract still allowing us to make some income in the dry times.

A cease to pump rule would have a massive impact on our business during those drier times .On the Kingdon Ponds in 2005 to 2007 drought there would have been a period of 15 months where we would not have been able to pump under new cease to pump regulations thus having a major impact on income having to sell livestock due to no fresh paddock feed or a major cost on fodder being bought in during these conditions .Also not being able to irrigate lucerne crops to make hay for stock & the horse market will not only affect the income it will have devastating effect on the land due to dry conditions leaving the paddocks with no ground cover causing soil erosion . There would be significant costs in rejuvenating the soils and replanting crops this would be for some unviable considering farm size maybe having to sell the farm at a reduced price due to conditions and with a possible buyer saying no as there is a cease to pump clause in the sale off the property .This area is made up of a lot of small farms most with some sort of water allocation. With a stop to pump clause on their licence this will have a large impact on the value of the land.

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 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.

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.

Conclusion:

I 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 plan will have significant impact on the value of the land overall and the income that will be generated during the drier times for my family and also the ability to lease some country due to cease to pump regulations not to mention the large outlay for meter cost & installation

Kind regards

[redacted]

[redacted]

Scone 2337

SUBMISSION

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

By

[redacted] on behalf [redacted]

Public Exhibition

February 2022

Introduction:

My Business:

* Family involved in meat processing and farming activities in region for in excess of 50 years.

* Water is required for cropping for production of fodder and feeding of livestock.

* [redacted] employs in excess of 400 employees.

My community:

* Our company supports other producers by procuring livestock both from livestock markets and direct from farmers.

* Meat export activities contribute significantly to the Australian economy and GDP.

Endorsement of HVWUA 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 Hunter Valley Water Users' Association 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 making hay. 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 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.

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 cropping activities and negatively impact our local communities.

I agree with the following recommendations from HVWUA:

- 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:

Current cease-to-pump: We purchased our property with no cease-to-pump requirements. In 50 years have never been forced to stop pumping due to a lack of water.

Proposed cease-to-pump:

The impact of this would be:

- Reduction to stock levels.
- Reduction to the number of employees
- Death of livestock due to insufficient water.

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 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.

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.

Conclusion:

I 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 plan will have a detrimental impact on our business operations.

Kind regards,

[redacted]

[redacted]

SINGLETON DC NSW 2330

Dept of Planning, Industry and Environment.

Dear Sir/Madam,

I am writing to you as the Chairman of the Allyn River Water Users Association. ARWUA was formed after the 1965 drought and has been functioning well for over 40 years regulating irrigation on the Allyn River, even domestic use of water. This has been undertaken in a mostly voluntary form.

In 2009 the ARWUA became part of the Water Sharing Plan using local knowledge and in consultation with all water users to set rules and guidelines for water use on the Allyn River.

For example when there is a 7meg (environmental) flow at the Halton gauge all irrigation ceases. And when there is a 15meg flow at the Halton gauge, with a visible flow at the Flying Fox Lane gauge in Vacy there can be a recommencement of pumping. There were also hours of pumping based on the level of flow at the Halton gauge to reduce stress on the river which were decided upon by the ARWUA members but not included in the official plan. Department members, Mr. Brian McDougal and Mr. Gary Hunt were also involved with the establishment of the Water Sharing Plan. These rules and guidelines have been very successful in managing the usage and flow of the Allyn River for a long time because all the users had ownership in the decision making and were consulted during the process of formulating the Water Sharing Plan.

This is not happening now and **must** do so to allow people to have some ownership and understanding of the outcomes for their river. Nobody in the Dept of Planning, Industry and Environment will meet with any group or individual or even return a phone call. ***This is not good enough.*** Most of the people feel they are being coerced into submission by a Dept that appears to have limited real knowledge of the river systems and how they are used by the people living on the Allyn River.

The Plan must remain as is because it is working. The Allyn River will always dry up in drought as it is an unregulated system.

The new plan of 3 megs at Flying Fox Lane, (Vacy) which is virtually at the end of the river flow where it then joins a regulated river, the Paterson, does not make any sense. In dry times the Allyn River should be retaining all of its water as it has no reserves on it such as a dam as does the Paterson river.

There needs to be real consultation in person with the people who live on and use the Allyn River before any plan implemented. A meeting between the Dept members and those that have successfully managed the Allyn River system would be beneficial to the members of the Dept of Planning, Industry and Environment. I have lived on the Allyn River all my life –

60 plus years. I have seen the Allyn River in flood and with no flow during drought The sharing of first-hand knowledge and insight such as this would be invaluable in assisting to develop and formulate the new Water Sharing Plan that works best for all parties involved as well as the environment.

So I ask that now that the COVID restrictions have eased significantly, that the Dept take the opportunity to meet with people and organisations such as the ARWUA before the new Water Sharing Plan is implementation so that the best outcomes for all can be accomplished the through consultative process.

Yours sincerely,

Peter Lawrence.

[redacted]

From: [redacted]
Sent: Wednesday, 8 June 2022 3:10 PM
To: [redacted]
Subject: FW: [redacted] 27/2/22 8.10 pm NOT CONFIDENTIAL HUNTER FW: Submission for the draft remake water sharing plan Hunter Unregulated and Alluvial
Attachments: wsp_hunter_report_card_upper_hunter.pdf

From: digital.services=squiz.dpie.nsw.gov.au@squiz.regional.nsw.gov.au <digital.services=squiz.dpie.nsw.gov.au@squiz.regional.nsw.gov.au> **On Behalf Of** digital.services@squiz.dpie.nsw.gov.au
Sent: Sunday, 27 February 2022 8:10 PM
To: DPIE Hunter Unregulated Water Plan Mailbox <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?:	no comment
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?:	Extraction limits need further studies and modelling as water sources are not an exact science. Any extraction limits imposed are not to be to the detriment of current license holders

Question 2.2

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

No, the amount of water stored from harvestable rights will have a minimal impact upon water flows. This is just another form of reducing water rights and availability for irrigators and water users. Eastern fall rights and conditions are totally different from the Murray Darling system

Question 3.1

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

I agree that harvestable rights should increase to 30% but obviously needs to be reviewed to see the impact of this new ruling. I think the there are enough rules and restraints on the construction of dams on the eastern fall as to have a minimum impact with this new ruling

Question 4.1

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

n/a to my area Judging from talking to people and attending meetings, there are many with valid concerns of new CTP rulings and changes to their present access to water rights. This will impact them in a very negative financial way

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?:

Having lived with a previous plan which had a CTP rule of 12ML at Moonan Dam site guage 210018 and with a no visable flow at Belltrees guage 210039 and meetings to determine a new CTP rules it is proposed that we go to a CTP of 10ML at Moonan guage and a flow at Belltrees guage of equal to or less than 1ML. This is far better than the previous plan but falls way short of all our previous submissions of a CTP rule of 7ML at Moonan Dam site. The difference between the proposed 10ML and 7ML can mean a difference of some 30 to 50 days in low flow conditions. The river system remains in good health having endured 3 1/2 years of the most testing drought for our generation, the social and economic outcomes of the previous plan have changed the way farmers, landholders and irrigators view their tenure and viability of their land. With reduced access to irrigation water in times when most needed, the consideration of farmers viability is paramount. Environmental factors seem to have a far greater play on the CTP rule than the outcome for water users, yet the environmental aspects of the river coming out of such a severe drought proved that the health of this river is able to rehabilitate after extensive droughts. Environmental outcomes and integrity would still be met at a 7ML CTP rule at the Moonan Dam site.

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?:

The term of an "in-river dam" needs further explanation as it is often used but not explained as to what is actually is

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?:	In the report card it says that our Upper Hunter water source will be permitted which is a change from not being able to convert in the old water sharing plan. I agree with such a change to be able to covert to a high flow access license on our water source

Question 10.1

Do you have any comments on this aspect of the draft plan?:	I would oppose this condition on our license as it is a new rule and not in our previous water sharing plan. The proposal is not well explained as to the conditions and rights of the access license granted and the 500 units available on The Upper Hunter water source. Therefore I would oppose it until its implications are explained in more detail. As far as I am aware all people regardless of their heritage have access to the river as long as they don't access it through private land, this is a right brought in many years ago by government decree by the late Neville Wran

Question 11.1

Comments on any aspect of the draft plan:	The draft plan is very hard to understand and its implications are of a serious nature to all water users and irrigators. Report cards for water sources have made it somewhat easier to understand the conditions and rules for individual areas. However the draft plan particularly in an electronic format is hard to navigate and I feel a lot of older farmers would find it difficult to understand its implications. This is why more face to face meetings and consultations are needed and draft plans need to have longer and more detailed discussion before being implemented.

Question 11.2

Upload a submission or any supporting documents:	wsp_hunter_report_card_upper_hunter.pdf, type application/pdf, 49.7 KB

Report card for Upper Hunter water source

Water source context		River flows	
Area:	1293.1 km^2 (51% forested)	**Low flow Index:**	(80th percentile in December of days with flow) = 54 ML/day
Average annual rainfall:	892 mm	**Flow records:**	1940 to 2006 (66 yrs)
Inflowing water source:	Nil	This estimate is based on flows measured at Hunter River at Moonan Damsite (210018) adjusted for longer term climate.	
Receiving water source:	Hunter Regulated River, Hunter River Tidal Pool		

Licensed water use

- Total surface water entitlement: 3,412 ML/year (99% used for irrigation purposes).
- 65 surface water licenses – Peak Daily Demand = 43.2 ML/day.
- 1.85% of total Hunter Extraction Management Unit entitlement.

Management rules for the Upper Hunter water source

Access rules for the Upper Hunter River Management Zone	
Cease to pump (CtP)	For the first five years of the plan the cease to pump is when there is no visible flow at the Hunter River at Belltrees gauge. For years six to nine of the plan the cease to pump is when flows are at or below 7 ML/day at the Hunter River at Moonan Damsite gauge and there is no visible flow at the Hunter River at Belltrees gauge. From year ten of the plan the cease to pump is when flows are at or below 12 ML/day at the Hunter River at Moonan Damsite gauge and there is no visible flow at the Hunter River at Belltrees gauge. The cease to pump reference point may be moved during the plan based on the availability of adequate information at the Hunter River at Belltrees gauge, and discussions with water users. This may result in an amendment of the cease to pump level to an equivalent 97-95 percentile flow level at the Hunter River at Belltrees gauge. Alternatively a new management zone may be identified between the Moonan Damsite gauge and the bottom of the water source. This management zone would have flow classes at the Hunter River at Belltrees equivalent to the upstream Hunter River at Moonan Damsite flow levels.
Reference point	Hunter River at Moonan Damsite gauge and Hunter River at Belltrees gauge.

Access rules for the Stewarts Brook Management Zone	
Cease to pump (CtP)	When there is no visible flow at Garlands Bridge and Hunter River at Belltrees gauge. Visible flow at Belltrees gauge may be amended up to the 95th percentile flow level during the term of the plan.
Reference point	Garlands Bridge and Hunter River at Belltrees gauge.
Trading rules	
INTO water source	Not permitted.
WITHIN water source	Permitted, subject to assessment.
Conversion to High Flow Access Licence	Not permitted.
Conversion to Aquifer Access Licence	Not permitted.

Key factors for Panel decision

Background information		
Water source attributes	**Rating**	**Justification for initial classification**
Relative instream value (within catchment)	High	• 5 threatened amphibian species. • 1 threatened bird species. • High species diversity. • High recreation value. • High wet flora values. • Moderate fish community integrity. • The ecology value for invertebrates is deemed to be moderate.
Hydrological stress	Medium	Peak extraction demand exceeds available flows in December.
Relative economic significance of irrigation (within catchment)	Medium	Medium economic dependence of the local community on water extracted for irrigation.
Risk to instream value (from extraction)	Medium	Instream values are at medium risk of being impacted by extractions within the water source.
Existing access arrangements during dry conditions		
Water User Association (WUA)	Yes – Upper Hunter Water Users Association.	
Licensed Cease to Pump (CtP)	Cease to pump condition on some licences.	

Interagency Regional Panel review of initial classification and draft rules

Classification

- Gaining stream type.
- The Interagency Regional Panel revised the instream value from medium to high, recognising the high values of the headwater portions of the catchment and that many tributary streams are in relatively good condition.
- The Interagency Regional Panel revised the hydrological stress from high to medium the because the gauging station used in the assessment only accounts for about half of the catchment, whereas Peak Daily Demand figures account for the entire catchment. Flows at the end of system would be expected to be higher.

Rules

- Trading rules identified through the classification process were adopted by the Interagency Regional Panel.
- Access rules identified by the classification process were adopted by the Interagency Regional Panel to commence when adequate data is available, with a visible flow rule to apply until then.

Matters raised during targeted consultation

- No changes to the rules were proposed by water users or interest groups during the targeted consultation period.

Matters raised during public exhibition

Based on submissions received during public exhibition the Interagency Regional Panel has proposed a number of amendments.

The following amendments are relevant to all water sources:

- Review of the map of the plan area to ensure:
  - all existing water sharing plans excluded from the plan are clearly identified on the map
  - management boundaries for alluvial aquifers are refined due to original mapping being done at coarser scale.
- In relation to mandatory conditions for water supply works being used to take water from the groundwater or the alluvial sediments:
  - Amendment of provisions relating to replacement works to more clearly specify the allowable level of impact from such works.
  - Amendment of provisions relating to replacement works allowing such works within 20 m of the original work.

The following amendments are water source specific:

- Splitting of the Upper Hunter Water Source into two management zones:
  - Upper Hunter Management Zone.
  - Stewarts Brook Management Zone.
- Stewarts Brook Management Zone to have a cease to pump of visible flow at both Garlands Bridge and Belltrees gauge with option for amendment by Year 10 of visible flow at Belltrees to flow equivalent to 95 percentile flow level.
- Upper Hunter Management Zone cease to pump level at year six reduced from 19 ML/day to 7 ML/day at Moonan Damsite gauge and visible flow at Belltrees gauge for year six to nine, and 12 ML/day at Moonan Damsite gauge and visible flow at Belltrees gauge from year ten. Option to retain flow reference point at Moonan Dam flow gauge for the Upper Hunter Management Zone or create new management zone and include flow classes at Belltrees gauge equivalent to Moonan Dam gauge, or move to equivalent flow level at Belltrees gauge before end of plan.

For more information about the macro planning process for the Hunter Unregulated and Alluvial Water Sources refer to the 'Hunter Unregulated and Alluvial Water Sources – Background Document' on the Departments website: www.dwe.nsw.gov.au

DWE 09_089

[redacted]

From: [redacted]
Sent: Thursday, 9 June 2022 9:04 AM
To: [redacted]
Subject: FW: [redacted] 27/2/22 7.12 pm CONFIDENTIALITY NOT SPECIFIED HUNTER FW: Draft Water Sharing Plan for Hunter Unregulated and Alluvial Water

-----Original Message-----
From: [redacted]
Sent: Sunday, 27 February 2022 7:12 PM
To: DPIE Hunter Unregulated Water Plan Mailbox <hunterunreg.wsp@dpie.nsw.gov.au>
Subject: Draft Water Sharing Plan for Hunter Unregulated and Alluvial Water

Name [redacted]

Address [redacted] Denman, NSW, 2328

[redacted]

[redacted] [redacted]

[redacted] [redacted]

Stakeholder Group Irrigation Interests

Water Source Lower Goulburn River.

MY Area of Most Concern: Cease to Pump Rules and Reference bore.

1 How does the Ground Water Level (GWL) at the Reference Bore, GW273104, relate to the GWL at my [redacted] bores which are some 5 metres deep in the Goulburn River?

During the droughts in the early 2000's and 2017, I was able to pump water which although high in salt content, was able to keep my vineyard alive.

The implication of the Cease to Pump level at GW273104 is that I would have been able to pump only until the level was about 3 m below river level.

2 The information I have indicates, that in 2017 I would have had zero access to irrigation water for several months. This would probably have killed or at least seriously damaged my vineyard!

During the early 2000's drought there were two periods totaling over 12 months. One of these was a full 12 months when I would have been unable to pump under the Draft Plan.

This would certainly have totally killed my 22 hectares of vineyard; resulting in a loss of some $1,000,000 of capital investment, apart from my income. !!!

Alternative Restricted pumping suggestion.

1 Progressively restrict the amount of water that can be pumped as GWL's fall but allow some pumping during the worst conditions we have experienced over at last the last 30 years.

2 While this would not avoid some damage to agriculture it would at least avoid total loss.

3 Unfortunately this option was apparently not considered.

Regards,

[redacted]

SUBMISSION

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

By

[redacted]

Public Exhibition

February 2022

Introduction:

I, [redacted], make the following submission to NSW Department of Planning & Environment in relation to the *Draft water sharing plan (WSP) for the Hunter Unregulated & Alluvial Sources 2022.*

As a water user, we are taking the opportunity to provide a submission in the Public Exhibition process on the *Draft Water Sharing Plan for the Hunter Unregulated & Alluvial Sources 2022.*

The key performance indicators and proposed reporting on the outcomes appear to be biased towards ecological objectives of the WSP and the impact on agricultural production in the region, particularly on small landholders who are given even less emphasis.

The WSP specifically affects our water source, namely the Dart Brook water source as part of the lower Dart Brook Management Zone. We have considered and reviewed the proposed plan and associated risk assessment affecting the management zone.

My Business:

I run a mixed operation property. We are located[redacted] south of Scone adjacent to the New England Highway. Our Property [redacted], is 484 acres of alluvial flat country, supported by [redacted] and its [redacted]ml entitlement. We produce lucerne Hay, fodder as well as operate a Horse agistment and pre-straining Stud. We employ 5 local people, sell hay to both local farmers and horse studs and draw upon countless local businesses as part of our daily operation.

The property is run in conjunction with another grazing farm we also own and operate in the local area. Our grazing farm relies heavily on the hay and fodder production from the subject property to sustain our cattle herd, particularly through periods of reduced rain and drought.

The Draft WSP in current form will directly impact the financial viability of both farms. If we were unable to access adequate water sources, we would be unable to sustain our current cattle herd and our lucerne hay production would also significantly decrease. Both of those impacts would immediately decrease the financial health of our business. The financial impact on our farm would also extent to the local businesses that support our operation through repairs and maintenance of machinery, irrigation equipment, fencing and fertiliser, just to name a few.

Throughout the most recent drought, our water source did at no stage reach a point where we were unable to extract enough water to support our business. This was a critical element in our decision making for buying this property in 2020 as part of our continued operation in the local area.

Under the proposed WSP, we would have experienced over 20 months of cease to pump conditions over a 3 year period. The adoption of the current WSP would have a direct outcome that conflicts with the objectives of the WSP.

In these circumstances, our business cannot sustain its operation. We would be unable to supply our local clients with lucerne Hay, we could not produce fodder and Hay for our own cattle operation, and we would be unable to irrigate to grow pasture for the horses in the Stud.

Endorsement of HVWUA 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 Hunter Valley Water Users' Association 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 the busiest periods for our business as it is the middle of the Hay making season as well as the middle of the yearling preparation period ahead of the upcoming industry sales. 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 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.

Given the significant of the Draft WSP and its impact on agricultural business, we feel there has not been adequate opportunity to educate ourselves on the impact of the Draft WSP and its impact on our land and business. December through to March are the busiest period of our business, affording us precious little time to adequately assess the impact of the Draft WSP.

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 in totality. Without water, we are unable to produce the Lucerne to make Hay, the fodder for additional feed supply for both sale and the cattle herd on our grazing farm, as well as remove our ability to grow adequate feed for the horse stud.

In the event of the implication of the Draft WSP in current form, the financial impact on our business will cause us to:

- lay off employees
- Remove our ability to utilise local contract labour
- Discontinue our support of local business for repair and maintenance of machinery, merchandise, fencing, irrigation repairs and maintenance

I agree with the following recommendations from HVWUA:

- 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

The cease to pump (CTP) conditions proposed in the Draft WSP, for the Dartbrook Water Source, have a severe negative impact on the ongoing viability of our land and our business. The extension of the CTP will eliminate our ability to water our lucerne, fodder crops and pasture for the horse stud paddocks, at the times when it is needed most. As identified above, over the course of the most recent drought, under the new CTP guidelines, over a 3-year period, we would have been forced to stop pumping for over 20 months. This would have eliminated a valuable source of available feed for not only our business, but for other local business that also rely on us for feed supply for their stock. The current WSP for Dartbrook water source places no restrictions on pumping. These changes will have a sever impact on the value of our land, our ability to maintain our employees and well as the viability of both our horse stud and cattle grazing properties, placing the business as a whole in a position of being unable to continue trading.

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 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.

Conclusion:

I 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.

The current draft WSP appears to focus on meeting state-wide initiatives and does not consider the impacts on small landholdings, stock numbers on properties or land size.

I would like to reiterate the negative impact the current draft of the WSP will have on our farm. If implemented in current form, the water availability at our farm will be significantly diminished. This in turn will cause a significant decrease in our farm's financial viability and that of other local businesses.

Additionally:

- The department has not provided sufficient modelling or economic impact assessment on the proposed changes.
- The draft WSP appears to be bias in meeting objectives (a) and (b)
- Under the proposed WSP, we would have experienced over 20 months of cease to pump conditions over a 3 year period. The adoption of the current WSP would have a direct outcome that is in conflict with the objectives of the WSP.
- The WSP does not consider in any way the economic flow-on effect to local business and industry suppliers would be immense. The health and wellbeing of critical industries throughout the region such as the world-renowned Thoroughbred industry in the region depend heavily on the lucerne Hay we produce.

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:

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

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			
Name	[redacted]		
Postal Address			
	South Maitland NSW 2320		
Telephone			
Email address	[redacted]		
Stakeholder Group (please indicate which of the following best represents your interest by **ticking one box**)	☐ Irrigation Interests ☐ Fishing Interests ☐ Local Govt./ Utilities	☐ Aboriginal Interest ☑ Local Landholder ☑ Other (specify)	☑ Environment Interests ☑ Community Member
If your comments refer to a specific water source, which one?	Tidal pool - Paterson, Hunter River and Wallis Creek		

Attach extra pages if required

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?	

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?	Forward Data on the impact of climate change and to the predicted leves is necssary to determine the impact of Harvestable rights of water on dams which are the first source of water on farms.

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?	no comment
Do you think the **CtP** in your water source is practical to implement? Why / why not?	no comment
Do you think the **CtP** provides enough protection for ecological values such as Groundwater Dependent Ecosystem?	no comment
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 comment

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 **CtP** level in your water source impact on your current operations?	It will mean that the farmers will not be able to irrigate when they need it. Food production is based on the availability of water when the plants need it.
Do you think the **CtP** in your water source is practical to implement? Why / why not?	The cease to pump rule proposed is at Millers Forrest. This will eliminate all farmers in the lower hunter where there is intensive agriculture and food production to be able to irrigate when they need it. Farmers have bene monitoring the EC levels before they irrigate. This can continue if there is no ceaase to pump rule.
Do you think the **CtP** provides enough protection for low flows and ecological values? Why / why not?	We have seen no monitoring and scientific evidence to answer this question.
The **flow reference point** is the point at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	The idea of a flow reference point is meaningless and must be abandoned

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 **CtP** level in your water source impact on your current operations?	If this applies, the water flow to the rest of the hunter river and then the tidal pool could be affected.
Do you think the **CtP** in your water source is practical to implement? Why / why not?	no
Do you think the **CtP** provides enough protection for ecological values and low flows? Why / why not?	no because there is no data and moonitoring that helps to infom the ecology of the river systems.
The **flow reference point** is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	Flow reference points must be abandoned as they do not reflect the needs of the users of the river in a timely fashion.

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 **CtP** level in your water source impact on your current operations?	no comment
Do you think the **CtP** in your water source is practical to implement? Why / why not?	no comment
Do you think the **CtP** provides enough protection for ecological values and low flows?	no comment
The **flow reference point** is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	no comment

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 **CtP** level in your water source impact on your current operations?	This will impact agriculture in the lower hunter region who supply the sydney, newcastle and lower hunter regions. Agriculture will cease.
Do you think the **CtP** in your water source is practical to implement? Why / why not?	No it is not. It should be abandoned because it put s restrictions when water may be needed for food production.
Do you think the **CtP** provides enough protection for ecological values and low flows	No moinitoring or scientific data is provided for the river. Until this is done, there is no need for a ctp.
The **flow reference point** is the location at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	Flow reference points should be abandoned.

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?	no comment

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?	yes

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?	yes
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?	yes
Have you noticed any **effects** from extraction on water levels in the groundwater source? If so, please specify.	no comment

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?	water trading schemes are not equitable.

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?	Water trading schems are not equtable

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?	no comment

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?	yes

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?	The plan lacks scientific data, is not based on monitoring and has very little public consultation. Cease to pump will destroy the developing agriculture and food production that is so necessary as we face climate chnage and food security issues. ore time is need to make a more considered changes. Nopw is not the time.

The proposal outlined in the draft water sharing plan: Tidal Pool

1. will destroy a vibrant, sustainable food production system in the lower hunter valley that relies on water when they need it. The Cease to Pump rule is not a viable option.

2. It will destroy the food security for the greater region proposed which includes, The city of Newcastle, Port Stephens, Maitland & Cessnock.

3. This Plan uses modelling not based on actual scientific data from monitoring but based on inputs and assessments. This is highly offensive to the people affected.

4. Behind the veil of the COVID 19 pandemic and the dates set buy the department, the lack of community consultation is of great concern.

Our organisation Slow Food Hunter Valley is part of the global Slow Food Movement advocating, educating, and protecting food biodiversity with the aim of providing access to good clean and fair food for all. We have been in operation in the Hunter Valley for over 15 years, predominantly working in the Dungog and Maitland Shire council areas. Our members are farmers, small scale producers, local community members, chefs, medical professionals' students, educators, and academics.

In 2017 a flood could have destroyed one of three of the vegetable growers in Maitland and seen a generations of farming experience and knowledge and successional family members walk off the farm. Our Group have been working closely with farmers to create a economically vibrant, biodiverse and food secure community. The number of farmers have now increased and many young people with access to the land are seeing the example of food production and agriculture as a viable option for the future. These farmers now have higher education degrees and combined with intergenerational knowledge to better utilize the natural resources such as water that are so necessary for their businesses.

The Development of the Slow Food Earth Market in Maitland has been a catalyst in further development of the food system. Fresh Seasonally grown fresh food is now available to the local community. The number of small producers has increased from 3 to 22 this year. Biodiverse crops grown now have a market in the top restaurants in Sydney and the hunter Valley with potential for export markets in Asia with the proximity to the Williamstown airport earning valuable export dollars for NSW.

Food security from the tidal pool production enabled the following: In 2021, 10,000 nourishing meals made from excess produce off the farms for the disadvantaged in the community. Local farmers supplied produce to the disadvantaged during the pandemic and the supplied fresh produce monthly for 12 months to the drought affected families in the Upper Hunter towns of Scone, Gundy and Moonan Flats.

We therefore seek that the NSW Government

!. undertake thorough scientific studies to examine the ecology of the Tidal Pool

2. Engage directly with the licence holders (only 204 in the Tidal Pool) do we see this as a manageable number.

3. Delay the stating date of the Water Sharing Plan until there is evidence for its implementation.

4. Consider the economic, social, and environmental benefits of what exists and the potential for it to be increased in value to the whole of NSW.

5. Undertake a study of the health of the Estuary including the health of the estuary including the impact of urban runoffs, inflows from other rivers and from industrial pollution.

We feel that this Draft Water Sharing Plan, and its particular reference to the Tidal Pool is unrealistic to farmers who have been managing their farm output based on the knowledge and experience of protecting their land and the health of the river.

We have no confidence that the NSW Government cares or values Good Clean and fair Food production and this concerns us greatly.

[redacted]

SUBMISSION

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

PUBLIC EXHIBITION

[redacted] - [redacted]
27 February 2022
SUBMISSION

To be CC'd:

Dave Layzell Member for Upper Hunter
upperhunter@parliament.nsw.gov.au

The Hon. James Henry Griffin Minister for Environment and Heritage
manly@parliament.nsw.gov.au

The Hon. Kevin John Anderson Minister for Lands and Water,
tamworth@parliament.nsw.gov.au

Submission:	Draft Water Sharing Plan for the Hunter Unregulated & Alluvial Sources 2022
Submission Made:	[redacted] - [redacted]
Water Source:	Scotts Creek Management Zone
Submission Date:	27 February 2022

1. Introduction

I, [redacted] make the following submission to NSW Department of Planning & Environment in relation to the *Draft Water Sharing Plan (WSP) for the Hunter Unregulated & Alluvial Sources 2022*.

As a water user, we are taking the opportunity to provide a submission in the Public Exhibition process on the *Draft Water Sharing Plan for the Hunter Unregulated & Alluvial Sources 2022*.

The key performance indicators and proposed reporting on the outcomes appear to be biased towards ecological objectives of the WSP and the impact on agricultural production in the region and on small landholders are given less emphasis.

The WSP specifically affects our water source located in Lower Dart Brook Management Zone and we have reviewed and considered the proposed plan and associated risk assessment affecting the management zone.

2. My Business

I operate a property that relies on the extraction of water from the Scotts Creek Management Zone.

If we were unable to access adequate water sources, it would be financially detrimental to our business.

3. Endorsement of the Hunter Valley Water Users Association Submission

Whilst the purpose of this submission is to provide my own personal feedback on how the Draft WSP will impact upon my land and my business, I would also like to fully endorse the submission made by the **Hunter Valley Water Users' Association** which encompasses a wide range of issues relative to my property.

4. Objectives of the Draft Water Management Plan

Water Sharing Plans are vital in the long-term management of water supply to maintain and produce critical supply of water in the catchment whilst sustaining the environment.

The following objectives have been identified in the draft WSP:

(a) To protect, and where possible enhance and restore, the condition of the water sources and their water-dependent ecosystems.

(b) To maintain and where possible, improve, access to water to optimise economic benefits for agriculture, water dependent industries and local economies.

(b) To maintain and where possible, improve, the spiritual, social, and customary, and economic values and uses of water by Aboriginal people.

(c) To provide access to water to support water dependant social and cultural values.

These objectives meet the needs of all stakeholders however there are several key issues which have been identified that affect the nature and operations of our landholding.

5. Key Issues

We are water users who responsibly manage water use recognising that water is a finite natural resource. We believe that there has been an excessive emphasis placed in the draft WSP to meet objective 3(a) and 3(c). In addition, there has been a lack of transparency surrounding DPIE decisions that seemingly result in a contravention of the objective 3(b).

In consideration of this, I support the recommendation of the **Hunter Valley Water Users Association** (HVWUA) that the DPIE release an Ecological Impact Study to further assess the critical issues raised by the Draft WSP.

It appears that the broader water use of the upper catchment may be severely impacted and is likely to cause economic detriment especially to agricultural holdings of the Upper Hunter. Below is a list of the major concerns for myself and my business:

(a) Consultation Process

- Given the widespread impact of the draft WSP upon landholders, agricultural holdings and associated businesses, it is imperative that impacted parties are

given reasonable opportunity to provide relevant feedback on a regulatory instrument that is to regulate water use for the next 10 years.

- January and February are particularly busy months. The limited consultation period offered has been disappointingly unsatisfactory given that the Department told water users at a meeting in May 2021 that the WSP would be ready for public exhibition in September 2021.
- I would like to fully support the *Hunter Valley Water Users Association's* recommendation that the public exhibition period for the WSP should be extended to 40 business days, instead of 40 days, making the new end date 15 March.

(b) Updated Definition of Long-Term Average Annual Extraction Limit (LTAAEL) to include Basic Landholder Rights and Harvestable Rights

- The LTAAEL is an important instrument for the management of water. The definition in the draft WSP for the standard LTAAEL is the sum of all licenced entitlements, stock and domestic rights, native title rights and harvestable rights at the commencement of the WSP.
- However, there is no supporting evidence on how the department modelled and estimated the amount of water required to satisfy stock and domestic use.
- The calculation of the standard LTAAEL should not occur until improved data systems have been implemented across the region.
- The ceiling placed on long-term average annual extraction limit (LTAAEL) should be imposed once further data is available and collated.
- We are concerned that the standard LTAAEL was calculated using 10% of rainfall run off limit across the region. However, an announcement on 10 November 2021 confirms that landholders in coastal draining catchments undertaking extensive agriculture can capture up to 30% of the average rainwater run-off for their Harvestable right.
- Further, the method to calculate the LTAAEL did not consider the change in season and factors affecting different aquifers at different sites.
- We are concerned that this additional allowance will affect the LTAAEL and the calculations should be amended to reflect the additional harvestable rights given to users in the coastal regions.

(c) Location of Monitoring Bores & Modelling

- The location of the monitoring bores in the Upper Hunter are in many cases too far from the actual extraction sites and thus the proposed cease to pump access rules may have no relevance to the actual extraction site.
- The change in seasonal conditions affect wells and bores differently. As a responsible landowner we understand the seasonal effects and plan the use of our land accordingly.

(d) Cease to Pump

- The proposed Cease to Pump (CTP) access rule of Water Management Zone Scotts Creek will impact on the ongoing economic viability of our land and water rights.
- If an extended CTP is initiated there will be extensive and potentially devastating impacts on the everyday operations on landholders. It is imperative that the DPIE

allows landholders to participate in thorough, transparent, and extensive consultation.

- The current WSP for Water Source Scotts Creek are that we are required to cease to pump when there is no visible flow in the Pages River at Blandford Gauge #210142.
- The proposed new CTP rule dictates that you must cease to pump when flows in the Pages River at the Blandford gauge are equal to or less than 1ML per day
- The implementation of the new CTP access rules will negatively impact the everyday operations and use of the land.
- These new rules are likely to have the following economic impacts:

    1. Inability to grow the feed required to maintain the agricultural activities;
    2. Inability to maintain supply of crucial feed to livestock;
    3. Inability to maintain employment of our staff;
    4. Increased transport costs/supply costs;
    5. Increased operational costs in obtaining additional feed for our own stock.

- The proposed CTP triggers have no impact on the reliability on water access licences in the draft WSP.
- This one size fits all approach to water use does not consider the seasonal effects upon groundwater levels at various bore and well sites. Landholders knowledge of their water assets performance across seasons have ensured that we have been able to continue to access water in the most severe drought conditions.
- We do not believe that the proposed changes consider the broader economic implications to the local community if extended CTP order is initiated and remains in place for an extended period.
- The proposed CTP rules would have a substantial impact upon our business and local industry as a whole. The health of the livestock in drought depends upon the productivity of our land to produce feed.

(e) Additional Costs to Operation

- We will be required to obtain water from elsewhere to maintain operations of the business..
- The requirement to log in to real time data websites prior to any extraction may impact upon farm operations and reduce productivity. Some areas do not have adequate mobile access to log in to the site from the well or bore site, and this will increase time and costs.
- We would suggest that the department send an email or text message when cease to pump is to be enacted as they do for the Hunter Regulated Users.

(f) Metering Conditions

- Proposed metering requirements highlighted in the draft WSP may place a particularly onerous financial burden upon my business. Although I understand the need for water users to observe their role as environmental custodians, the costly exercise of installing AS4747 Meters to existing pumps/bores will likely have a significant impact upon the operations of my business.
- Given the weight of this likely financial impact, I support the recommendations from the Hunter Valley Water Users Association that the metering requirements of

the WSP be brought in line with the NSW Non-Urban Metering Policy, including the minimum threshold of 100mm for water users to install AS4747 meters.

(g) Conversion of High-Flow Access License

- An important strategic aspect of water usage is the pumping of water into water storage systems during times of high flow. This not only improves reliability of water access but generally has a lesser impact upon the ecosystem during times of low flow. This idea directly satisfies objectives (a) and (b) of the WSP.
- However, the proposal to remove high-flow access licenses from the Pages River, Isis River, Lower Wollombi Brook, Rouchel Brook and Paterson/Allyn rivers and water sources is particularly concerning, and seemingly in contravention of the objectives (a) and (b).
- Whilst I understand the potential impact that this strategic water use can have upon downstream water users, I believe it is important that local landholders to be able to have the opportunity to access at high level flows when the opportunity presents. Further studies should be undertaken to select an appropriate threshold for high flow access use.

6. Conclusion

The draft WSP appears to be focussed on meeting State-wide initiatives and does not take into account the impacts on small landholdings, stock numbers on properties or land size.

I would like to reiterate that:

- The department has not provided sufficient modelling or economic impact assessment on the proposed changes.
- The draft WSP appears to be bias to meeting objecting (a) and (c).
- The CTP is likely to be economically detrimental to the long-term operations of our business.
- The CTP blanket approach being proposed does not take into account local landowners knowledge of the water source and will have serious consequences to our business remaining viable in the longer term.
- The economic flow-on effect to local business and industry suppliers would be immense.

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Scone NSW

Pages River Water Source

[redacted]

[redacted]

Submission to:

"Water sharing plan for the Hunter unregulated and alluvial water sources 2022."

February 2022

[redacted]**:** The property is located on the Pages River and is the original settled property of the area being Segenhoe, established in 1823. Segenhoe was chosen to supply the Sydney colony with food and fibre. The property was founded in its location for its bountiful resources.

[redacted] operates a thoroughbred breeding business, incorporating stallions at stud, agistment, Yearling preparation and Foaling services. We employ 35 full time staff and 15 casuals for seasonal work. Our business also relies on local businesses, supporting the townships of Scone and Aberdeen. We irrigate perennial pastures using shallow wells and have done since irrigation was introduced into the valley.

Thoroughbred industry: The breeding of thoroughbred horses in the Upper Hunter is its biggest industry and relies heavily on the Upper Hunters unregulated and alluvial water sources for successful operation. Not only does the industry provide employment for many of the residents and affiliated contractors, but the presence of the studs also adds to the aesthetics of the region.

- "1 of 3 Thoroughbred Breeding Centres of Excellence in the world
- Home to Australia's multi-billion dollar thoroughbred Breeding Industry
- Economically significant - contributing $2.6 billion to NSW economy and $5 billion to Australian economy every year
- Significant national and state employer and largest agricultural employer in the Hunter region
- Largest domestic producer and exporter of premium Australian thoroughbreds - birthplace of 1 in 2 Australian racehorses born in Australia every year
- Home to more than 200 stallion and broodmare farms - 2nd largest concentration of thoroughbred studs in the world
- Australia's most sophisticated, concentrated network of equine support industries – including the Scone Equine Hospital, the largest in the Southern Hemisphere
- Recognised State Significant Critical Industry Cluster
- Proud heritage in the Hunter of producing past, present and future champion equine athletes for nearly 200 years." (Hunter Thoroughbred Breeders Association)

Refusal of extension for submissions: At [redacted] we felt that the public consultation period was inadequate for effective legal and business analysis of its content. My requests via Upper Hunter Shire Council were dismissed comprehensively by DPIE's [redacted]. The consultation period for [redacted] and most of the thoroughbred breeders came at a time when many staff including most senior management were attending the annual summer yearling sales. There was also inadequate communication at the start of the consultation period, which means many irrigators, ourselves included. As farm manger I was first made aware of this on 27th January 2022. The failures of the departments communication means that the only conscionable decision should be to extend the consultation period.

Recommendation: The DPIE extend the consultation period to midnight of the 15th March.

Cease to pump: Bore site data for [redacted] shows that under the new plan CTP for Pages alluvial water orders would have come into effect between 11/12/19 and 31/7/2020. 230 days (Appendix 1.). [redacted] is extremely concerned about the cease to pump provision in the plan. Historically we have pumped in a very limited capacity in very low flow scenarios. This has allowed us to maintain our perennial pastures and trees. Under the new plan our perennial pastures and trees will die off during CTP. Keeping ground cover is extremely important to thoroughbred operations and the environment adjacent to the riparian zone. Bare soil poses health issues to unborn and new foals as late pregnant mares and foals are susceptible to soil borne bacteria prevalent in bare pasture areas. Cease to pump orders and the potential to lose long established perennial pastures is also a threat to the soil carbon project underway at [redacted].

Recommendation: Cease to pump provision for irrigators be reviewed and removed or at these triggers be given a limitation to allocation to allow for limited irrigation for the maintenance of critical pastures and ecology.

Ambiguity around water for bulk stock water and horse washing processes: During the webinars offered by DPIE staff it was mentioned that stock and domestic water would be affected by cease to pump. It was suggested that property rights would cover stock and domestic take and was suggested that figures of 1,000 L would be unaffected. As a business we draw up to 500,000 L per week to maintain horses and cattle. During the bushfires and the hottest part of the year in 2019/2020 we took horses on an emergency basis from fire affected coastal areas. Under the proposed cease to pump modelling we would have been turned off during this period.

Recommendation: Further discussion and analysis is required of this and should be clarified by the department.

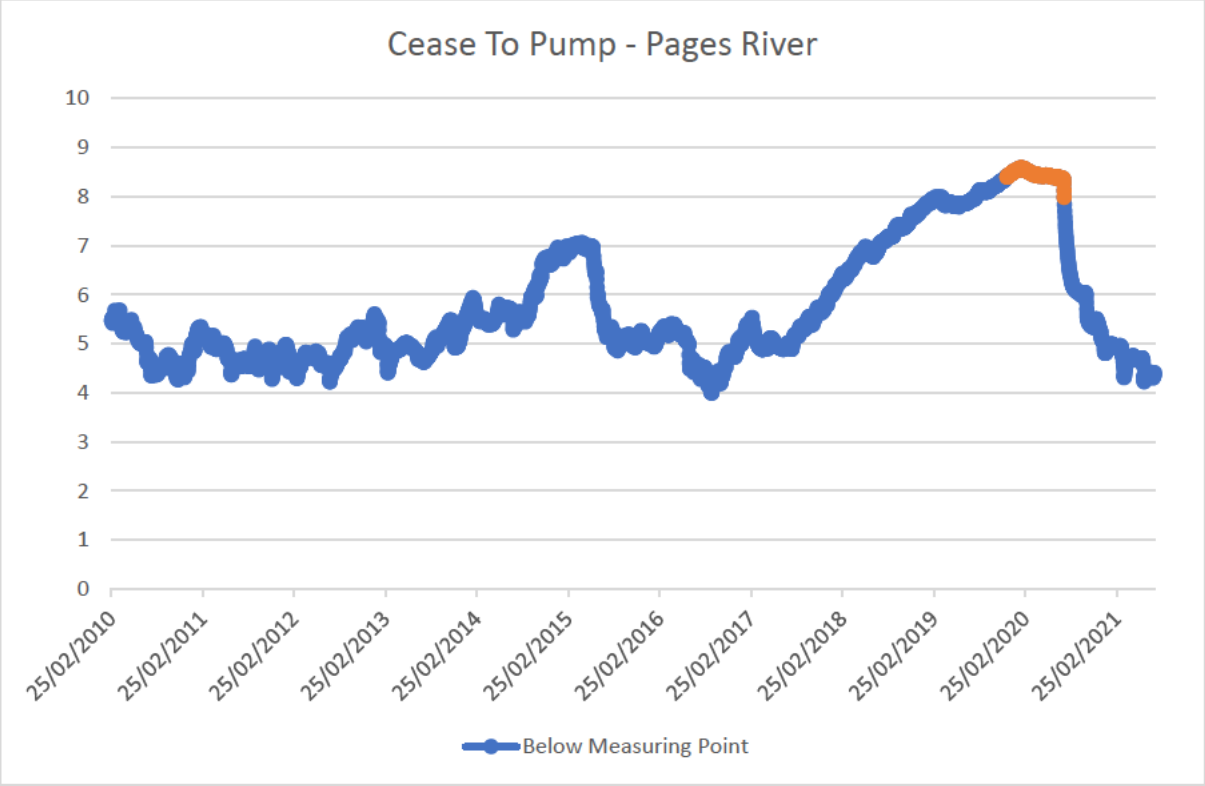
Metering: [redacted] has 7 affected sites for metering. While metering is part of another department it will be helpful to understand our challenges. Not only will be charged with the cost implied upon us with the installation of the meters but also will have to modify all our pumping sites to accommodate AS4747 meters. This means we will have to change fence lines, roads and infrastructure surrounding established wells. We expect that our costs regarding this unproductive installation will be over $100,000. We perceive the deadline of December 2023 to be unachievable, especially with Covid related shortages.

Recommendation: Alternative metering options should be explored for pumps <100mm. For pumps above 100mm grant funding options should be investigated. Meter installation deadline should be pushed back to December 2024.

Opportunity: *The Hunter region is discussing transitions away from coal. Mandating meters means many are required. I would propose government assistance in the funding of a manufacturing meters locally.*

Hunter irrigation is unique in Australia, only 30% of the water in Glenbawn dam is provided to irrigators, councils, mining and industry. With the imminent closure of the coal power stations operated by AGL this would be a great opportunity to distribute water between irrigators, industry and environment to advance the upper hunter.

Appendix.



Orange line depicts CTP period 11th December 2019 to 31st July 2020 (230 days).

27/02/2022

To The DPIE, Minister for Water, Minister for Environment and Dave Layzell Local Member for Upper Hunter,

We the [redacted] of the Martindale catchment would like to formally submit our objection to the Hunter Unregulated and Alluvial Water Sharing Plan for the Martindale Creek. We are irrigating farmer and we give permission for our details and submission to be used as required. We are group of irrigating families who oppose the introduction of the draft Hunter Unregulated Water Sharing Plan.

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

The [redacted] believes the proposed level/rules will have a significant impact on their current operations for the following reasons:

- Many farmers have spent years developing their stock to the quality where they expect optimum price at sale. During drought times, farmers will endeavour to keep their prime stock alive by growing feed and the proposed **CtP** level/rules will stop this action. This in turn imposes strategies on them to help keep their prime stock alive.

  Farmers will seek off-farm work to purchase hay that is overpriced due to the drought. Consequently this action restricts them from being able to seek transport travel subsidy from the government. It also compromises bio-diversity by introducing foreign seeds from the delivery of hay.

  The proposed **CtP** levels/rules will cease the production of locally produced hay that drought-stricken farmers could purchase.

- When the drought breaks, farmers will be forced into debt to purchase hugely inflated priced stock. The current price of cows and calves has increased by 500%. Reality is that many family-operated farms will not be able to afford the debt.

- The NSW government has encouraged farmers to drought-proof their properties. Many farmers have spent money to upgrade irrigation systems for improved efficiency, built hay sheds for the storage of hay and improved pastures. These were incentives from the government so as to prepare for the next drought.

- Following the guidelines from the draft water sharing plan and at the end of the drought in 2020, water flowed past all of our pump sites for 94 days before we would have been given permission to pump again.

- Farmers have the increased uncertainty, with the introduction of the proposed **CtP** levels/rules, that their property will decrease in value. This is through the perceived

perception from the public that their farms have reduced profitability with the introduction of **CtP**. This will have a flow-on effect on farmers' mental health. Rural areas do not have the same equitable health facilities compared to city dwellers where medical facilities are open 365 days a year, including Christmas Day. Men's mental health in rural areas has been recorded and acknowledged as worrying. The proposed **CtP** levels/rules will only exacerbate this problem.

Do you think the CtP in your water source is practical to implement?

- The creek bed of Martindale Creek is based on sandstone which is very porous. The reliability of water levels would have to be questionable where sandstone is involved. On one local property there are two bores that are in close proximity to each other. The water level in both bores varies substantially which again questions the reliability and accuracy of WaterNSW readings of monitoring bores in Martindale Creek.

- The water in Martindale Creek has 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?

- The validity of the water flow and quantities in Martindale Creek is highly questionable. There are less than a handful of irrigators whose water is metered. How can water volume be quantified if the majority of farms and water output are not metered? Yet Water NSW is happy to implement a new Water Sharing Plan which is flawed by insufficient date and metered readings?

- Due to the sandstone system, water often is diverted below a sand slug which is common within these waterways. Water may not be present as an overland flow during high flow times, due to the inherent nature of a sandstone system with many tributary shelves.

- In the past, there were 25 dairies operating in the Martindale Creek Catchment. These dairies irrigated constantly and there were never issues with water sharing even in the tough times. The number of properties which irrigate now is minimal compared to the number of properties irrigating years ago and has significantly reduced the demand on the water from the creek.

Do you think the CtP provides enough protection for ecological values such as the 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. We 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 We 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.

- The monitoring bore does **NOT** have telemetry reading, therefore the farmers are unable to monitor the situation at the bore site.

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Additional Feedback

- Instead of **CtP**, we should be looking at compliance and metering so there is a clear indication of how much water is being extracted from Martindale Creek catchment rather than imposing **Cease to Pump** orders if there is minimal water being taken.

- The ability to grow fodder during tough times for stock health and for the farmer and other consumers will help to keep feed costs down and help to reduce stress on animals and farming families.

- An **Exceptional Circumstances** clause to be added to the Water Sharing plan for landholders who live adjacent to National Parks in times where there are

unprecedented circumstances. This should give the landholder the right to irrigate land to protect the landholder's homes, sheds and livestock. This water should not come from the domestic allocation as this water is used for domestic purposes and watering of stock.

- Review the Water NSW's approach to delivering the new water sharing plan. There was no evidence of catering for the needs of the water users. There was a presumption that everyone had access to technology, and everyone was conversant with the use of technology in its various forms and platforms. Using COVID 19 as an excuse is not plausible when schools have been operational since October 2021. If homes didn't have laptops, laptops were delivered. Even dongles were provided. If homes didn't have technology or use of the internet, paper packs were available and were either collected from the school or delivered to homes by school personnel. If the government body of Education can provide resources while catering for the needs of the school community, why can another government body not do the same?

  Water NSW needs to improve their game if they want more acceptance of a new water sharing plan.

Yours Faithfully

[redacted]

[redacted]

SUBMISSION

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

PUBLIC EXHIBITION

[redacted] – [redacted]

27 February 2022

SUBMISSION

To be CC'd:

Dave Layzell Member for Upper Hunter
upperhunter@parliament.nsw.gov.au

The Hon. James Henry Griffin Minister for Environment and Heritage
manly@parliament.nsw.gov.au

The Hon. Kevin John Anderson Minister for Lands and Water,
tamworth@parliament.nsw.gov.au

Submission:	Draft Water Sharing Plan for the Hunter Unregulated & Alluvial Sources 2022
Submission Made:	[redacted] – [redacted]
Water Source:	Lower Dart Brook Management Zone
Submission Date:	27 February 2022

1. Introduction

I, [redacted], make the following submission to NSW Department of Planning & Environment in relation to the *Draft Water Sharing Plan (WSP) for the Hunter Unregulated & Alluvial Sources 2022*.

As a water user, we are taking the opportunity to provide a submission in the Public Exhibition process on the *Draft Water Sharing Plan for the Hunter Unregulated & Alluvial Sources 2022*.

The key performance indicators and proposed reporting on the outcomes appear to be biased towards ecological objectives of the WSP and the impact on agricultural production in the region and on small landholders are given less emphasis.

The WSP specifically affects our water source located in Lower Dart Brook Management Zone and we have reviewed and considered the proposed plan and associated risk assessment affecting the management zone.

2. My Business

I run an [redacted] business in conjunction with a [redacted] business at Scone Race course. We purchased this property specifically to train horses away from the track. The education and training of racehorses is very regimented and limiting water would interrupt our systems and methods.

We moved our operations from [redacted] to this Scone as Racing NSW identified Scone as a Centre of Excellence for horse racing.

If we were unable to access adequate water sources, it would be financially detrimental to our business and would have severe economic impacts upon countless stakeholders. Our employees would lose their jobs, along with local contractors we use such as local veterinary services, farriers and contractors for repairs and maintenance of the property.

The economic detriment to our business would have a flow-on effect to the local industries that rely on our operations to support them.

Limiting the amount of water available will significantly restrict the number of horses that we will be able to agist and impact on our overall ability to remain viable.

3. Endorsement of the Hunter Valley Water Users Association Submission

Whilst the purpose of this submission is to provide my own personal feedback on how the Draft WSP will impact upon my land and my business, I would also like to fully endorse the submission made by the **Hunter Valley Water Users' Association** which encompasses a wide range of issues relative to my property.

4. Objectives of the Draft Water Management Plan

Water Sharing Plans are vital in the long-term management of water supply to maintain and produce critical supply of water in the catchment whilst sustaining the environment.

The following objectives have been identified in the draft WSP:

(a) To protect, and where possible enhance and restore, the condition of the water sources and their water-dependent ecosystems.

(b) To maintain and where possible, improve, access to water to optimise economic benefits for agriculture, water dependent industries and local economies.

(b) To maintain and where possible, improve, the spiritual, social, and customary, and economic values and uses of water by Aboriginal people.

(c) To provide access to water to support water dependant social and cultural values.

These objectives meet the needs of all stakeholders however there are several key issues which have been identified that affect the nature and operations of our landholding.

5. Key Issues

We are water users who responsibly manage water use cognizant that water is a finite natural resource. We believe that there has been an excessive emphasis placed in the draft WSP to meet objective 3(a) and 3(c). In addition, there has been a lack of

transparency surrounding DPIE decisions that seemingly result in a contravention of the objective 3(b).

In consideration of this, I support the recommendation of the **Hunter Valley Water Users Association** (HVWUA) that the DPIE release an Ecological Impact Study to further assess the critical issues raised by the Draft WSP.

It appears that the broader water use of the upper catchment may be severely impacted and is likely to cause economic detriment especially to agricultural holdings of the Upper Hunter. Below is a list of the major concerns for myself and my business:

(a) Consultation Process

- Given the widespread impact of the draft WSP upon landholders, agricultural holdings and associated businesses, it is imperative that impacted parties are given reasonable opportunity to provide relevant feedback on a regulatory instrument that is to regulate water use for the next 10 years.
- January and February are particularly busy months in the lucerne industry. The limited consultation period offered has been disappointingly unsatisfactory given that the Department told water users at a meeting in May 2021 that the WSP would be ready for public exhibition in September 2021.
- I would like to fully support the *Hunter Valley Water Users Association's* recommendation that the public exhibition period for the WSP should be extended to 40 business days, instead of 40 days, making the new end date 15 March.

(b) Updated Definition of Long-Term Average Annual Extraction Limit (LTAAEL) to include Basic Landholder Rights and Harvestable Rights

- The LTAAEL is an important instrument for the management of water. The definition in the draft WSP for the standard LTAAEL is the sum of all licenced entitlements, stock and domestic rights, native title rights and harvestable rights at the commencement of the WSP.
- However, there is no supporting evidence on how the department modelled and estimated the amount of water required to satisfy stock and domestic use.
- The calculation of the standard LTAAEL should not occur until improved data systems have been implemented across the region.
- The ceiling placed on long-term average annual extraction limit (LTAAEL) should be imposed once further data is available and collated.
- We are concerned that the standard LTAAEL was calculated using 10% of rainfall run off limit across the region. However, an announcement on 10 November 2021 confirms that landholders in coastal draining catchments undertaking extensive agriculture can capture up to 30% of the average rainwater run-off for their Harvestable right.
- Further, the method to calculate the LTAAEL did not consider the change in season and factors affecting different aquifers at different sites.
- We are concerned that this additional allowance will affect the LTAAEL and the calculations should be amended to reflect the additional harvestable rights given to users in the coastal regions.

(c) Location of Monitoring Bores & Modelling

- The location of the monitoring bores in the Upper Hunter are in many cases too far from the actual extraction sites and thus the proposed cease to pump access rules may have no relevance to the actual extraction site.
- The change in seasonal conditions affect wells and bores differently. As a responsible landowner we understand the seasonal effects and plan the use of our land accordingly.

(d) Cease to Pump

- The proposed Cease to Pump (CTP) access rule of Water Management Zone Lower Dart Brook have a significant impact on the ongoing economic viability of our land and water rights.
- If an extended CTP is initiated there will be extensive and potentially devastating impacts on the everyday operations on landholders. It is imperative that the DPIE allows landholders to participate in thorough, transparent, and extensive consultation.
- The current draft WSP for Water Source Lower Dart Brook **NO** restrictions on extracting water.
- The proposed new CTP rule dictates that you must cease to pump when the distance to the groundwater below the measuring point at monitoring bore #GW080433 is at or greater than 9.71m. Once a cease to pump has come into effect, pumping may not resume until the distance to the groundwater below the measuring point at monitoring bore #GW080433 is at or less than 9.23m.
- The implementation of the new access rules and establishment of new cease to pump rules will negatively impact the everyday operations and use of the facilities.
- These new rules are likely to have the following economic impacts:

    1. Inability to grow the feed required to maintain the [redacted] business;
    2. Inability to maintain supply of crucial feed to horses;
    3. Inability to maintain employment of up to 10 individuals;
    4. Increased transport costs/supply costs;

- The proposed CTP triggers have no impact on the reliability on water access licences in the draft WSP.
- This one size fits all approach to water use does not consider the seasonal effects upon groundwater levels at various bore and well sites. Landholders knowledge of their water assets performance across seasons have ensured that we have been able to continue to access water in the most severe drought conditions.
- We do not believe that the proposed changes consider the broader economic implications to the local community if extended CTP order is initiated and remains in place for an extended period.
- The proposed CTP rules would have a substantial impact upon our business and local industry as a whole. The health of the livestock is paramount to ensure that they are able to perform at peak performance levels.

(e) Additional Costs to Operation

- We will be required to obtain water from elsewhere to maintain operations of the business.

- The requirement to log in to real time data websites prior to any extraction may impact upon farm operations and reduce productivity. Some areas do not have adequate mobile access to log in to the site from the well or bore site, and this will increase time and costs.
- We would suggest that the department send an email or text message when cease to pump is to be enacted as they do for the Hunter Regulated Users.

(f) Metering Conditions

- Proposed metering requirements highlighted in the draft WSP may place a particularly onerous financial burden upon my business. Although I understand the need for water users to observe their role as environmental custodians, the costly exercise of installing AS4747 Meters to existing pumps/bores will likely have a significant impact upon the operations of my business.
- Given the weight of this likely financial impact, I support the recommendations from the Hunter Valley Water Users Association that the metering requirements of the WSP be brought in line with the NSW Non-Urban Metering Policy, including the minimum threshold of 100mm for water users to install AS4747 meters.

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- We relocated our businesses to this area as Racing NSW named Scone as a Centre of Excellence for the racing industry
- The CTP blanket approach being proposed does not take into account local landowners knowledge of the water source and will have serious consequences to our business remaining viable in the longer term.
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[redacted]

[redacted]

SUBMISSION

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

PUBLIC EXHIBITION

[redacted], [redacted]

27 February 2022

SUBMISSION

To be CC'd:

Dave Layzell Member for Upper Hunter
upperhunter@parliament.nsw.gov.au

The Hon. James Henry Griffin Minister for Environment and Heritage
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2. My Business

I run a lucerne and cattle property of approximately [redacted] acres and employs 7 local people in the region. Our lucerne business provides feed to livestock producers throughout the region, particularly through times of drought.

If we were unable to access adequate water sources, it would be financially detrimental to our business and would have severe economic impacts upon countless stakeholders. Our 7 employees would lose their jobs, along with local contractors we use for repairs, maintenance of machinery, irrigation, fencing, and fertilising.

The economic detriment to our business would have a flow-on effect to the critical industries that rely on our operations to support them. The feed that we grow directly supports the racing and thoroughbred industries in Scone and the wider region. Our feed is particularly relied

upon by the industry participants during times of drought, when lucerne is used to maintain the health and wellbeing of livestock throughout the region.

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- The calculation of the standard LTAAEL should not occur until improved data systems have been implemented across the region.
- The ceiling placed on long-term average annual extraction limit (LTAAEL) should be imposed once further data is available and collated.
- We are concerned that the standard LTAAEL was calculated using 10% of rainfall run off limit across the region. However, an announcement on 10 November 2021 confirms that landholders in coastal draining catchments undertaking extensive agriculture can capture up to 30% of the average rainwater run-off for their Harvestable right.
- Further, the method to calculate the LTAAEL did not consider the change in season and factors affecting different aquifers at different sites.
- We are concerned that this additional allowance will affect the LTAAEL and the calculations should be amended to reflect the additional harvestable rights given to users in the coastal regions.

(c) Location of Monitoring Bores & Modelling

- The location of the monitoring bores in the Upper Hunter are in many cases too far from the actual extraction sites and thus the proposed cease to pump access rules may have no relevance to the actual extraction site.
- The change in seasonal conditions affect wells and bores differently. As a responsible landowner we understand the seasonal effects and plan the use of our land accordingly.

(d) Cease to Pump

- The proposed Cease to Pump (CTP) access rule of Water Management Zone Lower Dart Brook have a significant impact on the ongoing economic viability of our land and water rights.
- If an extended CTP is initiated there will be extensive and potentially devastating impacts on the everyday operations on landholders. It is imperative that the DPIE allows landholders to participate in thorough, transparent, and extensive consultation.
- The current draft WSP for Water Source Lower Dart Brook **NO** restrictions on extracting water.
- The proposed new CTP rule dictates that you must cease to pump when the distance to the groundwater below the measuring point at monitoring bore #GW080433 is at or greater than 9.71m. Once a cease to pump has come into effect, pumping may not resume until the distance to the groundwater below the measuring point at monitoring bore #GW080433 is at or less than 9.23m.
- The implementation of the new access rules and establishment of new cease to pump rules will negatively impact the everyday operations and use of the land , particularly as other landholders in the region rely on our product for feed in areas affected by drought which have no capability to grow enough feed to maintain their livestock.
- These new rules are likely to have the following economic impacts:

    1. Inability to grow the feed required to maintain the agricultural activities;
    2. Inability to maintain supply of crucial feed to critical industries in the region;
    3. Inability to maintain employment of 7 individuals;
    4. Increased transport costs/supply costs;
    5. Increased operational costs in obtaining additional feed for our own stock; and
    6. Possible loss of cattle herd.

- The proposed CTP triggers have no impact on the reliability on water access licences in the draft WSP.
- This one size fits all approach to water use does not consider the seasonal effects upon groundwater levels at various bore and well sites. Landholders knowledge of their water assets performance across seasons have ensured that we have been able to continue to access water in the most severe drought conditions.
- We do not believe that the proposed changes consider the broader economic implications to the local community if extended CTP order is initiated and remains in place for an extended period.

- The proposed CTP rules would have a substantial impact upon our business and local industry as a whole. The health of the livestock industry in drought depends upon the productivity of our land to produce feed that sustains their businesses.
- The economic detriment to our business would also mean that we would be unable to pay our landlord or creditors.

(e) Additional Costs to Operation

- We will be required to obtain water from elsewhere to maintain operations of the business..
- The requirement to log in to real time data websites prior to any extraction may impact upon farm operations and reduce productivity. Some areas do not have adequate mobile access to log in to the site from the well or bore site, and this will increase time and costs.
- We would suggest that the department send an email or text message when cease to pump is to be enacted as they do for the Hunter Regulated Users.

(f) Metering Conditions

- Proposed metering requirements highlighted in the draft WSP may place a particularly onerous financial burden upon my business. Although I understand the need for water users to observe their role as environmental custodians, the costly exercise of installing AS4747 Meters to existing pumps/bores will likely have a significant impact upon the operations of my business.
- Given the weight of this likely financial impact, I support the recommendations from the Hunter Valley Water Users Association that the metering requirements of the WSP be brought in line with the NSW Non-Urban Metering Policy, including the minimum threshold of 100mm for water users to install AS4747 meters.

(g) Conversion of High-Flow Access License

- An important strategic aspect of water usage is the pumping of water into water storage systems during times of high flow. This not only improves reliability of water access but generally has a lesser impact upon the ecosystem during times of low flow. This idea directly satisfies objectives (a) and (b) of the WSP.
- However, the proposal to remove high-flow access licenses from the Pages River, Isis River, Lower Wollombi Brook, Rouchel Brook and Paterson/Allyn rivers and water sources is particularly concerning, and seemingly in contravention of the objectives (a) and (b).
- Whilst I understand the potential impact that this strategic water use can have upon downstream water users, I believe it is important that local landholders to be able to have the opportunity to access at high level flows when the opportunity presents. Further studies should be undertaken to select an appropriate threshold for high flow access use.

6. Conclusion

The draft WSP appears to be focussed on meeting State-wide initiatives and does not take into account the impacts on small landholdings, stock numbers on properties or land size.

I would like to reiterate that:

- The department has not provided sufficient modelling or economic impact assessment on the proposed changes.
- The draft WSP appears to be bias to meeting objecting (a) and (c).
- The CTP is likely to be economically detrimental to the long-term operations of our business.
- We were able to maintain our operations during drought conditions and provide vital feed to the Thoroughbred industry that is a vital part of the NSW economy.
- The CTP blanket approach being proposed does not take into account local landowners knowledge of the water source and will have serious consequences to our business remaining viable in the longer term.
- The economic flow-on effect to local business and industry suppliers would be immense. The health and wellbeing of critical industries throughout the region such as the world-renowned Thoroughbred industry in the region depend upon lucerne growers such as ourselves to sustain their businesses.

[redacted]

[redacted]

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

Submission form

How to fill out this form			
Name	[redacted]		
Postal Address	[redacted] Largs NSW 2320		
Telephone	[redacted]		
Email address	[redacted]		
Stakeholder Group (please indicate which of the following best represents your interest by **ticking one box**)	☐ Irrigation Interests ☐ Fishing Interests ☐ Local Govt./ Utilities	☐ Aboriginal Interest ☑ Local Landholder ☐ Other (specify)	☑ Environment Interests ☑ Community Member
If your comments refer to a specific water source, which one?	Hunter river		

Attach extra pages if required

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

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 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 **CtP** level in your water source impact on your current operations?	As a Prime Lucerne Hay Producer it would greatly reduce our production during summer when irrigation is most needed for crop growth and establishing new crops
Do you think the **CtP** in your water source is practical to implement? Why / why not?	No, The cost to irrigate is expensive, so who would want to waste water & dollars. Most irrigators are practical people and monitor the supply for the most benifical time to pump, we don't want to kill our crops.
Do you think the **CtP** provides enough protection for low flows and ecological values? Why / why not?	No, Those who are lower on the river monitor and know when to pump
The **flow reference point** is the point at which a CtP will be measured. Do you think this site is appropriate? Why / why not?	No, Much too low on the Hunter River, most irrigators are further up stream. The Hunter River is tidal at the Belmore bridge Maitland

[redacted]

From: [redacted]
Sent: Wednesday, 8 June 2022 4:15 PM
To: [redacted]
Subject: FW: [redacted] 27/2/22 4.05 PM NOT CONFIDENTIAL HUNTER FW: Submission for the draft remake water sharing plan Hunter Unregulated and Alluvial

From: digital.services=squiz.dpie.nsw.gov.au@squiz.regional.nsw.gov.au <digital.services=squiz.dpie.nsw.gov.au@squiz.regional.nsw.gov.au> **On Behalf Of** digital.services@squiz.dpie.nsw.gov.au
Sent: Sunday, 27 February 2022 4:05 PM
To: DPIE Hunter Unregulated Water Plan Mailbox <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?:	Local Government
If you selected other, please state:	
Email address:	[redacted]
Question 1.1	
Do you have any comments on this aspect of the draft plan?:	I object to mandatory meters being imposed on low usage wells. The initial costs would be more than allocation fees as well as Dept inspections & readings. I have 2 properties: 1 x well on [redacted] - which went dry 2016-2019 drought. I had to buy water for stock & domestic. 1 x well on [redacted] - supplied only stock & domestic during the drought. BOTH my wells are ONLY equipped with single phase pumps & not for irrigation. I record usage by log book & electricity records which I have supplied to the Dept each year with usage of less than 3 megalitres. Over allocations should be corrected with offers to buy back excess allocations to be fair & just! I ask for exemptions to apply in special circumstances. These mandatory conditions would impose financial hardship & stress on many small farmers. I am a cattle farmer with less than 100 head & DO NOT irrigate. This category should not be subjected to the same conditions as big lucerne & crop producing operators!
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?:	I object to mandatory meters being imposed on low usage wells. The initial costs would be more than allocation fees as well as Dept inspections & readings. I have 2 properties: 1 x well on [redacted] - which went dry 2016-2019 drought. I had to buy water for stock & domestic. 1 x well on [redacted] - supplied only stock & domestic during the drought. BOTH my wells are ONLY equipped with single phase pumps & not for irrigation. I record usage by log book & electricity records which I have supplied to the Dept each year with usage of less than 3 megalitres. Over allocations should be corrected with offers to buy back excess allocations to be fair & just! I ask for exemptions to apply in special circumstances. These mandatory conditions would impose financial hardship & stress on many small farmers. I am a cattle farmer with less than 100 head & DO NOT irrigate. This category should not be subjected to the same conditions as big lucerne & crop producing operators!
Question 2.2	
Do you think this is appropriate? Why / why not?:	Yes
Question 3.1	
Do you think this is appropriate? Why / why not?:	No
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:	No file uploaded

SUBMISSION

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

PUBLIC EXHIBITION

[redacted], [redacted]

25 February 2022

SUBMISSION

To be CC'd:

Dave Layzell Member for Upper Hunter
upperhunter@parliament.nsw.gov.au

The Hon. James Henry Griffin Minister for Environment and Heritage
manly@parliament.nsw.gov.au

The Hon. Kevin John Anderson Minister for Lands and Water,
tamworth@parliament.nsw.gov.au

Submission:	Draft Water Sharing Plan for the Hunter Unregulated & Alluvial Sources 2022
Submission Made:	[redacted], [redacted]
Water Source:	Lower Dartbrook Management Zone
Submission Date:	27 February 2022

1. Introduction

I, [redacted], make the following submission to NSW Department of Planning & Environment in relation to the *Draft Water Sharing Plan (WSP) for the Hunter Unregulated & Alluvial Sources 2022*.

As a water user, we are taking the opportunity to provide a submission in the Public Exhibition process on the *Draft Water Sharing Plan for the Hunter Unregulated & Alluvial Sources 2022*.

The key performance indicators and proposed reporting on the outcomes appear to be biased towards ecological objectives of the WSP and the impact on agricultural production in the region and on small landholders are given less emphasis.

The WSP specifically affects our water source Lower Dartbrook and we have reviewed and considered the proposed plan and associated risk assessment affecting the management zone.

2. My Business

I own a thoroughbred stud and lucerne production property at [redacted]. Every year we produce upwards of 5000 bales of hay, along with running 100 horses on the property. Our business actively supports the thoroughbred and racing industry, along will countless agricultural holdings and livestock owners throughout the region. Our production of lucerne hay is paramount to the health and viability of the region's livestock during times of drought and more broadly.

Our business is heavily dependent upon the Lower Dartbrook Management Zone water source. Without the water entitlements, we would not be able to produce the lucerne crops required to maintain feed levels throughout the region, nor would we be able to agist 100 horses on the property.

3. Endorsement of the Hunter Valley Water Users Association Submission

Whilst the purpose of this submission is to provide my own personal feedback on how the Draft WSP will impact upon my land and my business, I would also like to fully endorse the submission made by the **Hunter Valley Water Users' Association** which encompasses a wide range of issues relative to my property.

4. Objectives of the Draft Water Management Plan

Water Sharing Plans are vital in the long-term management of water supply to maintain and produce critical supply of water in the catchment whilst sustaining the environment.

The following objectives have been identified in the draft WSP:

(a) To protect, and where possible enhance and restore, the condition of the water sources and their water-dependent ecosystems.

(b) To maintain and where possible, improve, access to water to optimise economic benefits for agriculture, water dependent industries and local economies.

(b) To maintain and where possible, improve, the spiritual, social, and customary, and economic values and uses of water by Aboriginal people.

(c) To provide access to water to support water dependant social and cultural values.

These objectives meet the needs of all stakeholders however there are several key issues which have been identified that affect the nature and operations of our landholding.

5. Key Issues

We are water users who responsibly manage water use cognizant that water is a finite natural resource. We believe that there has been an excessive emphasis placed in the draft WSP to meet objective 3(a) and 3(c). In addition, there has been a lack of transparency surrounding DPIE decisions that seemingly result in a contravention of the objective 3(b).

In consideration of this, I support the recommendation of the **Hunter Valley Water Users Association** (HVWUA) that the DPIE release an Ecological Impact Study to further assess the critical issues raised by the Draft WSP.

It appears that the broader water use of the upper catchment may be severely impacted and is likely to cause economic detriment especially to agricultural holdings of the Upper Hunter. Below is a list of the major concerns for myself and my business:

(a) Consultation Process

- Given the widespread impact of the draft WSP upon landholders, thoroughbred and lucerne operations together with associated businesses, it is imperative that impacted parties are given reasonable opportunity to provide relevant feedback on a regulatory instrument that is to regulate water use for the next 10 years.
- January and February are particularly busy months in the lucerne industry. The limited consultation period offered has been disappointingly unsatisfactory given that the Department told water users at a meeting in May 2021 that the WSP would be ready for public exhibition in September 2021.
- I would like to fully support the *Hunter Valley Water Users Association's* recommendation that the public exhibition period for the WSP should be extended to 40 business days, instead of 40 days, making the new end date 15 March.

(b) Updated Definition of Long-Term Average Annual Extraction Limit (LTAAEL) to include Basic Landholder Rights and Harvestable Rights

- The LTAAEL is an important instrument for the management of water. The definition in the draft WSP for the standard LTAAEL is the sum of all licenced entitlements, stock and domestic rights, native title rights and harvestable rights at the commencement of the WSP.
- However, there is no supporting evidence on how the department modelled and estimated the amount of water required to satisfy stock and domestic use.
- The calculation of the standard LTAAEL should not occur until improved data systems have been implemented across the region.
- The ceiling placed on long-term average annual extraction limit (LTAAEL) should be imposed once further data is available and collated.
- We are concerned that the standard LTAAEL was calculated using 10% of rainfall run off limit across the region. However, an announcement on 10 November 2021 confirms that landholders in coastal draining catchments undertaking extensive agriculture can capture up to 30% of the average rainwater run-off for their Harvestable right.
- Further, the method to calculate the LTAAEL did not consider the change in season and factors affecting different aquifers at different sites.
- We are concerned that this additional allowance will affect the LTAAEL and the calculations should be amended to reflect the additional harvestable rights given to users in the coastal regions.

(c) Location of Monitoring Bores & Modelling

- The location of the monitoring bores in the Upper Hunter are in many cases too far from the actual extraction sites and thus the proposed cease to pump access rules may have no relevance to the actual extraction site.

- The change in seasonal conditions affect wells and bores differently. As a responsible landowner we understand the seasonal effects and plan the use of our land according to the ebbs and flows in each of our water sources.

(d) Cease to Pump

- The proposed Cease to Pump (CTP) access rule of the management zone Lower Dartbrook will have a significant impact on the ongoing economic viability of our land and water rights. Given the extensive and potentially devastating impacts of CTP triggers on the everyday business on landholders, it is imperative that the DPIE allows landholders to participate in thorough, transparent and extensive consultation.
- If an extended CTP is initiated there will be extensive and potentially devastating impacts on the everyday operations on landholders. It is imperative that the DPIE allows landholders to participate in thorough, transparent, and extensive consultation.
- The current WSP for Water Source Lower Dartbrook holds no restrictions regarding access rules to pump.
- The proposed rules dictate that water users must cease to pump when the distance to the groundwater below the measuring point at monitoring bore #GW080433 is at or greater than 9.71m. Once a cease to pump has come into effect, pumping may not resume until the distance to the groundwater below the measuring point at the monitoring bore #GW080433 is at or less than 9.23m.
- The establishment of new cease to pump rules will negatively impact the everyday operations and use of the land.
- These new rules are likely to have the following economic impacts:

    1. Inability to grow the feed required to maintain the agricultural activities;
    2. Inability to irrigate lucerne crop, causing complete loss of crop;
    3. Inability to supply sufficient water to breeding stock;
    4. Increased transport costs/supply costs; and
    5. Increased operational costs in obtaining additional feed;.

- The proposed CTP triggers have no impact on the reliability on water access licences in the WSP. The DPIE have not produced information on how modelling was completed.
- This one size fits all approach to water use does not consider the seasonal effects upon groundwater levels at various bore and well sites. Landholders knowledge of their water assets performance across seasons have ensured that we have been able to continue to access water in the most severe drought conditions.
- We do not believe that the proposed changes consider the broader economic implications to the local community if extended CTP order is initiated and remains in place for an extended period.
- The proposed CTP rules would have a substantial impact upon our business and local industry as a whole. The health of the livestock depends upon the productivity of our land to produce feed that sustains the businesses.
- If the proposed cease to pump threshold was to be put into effect, it would be economically unviable to continue to operate our business.

(e) Additional Costs to Operation

- We will need to source water from elsewhere to maintain operations of the business.
- We would not be able to afford the costs of buying water to maintain our lucerne business, and so, we would be forced to shutdown the business as a whole.
- The requirement to log in to real time data websites prior to any extraction may impact upon farm operations and may reduce productivity. Some areas do not have adequate mobile access to log in to the site from the well or bore site, and this will increase time and costs.
- We would suggest that the department send an email or text message when cease to pump is to be enacted as they do for the Hunter Regulated Users.

(f) Metering Conditions

- Proposed metering requirements highlighted in the draft WSP may place a particularly onerous financial burden upon my business. Although I understand the need for water users to observe their role as environmental custodians, the costly exercise of installing AS4747 Meters to existing pumps/bores will likely have a significant impact upon the operations of my business.
- Given the weight of this likely financial impact, I support the recommendations from the Hunter Valley Water Users Association that the metering requirements of the WSP be brought in line with the NSW Non-Urban Metering Policy, including the minimum threshold of 100mm for water users to install AS4747 meters.

(g) Conversion of High-Flow Access License

- An important strategic aspect of water usage is the pumping of water into water storage systems during times of high flow. This not only improves reliability of water access but generally has a lesser impact upon the ecosystem during times of low flow. This idea directly satisfies objectives (a) and (b) of the WSP.
- However, the proposal to remove high-flow access licenses from the Pages River, Isis River, Lower Wollombi Brook, Rouchel Brook and Paterson/Allyn rivers and water sources is particularly concerning, and seemingly in contravention of the objectives (a) and (b).
- Whilst I understand the potential impact that this strategic water use can have upon downstream water users, I believe it is important for landholders to have the opportunity to access at high level flows when the opportunity presents. Further studies should be undertaken to select an appropriate threshold for high flow access use.

6. Conclusion

The draft WSP appears to be focussed on meeting State-wide initiatives and does not take into account the impacts on small landholdings, stock numbers on properties or land size.

I would like to reiterate that:

- The department has not provided sufficient modelling or economic impact assessment on the proposed changes.
- The draft WSP appears to be bias to meeting objecting (a) and (c).
- The CTP is likely to be economically detrimental to the long-term operations of our business.
- If the draft WSP were to come into effect, it would not be economically viable to continue operations of our business. We would be forced to shut down the business.
- If we were forced to shut down our business, there would be a huge impact upon the supply of lucerne hay to the region, negatively impacting countless critical industry stud farms and surrounding livestock owners.
- The CTP blanket approach being proposed does not take into account local landowners knowledge of the water source and will have serious consequences to our business remaining viable in the longer term.

[redacted]

SUBMISSION

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

PUBLIC EXHIBITION

[redacted] – [redacted]
27 February 2022
SUBMISSION

To be CC'd:

Dave Layzell Member for Upper Hunter
upperhunter@parliament.nsw.gov.au

The Hon. James Henry Griffin Minister for Environment and Heritage
manly@parliament.nsw.gov.au

The Hon. Kevin John Anderson Minister for Lands and Water,
tamworth@parliament.nsw.gov.au

Submission:	Draft Water Sharing Plan for the Hunter Unregulated & Alluvial Sources 2022
Submission Made:	[redacted] – [redacted]
Water Source:	Dartbrook Water Source and located within the Lower Dart Brook Management Zone
Submission Date:	27 February 2022

1. Introduction

I, [redacted], make the following submission to NSW Department of Planning & Environment in relation to the *Draft Water Sharing Plan (WSP) for the Hunter Unregulated & Alluvial Sources 2022*.

As a water user, we are taking the opportunity to provide a submission in the Public Exhibition process on the *Draft Water Sharing Plan for the Hunter Unregulated & Alluvial Sources 2022*.

The key performance indicators and proposed reporting on the outcomes appear to be biased towards ecological objectives of the WSP and the impact on agricultural production in the region and on small landholders are given less emphasis.

The WSP specifically affects our water source being Dartbrook Water Source and located within the Lower Dart Brook Management Zone and we have reviewed and considered the proposed plan and associated risk assessment affecting the management zone.

2. My Business

I operate a lucerne property known as [redacted] that was purchased specifically to provide feed for our thoroughbred operations known as [redacted]. We also maintain a small herd of cattle on [redacted]

Our business supports and contributes greatly to the thoroughbred and racing industry, both as an employer and as a breeding institution. Scone is the Centre of Excellence in the thoroughbred industry. A reduction in access to water to our lucerne property as well as our breeding facility will have detrimental impacts not just on our business, but to the local community and racing industry as a whole.

We currently employ around 25 staff across both properties. Our lucerne business provides feed to our thoroughbred business. We purchased the lucerne property with its current rights

for irrigation purposes in the past 12 months due to the excessive costs that were incurred in the previous drought where we were required to spend around $375,000.00 in feed for the horses located at [redacted]

If we were unable to access adequate water sources, it would be financially detrimental to our business and would have severe economic impacts upon countless stakeholders. Many of our employees would lose their jobs, along with local contractors we use for repairs, maintenance of machinery, irrigation, fencing, and fertilising.

The economic detriment to our business would have a flow-on effect to the critical industries that rely on our operations to support them. The feed that we grow directly supports the racing and thoroughbred industry

3. Endorsement of the Hunter V.alley Water Users Association Submission

Whilst the purpose of this submission is to provide my own personal feedback on how the Draft WSP will impact upon my land and my business, I would also like to fully endorse the submission made by the **Hunter Valley Water Users' Association** which encompasses a wide range of issues relative to my property.

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(b) To maintain and where possible, improve, access to water to optimise economic benefits for agriculture, water dependent industries and local economies.

(b) To maintain and where possible, improve, the spiritual, social, and customary, and economic values and uses of water by Aboriginal people.

(c) To provide access to water to support water dependant social and cultural values.

These objectives meet the needs of all stakeholders however there are several key issues which have been identified that affect the nature and operations of our landholding.

5. Key Issues

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In consideration of this, I support the recommendation of the **Hunter Valley Water Users Association** (HVWUA) that the DPIE release an Ecological Impact Study to further assess the critical issues raised by the Draft WSP.

It appears that the broader water use of the upper catchment may be severely impacted and is likely to cause economic detriment especially to agricultural holdings of the Upper Hunter. Below is a list of the major concerns for myself and my business:

(a) Consultation Process

- Given the widespread impact of the draft WSP upon landholders, agricultural holdings and associated businesses, it is imperative that impacted parties are given reasonable opportunity to provide relevant feedback on a regulatory instrument that is to regulate water use for the next 10 years.
- January and February are particularly busy months in the lucerne and thoroughbred industries. The limited consultation period offered has been disappointingly unsatisfactory given that the Department told water users at a meeting in May 2021 that the WSP would be ready for public exhibition in September 2021.
- I would like to fully support the *Hunter Valley Water Users Association's* recommendation that the public exhibition period for the WSP should be extended to 40 business days, instead of 40 days, making the new end date 15 March.

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- The LTAAEL is an important instrument for the management of water. The definition in the draft WSP for the standard LTAAEL is the sum of all licenced entitlements, stock and domestic rights, native title rights and harvestable rights at the commencement of the WSP.
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- The ceiling placed on long-term average annual extraction limit (LTAAEL) should be imposed once further data is available and collated.
- We are concerned that the standard LTAAEL was calculated using 10% of rainfall run off limit across the region. However, an announcement on 10 November 2021 confirms that landholders in coastal draining catchments undertaking extensive

agriculture can capture up to 30% of the average rainwater run-off for their Harvestable right.
- Further, the method to calculate the LTAAEL did not consider the change in season and factors affecting different aquifers at different sites.
- We are concerned that this additional allowance will affect the LTAAEL and the calculations should be amended to reflect the additional harvestable rights given to users in the coastal regions.

(c) Location of Monitoring Bores & Modelling

- The location of the monitoring bores in the Upper Hunter are in many cases too far from the actual extraction sites and thus the proposed cease to pump access rules may have no relevance to the actual extraction site.
- The change in seasonal conditions affect wells and bores differently. As a responsible landowner we understand the seasonal effects and plan the use of our land accordingly.

(d) Cease to Pump

- The proposed Cease to Pump (CTP) access rule within the Lower Dart Brook Management Zone have a significant impact on the ongoing economic viability of our land and water rights.
- If an extended CTP is initiated there will be extensive and potentially devastating impacts on the everyday operations on landholders. It is imperative that the DPIE allows landholders to participate in thorough, transparent, and extensive consultation.
- The current WSP for the Lower Dart Brook Management Zone places no restrictions on pumping.
- The proposed new CTP rule dictates that you must cease to pump when the distance to the groundwater below the measuring point at monitoring bore #GW271019 is at or greater than 3.74m. Once a cease to pump has come into effect, pumping may not resume until the distance to the groundwater below the measuring point at monitoring bore #GW271019 is at or less than 3.45m.
- The establishment of new cease to pump rules will negatively impact the everyday operations, particularly as the property was purchased for the specific purpose of providing feed to our horses in times of drought.
- These new rules are likely to have the following economic impacts:

    1. Inability to grow the feed required to maintain the thoroughbred horses;
    2. Inability to maintain employment of up to 25 individuals;
    3. Increased transport costs/supply costs;
    4. Increased operational costs in obtaining additional feed for our own stock; and
    5. Possible loss of cattle herd.

- The proposed CTP triggers have no impact on the reliability on water access licences in the draft WSP.
- This one size fits all approach to water use does not consider the seasonal effects upon groundwater levels at various bore and well sites. Landholders knowledge

of their water assets performance across seasons have ensured that we have been able to continue to access water in the most severe drought conditions.
- We do not believe that the proposed changes consider the broader economic implications to the local community if extended CTP order is initiated and remains in place for an extended period.
- The proposed CTP rules would have a substantial impact upon our business and local industry as a whole. The health of the livestock in drought depends upon the productivity of our land to produce feed that sustains our business.

(e) Additional Costs to Operation

- We will water from elsewhere to maintain operations of the business..
- The requirement to log in to real time data websites prior to any extraction may impact upon farm operations and may reduce productivity. Some areas do not have adequate mobile access to log in to the site from the well or bore site, and this will increase time and costs.
- We would suggest that the department send an email or text message when cease to pump is to be enacted as they do for the Hunter Regulated Users.

(f) Metering Conditions

- Proposed metering requirements highlighted in the draft WSP may place a particularly onerous financial burden upon my business. Although I understand the need for water users to observe their role as environmental custodians, the costly exercise of installing AS4747 Meters to existing pumps/bores will likely have a significant impact upon the operations of my business.
- Given the weight of this likely financial impact, I support the recommendations from the Hunter Valley Water Users Association that the metering requirements of the WSP be brought in line with the NSW Non-Urban Metering Policy, including the minimum threshold of 100mm for water users to install AS4747 meters.

(g) Conversion of High-Flow Access License

- An important strategic aspect of water usage is the pumping of water into water storage systems during times of high flow. This not only improves reliability of water access but generally has a lesser impact upon the ecosystem during times of low flow. This idea directly satisfies objectives (a) and (b) of the WSP.
- However, the proposal to remove high-flow access licenses from the Pages River, Isis River, Lower Wollombi Brook, Rouchel Brook and Paterson/Allyn rivers and water sources is particularly concerning, and seemingly in contravention of the objectives (a) and (b)
- Whilst I understand the potential impact that this strategic water use can have upon downstream water users, I believe it is important that landholders are able to have the opportunity to access at high level flows when the opportunity presents. Further studies should be undertaken to select an appropriate threshold for high flow access use.

6. Conclusion

The draft WSP appears to be focussed on meeting State-wide initiatives and does not take into account the impacts on small landholdings, stock numbers on properties or land size.

I would like to reiterate that:

- The department has not provided sufficient modelling or economic impact assessment on the proposed changes.
- The draft WSP appears to be bias to meeting objecting (a) and (c).
- The CTP is likely to be economically detrimental to the long-term operations of our business.
- We purchased the property [redacted] [redacted] ago on the premise that we were able to access the water in times of drought as a future proofing the access to feed for our main thoroughbred operations at [redacted].
- The CTP blanket approach being proposed does not take into account local landowners knowledge of the water source and will have serious consequences to our business remaining viable in the longer term.
- The economic flow-on effect to local business and industry suppliers would be immense. The health and wellbeing of critical industries throughout the region such as the Thoroughbred industry depend upon lucerne properties to sustain their businesses.

[redacted]
[redacted]

[redacted]

From: [redacted]
Sent: Thursday, 9 June 2022 2:35 PM
To: [redacted]
Subject: FW: [redacted] 27/2/22 3.08 PM NOT CONFIDENTIAL HUNTER FW: Submission for the draft remake water sharing plan Hunter Unregulated and Alluvial

From: digital.services=squiz.dpie.nsw.gov.au@squiz.regional.nsw.gov.au <digital.services=squiz.dpie.nsw.gov.au@squiz.regional.nsw.gov.au> **On Behalf Of** digital.services@squiz.dpie.nsw.gov.au
Sent: Sunday, 27 February 2022 3:08 PM
To: DPIE Hunter Unregulated Water Plan Mailbox <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?:	Environmental group
If you selected other, please state:	
Email address:	[redacted]
Question 1.1	
Do you have any comments on this aspect of the draft plan?:	We believe in the past water was over allocated the unregulated streams. The NSW Government should be buying back water licences.
Question 1.2	
Do you have any comments on this aspect of the draft plan?:	No comment
Question 2.1	
Do you think this is appropriate? Why / why not?:	This is adequate as long as more monitoring sites are established.
Question 2.2	
Do you think this is appropriate? Why / why not?:	Yes as long as it is fair and equitable. The denuding of creeks and tributaries, causes erosion as water rushes into rivers. More effort not less is needed for land owners to store more water in their landscapes.
Question 3.1	
Do you think this is appropriate? Why / why not?:	Assessing in year 3 will only be relevant if we have a lot of rainfall. The climate emergency predicts drier times for our continent.
Question 4.1	

Do you have any comments on this aspect of the draft plan?:	Has there be any consideration given to the fact that the NSW Government has said that the Segenhoe Management Zone has always been over extracted.
Question 4.2	
Do you have any comments on this aspect of the draft plan?:	No
Question 4.3	
Do you have any comments on this aspect of the draft plan?:	There should be NO reduction in monitoring sites on the Pages or Isis Rivers.
Question 4.4	
Do you have any comments on this aspect of the draft plan?:	This is a good proposal and should go ahead.
Question 4.5	
Do you have any comments on this aspect of the draft plan?:	No
Question 5.1	
Do you have any comments on this aspect of the draft plan?:	Does this mean that these in river dams in the new water courses will be required to be removed? If an in-river dam will assist in maintaining a healthy ecosystem, will they be considered?
Question 6.1	
Do you have any comments on this aspect of the draft plan?:	What is minimal harm? Wetlands are essential for coastal protection in this climate emergency.
Question 7.1	
Do you have any comments on this aspect of the draft plan?:	Agreed
Question 8.1	
Do you have any comments on this aspect of the draft plan?:	We believe no water trading should be done if it impacts the upper reaches of any water source.
Question 8.2	
Do you have any comments on this aspect of the draft plan?:	WATER TRADING WILL INCREASE EXTRACTIVE STRESS ON HIGH RISK FRESHWATER ECOSYTEMS AND BE DETRIMENTAL TO UPPER REACHES OF ALL WATER SOURCES, EG WATER LICENCES FOR COAL POWER GENERATION
Question 9.1	
Do you have any comments on this aspect of the draft plan?:	Access licences in high flow scenarios should not be permitted as it will negatively affect down stream water users.
Question 10.1	
Do you have any comments on this aspect of the draft plan?:	ACDA licences should only be available in high flows - why aren't aboriginal communities getting access to water sources via standard access licences?
Question 11.1	
Comments on any aspect of the draft plan:	
Question 11.2	
Upload a submission or any supporting documents:	No file uploaded

SUBMISSION

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

PUBLIC EXHIBITION

[redacted], [redacted]

27 February 2022

To be CC'd:

Dave Layzell Member for Upper Hunter
upperhunter@parliament.nsw.gov.au

The Hon. James Henry Griffin Minister for Environment and Heritage
manly@parliament.nsw.gov.au

The Hon. Kevin John Anderson Minister for Lands and Water,
tamworth@parliament.nsw.gov.au

Submission:	Draft Water Sharing Plan for the Hunter Unregulated & Alluvial Sources 2022
Submission Made:	[redacted]
Water Source:	Isis River Water Source
Submission Date:	27 February 2022

1. Introduction

I, [redacted], make the following submission to NSW Department of Planning & Environment in relation to the *Draft Water Sharing Plan (WSP) for the Hunter Unregulated & Alluvial Sources 2022*.

As a water user, we are taking the opportunity to provide a submission in the Public Exhibition process on the *Draft Water Sharing Plan for the Hunter Unregulated & Alluvial Sources 2022*.

The key performance indicators and proposed reporting on the outcomes appear to be biased towards ecological objectives of the WSP and the impact on agricultural production in the region and on small landholders are given less emphasis.

The WSP specifically affects our water source [Name Water Source Affected] and we have reviewed and considered the proposed plan and associated risk assessment affecting the management zone.

2. My Business

I run a [redacted]-acre [redacted] property at [redacted], NSW. Our property consists of undulating river flats and foothills, and we rely upon our water sources for the supply of water to grow oats and other feed crops to support our livestock.

I have 15 employees essential to operating the property. The proposed cease to pump rules and removal of high flow water access licences in the Isis River Water Management Zone would be particularly onerous upon the economic operations of my business. If the operations of the business were to be jeopardised by lack of adequate access to water, there would be severe flow-on economic impacts to local businesses we use such as contractors, sprayers and shearers, together with the likelihood of having to reduce the number of people employed at the property.

3. Endorsement of the Hunter Valley Water Users Association Submission

Whilst the purpose of this submission is to provide my own personal feedback on how the Draft WSP will impact upon my land and my business, I would also like to fully endorse the submission made by the **Hunter Valley Water Users' Association** which encompasses a wide range of issues relative to my property.

4. Objectives of the Draft Water Management Plan

Water Sharing Plans are vital in the long-term management of water supply to maintain and produce critical supply of water in the catchment whilst sustaining the environment.

The following objectives have been identified in the draft WSP:

(a) To protect, and where possible enhance and restore, the condition of the water sources and their water-dependent ecosystems.

(b) To maintain and where possible, improve, access to water to optimise economic benefits for agriculture, water dependent industries and local economies.

(b) To maintain and where possible, improve, the spiritual, social, and customary, and economic values and uses of water by Aboriginal people.

(c) To provide access to water to support water dependant social and cultural values.

These objectives meet the needs of all stakeholders however there are several key issues which have been identified that affect the nature and operations of our landholding.

5. Key Issues

We rely upon and manage water usage with awareness that water is a finite natural resource. I believe that there has been an excessive emphasis placed in the Draft WSP to meet objective 3(a) and 3(c). In addition, there has been a lack of transparency surrounding DPIE decisions that seemingly result in a contravention of the objective 3(b).

In consideration of this, I support the recommendation of the **Hunter Valley Water Users Association** (HVWUA) that the DPIE release an Ecological Impact Study to further assess the critical issues raised by the Draft WSP.

The broader water use of the upper catchment may be severely impacted and is likely to cause economic detriment to agricultural holdings of the Upper Hunter. Below is a list of the major concerns for myself and my business:

(a) Consultation Process

- Given the widespread impact of the draft WSP upon landholders, agricultural holdings and associated businesses, it is imperative that impacted parties are given reasonable opportunity to provide relevant feedback on a regulatory instrument that is to regulate water use for the next 10 years.

- January and February are particularly busy months in the agribusiness industry. The limited consultation period offered has been disappointingly unsatisfactory given that the Department told water users at a meeting in May 2021 that the WSP would be ready for public exhibition in September 2021.

- I would like to fully support the *Hunter Valley Water Users Association's* recommendation that the public exhibition period for the WSP should be extended to 40 business days, instead of 40 days, making the new end date 15 March.

(b) Updated Definition of Long-Term Average Annual Extraction Limit (LTAAEL) to include Basic Landholder Rights and Harvestable Rights

- The LTAAEL is an important instrument for the management of water. The standard LTAAEL is the sum of all licenced entitlements, stock and domestic rights, native title rights and harvestable rights at the commencement of the WSP.

- However, there is no supporting evidence on how the department modelled and estimated the amount of water required to satisfy stock and domestic use.

- The implementation of the standard LTAAEL should not occur until improved data systems have been implemented.

- The ceiling placed on long-term average annual extraction limit (LTAAEL) should be imposed once further data is available and collated.

- We are concerned that the standard LTAAEL has been calculated to include 10% of rainfall run off limit across the region. However, an announcement on 10 November 2021 confirms that landholders in coastal draining catchments undertaking extensive agriculture can capture up to 30% of the average rainwater run-off from their property for Harvestable right dams.

- Further, the method to calculate the LTAAEL does not consider the change in season and factors affecting different aquifers at different sites.

- We are concerned that this additional allowance will affect the LTAAEL and the calculations should be amended to reflect the additional harvestable rights.

(c) Location of Monitoring Bores & Modelling

The location of the monitoring bores in the Upper Hunter are in many cases too far from the actual extraction sites and thus the proposed cease to pump access rules may have no relevance to the actual extraction site.

(d) Cease to Pump

- The proposed Cease to Pump (CTP) access rule of Water Source Isis River will have a significant impact on the ongoing economic viability of our land and water rights.

- Given the extensive and potentially devastating impacts of CTP triggers on the everyday business on landholders, it is imperative that the DPIE allows landholders to participate in thorough, transparent, and extensive consultation.

- The current WSP for Water Source Isis River access rule is that pumping must cease when there is no visible flow as measured at the Isis River at Stick-Me-Up Bridge gauge #210118.

- The proposed rule for the new Lower Isis Management Zone is that pumping must cease when there is no visible flow as measured at Stick-Me-Up Bridge gauge #210018 or no visible flow at the pump site.

- The implementation of the new access rules and establishment of new cease to pump rules in some cases are likely to negatively impact the everyday operations and use of the land. These new rules may have the following economic impacts:

    1. Inability to grow the feed required to maintain the agricultural activities;
    2. Inability to pasture improve for more efficient grazing;
    3. Increased transport costs/supply costs;
    4. Increased operational costs in obtaining additional feed; and
    5. Economic detriment to contractors usually retained for work such as shearing, slashing, and spraying.

- The CTP triggers have no impact on the reliability on water access licences in the WSP.

- We do not believe that the proposed changes consider the broader economic implications to the local community if extended CTP order is initiated and remains in place for an extended period.

(e) Additional Costs to Operation

- We will need to buy more water and feed for stock and reduce herd numbers to accommodate.

- The requirement to log in to real time data websites prior to any extraction will actively impact upon farm operations and cause undue delays. Some areas do not have adequate mobile access to log in to the site from the well or bore site, and this will significantly increase time and costs.

- We would suggest that the department send a text message when cease to pump is enacted as they do for the Hunter Regulated Users.

(f) Metering Conditions

- Proposed metering requirements highlighted in the draft WSP may place a particularly onerous financial burden upon my business. Although I understand the need for water users to observe their role as environmental custodians, the costly exercise of installing AS4747 Meters to existing pumps/bores will likely have a significant impact upon the operations of my business.

- Given the weight of this likely financial impact, I support the recommendations from the Hunter Valley Water Users Association that the metering requirements of the WSP be brought in line with the NSW Non-Urban Metering Policy, including the minimum threshold of 100mm for water users to install AS4747 meters.

(g) Conversion of High-Flow Access License

- An important strategic aspect of water usage is the pumping of water into water storage systems during times of high flow. This not only improves reliability of water access but generally has a lesser impact upon the ecosystem during times of low flow. This idea directly satisfies objectives (a) and (b) of the WSP.
- However, the proposal to remove high-flow access licenses from the Pages River, Isis River, Lower Wollombi Brook, Rouchel Brook and Paterson/Allyn rivers and water sources is particularly concerning, and seemingly in contravention of the objectives (a) and (b).
- Whilst I understand the potential impact that this strategic water use can have upon downstream water users, I believe it is important to be able to have the opportunity to access at high level flows when the opportunity presents. Further studies should be undertaken to select an appropriate threshold for high flow access use.

6. Conclusion

The proposed WSP is focussed on meeting State-wide initiatives and does not take into account the impacts on small landholdings, stock numbers on properties or land size.

I would like to reiterate that:

- The department has not provided sufficient modelling or economic impact assessment on the proposed changes.
- The draft WSP appears to be bias to meeting objecting (a) and (c).
- The CTP is likely to be economically detrimental to the long-term operations of our business.
- The economic flow-on effect to local business and suppliers would be substantial and must be considered carefully in light of the region's economy as a whole

[redacted]
[redacted]
[redacted]
GUNDY NSW 2337

[redacted]
Water planner
Department of Planning and Environment–Water
Locked bag 26, Gosford, NSW 2250

hunterunreg.wsp@dpie.nsw.gov.au 27 February 2022

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

Thank you for the opportunity to provide comment on the draft Plan. My family operates a [redacted] business on an [redacted] hectare property fronting the [redacted] River. We have access to basic water rights including a bore for domestic and stock purposes. The following submission draws on my PhD research into the impact of changing land use and climate change on surface water and groundwater in the Goulburn River (Imrie, 2019)

A central vision and objective for this Plan is to provide for the health, enhancement and protection of water sources and their dependent ecosystems. However Groundwater Dependent Ecosystems (GDEs) reliant on surface and subsurface expression of groundwater remain largely unmapped and their importance and priority in maintaining healthy resilient natural systems, poorly recognised in the Goulburn River catchment. This is a fundamental flaw in the proposed Plan which allows for only GDEs 'present at commencement of Plan' (as stated in the relevant WSP report cards).
The Drip gorge and associated riparian corridor on the Upper Goulburn River near Ulan is a culturally significant GDE and a highly valued natural feature with an estimated 50,000 visitors/year (NPWS 2022). This riverine GDE is neither mapped nor acknowledged by this Plan.

Comprehensive mapping of aquatic and terrestrial GDEs is an essential requirement for this Plan to successfully achieve key objectives. This should also include research into the role of stygofauna in maintaining water quality in stream bed and alluvial aquifers.

The Goulburn River system is a complex highly connected surface and groundwater system. Riparian vegetation along sections of the Goulburn River and its tributaries rely intermittently on access to groundwater that is connected to river alluvium to sustain them through extended dry periods. Climate modelling predicts high variability in rainfall, with the potential for extended and more intense drought periods and a declining trend in stream flow. Terrestrial GDEs are of critical importance for sustaining biodiversity and refugia movement corridors throughout this river system in the face of an uncertain climate future. In addition there is a high risk that extraction at low flows from key aquifers and tributaries will degrade riverine water quality (Imrie, 2019). **The stated "low upland alluvial groundwater values 'is incorrect and an unsubstantiated generalisation**.

The draft Plan has "Cease to pump rules" for the upper Goulburn based on overly simplistic 2ML/day discharge at Coggan gauge to trigger CtP. While I support the inclusion of this CtP rule, the 2Ml/day 94 percentile discharge rate, along with the Long Term Average annual extraction limit (LTAAEL) is based on questionable monitoring data of stream discharge in an extremely variable flow river system with a problematic mobile sand bed. In addition most of the tributaries rely on a 'No visible flow cease-to-pump' rule which provides no protection for very low flows that are often intermittent between river reaches, but essential for ecosystem function and resilience. Cease to pump regulations for the upper Goulburn and its tributaries require a more reliable system of monitoring. Real-time

groundwater piezometers strategically located along points of the river to monitor connected groundwater levels combined with realistic triggers associated with instream water levels. This is essential for the long term protection and viability of dependent riverine flora and fauna and associated aquatic and terrestrial GDEs. No GDEs are without value but collectively provide essential ecosystem function and resilience against climate change.

For this Plan to have scientific rigor and achieve the stated objectives it requires the urgent implementation of effective groundwater monitoring in key riparian locations across the Goulburn catchment to provide reliable, strategic monitoring and management of connected groundwater systems supplying critical baseflows that maintain instream water levels and water quality.

Water Trading

The draft Plan includes a proposed rule change to allow trading from the lower Goulburn to upstream Goulburn water sources. This is a concerning change in the rules that has not been justified in this extremely variable flow system, highly stressed by aquifer extraction and interference by mining operations in the upper catchment that have permanently lowered groundwater levels, diverted and captured rainfall runoff. It is unclear how the draft Plan accounts for aquifer interference from mining operations, any increase harvestable rights, water take, interception and capture on mine sites or how this relates to the previously allowed mining exemption. Current Mine approvals permit the extraction and diversion of over 50 ML/day of groundwater and surface water at the headwaters of the Goulburn (based on Annual Mine Reports for UCML, Moolarben and Wilpinjong Coal Mines).

The proposed rule could only allow the ongoing unsustainable water extraction from the upper catchment with current mine and government monitoring inadequate to ensure 'no net gain' or further environmental harm.

All permitted trade must be in a downstream direction as per existing WSP with NO exemptions.

Harvestable Rights – allowing any increase in harvestable rights as suggested from 10% to 30% will further exacerbate already decreasing river flows (discharge rates) and reduce groundwater recharge providing base flow to our streams and rivers.

Yours Sincerely,

Dr [redacted]

[redacted]
Ulan NSW 2850
[redacted]

[redacted]

Draft Water Sharing Plan for the Hunter Unregulated And Alluvial Sources 2022

By

[redacted]

Public Exhibition

February 2022

Introduction.

My Business:

[redacted] has been a well-respected unregulated irrigation farming business for [redacted] years now. [redacted] produce Lucerne and Wheat Chaff all year-round that supports the surrounding areas with feed throughout the year including the off season. We can do this due to our three hard-working full-time employees that are dedicated to the survival of this establishment. Majority of the customers are from the local area that includes thoroughbred breeders, the racing industry as well as the cattle and sheep farmers.

My community.

[redacted] supports three generations of the [redacted] Family living and working on the family property. Scone has one of the most renown Equine Industries within Australia, it is the hub of thoroughbred breeding as well as prestigious horse studs, our community is thriving and can continue to with the support of hay farmers like us. Throughout the years we have donated bales of hay at the highest quality to the horse sports and camp draft competitions within the community.

Endorsement of HVWUA 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 Hunter Valley Water Users' Association which addresses catchment wide issues on my behalf.

Key Issues:

Consultation Process

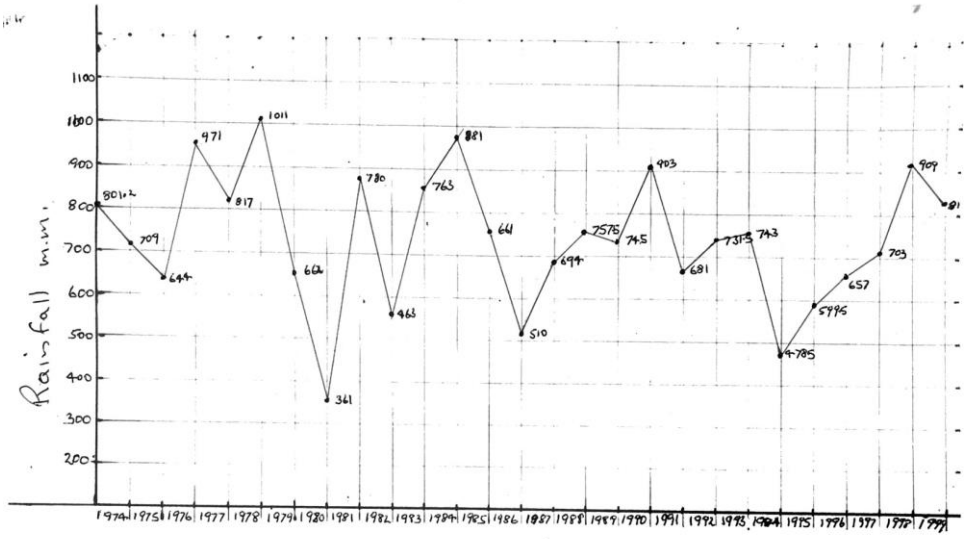
Public consultation and stakeholder feedback are a crucial component in developing an appropriate WSP. Given that WSPs set the rules 'for how the water is allocated for the next 10 years', it is vital that we are given a reasonable amount of time to provide informed feedback on a complex regulatory instrument.

January and February are a very busy period, especially for us as we are in the middle of the hay making season. 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 with ample time provided for submissions and consultation with stakeholders by February 2022.

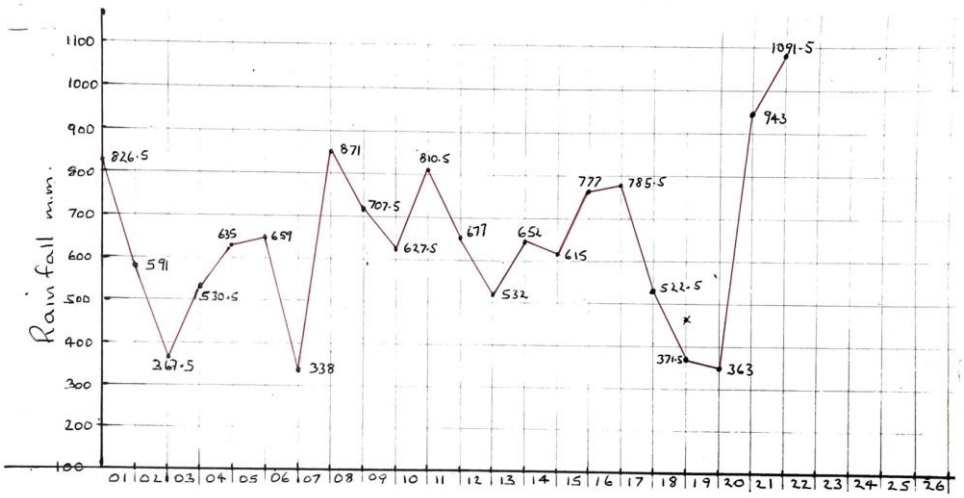
I agree and reinforce the following recommendation from HVWUA:

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.

Our additional modelling includes Rainfall Charts spanning back 40 Years, recorded by [redacted] throughout his career as a farmer and by [redacted] today:



Yearly Rainfall at [redacted] Parkville 1973 to 1999.



Yearly Rainfall at [redacted] Parkville 2000 to 2021

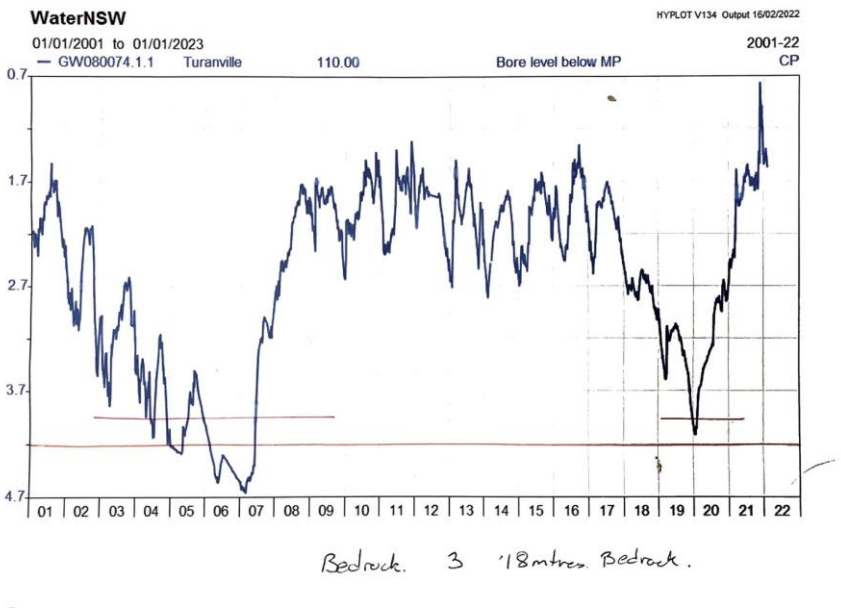


Image 3: Water NSW Pumping Chart. Below the red line indicates the cease to pump quoter, if the recommendations are adhered to it would take 20 months to recover, in this time our production will cease to exist.

We have found difficulty in obtaining information for this report due to the 4 weeks' notice given, by giving us 40 business days to obtain this information we will be able to produce sound evidence.

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 to destroy our Irrigation farming crops and negatively impact our local communities.

I agree with the following recommendations from HVWUA:

- 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 following impacts on my business personally:

Example: Personal impact of cease to pump.

Current cease-to-pump: In the last [redacted] years of this establishment, we have not had a stint to cease pumping along the kingdom pond due to careful management. During the drought we reduce area irrigation to quarter of production focusing on Productive paddocks, viable in reducing water waste in tough time. In recent droughts we have brought hay in from interstate, higher prices were introduced from importing hay as well as carbon miles.

Proposed cease-to-pump:

If the proposed cease-to-pump order is passed our production will cease to exist within 20 months. Once there is no surface water left to support the production of our crops, we will be unable to grow crops for the following seasons therefore our storage will dry up rapidly resulting in a $300,000 loss every year. The income impact includes higher outlays of money creates higher prices for the consumers and their businesses. Staff and suppliers create higher prices for suppliers resulting in dramatically reduced profit margin, possibly even a loss.

The cease-to-pump order would have left our land without groundcover, contributing to the destruction of our nearest water course when the drought breaks due to erosion from the creek beds. Lloyd Rossington took part in the River Catchment Creek bed initiative in 2000 by planting trees along the creek bed to reduce further erosion supported by the Kingdom Ponds program.

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 HVWUA:

- The metering requirements of the Hunter Unregulated and Alluvial Water Sharing Plan be brought in line 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.

Additional Concerns: a [redacted] partner has released a statement to be included in this report, the following statements have been included for consideration:

“To whom it may concern, the pig-headed approach of the department has no understanding of the day to day running of a farm and the damage it will cause with a total cease-to-pump for 1 to 2 years.”- [redacted]

If the cease-to-pump order is passed there will be catastrophic unintended environmental consequences. If we are unable to irrigate there will be loss of groundcover, our crops rely heavily on irrigation to survive the drought. Erosion will follow the loss of ground cover.

Conclusion:

I 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 plan will have dramatic consequences to our production, it will cease to exist within 20 months. Once there is no surface water left to support the production of our crops, we will experience a

$300,000 loss within the first year of these harsh regulations. Thus see the end of our [redacted] Years family owned [redacted].

Kind regards,

[redacted]

[redacted] Parkville, NSW. 2337

[redacted]

[redacted]

From: [redacted]
Sent: Thursday, 9 June 2022 11:52 AM
To: [redacted]
Subject: FW: [redacted] 27/2/22 1.19 PM NOT CONFIDENTIAL HUNTER FW: Submission for the draft remake water sharing plan Hunter Unregulated and Alluvial

From: digital.services=squiz.dpie.nsw.gov.au@squiz.regional.nsw.gov.au <digital.services=squiz.dpie.nsw.gov.au@squiz.regional.nsw.gov.au> **On Behalf Of** digital.services@squiz.dpie.nsw.gov.au
Sent: Sunday, 27 February 2022 1:19 PM
To: DPIE Hunter Unregulated Water Plan Mailbox <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:	[redacted]
Question 1.1	
Do you have any comments on this aspect of the draft plan?:	There have been no relevant scientific measurements & data taken of the Martindale Creek Area from which any conclusions or plans can be made. The sole measuring well is 250 m from the creek
Question 1.2	
Do you have any comments on this aspect of the draft plan?:	no
Question 2.1	
Do you think this is appropriate? Why / why not?:	Extraction is most often needed when creeks run dry. This was the case in the recent 3 year drought where we were able to irrigateeven though the creek was dry.
Question 2.2	

Do you think this is appropriate? Why / why not?:	Martindale Creek in our opinion extracts far less than ourtheoretical allotment. The number of irrigators has declined over the years with the disappearance of the 25 dairies which used to extract water from this area

Question 3.1

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

Question 4.1

Do you have any comments on this aspect of the draft plan?:	A totally unacceptable proposition based on inadequate scientific data. Unthinkable that we could not irrigate if a creek runs dry We are well able to self regulate in drought times If any changes were to be made : 1. The viability of my property would be put at risk 2. Compensation would be sought for crop losses & devaluation of my water liscences

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?:	no

Question 10.1

Do you have any comments on this aspect of the draft plan?:	no

Question 11.1

Comments on any aspect of the draft plan:	GW271032 1063 Martindale Facts : 4150 Total days monitored - average 5.2m (23/02/2010 - 04/07/2021) 6.91 cease pumping 6.61 resume pumping 237 consecutive cease to pump days 20/09/19 =13/5/20 9/2/20 creek began running overland at Smith's Bridge It took 94 days with overland flows before monitoring bore level raise enough to resume pumping (6.61m) Pumping available for 94.29% of the time over the last 11 years and 5 months

Question 11.2

Upload a submission or any supporting documents:	No file uploaded

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

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			
Name	[redacted]		
Postal Address	, Baerami NSW 2333		
Telephone			
Email address			
Stakeholder Group (please indicate which of the following best represents your interest by **ticking one box**)	☑ Irrigation Interests ☐ Fishing Interests ☐ Local Govt./ Utilities	☐ Aboriginal Interest ☐ Local Landholder ☐ Other (specify)	☐ Environment Interests ☐ Community Member
If your comments refer to a specific water source, which one?	Lower Goulburn River		

Attach extra pages if required

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?	

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?	A CTP, if imposed has the potential to decimate my farming business. I produce hay for sale as well as beef cattle using irrigation. During drought, I do reduce irrigation to manage water use but still need some irrigation to keep crops and cattle alive.
Do you think the **CtP** in your water source is practical to implement? Why / why not?	No. The Goulburn river has the majority of its flow below ground. As there is limited above ground flow regularly, it puts great onus on farmers to determine whether they can pump. How can a CTP be enforced, especially when stopping stock watering?
Do you think the **CtP** provides enough protection for ecological values such as Groundwater Dependent Ecosystem?	Local farmers have been self regulating river usage for many years and even in drought the river still had flow below ground. Some pumping continued in the last drought and this helped to keep many wildlife alive without destroying ecosystems.
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. As the river varies in depth and width, there can be a lot of water available where I am further upstream yet it registers as low on the bore which is well away from the actual river. Surely it makes more sense to have a measure that is on the river.

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

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

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

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 **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 and low flows	
The **flow reference point** 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?	

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?	Yes

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.	

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?	Good idea. Provides facility to relocate existing licenses rather than adding more demand.

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?	

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?	There has been a lack of notice and consultation on these changes. Despite having an irrigation licence, I did not receive notice of the draft plan from DPIE and others have advised me of the same. Further consultation and review is required.

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

Additional comments

Farmers have been struggling over recent years and are still recovering financially, physically, mentally and emotionally from the last drought.

I am located on the Lower Goulburn River water source and hold an irrigation licence for growing hay and breeding cattle. Personally, I was able to survive the difficult times with the use of irrigation to maintain my hay crops and cattle. I was also able to help some others with the supply of the small amounts of hay I was able to produce. If a CTP had been enforced at the proposed levels, I would have lost all crops and been unable to feed my cattle, thus suffering financial ruin and the associated emotional and mental stress.

My understanding based on the proposed rules is that on the Lower Goulburn River in the recent drought we would have been forced to cease to pump around the end of May, 2018 and would have been allowed to resume pumping mid September 2018. We would have been forced to cease again around the end of November 2019, resuming mid February 2020. Despite there being no cease to pump rules, underground water continued to flow throughout these periods. Those who know the Goulburn River will confirm that the river regularly only flows underground and there is no visible signs of flow on the surface. This is not only during times of drought.

It is ironic that the government is trying to help improve drought resilience for farmers and rural communities yet the DPIE is looking at adding rules which will cause further hardship for farmers and the flow on effects in rural communities during times of drought.

In times of drought, the CTP rules have the potential to decimate farming businesses and have significant flow on effect to local communities and eventually the general public through reduced availability and increased prices for farming commodities.

Even farmers without irrigation licences will be impacted by the CTP rules. As well as removing the availability of local feed for purchase, there is a very disturbing impact of Part 6, Division 3 of the plan. It provides very tight exceptions to the CTP rules including the allowance to pump 1000L/day for domestic purposes. There is no allowance for the pumping to water stock as allowed under a stock and domestic water licence. When this was raised during the consultation conference call on 8 February at approximately 39 minutes into the recording, it was confirmed that stock and domestic licences will be impacted by the CTP rules and will be limited to just 1000L/day for domestic use. In a subsequent question I raised on this at approximately 44 minutes, Danielle advised that it would be up to the water user to monitor the water level and make appropriate business decisions in times of drought. My understanding of this is that the only viable option would be to destock. As has been found in previous droughts, it is difficult to sell cattle during drought and this is done at great financial loss and emotional stress. This is also something that cannot

always be done quickly. Surely the withholding of water from stock contravenes the Prevention of Cruelty to Animals Act 1979?

To further penalise irrigators, Part 6, Division 1 stops the carryover of unused water allocations from one year to the next on many water sources, including the Lower Goulburn River that I rely on. This further penalises farmers trying to recover after drought by not allowing additional use after the easing of CTP conditions.

Finally, it should also be noted that this draft water sharing plan seems to have been pushed through without sufficient allowance for consultation and input. The excuse given was Covid and the need to meet legislation deadlines. Despite being a licenced irrigator, I did not receive any notice from DPIE of the review of the plan. Despite this, they still seem to be able to find me to bill me annually. My notice came some weeks after the start of the notice period through advice from a neighbour and NSW Farmers Association. I did attend the only conference call that I could but I found that the answers to questions were brief and dismissive and did not consider the farmers side of the question.

Whilst I can understand the wish for rules that help to protect the environment, it should be noted that most farmers using the water sources for irrigation rely on these water sources and manage their usage to protect the water and the environment. During the last drought, I cut my irrigation usage to the bare minimum to keep my crops and cattle alive rather than using full volume to make maximum profit. This included only irrigating critical areas, reducing nozzle sizes, increasing irrigator walking speed and only irrigating for a maximum of 12 hours out of every 24. Whilst it would be difficult to manage, measures to reduce water use rather than a hard cease to pump would make more sense in working to both protect farmers basic livelihood as well as the environment. It should also be noted that by maintaining some irrigation, it also provided support for the local wildlife during the drought.

With the self management of the Lower Goulburn that was carried out by local farmers during the recent drought, it did mean that there was always water flowing in the river albeit underground. How and why are these CTP limits being defined as proposed when there was still water flowing in the Lower Goulburn river even when the measuring point was showing values well below the proposed CTP level?

In summary, I believe that the CTP measuring proposed is not suitable for the Lower Goulburn River, both in terms of the location of the measuring point, being hundreds of meters from the river, and in the values proposed. From discussions with other farmers in the area, it seems the same is felt for many of the other water sources covered by the plan. If the draft plan is adopted as proposed, it will destroy farming businesses in the Hunter Valley and have a significant detrimental effect on local towns. Farmers will be forced to sell up even their core breeding stock and thus end up leaving the land due to a lack of any income.

SUBMISSION

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

By

[redacted]

[redacted]

Public Exhibition

February 2022

Introduction: OurBusiness:

- The [redacted] family settled here in 1918.
- We grow Lucerne and Rye Grass. It is used for hay production.
  Grazing for our beef cattle and sheep.
  Vegetables for our family.
- Supplies water to 4 households.
- We use local contractors seasonally
- We use rural suppliers and machinery repairers in Upper Hunter Shire, Muswellbrook shire and Singleton shire.
- Our customers come from all walks of life. Backyard horse enthusiasts to professional thoroughbred breeders, horse trainers, Dressage and show jumping industry. As well cattle farmers.

These are not all local but across the state of NSW especially in drought times as we have never run out of water.

My community:

- [redacted] settled on [redacted] in 1918. He took up a soldier settlement block. He and his wife raised 3 children. [redacted] died in New Guinea during the second world war. [redacted] moved to Melbourne. [redacted] remained at the farm. He completed his trade certificate at the local meat processing plant in Aberdeen.
  [redacted] raised 4 children with his wife [redacted] they continued the family dairy until deregulation.
  At this point the family business [redacted] moved from their stud dairy herd to their stud and commercial beef herd. and imported embryo's in to make a new beef stud.
  [redacted] daughters moved away for their careers.
  Their sons continued with the farm.
  After [redacted] deaths more change but the farm has continued in the family.

- Our families have always supported the local schools, sporting clubs in the district. Community events- Aberdeen Highland Games, Aberdeen Quilt Affair and smaller events and have held positions on their committees.

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.

The Dartbrook Creek and Kingdom Ponds are predominantly dry creek beds with water running in the gravel beds underneath in our area. Looking at the cease to pump orders and the observation points we would be lucky to pump 10% of the time. As the water in the creek bed goes underground several kilometres before it reaches us and resurfaces downstream. Although there will often be puddles in some of the bends on the creeks.

September to February are a very busy period, especially for us as we are often making hay and irrigating. 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.

- Additional Modelling. Yes, we are curious what will happen to the AGL water allocation when the power stations close.
- Difficulty in obtaining information relevant to my operation however we will be contacting [redacted].
- Ecological studies these have been very thin on the ground. We have not had communications from any department.
- Very concerned that Dartbrook water seeps into the Dartbrook underground workings and then is pumped to evaporation dams of which some is released back to the Hunter river. This has been an ongoing concern to us for approximately 30 years.

Cease-to-pump

Cease-to-pump (CTP) triggers are an extremely complex, personal, and crucial aspect of the proposed WSP across the catchment.

We hold concerns for the locations of monitoring stations. As at the meeting I recently attend not many people knew their locations.

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 family enterprise and negatively impact our local communities.

I agree with the following recommendations from HVWUA:

- 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

PERSONAL IMPACT OF CEASE TO PUMP Current cease-to-pump: Our family purchased our property with no cease-to-pump requirements in 1918. In all these years we have never been forced to stop pumping. Only had to reduce our pumping rate from time to time. Due to a lack of water in our well.

Proposed cease-to-pump: IMPACT ON ANY QUALITY ASSURANCE, CATCHMENT CARE OR ENVIRONMENTAL PROGRAMS YOU ARE PART OF e.g. Would have left our land without groundcover, contributing to siltation of our nearest water course when the drought broke, would have killed trees. Our trees planted from Scone Land Care would have perished and our shelter belts for birds and cattle would be on hold.

We do interact with Birdlife Australia. It is our opinion that some of our birds would not be here if we did not irrigate and have gardens to offer.

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 HVWUA:

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.

ADDITIONAL CONCERNS

- Groundwater, water trading in our area.
- Mining impacts on ground and surface water systems. Dartbrook Underground Mine or the proposal of open cut.
- Property values
- Information is provided in a timely manner.
- Information is also provided in **a clear format.**
- Meeting are called in a timely manner by the appropriate bodies. E.g. Planning, Industry & Environment, Water NSW etc. With the appropriate government and local government minsters and representatives in attendance.
- Onsite inspections and consultations. Qualified Staff.
- The mental health of or farming families.
    - Like everyone else we are suffering from the interruption of COVID 19.
    - Coming out of the drought.
    - The threat of fires.
    - The threat of the mice plague returning.

The ambition of current families and their children. We know what it was like to encourage and push our own children in another direction. When we closed our dairy. There were options but not one's that would have given them a regular income like a monthly milk cheque.

Conclusion:

I 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.

Yours sincerely

[redacted]
[redacted]
[redacted]
ABERDEEN NSW 2333

Ameliaranne Michell

From: Ameliaranne Michell
Sent: Wednesday, 8 June 2022 12:11 PM
To: Ameliaranne Michell
Subject: FW: [redacted] 27/2/22 1.20 PM NOT CONFIDENTIAL HUNTER FW: Submission for the draft remake water sharing plan Hunter Unregulated and Alluvial
Attachments: WSP submission - LHAWUI Final.docx

From: digital.services=squiz.dpie.nsw.gov.au@squiz.regional.nsw.gov.au <digital.services=squiz.dpie.nsw.gov.au@squiz.regional.nsw.gov.au> **On Behalf Of** digital.services@squiz.dpie.nsw.gov.au
Sent: Sunday, 27 February 2022 1:20 PM
To: DPIE Hunter Unregulated Water Plan Mailbox <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?:	Rural industry group
If you selected other, please state:	
Email address:	
Question 1.1	
Do you have any comments on this aspect of the draft plan?:	Rules have been inserted into the Draft plan ostensibly because of the health of the river system. To add 2 new water sources, given this concern, seems inconsistent. Further inconsistency, neither of these water sources have a "cease to pump" rule.
Question 1.2	
Do you have any comments on this aspect of the draft plan?:	As per our previous answer. Further, there is no transparency associated with why these new zones have been put forward.
Question 2.1	
Do you think this is appropriate? Why / why not?:	Efficient effective irrigation requires water application at the time the plant needs it, not with high flows. There is no on farm storage in the tidal pool, so this does not affect us.

Question 2.2

Do you think this is appropriate? Why / why not?:	Of course an increase in harvestable rights will impact on inflows into the river system. Surely, that was factored into the legislation. There is limited on farm storage in the Tidal Pool., so we will not be able to benefit from the ability to store more water, but there is the potential that less inflows into the system will impact on the Tidal Pool water quality and our ability to irrigate. To suggest that all irrigators have to bear the "cost" (By reduced allocation) by the ability of a few to increase their water take, under a different Act, seems highly inappropriate.

Question 3.1

Do you think this is appropriate? Why / why not?:	Of course an uptake of the increase in harvestable rights will impact the inflows into the system. Three years & good seasons will not see a big uptake of the offer. What's the process? No transparency. If entity builds a big storage water unit and it impacts on water quality. What's going to happen? Are you going to get them to remove the storage?

Question 4.1

Do you have any comments on this aspect of the draft plan?:	This does not affect us, but we understand that exactly the same issues exist in these water sources: 1. No scientific evidence backing the proposal; 2. No socio economic studies on the effect of the proposal; 3. Very limited public consultation. All 3 elements need to be addressed, as is required, before any "cease to pump" rules are included in the Plan.

Question 4.2

Do you have any comments on this aspect of the draft plan?:	This is totally unacceptable to the members of our group. 1.There is no scientific evidence behind the proposal; 2. There has been socio economic studies as to the effect of the proposal; 3. There has been limited public consultation. Our lived experience under this proposed rule would have been: Summer 2016/17 - 54 days straight - no irrigation Summer 2017/18 - 95 days straight - no irrigation Summer 2018/19 - 47 days straight - no irrigation Summer 2019/20 - 122 days straight - no irrigation

Question 4.3

Do you have any comments on this aspect of the draft plan?:	As per our previous comments. lack of scientific evidence, lack of socio economic review & lack of public consultation

Question 4.4

Do you have any comments on this aspect of the draft plan?:	No comment

Question 4.5

Do you have any comments on this aspect of the draft plan?:	No comment

Question 5.1

Do you have any comments on this aspect of the draft plan?:	No comment

Question 6.1

Do you have any comments on this aspect of the draft plan?:	No comment

Question 7.1

Do you have any comments on this aspect of the draft plan?:	No comment
Question 8.1	
Do you have any comments on this aspect of the draft plan?:	Trading increases extraction - surely this is not wanted for the health of the river system. If trading is to occur at all it needs to be only within the identified water source. Any trade of water out of the source is likely to lead to negative environmental consequences.
Question 8.2	
Do you have any comments on this aspect of the draft plan?:	As per our previous answer.
Question 9.1	
Do you have any comments on this aspect of the draft plan?:	No comment
Question 10.1	
Do you have any comments on this aspect of the draft plan?:	No comment
Question 11.1	
Comments on any aspect of the draft plan:	Our detailed response is attached.
Question 11.2	
Upload a submission or any supporting documents:	WSP submission - LHAWUI Final.docx, type application/vnd.openxmlformats-officedocument.wordprocessingml.document, 44.7 KB

Submission – Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022

Lower Hunter Agricultural Water Users Incorporated – February 2022

The Lower Hunter Agricultural Water Users Incorporated (LHAWUI) represents the 204 water extraction licenses in the tidal pools of the Hunter and Paterson Rivers and Wallis Creek. (The Tidal Pool)

We welcome the opportunity to provide a submission in the Public Exhibition process on the Draft Water Sharing Plan for the Hunter Unregulated and Alluvial Sources 2022.

Executive Summary

It is important to adopt an **integrated catchment management approach.**

The vision of the Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022 (WSP) purportedly provides for economic, social, cultural, spiritual and ecosystem health.

However, the WSP only focuses on irrigation in relation to salinity, the other aspects are ignored.

The Draft Plan includes a Cease to Pump (CTP) when the Electrical Conductivity (EC) measures 4000 EC at Green Rocks for the Tidal Pool. This proposal would apply across all three tidal pool water sources, regardless of enterprise, regardless of water quality at the irrigation pump. One size does not fit all.

There is **no scientific evidence** that the proposed CTP rules will provide any quantifiable benefit to the ecosystem or the costs of a CTP been calculated.

Public engagement has been limited and this has resulted in poorly thought out changes, particularly to the cease to pump rules. Public engagement is a requirement to get a better result.

It is a requirement of the Water Act 2000 and the WSP that the rivers be monitored and this **monitoring has not happened.**

The proposed WSP would not only impact on the licence holders but has economic implications on the estimated 500 direct jobs and 3000 indirect jobs associated with the tidal pool enterprises would be significant. There is further impact on the green curtilage of Maitland & Morpeth which has tourism & land value. **There has been no socio economic study of the implications of the proposed CTP.**

The LHAWUI submit that we should continue to be able to irrigate in line with the current licensing arrangement until discussion and monitoring have taken place and a solution is tested so there are no unintended consequences.

Our submission includes:

1. The LHAWUI & the Hunter Valley Users Association (HVWUA);
2. Who the LHAWUI represent;
3. The way forward.

Lower Hunter Agricultural Water Users Incorporated

Submission – Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources

1. **The LHAWUI & the Hunter Valley Water Users Association (HVWUA)**

In general, we endorse the key issues and submission of the HVWUA.

Specifically, as regards to the Tidal Pool

A.We have also found that the DPIE staff have referred to ecological risk & impact from irrigation without **clear objectives & scientific basis** for the recommended cease to pump rules. Nor have they understood how effective efficient irrigation takes place in the Tidal Pool.

The Natural Resource Commission (NRC) review in May 2020 recommended that there be "clearly defined outcomes linked to specific, measurable & achievable & time based objectives, strategies and performance indicators. "

Recommendation:
Before any change to rules we recommend that the above processes be adopted and clearly communicated.

B. Cease to pump rule

The idea of one size fitting all is not acceptable.
There has been no social, economic & environmental studies on the impact of the proposed "cease to pump" rule.

Recommendation:
We support the recommendation of the HVWUA that the use of Electrical conductivity be rejected as a cease to pump trigger in the tidal pool. It further recommends that the DPIE undertakes further modelling and consultation on alternate options.

The Natural Resource Commission recommended an AWD approach in the tidal pools in May 2020. This has not been offered specifically to the tidal pool users, despite the DPIE being advised that both the Gauge flow proposal & the EC trigger proposal were unacceptable because of the social, economic & environmental consequences.

C. Public consultation

We endorse the concerns expressed by the HVAWUA that the consultation process was not of sufficient length to benefit from the engagement that public consultation brings to the process.

Lower Hunter Agricultural Water Users Incorporated

Submission – Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources

2. – Who the LHAWUI represent

We are 204 licence holders with a total of 23,759 ML of water. This represents 3.7% of the total licensed amount within the Hunter Catchment. We are at a loss to believe that stopping our small amount of irrigation will heal the river.

The Hunter Catchment has been impacted by Europeans since the cedar cutters came through and removed the trees from the banks of the river.

200 years later and we see enterprises and communities have been developed along the banks of the river dependent on the quantity and quality water flowing past or captured within the sands and aquifers in the Catchment

The tidal pool contains the salt wedge. This wedge impacts the water quality, as it has done for millennia, depending where one is within the tidal pool, the size of the tide and the amount of inflows. There is generational knowledge associated with this management.

The irrigators work within their licensed water allocation, the quality of water and the crop coefficient for salt tolerance.

Factors impacting irrigation generally are crop type, soil type and evapotranspiration.

The soils and their water holding capacity of the lower Hunter need to be considered

The dominant pastures grown in our area are:

- Lucerne – for the hay enterprises as well as the dairy & beef enterprises
- Kikuyu – Dairy & Beef enterprises
- Rye – Dairy & Beef enterprises

With no rainfall and in the warm months these pastures need irrigation every 4 - 6 days so they continue to have access to readily available water.

Any cease to pump rule negatively impacts on the dairy, beef & hay enterprises of the tidal pool.

The Tocal dairy is not just important for milk production it is vital for the education and research associated with dairy, pasture and irrigation across the State. It is the last dairy in the DPI network in NSW.

The Lower Hunter has been associated with horticulture for many decades and should increase as population grows and the demand for locally produced product.

- Vegetables
- Turf
- Nursery

All these industries need small amounts of regular watering.

Planting is continuous – the seedlings need to be watered, on receipt, and on planting. These seedlings are ordered, often months in advance.

Many of the plants have small root systems and therefore need access to frequent watering, the harvesting needs watering so that the produce arrives at its destination in good condition.

These enterprises can not survive a cease to pump. We know that no water is no horticulture.

The 110 year modelling associated with this plan says we can irrigate 95% of the time. Our lived experience is quite different:

A trigger of 4000EC at Green Rocks would have meant no or limited irrigation in the summers of 2016/2017, 2017/18, 2018/19 and 2019/20 and this would have wiped out intensive agriculture in the tidal pool. The 4000Ec proposal would have meant no irrigation for: 54 days straight in the summer of 2016/17, 95 days straight in the summer of 2017/18, 47 days straight in the summer of 2018/19 and 122 days straight in the summer of 2019/20.

These enterprises employ around 500 people directly and provide a further 3000 indirect jobs.

Many of the farmers associated with these enterprises have been in the tidal pool for generations and know how to manage irrigation. They are sustainable farmers and want to hand their enterprises to the next generation. To do this they are conscious of the environment.

During dry times they will irrigate a small amount based on the tides and salinity.

The Natural Resource Commission (2020) and the Water Plan (2022) both required those drafting the plan to take into account the social, economic & environmental impacts of any proposals.

We do not believe there has been any consideration given to these impacts.

We recommend that there be no restriction, other than licensed amount of water, be put on water users in the tidal pool until the triple bottom line is properly considered.

Lower Hunter Agricultural Water Users Incorporated

Submission – Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources

3 . The way forward:

A. A clearly defined outcome linked to specific, measurable, achievable and time bound objectives, strategies and performance indicators.

B. The proposed strategy be tested for ecosystem objectives and tested for social, economic & environmental outcomes.

C. We know that a "cease to pump" rule will have significant consequences to the productive agriculture in the tidal pool, so we reject this as a strategy.

D. In the NRC review – May 2020 it was suggested that an AWD should be considered for the tidal pool. We believe it is in this area that common ground can be found, as long as due process and governance is followed.

[redacted]
Secretary – LHAWUI
[redacted]
27.2.2020

[redacted]
[redacted]
Wollar 2850

[redacted]
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[redacted]
Water planner
Department of Planning and Environment–Water
Locked bag 26, Gosford, NSW 2250

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Sunday 27 February 2022

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

I am a landholder on the Upper Goulburn River with basic rights access to the water source. My property fronts a large, permanent pool that provides drought refuge for aquatic species, water birds and wildlife on the border of Goulburn River National Park.

This pool was drawn down significantly in the 2018 – 2020 intense drought through upstream pumping and the loss of base flows to the Goulburn River from coal mining aquifer interference and surface flow capture.

The rapid shrinking of the pool through high evaporation rates, upstream water use and pumping for firefighting, including helicopter bucket lifts, caused stress to stranded aquatic species, such as the long-necked turtle and native fish species. This pool was previously a breeding site for the threatened eel-tailed catfish. The condition of the pool in January 2020 was the lowest ever seen by my family in the 35 years we have lived here.

The Goulburn River has three very large coal mining operations on its headwaters that are impacting significantly on the health of the river system, its hydrology, and dependent ecosystems.

Key findings from the Independent Expert Science Committee Hunter Bioregional Assessment 2018 (IESC Report) include identification of key hazards to water sources from waste rock blasting, excavation and storage, subsidence, and subsurface fracturing from longwall mining and mine dewatering. These hazards occur across the three mining operations in the catchment.

The management of water take from the Upper Goulburn water source through water sharing rules must take into account the significant impact of mining on the catchment and water flows to the associated creek tributaries and the Goulburn River, especially interception of base flows.

I wish to lodge the following comments on the draft Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022 (draft plan):

1. Objectives

The vision, objectives, strategies and performance indicators of the draft plan are not consistent with other newly made plans for water sources in NSW, including the Hunter Regulated WSP 2016.

2. Distance rules for new bores

I support the proposed new rules for groundwater bores in alluvial aquifers to keep a distance from existing bores and groundwater dependent ecosystems (GDEs). The draft plan does not have rules to protect sites of cultural significance from drawdown by new bores. This provision is in other WSP across the state.

3. Cease-to-pump (CtP) rule for Upper Goulburn

I support the proposed CtP rule when flows are at or below 2 ML/d at the Coggan gauge. I have consistently identified the need for an additional gauge between Coggan and the mining operations in the catchment to better measure the impacts of the mines on Upper Goulburn River hydrology.

4. Aquifer Interference exemption

I note that Cl 68 (6) (a) & (b) have been removed from the draft plan relating to an exemption from CtP rules for aquifer interference that cannot be managed.

While I support the removal of the exemption, there must remain a rule for unmanageable aquifer interference requiring water losses to be returned to the water source during periods of CtP.

The Natural Resources Commission (NRC) review of the current Hunter unregulated and alluvial WSP 2009 recommended the requirement of 100% mitigation of aquifer interference.

The loss of base flows to the Upper Goulburn water source from the three mining operations through aquifer interference and capture of rainfall runoff has a significant impact on flows in times of drought. This impact was noticeable during the 2018- 2020 drought.

The new plan must have water replacement rules to mitigate 100% of aquifer interference, as recommended by the NRC.

5. Proposed changes to trading rules into the Upper Goulburn

I do not support the proposal to allow trading into the Upper Goulburn or trading upstream within the water source. The proposed ‘no net gain’ rule will be difficult to implement and will not help to improve the ecosystem health of the river.

The IESC Report found impacts from mining on surface flows to the Wollar Creek and Goulburn River. These impacts include large changes to flow regimes in Wollar Creek that will have a hydrological effect on the Goulburn River.

It was also found that changes in ecologically important flows indicate a higher risk to the condition of riverine forested wetlands along the Goulburn River.

Any trading out of the Upper Goulburn water source will help to restore some of the hydrological regime and lessen the risk to the river ecology. The 'no net gain' approach will not help to meet the objectives of water sharing to reduce the risk to environmental values in water sources.

The implementation of a 'no net gain' rule will be difficult to regulate. The trading rules for the Upper Goulburn water source must remain unchanged.

I support the maintenance of current rules that prohibit the trade of water upstream in the Upper Goulburn and the current rules that prohibit trading from the Lower Goulburn to the Upper Goulburn.

6. In-river dams

I support the prohibition of the construction of in-river dams on 3rd order streams and larger in the Upper Goulburn water source.

Yours sincerely

[redacted]

[redacted]

SUBMISSION

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

PUBLIC EXHIBITION

[redacted]

27 February 2022
SUBMISSION

To be CC'd:

Dave Layzell Member for Upper Hunter
upperhunter@parliament.nsw.gov.au

The Hon. James Henry Griffin Minister for Environment and Heritage
manly@parliament.nsw.gov.au

The Hon. Kevin John Anderson Minister for Lands and Water,
tamworth@parliament.nsw.gov.au

Submission:	Draft Water Sharing Plan for the Hunter Unregulated & Alluvial Sources 2022
Submission Made:	[redacted]
Water Source:	Upper Dart Brook and Management Zone Lower Middle Brook and Kingdon Ponds and Petwyn Vale
Submission Date:	27 February 2022

1. Introduction

I, Wayne Bedggood, make the following submission to NSW Department of Planning & Environment in relation to the *Draft Water Sharing Plan (WSP) for the Hunter Unregulated & Alluvial Sources 2022*.

As a water user, we are taking the opportunity to provide a submission in the Public Exhibition process on the *Draft Water Sharing Plan for the Hunter Unregulated & Alluvial Sources 2022*.

The key performance indicators and proposed reporting on the outcomes appear to be biased towards ecological objectives of the WSP and the impact on agricultural production in the region and on small landholders are given less emphasis.

The WSP specifically affects our water source Dart Brook River Water Source in two management zones. Our water rights are located within the Middle Brook and Kindgon Ponds and the Petwyn Vale management zones. We have reviewed and considered the proposed plan and associated risk assessment affecting the management zone.

We have contacted the Department Primary Industries and Environment on numerous occasions prior to the release of the draft Water Sharing Plan Public Exhibition to discuss the implications of the proposed water sharing plan and have not had any communication in response from them.

2. My Business

We operate a leading thoroughbred horse breeding facility of approximately 1200 acres in the Upper Hunter known as [redacted]. The facility has been operating since the 1990's and has been specifically designed to be a leading broodmare farm.

Our business supports and contributes to the thoroughbred and racing industry, both as an employer and as a breeding institution. Scone is the Centre of Excellence in the thoroughbred

industry and so a lack of access to water in our Scone based property would cause detrimental impacts to our business and to the industry as a whole.

We currently have 22 employees who manage our thoroughbred farm, and associated lucerne operations and have up to 600 head of cattle on the property. We utilise the services of numerous local businesses such as veterinary services, farriers, float and transport services, builders, fencers and irrigation suppliers.

As responsible owners of our land we continually review and evaluate the use of water to optimise the use of the land have taken active measures to extract water at a slower rate, store and use the water more efficiently and thus not starve the water system in times of high need.

In the last drought, we managed our water resources responsibly and without any CTP orders in place reduced our water extraction and as a result were unable to grow the amount of feed required to maintain our livestock and incurred over $100,000.00 in additional costs to bring in feed.

If we were unable to access adequate water sources, through the proposed cease to pump access rules it would be financially detrimental to our business and would have severe economic impacts upon countless stakeholders.

DPIE does not appear to have any real understanding of the on ground operations of water usage by landholders, we have not been provided or participated in an economic impact statement, have no been contacted as key stakeholders in the region, nor has any member of the department been out to the farm to view the operations and how we use and access water from a practical perspective.

3. Endorsement of the Hunter Valley Water Users Association Submission

Whilst the purpose of this submission is to provide my own personal feedback on how the Draft WSP will impact upon my land and my business, I would also like to fully endorse the submission made by the **Hunter Valley Water Users' Association** which encompasses a wide range of issues relative to my property.

4. Objectives of the Draft Water Management Plan

Water Sharing Plans are vital in the long-term management of water supply to maintain and produce critical supply of water in the catchment whilst sustaining the environment.

The following objectives have been identified in the draft WSP:

(a) To protect, and where possible enhance and restore, the condition of the water sources and their water-dependent ecosystems.

(b) To maintain and where possible, improve, access to water to optimise economic benefits for agriculture, water dependent industries and local economies.

(b) To maintain and where possible, improve, the spiritual, social, and customary, and economic values and uses of water by Aboriginal people.

(c) To provide access to water to support water dependant social and cultural values.

These objectives meet the needs of all stakeholders however there are several key issues which have been identified that affect the nature and operations of our landholding.

5. Key Issues

We are water users who responsibly manage water use cognizant that water is a finite natural resource. We believe that there has been an excessive emphasis placed in the draft WSP to meet objective 3(a) and 3(c). In addition, there has been a lack of transparency surrounding DPIE decisions that seemingly result in a contravention of the objective 3(b).

In consideration of this, I support the recommendation of the **Hunter Valley Water Users Association** (HVWUA) that the DPIE release an Ecological Impact Study to further assess the critical issues raised by the Draft WSP.

It appears that the broader water use of the upper catchment may be severely impacted and is likely to cause economic detriment especially to agricultural holdings of the Upper Hunter. Below is a list of the major concerns for myself and my business:

(a) Consultation Process

- Given the widespread impact of the draft WSP upon landholders, agricultural holdings and associated businesses, it is imperative that impacted parties are given reasonable opportunity to provide relevant feedback on a regulatory instrument that is to regulate water use for the next 10 years.
- January and February are particularly busy months in the thoroughbred industry. The limited consultation period offered has been disappointingly unsatisfactory given that the Department told water users at a meeting in May 2021 that the WSP would be ready for public exhibition in September 2021.

- I would like to fully support the *Hunter Valley Water Users Association's* recommendation that the public exhibition period for the WSP should be extended to 40 business days, instead of 40 days, making the new end date 15 March.

(b) Updated Definition of Long-Term Average Annual Extraction Limit (LTAAEL) to include Basic Landholder Rights and Harvestable Rights

- The LTAAEL is an important instrument for the management of water. The definition in the draft WSP for the standard LTAAEL is the sum of all licenced entitlements, stock and domestic rights, native title rights and harvestable rights at the commencement of the WSP.
- However, there is no supporting evidence on how the department modelled and estimated the amount of water required to satisfy stock and domestic use.
- The calculation of the standard LTAAEL should not occur until improved data systems have been implemented across the region.
- The ceiling placed on long-term average annual extraction limit (LTAAEL) should be imposed once further data is available and collated.
- We are concerned that the standard LTAAEL was calculated using 10% of rainfall run off limit across the region. However, an announcement on 10 November 2021 confirms that landholders in coastal draining catchments undertaking extensive agriculture can capture up to 30% of the average rainwater run-off for their Harvestable right.
- Further, the method to calculate the LTAAEL did not consider the change in season and factors affecting different aquifers at different sites.
- We are concerned that this additional allowance will affect the LTAAEL and the calculations should be amended to reflect the additional harvestable rights given to users in the coastal regions.

(c) Location of Monitoring Bores & Modelling

- The location of the monitoring bores in the Upper Hunter are in many cases too far from the actual extraction sites and thus the proposed cease to pump access rules may have no relevance to the actual extraction site.
- The change in seasonal conditions affect wells and bores differently. As a responsible landowner we understand the seasonal effects and plan the use of our land accordingly.

(d) Cease to Pump

- The proposed Cease to Pump (CTP) access rule for Lower Middlebrook and Kingdon Ponds Management Zones will have a significant impact on the ongoing economic viability of our land and water rights.
- If an extended CTP is initiated there will be extensive and potentially devastating impacts on the everyday operations on landholders. It is imperative that the DPIE allows landholders to participate in thorough, transparent, and extensive consultation.
- The current WSP for Lower Middlebrook and Kingdon Ponds has **NO** cease to pump restrictions.
- The proposed CTP for the water management zone is when the distance to groundwater below the measuring point at monitoring bore #GW080074 is at or

greater than 4.25m. water users will not be able to resume pumping until the distance to the groundwater below the measuring point is at or less than 3.92m

- There is no proposed change to the CTP orders for the Petwyn Vale management zone.
- These new rules are likely to have the following economic impacts:

    1. Inability to grow the feed required to maintain the thoroughbred operations;
    2. Inability to retain our clients horses on the farm thus significantly reducing our capacity to breed, train and rehabilitate horses in the thoroughbred racing industry;
    3. Inability to retain our employees, causing unemployment in the local area ;
    4. Increased transport cost and supply costs
    5. Increased operational costs in obtaining additional feed for our own stock; and
    6. Flow on economic impact in the local economy, such as contractors and visitors to the local area who come to view their horses at the farm.

- The proposed CTP triggers have no impact on the reliability on water access licences in the draft WSP.
- This one size fits all approach to water use does not consider the seasonal effects upon groundwater levels at various bore and well sites. Landholders knowledge of their water assets performance across seasons have ensured that we have been able to continue to access water in the most severe drought conditions.
- We do not believe that the proposed changes consider the broader economic implications to the local community if extended CTP order is initiated and remains in place for an extended period.
- The proposed CTP rules would have a substantial impact upon our business and local industries as a whole.

(e) Additional Costs to Operation

- We will be required to obtain additional water from elsewhere to maintain operations of the business.
- The requirement to log in to real time data websites prior to any extraction may impact upon farm operations and may reduce productivity. Some areas do not have adequate mobile access to log in to the site from the well or bore site, and this will increase time and costs to our business operations.
- We would suggest that the department send an email or text message when cease to pump is to be enacted as they do for the Hunter Regulated Users.

(f) Metering Conditions

- Proposed metering requirements highlighted in the draft WSP may place a particularly onerous financial burden upon my business. Although I understand the need for water users to observe their role as environmental custodians, the costly exercise of installing AS4747 Meters to existing pumps/bores will likely have a significant impact upon the operations of my business.

- Given the weight of this likely financial impact, I support the recommendations from the Hunter Valley Water Users Association that the metering requirements of the WSP be brought in line with the NSW Non-Urban Metering Policy, including the minimum threshold of 100mm for water users to install AS4747 meters.

(g) Conversion of High-Flow Access License

- An important strategic aspect of water usage is the pumping of water into water storage systems during times of high flow. This not only improves reliability of water access but generally has a lesser impact upon the ecosystem during times of low flow. This idea directly satisfies objectives (a) and (b) of the WSP.
- Whilst I understand the potential impact that this strategic water use can have upon downstream water users, I believe it is important to be able to have the opportunity to access at high level flows when the opportunity presents. Further studies should be undertaken to select an appropriate threshold for high flow access use.

6. Conclusion

The draft WSP appears to be focussed on meeting State-wide initiatives and does not take into account the impacts on small landholdings, stock numbers on properties or land size.

I would like to reiterate that:

- The department has not provided sufficient modelling or economic impact assessment on the proposed changes.
- The draft WSP appears to be bias to meeting objecting (a) and (c).
- The CTP is likely to be economically detrimental to the long-term operations of our business.
- We were able to maintain our operations during previous drought conditions as part of Thoroughbred industry that is a vital part of the NSW economy.
- The CTP blanket approach being proposed does not take into account local landowners knowledge of the water sources and will have serious consequences to our business remaining viable in the longer term.
- The economic flow-on effect to local business and industry suppliers would be immense.

[redacted]

[redacted]