

Report card for the Pian Creek Water Source

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Water source context

Water Sharing Plan:	<i>Namoi and Peel Unregulated Rivers Water Sources 2025</i>
Area:	2,733 km ²
Inflowing water source:	Nil
Receiving water source:	Lower Namoi Water Source, Lower Namoi Regulated River Water Source

River flows

Flow records:	28 Years at Cubbaroo Gauge (419088) 28 Years at Dempseys Gauge (419089) 52 Years at Waminda Gauge (419049)
Stream type:	Non perennial

Basic landholder rights

Domestic and stock rights estimate:	100 ML/year
Native title rights:	Nil at commencement of the plan

Licensed water entitlements

Total surface water entitlement:	13,145.5 ML/year	(15 licences)
Unregulated River:	13,113 ML/year	(10 licences)
Domestic and Stock:	32.5 ML/year	(5 licences)

Table 1. Access rules for management zones

Management Zone	Type	Current rules	Proposed rules
Lower Pian Creek Management Zone	Cease to take	Take is not permitted when flows are equivalent to 43 ML/day or less at Dempseys Bridge gauge (419089) and 5 ML/day or less at Waminda gauge (419049) OR There is no visible flow at the pump site	No change to the access rules, except that no take will be permitted from replenishment flows made according to section 59 of the <i>Water Sharing Plan for the Upper Namoi and Lower Namoi Regulated River Water Sources 2016</i> as notified by WaterNSW
Pian Creek Tributaries Management Zone	Cease to take	Take is not permitted when there is no visible flow at the pump site	No change to the access rules, except that no take will be permitted from replenishment flows made according to section 59 of the <i>Water Sharing Plan for the Upper Namoi and Lower Namoi Regulated River Water Sources 2016</i> as notified by WaterNSW

Table 2. Access rules for whole water source

Type	Current rules	Proposed rules
Take from in-river pools	Comply with the gauge-based access rule when there is one AND Take is not permitted when the in-river pool is below full capacity	No change
Take from in-river dam pools	Take is not permitted unless it is consistent with the water supply work approval	No change
Take from off-river pools	Take is not permitted when the off-river pool is below its full capacity	No change

Type	Current rules	Proposed rules
Exemptions	<p>Some exemptions apply to specific access rules for the water source, including for:</p> <ul style="list-style-type: none"> • Health and hygiene • Domestic use • Take from a run-off harvesting dam. <p>Specific licences are listed in Schedules 2 and 3 of the plan.</p>	No change

Table 3. Rules for constructing surface water supply works

Type	Current rules	Proposed rules
In-river dams	Permitted subject to assessment.	<p>Not permitted in third or higher order streams in this water source.</p> <p>An exemption for applications for town water supply purposes has been included.</p>
Protection for wetlands	N/A	<p>No new or amended works permitted within or 3km upstream of a Ramsar wetland.</p> <p>No new or amended works permitted within wetlands indicated within the WSP Prescribed Wetlands Map unless there will be no more than minimal harm to the wetland concerned.</p> <p>This rule does not apply to replacement works.</p>

Table 4. Water trading (dealing) rules

Type	Current rules	Proposed rules
INTO water source	No net gain. This means trade must occur out of the water source before the equivalent or less can be traded back in. Trades not permitted onto natural off-river pools.	No Change
WITHIN water source	Permitted subject to assessment, but not onto natural off-river pools	Permitted but trade into Pian Creek Tributaries Management Zone will be limited to no net gain based on entitlement at the commencement of the draft plan.
Protection for wetlands	N/A	Not permitted into or within 3 km upstream of a Ramsar wetland. Not permitted into WSP prescribed wetlands identified in the WSP Prescribed Wetlands Map. Trade between licences within the same WSP prescribed wetlands are permitted.

Trading covers:

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

Key factors for decisions

The risk assessment indicates that the water source has high in-stream value. The identified potential risk from extraction is high for zero flow periods and high for base-flow and low flows.

Access rules

- The 2012 plan does not protect replenishment flows in the unregulated system that have been released from regulated river storages. New provisions will prohibit take of replenishment flows from unregulated licenced extraction in the Pian Creek water source with the aim of improving water quality for Walgett Township.

Trading

- The 2012 plan allows water trading between the management zones in the Pian Creek water source. The department is proposing to include a rule of no net gain trading into the Pian Creek Tributaries Management Zone to protect the environmental values within this management zone.

Carryover

- The department is proposing to allow carryover for all domestic and stock access licences and local water utility access licences within the draft plan. In the 2012 plan, carryover for these licence types was only allowed within Peel unregulated river water sources. Now, with these proposed changes, these licence types within the Namoi unregulated river water sources will benefit from the same access rule. This change aims to maintain internal consistency across all water sources within the draft plan.

Amendments

- An amendment provision has been included in the draft plan to allow changes associated with the Connectivity Expert Panel's Final Report. The amendment will facilitate the implementation program developed to improve connectivity in the Northern Basin and may result in changes to rules in this water source.

Improving protection of wetlands

- The Natural Resources Commission (NRC) have recommended the replacement plan provide better protection for wetlands. The department have developed criteria to identify specific wetlands in the plan area. It is proposed to include rules to improve their protection by prohibiting new water supply works and restricting trades into or upstream of these areas. The prohibition on new works will not apply to replacement works.
- Wetlands identified for improved protection were drawn from multiple datasets including the Long-Term Water Plan, Floodplain Management Plan, Ramsar listing, Directory of Important Wetlands of Australia, Endangered Ecological Communities and any existing list in the 2012 plan.

- A map of the WSP prescribed wetlands identified for this plan is available on the department's website.
- More information on improving the protection of wetlands is available in a fact sheet.

Other key rules – no change proposed

Managing access licences

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

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

Rules for granting access licences

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

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

Public exhibition

The Department of Climate Change, Energy, the Environment and Water seeks feedback from the public on the suitability of the proposed rules for this water source.

In particular, we seek your feedback on:

- proposed rules to limit trade from Lower Pian Creek Management into the Pian Creek Tributaries Management zone
- proposed rules to prohibit the take of replenishment flows
- proposed rules to protect WSP prescribed wetlands including prohibiting new water supply works and trades within or near WSP prescribed wetlands.

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

To read the draft *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources 2025* and supporting fact sheets, please visit the department's [Public Exhibition website](#).