Reconnecting River Country Program

Securing the Murrumbidgee flow corridor





Morning sun rising over the town of Narrandera. Credit: Destination NSW

The Reconnecting River Country Program's Murrumbidgee Project is establishing a flow corridor to enable the flexible use of water for the environment to connect the river to its wetlands and floodplains more regularly.

What is the Murrumbidgee flow corridor?

The Murrumbidgee flow corridor is the area of land to be inundated by environmental flows up to the selected upper flow limit of 40,000 ML/day at the Wagga Wagga gauge. It includes the riverbank, riparian zone, wetlands and low-level floodplain areas, which the program aims to inundate more frequently to more closely mimic the natural cycle of the river.

The flow corridor will also include a flow buffer of 5,000 ML/day at Wagga Wagga as a risk mitigation measure. This buffer is not a target for flow delivery but defines the extent of the flow corridor and associated compensation determined in

negotiations. It provides a safeguard for landholders in the rare event flow targets are exceeded due to exceptional circumstances or inherent uncertainties in weather and flow forecasting, and unexpected tributary inflows.

Detailed inundation mapping on the program's webpage shows the extent of the Murrumbidgee flow corridor.

View the mapping and find out if your property is in the flow corridor at water.nsw.gov.au/rrcp-inundation-mapping

What is a flow easement?

A flow easement is a legal agreement, also known as an easement in gross or inundation easement, that will allow the occasional and temporary inundation from environmental flows within the flow corridor. This includes flows up 40,000 ML/day at Wagga Wagga, plus the 5,000 ML/day buffer.

Establishing flow easements will assist river operators to periodically deliver higher flows for environmental purposes and provides that landholders are compensated on just terms.

Compensation for flow easements

Landholders in the flow corridor will be invited to negotiate for flow easements and will be compensated in accordance with the *Land Acquisition* (*Just Terms Compensation*) *Act 1991*.

Easement agreements will set out the terms and conditions for landholders and river operators relating to the inundation of their land from environmental flows. These agreements will include compensation for landholders. Compensation may include financial payments, or in some cases mitigation works.

An independent valuer, engaged by the program, will assess compensation based on:

- · market value of the land
- · the extent of the inundation
- potential impacts to the property and assets.

Landholders are encouraged to get their own legal and valuation advisors. The program will cover reasonably incurred expenses relating to these services.

Find out more about the Just Terms Act at <u>legislation.nsw.gov.au/view/whole/html/inforce/</u>current/act-1991-022

Will flow easements allow public access?

No, flow easements will not allow public or government access. Existing land use and access rights will not be changed.

If government access is needed for monitoring or construction, separate agreements will be made with landholders.

Are there alternatives to flow easements?

Some properties will experience only minimal inundation. In these cases, the program is exploring alternative approaches, such as a Deed of Release. These options will be communicated with landholders once finalised and approved.

Environmental water release notification

Under the Landholder Negotiation Scheme, WaterNSW is required to take reasonable steps to notify affected landholders of an upcoming environmental water release. Notifications will provide landholders with adequate time to move livestock, or other assets, to higher ground out of the inundation zone.

The program is currently working with WaterNSW on the development of an improved flow notification system, which will be in place before the higher environmental water releases start.

Next steps

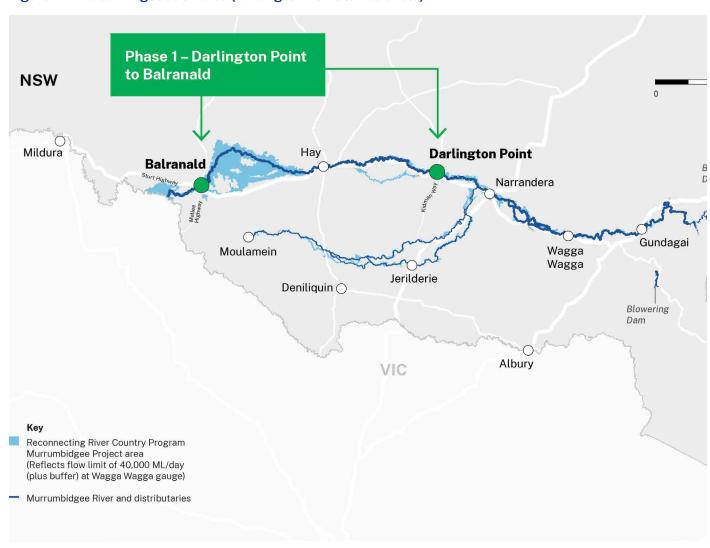
The Declaration Order

The NSW Minister for Water, Rose Jackson, MLC, has made a Declaration Order under *Sch 9, s 3 of the Water Management (General) Regulation 2025* to begin negotiations for the program's Murrumbidgee Project between Darlington Point and Balranald. This area contains the most affected properties along the flow corridor, representing more than 50% of the

inundation area for the Murrumbidgee flow corridor. These properties will be prioritised for flow corridor negotiations by December 2026.

Find out more about the Declaration Order at <u>water.</u> nsw.gov.au/reconnecting-river-country-program

Figure 1 — Phase 1 negotiation area (Darlington Point to Balranald).



Flow corridor delivery

Negotiations with landholders in the project area will take place in phases. Phase 1 commenced when the Declaration Order was made.

During negotiations, each landholder will be supported by a dedicated acquisition support team. Landholders will be notified in advance before receiving a formal invitation to negotiate.

The acquisition support team will also communicate with landholders in the Phase 1 area who may have minimal inundation impacts as information on alternative strategies becomes available.

Negotiations with landholders outside the Phase 1 area are expected to commence after December 2026, subject to a Murray-Darling Basin Plan continuation and additional funding. At this time the Declaration Order will be updated to include additional areas subject to negotiations.

Until then, the program will continue to engage with landholders outside of the Phase 1 area in partnership with Local Land Services. This engagement will focus on raising awareness of the program, understanding potential benefits and impacts at a property-level and discussing and validating inundation mapping.

If your property is outside the Phase 1 area and may be affected, we encourage you to register with the program to learn more:

water.nsw.gov.au/reconnecting-river-country-program

Negotiation process under the Landholder Negotiation Scheme

In June 2025, the NSW Government made the Landholder Negotiation Scheme (LNS) to guide voluntary negotiations with landholders affected by changes to future environmental water arrangements.

Under the LNS:

- landholders have up to 12 months to negotiate an agreement
- independent facilitation and mediation services are available to landholders where negotiations have stalled or a neutral third-party is required to continue negotiations
- if no agreement is reached, compulsory acquisition (of an interest in land) under the Just Terms Act may be pursued in rare and exceptional circumstances with the approval of the NSW Minister for Water. Compulsory acquisition of an interest in land will not be pursued before December 2026.

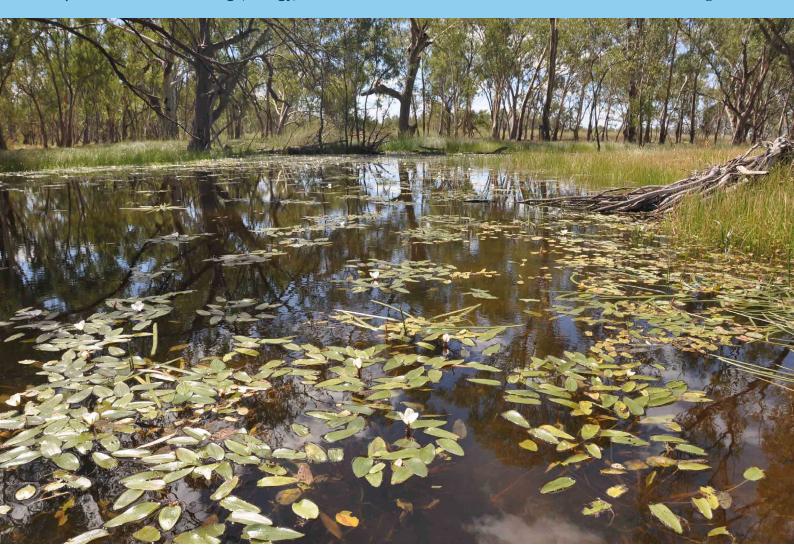
The negotiation process (Figure 1) begins following release of the Declaration Order, when landholders are contacted to arrange a commencement meeting. This meeting will preferably occur within 7 days of initial contact.



Negotiation process

Figure 2 — Reconnecting River Country Program landholder negotiation process under the LNS

Landholder Negotiation Scheme (LNS) Landholders whose properties have been identified as requiring an **Contact with** easement will be contacted by the project team to advise them of their landholder inclusion in the project and set up the commencement meeting. This letter will be issued to the landholder after the initial contact, inviting them to enter negotiations regarding the easement required on their land Invitation to for environmental water releases. Landholders have 28 days to respond to **Negotiate Letter** the invitation, and acceptance marks the start of the statutory 12 month negotiation period. The Acquisition Support Team will arrange a meeting with the landholder Commencement to explain the easement required on their land, how it may impact how the meeting land is used, and answer any questions the landholder may have. The project will appoint an independent valuer to undertake a Appointment of an valuation to assess compensation payable. Landholders are independent valuer encouraged to appoint their own legal and valuation advisors, with reasonable costs incurred reimbursed by the project. Independent The independent valuer will assess the potential impacts of the Valuation and project to the land holding and determine fair and reasonable compensation in accordance with the Water Management Compensation Regulation and Just Terms Act. Assessment Landholders will receive a written offer outlining the proposed **Letter of Offer** agreement, including compensation details. This offer will be based on the independent valuation assessment. The Landholder Negotiation Scheme specifies that landholders have a maximum of 12 months (from the date of acceptance of the Invitation to Negotiation Negotiate) to reach agreement with the NSW Government. Discussions will period focus on property specific impacts and the terms of the agreement. If needed, the Negotiation period may be reduced or extended by mutual agreement. If an agreement is reached, the terms (including details of compensation) will Agreement be documented in a Deed of Agreement for Easement Acquisition, providing reached certainty and legal protection for both the landholder and the program. If the LNS process is unsuccessful in reaching an agreement, then the easement may be acquired using the Just Terms Act. This occurs only as a last resort and with approval from the Minister for Water.



Find out more

To find out more about the Reconnecting River Country Program

- visit water.nsw.gov.au/reconnecting-river-country-program
- email water.enquiries@dcceew.nsw.gov.au
- phone 1300 081 047
- subscribe for updates <u>water.nsw.gov.au/RRCPUpdates</u>





Scan the QR code to visit the project webpage.