

Report card for the Myall Creek Water Source

Report card 20 of 28

Water source context

Water Sharing Plan:	Gwydir Unregulated River Water Sources 2025
Area:	983 km ²
Inflowing water source:	Nil
Receiving water source:	Gwydir Regulated River

River flows

Flow records:	1964 to present at Myall at Molroy Gauge (418017)
Stream type:	Non-perennial

Basic landholder rights

Domestic and stock rights estimate:	25 ML/year
Native title rights estimate:	Nil at commencement of plan

Licensed water entitlements

Total surface water entitlement:	1,410 ML/year (25 licences)
— Unregulated River:	1,388 ML/year (20 licences)
— Domestic and Stock:	22 ML/year (5 licences)

Table 1. Access rules

Type	Current rules	Proposed rules
Cease to take	Take is not permitted when there is no visible flow at the pump site	Take is not permitted when flow is less than or equal to 1 ML/day using the Myall Creek at Molroy gauge (418017) or there is no visible flow at the pump site.
Take from in-river pools	Take is not permitted when the in-river pool is less than full capacity	Comply with the gauge-based access rule where there is one AND Take is not permitted when the in-river pool is less than full capacity.
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 less than full capacity	No change
Exemptions	Some exemptions apply to specific access rules for the water source and/or management zone, including for: • health and hygiene • domestic use • take from a run-off harvesting dam Specific licences are listed in Schedule 1A and 3 of the plan. The exemption for stock watering ceased to apply after year 5 of the 2012 plan.	No change, however specific licences with exemptions are now listed in Schedule 2 of the plan.

Table 2. Rules for constructing surface water supply works

Type	Current rules	Proposed rules
In-river dams	Permitted, subject to assessment	Not permitted. Change in in-stream value from medium to high means this water source will now prohibit in-river dams. An exemption for applications for town water supply purposes has been included.
Protection for wetlands	No new or amended works permitted within wetlands listed in Schedules 4 and 5.	No new or amended works permitted within or 3km upstream of a Ramsar wetland. No new or amended works permitted within wetlands indicated on the WSP Prescribed Wetlands Map of the draft plan unless there will be no more than minimal harm to the wetland concerned. This rule does not apply to replacement works. Rules for wetlands previously listed in Schedules 4 and 5 have been retained.

Table 3. Water trading (dealing) rules

Type	Current rules	Proposed rules
INTO water source	Not permitted	No change
WITHIN water source	Trades permitted, subject to assessment	No change
Protection for wetlands	Prohibited if from wetland listed on Schedule 4 or 5	Not permitted into or within 3 km upstream of a Ramsar wetland. Not permitted into WSP prescribed wetlands indicated on the WSP Prescribed Wetlands Map of the draft plan. Trade between licences within the same WSP prescribed wetland is permitted.

Type	Current rules	Proposed rules
		The trading rules for wetlands previously listed in Schedules 4 and 5 have been retained.

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 indicated the water source has high in-stream values and identified a high risk from extraction to zero flow periods and base/low flows.

Access Rules

- The current plan permits access provided there is a visible flow present at the pump site. The NRC have recommended that where a suitable gauge is available, flow-based access rules should be implemented to improve environmental outcomes.
- We are proposing to introduce flow-based access rule of 1ML/day using the Myall Creek at Molroy gauge (418017) which will reduce the high risk to zero flows and base flows as a result of extraction and provide better protection to threatened fish species.

Improving protection of wetlands

- The Natural Resources Commission (NRC) have recommended the draft plan provide better protection for important 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 of 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 the existing list in the 2012 plan.

- There are wetlands listed in Schedules 4 and 5 of the 2012 plan that have protections in place prohibiting the construction of new or amended works and trade into the wetland. The rules relating to these wetlands have been retained and are now included on the WSP Prescribed Wetlands Map as a separate category.
- The no minimal harm exemption only applies to new WSP prescribed wetlands on the WSP Prescribed Wetlands Map.
- A map of the WSP prescribed wetlands identified for this plan is available on the department's website.
- More information on improving 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.

Carryover and individual account limits

For domestic and stock and unregulated river access licence accounts, carryover of water remaining in an account is permitted up to 1 ML per unit share or 100 % of share component (where expressed in ML) at the end of each water year.

For domestic and stock and unregulated river access licences, the maximum water account debit in any 3 consecutive water years is:

- the volume of water allocated to the account over those 3 years from available water determinations, plus
- any adjustments made for allocation assignments (trades) or water allocation re-credited into the account.

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 changes to access rule
- 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 Gwydir Unregulated River Water Sources 2025* and supporting fact sheets, please visit the department's [Public Exhibition website](#).