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# Temporary Allocation Assessment for the Nimbin Water Supply

*Responsible Officer: Group Manager Planning and Delivery (Andrew Logan)*

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## Recommendation

That the report be received and noted.

## Background

Lismore City Council's (LCC's) water supply for the village of Nimbin is drawn from Mulgum Creek at a weir at the top of Gungas Road. This water is chlorinated and delivered by gravity to the D.E. Williams Dam located in Nimbin. The water is stored in the dam and is then treated, re-chlorinated and pumped to the Nimbin Reservoir, which reticulates drinking water to customers in Nimbin.

Recently, the D.E. Williams Dam required flushing to ensure acceptable water quality for the Nimbin water supply scheme. Typically, annual abstraction from Mulgum Creek is less than the 133 megalitre (ML) Water Access Licence (WAL) limit. However, to maintain required water quality targets, in the 23/24 financial year, LCC had abstracted over their licence allocation by approximately 280ML.

LCC was required to rectify this over abstraction of water, over the licence limit and Rous County Council's (Rous) Rocky Creek Dam (RCD) is the only WAL in the management zone with sufficient allocation to offset this shortfall in a single application.

LCC will be seeking to apply for a permanent increase to their water allocation for this supply scheme. However, advised received from NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) noted that the best short-term solution is to arrange for a temporary allocation assessment, formerly referred to as a temporary water transfer. LCC sought a temporary allocation assessment of 300 megalitres (ML) of water from Rous to address this issue.

Rous is required to obtain approval from NSW DCCEEW for any temporary allocation. NSW DCCEEW must be satisfied that any transfer will not jeopardise Rous's own compliance requirements. RCD's WAL is currently 11,800ML per year. Rous can run the risk of exceeding this limit when RCD remains over 95% full for extended periods of time over the financial year. This occurs in years where both the Wilson River and Emigrant Creek Dam sources are very rarely used.

Table 1 below forms a part of the approval process.

**Table 1 - Total annual extractions under the licence for the previous 5 years starting 1 July, and 23/24**

Year (1 July - 30 June)	Volume of water extracted (ML)
6 years ago (18/19)	10604
5 years ago (19/20)	10836
4 years ago (20/21)	10558
3 years ago (21/22)	10052
2 years ago (22/23)	10507
Last year (23/24)	10725

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Based on the above information, and inclusive of the 300ML transfer to LCC, the RCD WAL has a 775ML allocation remaining for 23/24.

### **Governance**

- **Finance**

Given that the WALs held by both Councils are solely for the provision of town water supply and the impacts of the 2022 floods on the Nimbin supply, Rous did not seek compensation from LCC for the temporary allocation assessment. However, it is noted LCC was responsible for all costs (application fees and all other associated charges) associated with the application process.

- **Legal**

Due to the nature of the temporary allocation assessment, the Minister is required to consent to the application. The application has been lodged with the NSW DCCEEW and the outcome is not expected for some time.

The temporary allocation assessment process falls within the functions that is a part of specific delegations for the General Manager.

### **Consultation**

No consultation was required from this process.

### **Conclusion**

During the February 2022 natural disaster, approximately 4km of water main along Gungas Road, Nimbin was destroyed. This LCC water main was used to take water from the Mulgum Creek weir to the D.E. Williams Dam, which supplies the village of Nimbin with water. When the water main was destroyed, both LCC rural customers and the supply to D.E. Williams Dam were severely impacted.

As part of a flushing program to manage the water quality in D.E. Williams Dam, LCC has over drawn their water allocation from the weir on Mulgum Creek.

LCC has requested a one-off transfer from the Rous Water Access Licence (WAL) from RCD to the Nimbin WAL to address this shortfall in allocation. At the time of the discussions with LCC staff and based on Rous's need for water from RCD for the remainder of the 23/24 financial year, there was sufficient remaining allocation to support this request.

Given the issues that LCC had encountered, Rous did not seek compensation from LCC for this temporary allocation assessment.