

Proposed changes to *Water Sharing Plan* arrangements in the *Peel Regulated River Water Source*

Water sharing plans (WSPs) are made under the NSW *Water Management Act 2000 (WM Act 2000)*, and continue to be the primary tool to define water sharing arrangements in NSW. The WSPs are therefore a central component of each water resource plan (WRP), and are being changed to meet the *Murray-Darling Basin Plan 2012 (Basin Plan)* requirements where necessary.

This fact sheet explains the proposed changes to the water sharing arrangements for the Peel Regulated River water source currently in the *Water Sharing Plan for the Peel Regulated, Unregulated, Alluvial, and Fractured Rock Water Sources 2010*. As part of the WRP finalisation process, this WSP plan will be repealed under section 45A of the *WM Act 2000*, and replaced with a new *Water Sharing Plan for the Peel Regulated Rivers Water Sources 2020*. The draft of this 2020 plan is on public exhibition.

Why we propose making the changes

Changes to the WSP have been considered following public consultation, and as part of the development of the Namoi WRP to meet requirements of Chapter 10 of the *Basin Plan 2012*. These proposed amendments aim to provide better outcomes for licence holders and the environment.

The proposed changes have been developed in consultation with the Namoi and Peel Stakeholder Advisory Panel (SAP). The SAP includes representatives from key stakeholder groups and relevant NSW and Commonwealth government agencies.

The NSW Department of Planning, Industry and Environment is seeking specific comment on the proposed changes to the water sharing rules.

Changes to align with the Basin Plan

Water Sharing Plan and the WRP areas

As part of developing the WRP, alignment between each WRP, and the associated WSPs, is proposed as follows:

- WSPs for groundwater and surface water will be separate
- the unregulated rivers of the Namoi and Peel will be combined into a single plan; and
- commencing on 1 July 2020 the regulated river WSPs for both the Namoi and Peel will be remade.

Table 1 summarises the current WSPs and proposed WSPs within the Namoi WRP area.

Table 1: Current and proposed WSPs within the Namoi WRP Area.

Current WSPs	Proposed WSPs	Comment
<i>Water Sharing Plan for the Upper Namoi and Lower Namoi Regulated River Water Sources 2016</i>	<i>Water Sharing Plan for the Upper Namoi and Lower Namoi Regulated Rivers Water Source 2020</i>	The water sources covered by this plan will remain the same. The 2016 plan will be replaced by a 2020 plan.
<i>Water Sharing Plan for the Namoi Unregulated and Alluvial Water Sources 2012</i>	<i>Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources 2012</i> <i>Water Sharing Plan for the Namoi Alluvial Groundwater Sources 2020</i>	<p>Unregulated river surface water sources have been removed from the <i>Water Sharing Plan for the Peel Valley Regulated, Unregulated, Alluvium and Fractured Rock Water Sources 2010</i> and combined with those of the Namoi in a single plan for unregulated rivers. The name of the plan will be changed to reflect the surface water sources covered by the plan.</p> <p>The alluvial water sources have been removed from the <i>WSP for the Namoi Unregulated and Alluvial Water Sources 2012</i> and included in a single water sharing plan for all alluvial water sources in the Namoi and Peel valleys.</p>
<i>Water Sharing Plan for the Peel Valley Regulated, Unregulated, Alluvium and Fractured Rock Water Sources 2010</i>	<i>Water Sharing Plan for the Peel Regulated River Water Source 2020</i> <i>Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources 2012</i> <i>Water Sharing Plan for the Namoi Alluvial Groundwater Sources 2020</i> <i>Water Sharing Plan for the NSW Murray Darling Basin Fractured Rock Groundwater Sources 2020</i>	The Peel unregulated, alluvial and fractured rock water sources are being moved to other water sharing plans. A new, stand-alone WSP for the Peel Regulated River Water Source will commence on 1 July 2020.

Additional provisions for sustainable diversion limit compliance

Changes have been made to incorporate an additional assessment and compliance framework that relates directly to the *Basin Plan* (Division 2 of Part 4 of Chapter 6). A second extraction limit is established that is equal to the sustainable diversion limit (SDL) specified in the *Basin Plan 2012*. The Murray–Darling Basin Authority (MDBA) has released the [Sustainable Diversion Limit Reporting and Compliance Framework](#).

Changes to the water sharing rules

Trade between regulated and unregulated water sources (Part 9 Minister's note)

We are considering the potential option to allow conversion of regulated river entitlements (high security) from downstream regulated river water sources to access licences in connected, upstream, unregulated river water sources. The *Basin Plan 2012* encourages open trade as long as it complies with water trading rules set out in the *Basin Plan 2012*, and the NSW Access Licence Dealing Principles made under the *WM Act 2000*. This would allow landholders upstream of dams access to a greater market, and enable water dependent development in these areas.

A Minister's note has been added to Part 9 - Access Licence Dealing Rules to seek feedback from stakeholders, and to understand if there is an appetite for trade of this kind. Prior to any changes being made to WSPs, an assessment of any impacts on water users and the environment will be conducted, and stakeholder engagement undertaken to review alternate options.

Permanent water trading from Regulated Peel Water Source to the Regulated Lower Namoi Water Source

Permanent trade is currently permitted from the Peel Regulated River Water Source to the Lower Namoi Regulated River Water Source and is subject to:

- a conversion factor to account for transmission losses between the Peel Water Source and the Lower Namoi Water Source
- a volumetric trade limit.

To ensure alignment with the *Basin Plan 2012* requirements, we propose to amend the value of the conversion factor from the existing value of 0.4 to 0.5 in order to more accurately reflect transmission losses.

Temporary water trading from the Regulated Peel Water Source to the Regulated Lower Namoi Water Source

We propose to repeal the temporary water trading provisions between the Peel to Lower Namoi regulated river water sources, which was included in the WSP for these water sources in the 2014/15 water year. The trade regime was demonstrated to have an impact on Lower Namoi water users who did not participate in trading between the two water sources.

Other changes

Changes have been made to all regulated river WSPs to bring them into line with the current drafting template used by the NSW Department of Planning, Industry and Environment. These changes will improve consistency across all regulated WSPs, and bring the plans in line with current administrative practices. In some circumstances, plans were re-drafted to provide clarity or remove any ambiguity associated with existing rules.

These changes do not affect the operation of the rules governing the conditions under which water can be taken, the manner in which water infrastructure is operated, or the rules governing environmental water.

The major changes are listed below.

Objectives, strategies and performance indicators

The objectives, strategies and performance indicators have been revised. The provisions have been modified to:

- create a stronger logical connection between the objectives, strategies and performance indicators
- more clearly distinguish between the environmental, economic, social/cultural and Aboriginal cultural objectives of the WSP.

Environmental water advisory groups

The provisions regarding environmental water advisory groups (EWAGs) are being included in the new *Water Sharing Plan for the Peel Regulated Rivers Water Sources 2020*. These clauses are standardised and streamlined across all NSW plans with EWAGs.

EWAGs are convened by the NSW Government and inform how environmental water is managed in each valley. These groups meet regularly to discuss proposed or upcoming watering events, any issues or concerns, the results of watering events and future opportunities.

Compliance assessment advisory committees

Compliance Assessment Advisory Committees (CAACs) were to be established for inland regulated water sources for the purposes of providing advice regarding the assessment of the long term average annual extraction limits and compliance measures. The CAACs were never established and therefore it was decided to standardise and streamline these provisions across all plans with CAACs.

The major changes proposed are to:

- remove the detailed provisions for establishing CAACs, including the memberships and terms of reference
- replace these detailed provisions with a simple provision, which allows the Minister to consult with water user representatives when assessing compliance with the extraction limit.

More information

The draft Namoi Surface Water Resource Plan and other fact sheets are available from <https://www.industry.nsw.gov.au/namoi-surface-wrp>

If you would like to stay informed about all of the department's upcoming engagement activities please visit our [website](#) or join our [newsletter](#).

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