

Proposed changes to the *Water Sharing Plan* arrangements for the *Namoi and Peel Unregulated River Water Sources*

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. Water sharing plans are therefore a central component of each water resource plan (WRP), and are being changed to meet *Murray Darling Basin Plan 2012 (Basin Plan 2012)* requirements where necessary.

This fact sheet explains the proposed changes to the WSP arrangements for the Namoi and Peel Unregulated Water Sources. Once the changes are finalised, the current *Water Sharing Plan for the Namoi Unregulated Rivers and Alluvial Water Sources 2012* will be renamed the *Water Sharing Plan for the Namoi and Peel Unregulated Rivers Water Sources 2012*.

Why are we proposing changes?

To meet its commitments under the *Basin Plan 2012*, the NSW Government is developing WRPs that make reference to and, where necessary, modify existing NSW WSPs.

The NSW Department of Planning, Industry and Environment is proposing minimal change for unregulated river WSPs that are within their initial ten-year period. Changes to the WSP are only being proposed:

- if the current rules are inconsistent with the *Basin Plan 2012*
- where a rule is not implementable
- where a rule has had unforeseen consequences on the environment or water users.

The proposed changes have been developed in close 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 following proposed changes to the water sharing rules.

Changes for alignment with the Basin Plan 2012

Water Sharing Plan and the Water Resource Plan areas

As part of the WRP development, 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 newly proposed WSPs within the Namoi WRP area.

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

Current WSPs	Proposed Water Sharing Plans	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 2012* (Division 2 of Part 4 of Chapter 6 of the Basin Plan). A second extraction limit has been 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

Change to Cease-to-pump (CtP) rules for Cockburn River

The NSW Department of Planning, Industry and Environment is proposing a change to the CtP rules in the Cockburn River water source.

The proposed CtP rules:

- change the current river gauge height to allow a flow trigger (ML/day)
- move the measurement point (linked to the existing gauge) to a more stable location, 50 metres downstream of the existing site.

The new CtP flow trigger and measurement point will provide greater reliability and accuracy during low flow periods.

Trade between regulated and unregulated water sources (Part 10 Minister's note)

We are considering a 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 to have access to a greater market, and enable water dependent development in these areas.

A Minister's note has been added to Part 10 - Access Licence Dealing Rules. This is 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 impacts on water users and the environment will be conducted, and stakeholder engagement undertaken, to review alternate options.

Inclusion of limited water trading between the unregulated water sources

The *Water Sharing Plan for the Peel Regulated, Unregulated, Alluvial and Fractured Rock Water Sources 2010* and the *Water Sharing Plan for the Namoi Unregulated and Alluvial Water Sources 2012* currently include a restrictive trade¹ framework. This is because, at the time the WSPs were developed, there was no 'fit-for-purpose' method for assessing impacts of trades on the environment and water users.

A review of water trading rules within the Namoi and Peel unregulated areas commenced in 2014, and the latest draft report of the review was presented to the Namoi/Peel SAP in August 2018.

During the review, a method was developed for determining if water trading within a water source is acceptable, and to what volume or limit. This method considers ecological limitations and impacts on existing users. The following unregulated river water sources have been identified where trade can be enabled:

- (a) Etoo and Talluba Creeks Water Sources
- (b) Baradine Creek Water Source
- (c) Lower Namoi Water Source
- (d) Bohena Creek Water Source

¹ Trade is defined as the geographic movement of water access entitlement and account water volumes.

Further reviews are being undertaken and trade in other water sources may be considered in the future.

Other Changes

The NSW Department of Planning, Industry and Environment is taking the opportunity to ensure consistency among the plans, and bring the plans up-to-date with current administrative practices.

In some circumstances re-drafting has been required to provide clarity associated with existing rules. The changes will not affect the operation of the rules, the manner in which water infrastructure is operated, or the rules governing environmental flows.

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 water sharing plan.

Removal of reference to the extraction management unit

Changes have been made to remove the existing Namoi Unregulated Extraction Management Unit (EMU) and all references to it throughout the plan. All of the water sources in the unit are contained within the WSP, so the establishment of the Namoi Unregulated EMU is no longer required.

Future amendments

The *Water Sharing Plan for the Namoi and Peel Unregulated River Water Sources 2012* will be reviewed by 2022. The Natural Resource Commission (NRC) will undertake a review of the WSP under the *WM Act 2000*.

As part of the review, the NRC will seek public submissions on the effectiveness of the WSP. The NSW Department of Planning, Industry and Environment will consider the findings and the public submissions before making any potential amendments to the WSP. If changes are proposed, they will undergo public exhibition before they are finalised.

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>

To be kept informed about all of the department's upcoming engagement activities please visit our [website](#) or join our [newsletter](#).

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