

## Amendments to Gwydir, Macquarie and Barwon–Darling unregulated water sharing plans to facilitate active management to share flows

The *Water Management Amendment Act 2018* amended the following water sharing plans to enable active management to share flows:

- *Water Sharing Plan Gwydir Unregulated and Alluvial Water Sources 2012.*
- *Water Sharing Plan for the Barwon–Darling Unregulated and Alluvial Water Sources 2012*
- *Water Sharing Plan Macquarie–Bogan Unregulated and Alluvial Water Sources 2012*

### What has changed

An additional clause was added to Part 12 (Amendments) of the above water sharing plans to authorise future amendments to access rules to facilitate active management to share flows.

### Why this change was made

Active management to share flows between consumptive and other uses has been identified as a potential enduring solution to better manage environmental water, especially in circumstances where both held environmental water releases and other inflows are present.

### What this means for licence holders

There will be no immediate change to access or licence conditions arising from this amendment. Active management to share flows will be further explored and licence holders will be consulted on options before any specific rules are included in water sharing plans.

The NSW Government expects to consult on options for active management later in 2018.

### Consultation the department will undertake before active management to share flows is implemented

The draft water resource plan on exhibition does not include changes to incorporate active management to share flows because the approach to active management is still being developed. The NSW Department of Industry will consult with the public and key stakeholders before specific rules are included in the water sharing plans. We will consult on options for implementing active management in November 2018. In 2019 we will consult on the selected active management option and associated changes to water sharing plans.

### Active management to share flows

Active management is about increasing the operational management in an unregulated river system. It involves determining what volume of flows can be accessed and when, under defined rules.

Active management to share flows involves determining:

- the portion of flow to remain instream for the environment
- the portion available for licence holders in accordance with the rules in the water sharing plan
- how the portion available is shared amongst licence holders.

Demand for extraction may be considered (for example, through an expression of interest or water ordering process) in sharing the portion of flow available for extraction and licence holders will be notified so they know when they can take water and what volume can be taken.

## The potential benefits of active management to share flows

### Managing held environmental water in-stream

The current regulatory framework allows unregulated licence holders to extract held environmental water that is flowing through unregulated rivers provided all other licence conditions are met. This can occur where rainfall and natural inflows have already increased flow to the level necessary to trigger permission to commence pumping or where the environmental water releases increase flow to the level necessary to trigger permission to commence pumping.

Environmental stakeholders and the broader public seek assurances that held environmental water recovered by the federal and state governments for environmental purposes will remain in-stream and available for those purposes. Water users acknowledge that it is not acceptable or sustainable to divert water recovered for environmental purposes for commercial purposes.

Active management to share flows can provide an enduring solution to this issue that will reduce the need for temporary water restrictions.

### Improved transparency and clarity on when water can be taken

Access rules in unregulated systems can be complex. Active management to share flows will help make it easier for licence holders to understand the process and comply. Active management may also help improve public understanding of the rules governing when water can be taken.

### Equitable sharing of flow events amongst all users

Where flows are insufficient to meet all licence holder needs, active management may allow flows to be shared amongst licence holders. It can be used to provide a rostering system, such as that previously run by licence holders in the Barwon–Darling.

## How active management to share flows works

The rules for operation of active management will need to provide sufficient flexibility to respond to each flow event while also providing clarity on when and how active management to share flows is implemented.

For this reason, we expect that we will need changes to the water sharing plan (to allow for access to be on the basis of announcements) as well as protocols that will provide greater details and be more adaptable to individual events. The water sharing plan rules and the protocols will need to outline:

- when active management to share flows will be applied
- how water available to licence holders is to be determined
- how water to remain in-stream is to be determined
- how water available for licence holders is to be shared
- how licence holders can confirm if they can take water, when and how much.

## More information

More information regarding water resource plan development and implementation is available on the department's website: [industry.nsw.gov.au/water](http://industry.nsw.gov.au/water)