

Proposed amendments to the Water Sharing Plan for the *Murrumbidgee Unregulated and Alluvial Water Sources 2012*

Water sharing plans are made under the NSW Water Management Act 2000 (WM Act), 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, and have been amended to meet Basin Plan requirements where necessary.

Why we propose making the amendments

To meet its commitments under the Murray–Darling Basin Plan 2012, the NSW Government is developing water resource plans (WRPs) that make reference to and, where necessary, modify existing NSW water sharing plans (WSPs).

NSW is proposing minimal change for WSPs that are within their initial ten-year period, in order to provide certainty for water users. Changes to this WSP are being proposed if the current rules are inconsistent with the *Basin Plan 2012* or where a rule is not implementable or has had unforeseen consequences on the environment or water users. Additionally, minor changes are proposed to the *Water Sharing Plan for the Murrumbidgee Unregulated and Alluvial Water Sources 2012* to ensure consistency with current policy.

These changes are not intended to impact existing licence holders or their access to water.

Note: The title of the water sharing plan has been changed to *Water Sharing Plan for the Murrumbidgee Unregulated River Water Sources 2012* to reflect the removal of alluvial groundwater sources clauses and rules from this plan. Please see below for more details.

Changes in plan rules

Removal of alluvial groundwater sources

As part of WRP development across the state, it has been determined that alignment is required between each WRP and the NSW water sharing plans. Changes are proposed to remove the alluvial groundwater sources and all rules relating to these groundwater sources from the WSP. These groundwater sources and all rules will be transferred into a *Water Sharing Plan for the Murrumbidgee Alluvial Groundwater Sources 2019*.

As part of this change, the name of the plan will change to reflect the water sources to which it applies, and the associated maps will be updated.

The proposed changes ensure that a WRP for surface water will only incorporate NSW surface water WSPs and not elements related to NSW groundwater management.

Changes to compliance in relation to long-term average annual extraction limits and sustainable diversion limits

To enable NSW to address any non-compliance with the Basin Plan sustainable diversion limits changes to the WSP are required. It is proposed that a second extraction limit, equal to the sustainable diversion limit specified in the *Basin Plan 2012*, be established. Rules that enable NSW to undertake a Basin Plan compatible assessment with the Basin Plan compliance framework are proposed to be included in the WSP.

The associated assessment and compliance rules link the assessment of compliance to the framework specified in Chapter 6 of the *Basin Plan 2012* (Part 4, Division 2). The Murray–Darling Basin Authority will release guidelines on the Basin Plan compliance method.

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

The department is considering a potential option to allow conversion of regulated river (high security) entitlements from downstream regulated river water sources to access licences in connected upstream unregulated water sources. The Basin Plan encourages open trade as long as it complies with Basin Plan water trading rules and NSW Dealing rules in the *Water Management Act 2000*.

A Minister’s note has been added to Part 10 Access Licence Dealing Rules seeking feedback from stakeholders and to understand if there is an appetite for trade of this kind. Discussions with stakeholders have not yet commenced and this note does not constitute a change to the trade rules. Prior to any changes being made to WSPs, assessment of impacts on water users and the environment will be conducted and stakeholder engagement undertaken to review different options.

Administrative changes

NSW Department of Industry is taking the opportunity to improve consistency among the plans, bring plans up- to-date with current policy positions, and ensure plans are in line with current administrative practices.

In some circumstances, re-drafting was required to provide clarity or remove ambiguity associated with existing rules. The changes will 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 flows.

Objectives, strategies and performance indicators

The objectives, strategies and performance indicators have been revised by a working group appointed for that purpose. The revised areas cover similar topics, but 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 Indigenous cultural objectives of the water sharing plan.

Future amendments

The *Water Sharing Plan for the Murrumbidgee Unregulated River Water Sources 2012* will be reviewed by 2022. The Natural Resource Commission (NRC) will undertake a review of the WSP under the NSW *Water Management Act 2000*. As part of the review the NRC will seek public submissions on the effectiveness of the WSP. The department will consider the review findings and the public submissions before making any potential amendments to the WSP. If changes are proposed, we will undertake public exhibition of the amended WSP.

More information

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

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